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ROBERT T. ANDERSON, President of the Senate

DONALD D. AVENSON, Speaker of the House

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NINETY-SIXTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 19, 1985

The Senate met in regular session at 9:25 a.m., President Anderson presiding.

Prayer was offered by the Reverend David Franker, pastor of the Trinity Evangelical Lutheran Church, Tipton, Iowa.

The Journal of Thursday, April 18, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the day on request of Senator Hultman; Senator Hutchins for the day on request of Senator Junkins.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 42, by Hultman, Lind, Holden, Jensen, Readinger, Taylor, Rife, Vande Hoef, Drake, Gentleman, Ritsema, Holt, Hester, Goodwin, Tieden, Gratias, Corning, Soorholtz, Waldstein and Nystrom, a resolution relating to a budget freeze.

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

POINT OF ORDER WITHDRAWN (House File 450)

Senator Hultman raised the point of order that House File 450 should be referred to the committee on Appropriations under Senate Rule 38.

Senator Hultman withdrew his point of order.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 450.

House File 450

On motion of Senator Colton, House File 450, a bill for an act to establish a board of educational examiners, to prescribe its duties, and to make appropriations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Colton asked unanimous consent that further action on House File 450 be deferred.

Senator Colton withdrew his request.

Senator Coleman took the chair at 9:50 a.m.

Senator Hultman raised the point of order that House File 450 should be referred to the committee on Appropriations under Senate Rule 38.

Senator Hultman withdrew his point of order.

Senator Junkins asked and received unanimous consent that **House File 450** be referred to the committee on **Appropriations** and returned to the Unfinished Business Calendar by Tuesday, April 23, 1985, at 5:00 p.m.

UNFINISHED BUSINESS
(Deferred April 18, 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 commissioners, departments, and agencies relating to business, trade, and transportation and amendment S—3704 as amended, pending on adjournment on April 18, 1985.

With the adoption of amendment S—3785 to amendment S—3704 on April 18, 1985, the Chair ruled amendment S—3866 filed by Senators Murphy, et al., from the floor to amendment S—3704, out of order.

Senator Holden moved the adoption of amendment S—3704, as amended, which motion prevailed by a voice vote.

Senator Gettings offered amendment S—3740 filed by him on April 15, 1985, to page 7 of the bill and moved its adoption.

Amendment S—3740 was adopted by a voice vote.

Senator Gettings offered amendment S—3787 filed by him on April 17, 1985, to pages 7 and 8 of the bill and moved its adoption.

Amendment S—3787 was adopted by a voice vote.

Senator Mann withdrew amendment S—3711 filed by him on April 11, 1985, to pages 8 and 11 of the bill.

Senator Mann offered amendment S—3714 filed by him on April 11, 1985, to pages 8 and 11 of the bill.

Senator Gentleman called for a division of amendment S—3714: lines 2 through 4 as division S—3714A and line 5 as division S—3714B.

Senator Mann moved the adoption of division S—3714A.

A non record roll call was requested.

The ayes were 16, nays 27.

Division S—3714A lost.

Senator Mann moved the adoption of division S—3714B.

A record roll call was requested.

On the question “Shall division S—3714B 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, 21:

Brown	Bruner	Coleman	Colton
Corning	Deluhery	Gentleman	Goodwin
Gronstal	Hannon	Holden	Horn
Kinley	Mann	Neighbour	Palmer
Readinger	Rife	Rodgers	Small
Soorholtz			

Nays, 24:

Boswell	Carr	Dieleman	Doyle
Drake	Gettings	Gratias	Hall
Hester	Holt	Hultman	Husak
Jensen	Junkins	Miller, A.V.	Miller, C.P.
Murphy	Priebe	Ritsema	Taylor
Tieden	Vande Hoef	Wells	Welsh

Absent or not voting, 5:

Hutchins	Lind	Nystrom	Schwengels
Waldstein			

Division S—3714B lost.

Senator Drake offered amendment S—3788 filed by Senators Coleman and Drake on April 17, 1985, to page 10 of the bill and moved its adoption.

Amendment S—3788 was adopted by a voice vote.

President Anderson took the chair at 10:30 a.m.

Senator Drake offered amendment S—3732 filed by Senators Drake and Welsh on April 12, 1985, to page 11 of the bill.

Senator Drake asked and received unanimous consent that further action on amendment S—3732 be deferred.

Senator Small offered amendment S—3749 filed by him on April 15, 1985, to page 11 of the bill and moved its adoption.

Amendment S—3749 was adopted by a voice vote.

Senator Welsh offered amendment S—3836 filed by Senators Welsh and Gettings on April 18, 1985, to page 11 of the bill.

Senator Ritsema raised the point of order that amendment S—3836 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3836 in order.

Senator Welsh moved the adoption of amendment S—3836, which motion prevailed by a voice vote.

With the adoption of amendment S—3836, the Chair ruled amendment S—3726 filed by Senator Hultman on April 12, 1985, to page 11 of the bill, out of order.

Senator Drake offered amendment S—3847 filed by Senators Drake and Welsh on April 18, 1985, to page 11 of the bill and moved its adoption.

Amendment S—3847 was adopted by a voice vote.

Senator Drake offered amendment S—3812 filed by Senators Drake and Welsh on April 18, 1985, to page 11 of the bill.

Senator Priebe offered amendment S—3837 filed by him on April 18, 1985, to amendment S—3812 and moved its adoption.

Amendment S—3837 was adopted by a voice vote.

Senator Ritsema raised the point of order that amendment S—3812 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3812 as amended out of order.

Senator Junkins withdrew amendment S—3855 filed by him on April 18, 1985, to page 11 of the bill.

Senator Junkins offered amendment S—3863 filed by him from the floor to page 11 of the bill and moved its adoption.

Amendment S—3863 was adopted by a voice vote.

Senator Ritsema offered amendment S—3858 filed by him on April 18, 1985, to page 11 of the bill.

Senator Ritsema raised the point of order that amendment S—3858 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3858 in order.

Senator Ritsema withdrew amendment S—3858.

Senator Hultman withdrew amendment S—3862 filed by him from the floor to page 3 of the bill.

Senator Murphy offered amendment S—3869 filed by Senators Murphy, Welsh and Gettings from the floor to page 7 of the bill and moved its adoption.

Amendment S—3869 was adopted by a voice vote.

Senator Welsh withdrew amendment S—3826 to page 3 of the bill, deferred on April 18, 1985.

The Senate resumed consideration of amendment S—3732 to page 11 of the bill, previously deferred.

Senator Drake offered amendment S—3870 filed by Senators Drake and Small from the floor to amendment S—3732 and moved its adoption.

Amendment S—3870 was adopted by a voice vote.

Senator Drake moved the adoption of amendment S—3732, as amended, which motion prevailed by a voice vote.

Senator Welsh asked and received unanimous consent that further action on **Senate File 562** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 732.

House File 732

On motion of Senator Mann, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that **House File 732** be referred from the Regular Calendar to the committee on **Judiciary** and returned from committee to the Unfinished Business Calendar.

Senator Junkins asked and received unanimous consent to take up out of order House File 196.

House File 196

On motion of Senator Deluhery, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3670 filed by the committee on Commerce on April 9, 1985, to pages 1 through 5 of the bill.

Senator Gronstal offered amendment S—3753 filed by him on April 15, 1985, to amendment S—3670 and moved its adoption.

Amendment S—3753 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—3670 as amended, which motion prevailed 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?" (H.F. 196) 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	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, 5:

Holden	Hutchins	Lind	Schwengels
Waldstein			

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

Senator Junkins asked and received unanimous consent to take up out of order House File 753.

House File 753

On motion of Senator Bruner, 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, with report of committee recommending passage, was taken up for consideration.

Senator Bruner asked and received unanimous consent that further action on **House File 753** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 649.

House File 649

On motion of Senator Colton, 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, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3780 filed by him on April 17, 1985, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 28.

Amendment S—3780 lost.

Senator Holt took the chair at 12:15 p.m.

Senator Coleman asked unanimous consent that further action on House File 649 be deferred.

Senator Coleman withdrew his request.

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. 649) the vote was:

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

Ayes, 22:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Doyle	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Junkins	Kinley	Mann
Miller, A.V.	Murphy	Palmer	Readinger
Small	Welsh		

Nays, 23:

Coleman	Colton	Dieleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Husak	Jensen	Miller, C.P.
Neighbour	Priebe	Rife	Ritsema
Rodgers	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Absent or not voting, 5:

Drake	Hutchins	Lind	Nystrom
Schwengels			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the remainder of the afternoon on request of Senator Doyle.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 643.

House File 643

On motion of Senator Gronstal, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3709 filed by the committee on Energy and Environment on April 11, 1985, to pages 5, 8 and 9 of the bill and moved its adoption.

Amendment S—3709 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. 643) the vote was:

Ayes, 33:

Brown	Bruner	Colton	Corning
Deluhery	Doyle	Drake	Gentleman
Gettings	Gronstal	Hall	Hannon
Holt	Horn	Husak	Jensen
Junkins	Kinley	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Soorholtz	Tieden	Vande Hoef	Waldstein
Wells			

Nays, 10:

Boswell	Dieleman	Goodwin	Gratias
Hester	Holden	Hultman	Miller, C.P.
Neighbour	Taylor		

Absent or not voting, 7:

Carr	Coleman	Hutchins	Lind
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 736.

House File 736

On motion of Senator Miller of Des Moines, House File 736, a bill for an act to include a physician's assistant on the board of medical examiners, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3873 filed by him from the floor to page 1 of the bill.

Senator Rodgers asked and received unanimous consent that further action on **House File 736** and amendment S—3873 be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 640.

House File 640

On motion of Senator Neighbour, House File 640, a bill for an act relating to the computation of interest penalties on delinquent property taxes, 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. 640) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon

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

Nays, none.

Absent or not voting, 6:

Coleman	Drake	Hutchins	Lind
Nystrom	Schwengels		

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 1:00 p.m.

Senator Junkins asked and received unanimous consent to take up out of order House File 438.

House File 438

On motion of Senator Dieleman, House File 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—3717 filed by the committee on Judiciary on April 12, 1985, to page 2 of the bill.

Senator Husak asked and received unanimous consent that further action on **House File 438** and amendment S—3717 be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 498.

House File 498

On motion of Senator Neighbour, House File 498, a bill for an act relating to the qualifications of a weed commissioner or deputy weed commissioner, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Neighbour offered amendment S—3733 filed by the committee on Local Government on April 12, 1985, to page 1 of the bill.

Senator Waldstein offered amendment S—3876 filed by Senators Waldstein and Neighbour from the floor to amendment S—3733 and moved its adoption.

Amendment S—3876 was adopted by a voice vote.

Senator Neighbour moved the adoption of amendment S—3733 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3733 as amended, the Chair ruled amendment S—3687 filed by Senator Neighbour on April 10, 1985, to page 1 of the bill, out of order.

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. 498) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Jensen

Absent or not voting, 7:

Coleman	Hultman	Hutchins	Lind
Nystrom	Schwengels	Small	

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

Senator Junkins asked and received unanimous consent to take up out of order House File 514.

House File 514

On motion of Senator Waldstein, 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, with report of committee recommending passage, was taken up for consideration.

Senator Colton took the chair at 1:36 p.m.

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. 514) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Jensen	Junkins	Kinley
Mann	Miller, A. V.	Miller, C.P.	Neighbour
Palmer	Priebe	Readinger	Rife
Rodgers	Small	Soorholtz	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, 4:

Holden	Murphy	Ritsema	Vande Hoef
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Absent or not voting, 6:

Coleman	Hultman	Hutchins	Lind
Nystrom	Schwengels		

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

Senator Junkins asked and received unanimous consent to take up out of order House File 589.

House File 589

On motion of Senator Neighbour, House File 589, a bill for an act relating to fees collected by county officers, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—3889 filed by Senators Miller of Des Moines, et al., from the floor to pages 1 through 4 of the bill.

Senator Neighbour raised the point of order that amendment S—3889 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3889 in order.

Senator Miller of Des Moines moved the adoption of amendment S—3889.

A non record roll call was requested.

The ayes were 26, nays 14.

Amendment S—3889 was adopted.

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. 589) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Deluhery	Dieleman	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holt	Horn
Junkins	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Ritsema	Soorholtz
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 9:

Colton	Corning	Doyle	Husak
Jensen	Mann	Rodgers	Small
Taylor			

Absent or not voting, 8:

Coleman
Hutchins

Hester
Lind

Holden
Nystrom

Hultman
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 562

The Senate resumed consideration of Senate File 562, previously deferred.

Senator Welsh asked and received unanimous consent to withdraw amendment S—3880 filed by Senators Welsh and Junkins from the floor to page 5 of the bill.

Senator Gettings asked and received unanimous consent that further action on **Senate File 562** be **deferred**.

CONSIDERATION OF BILLS (Appropriations Calendar)

House File 476

On motion of Senator Husak, 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, with report of committee recommending passage, was taken up for consideration.

Senator Welsh withdrew amendment S—3793 filed by him on April 17, 1985, to page 1 of the bill.

Senator Husak offered amendment S—3641 filed by Senators Husak, et al., on April 3, 1985, to pages 2, 4, 8 and 10 of the bill and called for a division:

Division S—3641A: Page 1, lines 3 through 43 and page 2, lines 10 through 43.

Division S—3641B: Page 1, lines 44 through 50 and page 2, lines 1 through 9.

Senator Husak moved the adoption of division S—3641A, which motion prevailed by a voice vote.

Senator Husak asked and received unanimous consent to withdraw division S—3641B.

Senator Tieden offered amendment S—3621 filed by Senator Schwengels on April 3, 1985, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

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

The ayes were 23, nays 19.

Amendment S—3621 was adopted.

Senator Hall withdrew amendment S—3547 filed by him on March 28, 1985, to page 4 of the bill.

Senator Holden withdrew amendment S—3622 filed by him on April 3, 1985, to pages 6 and 7 of the bill.

Senator Holden offered amendment S—3741 filed by him on April 15, 1985, to pages 6 and 7 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 20.

Amendment S—3741 lost.

Senator Welsh offered amendment S—3452 filed by him on March 22, 1985, to page 9 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 24.

Amendment S—3452 lost.

Senator Husak offered amendment S—3640 filed by Senators Husak, et al., on April 3, 1985, to page 9 of the bill and moved its adoption.

Amendment S—3640 was adopted by a voice vote.

Senator Welsh offered amendment S—3832 filed by Senators Welsh and Husak on April 19, 1985, to page 10 of the bill and moved its adoption.

Amendment S—3832 was adopted by a voice vote.

With the adoption of amendment S—3832, the Chair ruled amendment S—3731 filed by Senator Hultman on April 12, 1985, to page 10 of the bill, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Holden.

BUSINESS PENDING

House File 476

The Senate resumed consideration of House File 476.

Senator Junkins withdrew amendment S—3854 filed by him on April 18, 1985, to page 10 of the bill.

Senator Junkins offered amendment S—3864 filed by him from the floor to page 10 of the bill and moved its adoption.

Amendment S—3864 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. 476) the vote was:

Ayes, 37:

Boswell
Colton

Brown
Corning

Bruner
Deluhery

Carr
Dieleman

Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Junkins
Mann	Miller, A.V.	Miller, C.P.	Neighbour
Palmer	Readinger	Rife	Ritsema
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 13:

Coleman	Hutchins	Jensen	Kinley
Lind	Murphy	Nystrom	Priebe
Rodgers	Schwengels	Small	Tieden
Welsh			

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

Senator Carr took the chair at 3:15 p.m.

Senator Junkins asked and received unanimous consent that **House File 476** be immediately messaged to the House.

WITHDRAWN

Senator Husak asked and received unanimous consent that **Senate File 451** be withdrawn from further consideration of the Senate.

BUSINESS PENDING

Senate File 562

The Senate resumed consideration of Senate File 562, previously deferred.

Senator Drake offered amendment S—3892 filed by Senators Drake and Small from the floor to page 11 of the bill and moved its adoption.

Amendment S—3892 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 562) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Junkins
Mann	Miller, A. V.	Miller, C. P.	Murphy
Neighbour	Palmer	Readinger	Rife
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Coleman	Hutchins	Jensen	Kinley
Lind	Nystrom	Priebe	Rodgers
Schwengels			

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

Senator Junkins asked and received unanimous consent that Senate File 562 be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

House File 571

On motion of Senator Colton, 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, with report of committee recommending passage, was taken up for consideration.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senators Waldstein and Vande Hoef for the remainder of the day on request of Senator Holden.

BUSINESS PENDING

House File 571

The Senate resumed consideration of House File 571.

Senator Welsh withdrew amendment S—3867 filed by him from the floor to page 8 of the bill.

Senator Ritsema withdrew amendment S—3879 filed by him from the floor to pages 2 through 4 of the bill.

Senator Ritsema offered amendment S—3890 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3890 be adopted? (H.F. 571) the vote was:

Ayes, 8:

Goodwin	Gratias	Hester	Holden
Holt	Ritsema	Taylor	Tieden

Nays, 31:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Junkins	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Readinger	Rife	Rodgers	Small
Soorholtz	Wells	Welsh	

Absent or not voting, 11:

Coleman	Gettings	Hutchins	Jensen
Kinley	Lind	Nystrom	Priebe
Schwengels	Vande Hoef	Waldstein	

Amendment S—3890 lost.

Senator Colton offered amendment S—3729 filed by him on April 12, 1985, to page 4 of the bill and moved its adoption.

Amendment S—3729 was adopted by a voice vote.

Senator Gentleman offered amendment S—3754 filed by Senators Gentleman and Readinger on April 15, 1985, to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3754 be adopted?” (H.F. 571) the vote was:

Ayes, 24:

Brown	Bruner	Corning	Deluhery
Gentleman	Goodwin	Gratias	Gronstal
Hannon	Hester	Holden	Holt
Hultman	Mann	Miller, C.P.	Murphy
Neighbour	Palmer	Readinger	Ritsema
Small	Soorholtz	Taylor	Tieden

Nays, 16:

Boswell	Carr	Colton	Dieleman
Doyle	Drake	Gettings	Hall
Horn	Husak	Junkins	Miller, A.V.
Rife	Rodgers	Wells	Welsh

Absent or not voting, 10:

Coleman	Hutchins	Jensen	Kinley
Lind	Nystrom	Priebe	Schwengels
Vande Hoef	Waldstein		

Amendment S—3754 was adopted.

Senator Gentleman offered amendment S—3875 filed by Senators Gentleman, et al., from the floor to page 5 of the bill and moved its adoption.

Amendment S—3875 was adopted by a voice vote.

Senator Doyle offered amendment S—3646 filed by Senators Doyle, et al., on April 4, 1985, to page 6 of the bill and called for a division: lines 3 through 6 as division S—3646A and lines 7 through 15 as division S—3646B.

Senator Doyle asked and received unanimous consent to withdraw division S—3646B.

Senator Doyle moved the adoption of division S—3646A, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—3871 filed by him from the floor to pages 8 and 11 of the bill and moved its adoption.

Amendment S—3871 was adopted by a voice vote.

Senator Rife offered amendment S—3578 filed by him on April 1, 1985, to page 13 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3578 be adopted?" (H.F. 571) the vote was:

Ayes, 32:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Junkins	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Rife	Rodgers	Soorholtz
Taylor	Tieden	Wells	Welsh

Nays, 7:

Gentleman	Holden	Mann	Palmer
Readinger	Ritsema	Small	

Absent or not voting, 11:

Coleman	Husak	Hutchins	Jensen
Kinley	Lind	Nystrom	Priebe
Schwengels	Vande Hoef	Waldstein	

Amendment S—3578 was adopted.

Senator Welsh offered amendment S—3834 filed by Senators Welsh and Colton on April 18, 1985, to page 14 of the bill.

Senator Colton offered amendment S—3868 filed by him from the floor to amendment S—3834.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

House File 571

The Senate resumed consideration of House File 571 and amendment S—3834 and amendment S—3868 to amendment S—3834.

Senator Colton moved the adoption of amendment S—3868 to amendment S—3834.

A non record roll call was requested.

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

The ayes were 21, nays 18.

Amendment S—3868 was adopted.

Senator Welsh moved the adoption of amendment S—3834 as amended, which motion prevailed by a voice vote.

Senator Junkins withdrew amendment S—3851 filed by him on April 18, 1985, to page 14 of the bill.

Senator Junkins offered amendment S—3865 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—3865 was adopted by a voice vote.

Senator Brown filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3754 to House File 571 was adopted by the Senate on April 19, 1985.

A non record roll call was requested.

The ayes were 16, nays 22.

The motion 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?" (H.F. 571) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Holt	Horn	Hutchins	Junkins
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Wells	Welsh

Nays, 3:

Gettings	Holden	Hultman
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Absent or not voting, 11:

Coleman	Hester	Husak	Jensen
Kinley	Lind	Nystrom	Priebe
Schwengels	Vande Hoef	Waldstein	

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 4:10 p.m.

IMMEDIATE MESSAGE RESCINDED

Senator Junkins asked and received unanimous consent to rescind the request for an immediate message on Senate File 434 on April 18, 1985.

Senator Junkins filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 434 passed the Senate on April 18, 1985.

On the question "Shall the motion to reconsider be adopted?" (S.F. 434) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Readeringer
Ritsema	Rodgers	Small	Wells
Welsh			

Nays, none.

Absent or not voting, 17:

Coleman	Drake	Gentleman	Hester
Jensen	Kinley	Lind	Nystrom
Palmer	Priebe	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

The motion prevailed.

Senator Junkins moved to reconsider the vote by which Senate File 434 went to its last reading, which motion prevailed by a voice vote.

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—3853 to Senate File 434 was adopted by the Senate on April 18, 1985.

The motion prevailed by a voice vote and amendment S—3853 was taken up for reconsideration.

Senator Junkins asked and received unanimous consent to withdraw amendment S—3853.

Senator Junkins offered amendment S—3893 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—3893 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. 434) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Hutchins	Junkins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Readinger	Rife	Ritsema
Rodgers	Soorholtz	Taylor	Wells
Welsh			

Nays, none.

Absent or not voting, 13:

Coleman	Hester	Husak	Jensen
Kinley	Lind	Nystrom	Priebe
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.

Senator Junkins asked and received unanimous consent that **House File 571** and **Senate File 434** be immediately messaged to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Tieden for the remainder of the day and Senator Hultman at 5:00 p.m., on request of Senator Hultman.

IMMEDIATE MESSAGE RESCINDED

Senator Junkins asked and received unanimous consent to rescind the request for an immediate message on Senate File 552 on April 18, 1985.

Senator Junkins filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 552 passed the Senate on April 18, 1985.

On the question "Shall the motion to reconsider be adopted?" (S.F. 552) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Hutchins	Junkins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Coleman	Hester	Husak	Jensen
Kinley	Lind	Nystrom	Priebe
Schwengels	Tieden	Vande Hoef	Waldstein

The motion prevailed.

Senator Junkins moved to reconsider the vote by which Senate File 552 went to its last reading, which motion prevailed by a voice vote.

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—3852 to Senate File 552 was adopted by the Senate on April 18, 1985.

The motion prevailed by a voice vote and amendment S—3852 was taken up for reconsideration.

Senator Junkins asked and received unanimous consent to withdraw amendment S—3852.

Senator Junkins offered amendment S—3894 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—3894 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. 552) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Hutchins	Junkins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Coleman	Hester	Husak	Jensen
Kinley	Lind	Nystrom	Priebe
Schwengels	Tieden	Vande Hoef	Waldstein

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

Senator Junkins asked and received unanimous consent that **Senate File 552** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 359.

House File 359

On motion of Senator Junkins, House File 359, a bill for an act relating to fees for boiler inspections, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 359** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 495.

House File 495

On motion of Senator Junkins, 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, and the recording of income tax refund or rebate payments by the clerk, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 495** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 539.

House File 539

On motion of Senator Junkins, House File 539, a bill for an act relating to the jurisdiction and control of the great river road, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 539** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 381.

House File 381

On motion of Senator Junkins, House File 381, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 381** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 641.

House File 641

On motion of Senator Junkins, House File 641, a bill for an act relating to the violation of a custodial order and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 641** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order House File 684.

House File 684

On motion of Senator Junkins, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 684** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 501.

House File 501

On motion of Senator Junkins, House File 501, a bill for an act relating to the inspection of boilers and unfired steam pressure vessels, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 501** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 742.

House File 742

On motion of Senator Junkins, 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, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 742** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 266.

House File 266

On motion of Senator Junkins, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 266** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 700.

House File 700

On motion of Senator Junkins, House File 700, a bill for an act relating to the endangering of certain persons and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 700** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 701.

House File 701

On motion of Senator Junkins, 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, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 701** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 746.

House File 746

On motion of Senator Junkins, House File 746, a bill for an act relating to merged area hospitals, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 746** be **deferred**.

Senator Junkins asked and received unanimous consent to take up out of order House File 593.

House File 593

On motion of Senator Junkins, 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, with report of committee recommending passage, was taken up for consideration.

Senator Junkins asked and received unanimous consent that further action on **House File 593** 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 April 16, 1985, passed the following bill in which the concurrence of the House was asked:

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.

ALSO: That the House has on April 16, 1985, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 27, a bill for an act relating to the investment policies for funds available to certain state agencies (S—3888).

ALSO: That the House has on April 17, 1985, passed the following bills in which the concurrence of the House was asked:

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.

Senate File 438, a bill for an act allowing licensed optometrists to administer and prescribe certain pharmaceutical agents.

ALSO: That the House has on April 17, 1985, amended and passed the following bills in which the concurrence of the House was asked:

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 or permitting a savings and loan association to voluntarily liquidate in lieu of obtaining and maintaining the insurance (S—3887).

Senate File 295, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles (S—3886).

Senate File 450, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements (S—3885).

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 a criminal prosecution, or which is the proceeds of criminal activity (S—3884).

Senate File 503, a bill for an act relating to the insurance premium tax applicable to an association of cities' or counties' or other self-insured workers' compensation plan formed under section 87.4 (S—3883).

Senate File 539, a bill for an act relating to motor vehicle fuel (S—3882).

ALSO: That the House has on April 19, 1985, failed to reconsider Sections 401, 402, and a portion of Section 403 of Division IV, the objection of the Governor to the contrary notwithstanding:

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.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 156

APPROPRIATIONS: Husak, Chair; Lind and C. Miller

Senate File 330

APPROPRIATIONS: Gettings, Chair; Ritsema and Welsh

House File 589

LOCAL GOVERNMENT: Neighbour, Chair; C. Miller and Goodwin

House File 619

EDUCATION: Murphy, Chair; Wells and Hannon

House File 648

EDUCATION: Corning, Chair; Hannon and Colton

House File 730

STATE GOVERNMENT: Dieleman, Chair; Carr, Corning, C. Miller and Rife

House File 753

STATE GOVERNMENT: Bruner, Chair; Carr and Gentleman

LSB 6095 S

AGRICULTURE: Boswell, Chair; Husak and Soorholtz

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 18, 1985, the governor approved and transmitted to the Secretary of State the following bill:

Senate File 395 — 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 and providing refunds until the exemption begins of the sale or lease of certain farm machinery and equipment, including certain replacement parts, and certain industrial machinery, equipment and computers, including certain replacement parts, from the state sales, services and use tax, providing for setting aside of revenues to pay such refunds and not including certain increases in revenues in computing the state percent of growth for purposes of chapter 442, amending the state sales, services and use tax to impose the tax on the rendering or furnishing of additional services, and on sales of certain tangible personal property, to alter certain definitions, and to provide exemptions and limit others, increasing the tax on tobacco products and on cigarettes and little cigars, imposing an inventory tax on cigarettes and little cigars, unused tax stamps and metered imprints and granting one-time credit purchase on cigarette tax stamps, providing for the phase out and repeal of all property taxes on personal property, and providing penalties, appropriations and effective dates, making permanent the exemption from property taxation of certain pollution control property, providing for the special valuation of certain machinery, equipment and computers acquired after a certain date and limiting the applicability of the present special valuation to that property acquired before a certain date, amending the lottery law to provide for fifty percent of the projected annual revenue from the sales of lottery tickets or shares be used for payment of prizes, and imposing the state sales, services and use tax on the sales of lottery tickets and shares, eliminating the prohibition on the manufacture of electronic and computerized gambling devices, providing a new jobs tax credit for computing the individual and corporate tax liabilities of certain businesses that create new jobs within the state, providing that for purposes of property taxation the term "computer" does not include point of sales equipment and providing penalties and appropriations.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Thursday, April 18, 1985.

Had I been present, I would have voted "aye" on House Files 639, 729 and 748.

DAVID M. READINGER

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 April, 1985:

Senate Files 9, 79, 85, 200, 307 and 318.

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 649 failed to pass April 19, 1985.

MILO COLTON

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty eighth grade students from St. Patrick School, Cedar Falls, Iowa, accompanied by Sr. Brigid Stanley. Senator Corning.

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

Medical record students from Indian Hills Community College, Ottumwa, Iowa, accompanied by Ms. Mary Pat Wohlford-Wessells. Senator Neighbour.

Forty-three eighth grade students from Pella Christian School, Pella, Iowa, accompanied by Mrs. Stravers, Mr. Vos and Mr. Vander Leest. Senator Dieleman.

Forty-five fifth grade students from Crossroad Elementary School, West Des Moines, Iowa, accompanied by Judy Anderson. Senator Gentleman.

AMENDMENTS FILED

S—3862	S.F.	562	Calvin O. Hultman
S—3863	S.F.	562	Lowell L. Junkins
S—3864	H.F.	476	Lowell L. Junkins
S—3865	H.F.	571	Lowell L. Junkins
S—3866	S.F.	562	Larry Murphy
			Joe J. Welsh
			Don Gettings
S—3867	H.F.	571	Appropriations

S—3868	H.F.	571	Milo Colton
S—3869	S.F.	562	Larry Murphy Joe J. Welsh Don Gettings
S—3870	S.F.	562	Richard F. Drake Arthur A. Small
S—3871	H.F.	571	Joe J. Welsh
S—3872	H.F.	495	Donald V. Doyle Wally Horn Tom Mann, Jr.
S—3873	H.F.	736	Edgar H. Holden
S—3874	S.F.	565	Richard F. Drake William D. Palmer David M. Readinger
S—3875	H.F.	571	Julia Gentleman C. Joseph Coleman Joy Corning Beverly Hannon
S—3876	H.F.	498	Arne Waldstein John A. Neighbour
S—3877	H.F.	450	Arthur A. Small, Jr. Charles Bruner John N. Nystrom
S—3878	S.F.	565	Noreman G. Rodgers Richard F. Drake Joe Welsh Joe Brown
S—3879	H.F.	571	Douglas Ritsema
S—3880	S.F.	562	Joe J. Welsh Lowell L. Junkins
S—3881	H.F.	505	Charles P. Miller Richard Vande Hoef Alvin V. Miller James Wells Hurley W. Hall Thomas A. Lind Norman Goodwin Arne Waldstein John Neighbour
S—3882	S.F.	539	House amendment
S—3883	S.F.	503	House amendment
S—3884	S.F.	455	House amendment

S—3885	S. F.	450	House amendment
S—3886	S. F.	295	House amendment
S—3887	S. F.	157	House amendment
S—3888	S. F.	27	House amendment
S—3889	H. F.	589	Charles P. Miller George R. Kinley Norman J. Goodwin Jack Rife Thomas A. Lind Hurley Hall Dale L. Tieden Berl E. Priebe Alvin V. Miller Arne Waldstein James Wells John Neighbour
S—3890	H. F.	571	Douglas Ritsema
S—3891	H. F.	451	Richard Vande Hoef
S—3892	S. F.	562	Richard F. Drake Arthur A. Small, Jr.
S—3893	S. F.	434	Lowell L. Junkins
S—3894	S. F.	552	Lowell L. Junkins
S—3895	S. F.	565	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:06 p.m., until 10:00 a.m., Monday, April 22, 1985.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 22, 1985

The Senate met in regular session at 10:17 a.m., President Anderson presiding.

Prayer was offered by Father Ernest Engler, pastor of the St. Patrick's Catholic Church, Tama-Toledo, Iowa.

The Journal of Friday, April 19, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Murphy for the day and Senator Deluhery for the morning on request of Senator Husak; Senator Jensen for the morning and Senator Schwengels for the day on request of Senator Holden.

BILLS RETURNED TO COMMITTEE

Senator Husak asked and received unanimous consent that pursuant to Joint Rule 20, the following bills be returned from the Regular Calendar to committee:

H.F.	379	Human Resources
H.F.	392	Small Business & Economic Development
H.F.	452	Commerce
H.F.	466	State Government
H.F.	497	Natural Resources
H.F.	645	Local Government
H.F.	656	Agriculture
H.F.	660	State Government
H.F.	724	Local Government

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Husak.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 178.

Senate File 178

On motion of Senator Rodgers, Senate File 178, a bill for an act relating to the handling and preservation of assessment rolls and assessment information, 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. 178) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Colton	Corning	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Kinley	Lind	Miller, A.V.
Miller, C.P.	Neighbour	Nystrom	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 11:

Coleman	Deluhery	Gronstal	Hutchins
Jensen	Junkins	Mann	Murphy
Palmer	Priebe	Schwengels	

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 349.

Senate File 349

On motion of Senator Hultman, 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, 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. 349) the vote was:

Ayes, 35:

Brown	Bruner	Carr	Colton
Corning	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Kinley
Lind	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Readinger	Rife	Rodgers
Small	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 4:

Boswell	Dieleman	Ritsema	Vande Hoef
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Absent or not voting, 11:

Coleman	Deluhery	Gronstal	Hutchins
Jensen	Junkins	Mann	Murphy
Palmer	Priebe	Schwengels	

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 557.

Senate File 557

On motion of Senator Rodgers, Senate File 557, a bill for an act relating to the filing of claims for the homestead credit, 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. 557) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Miller, C.P.	Neighbour
Nystrom	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Deluhery	Jensen	Junkins	Mann
Miller, A. V.	Murphy	Palmer	Priebe
Schwengels	Tieden		

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 561.

Senate File 561

On motion of Senator Rodgers, Senate File 561, 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, 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. 561) 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	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Neighbour	Nystrom	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Deluhery	Jensen	Mann	Murphy
Palmer	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 Junkins, the Senate recessed at 10:47 a.m., until 11:30 a.m.

RECONVENED

The Senate reconvened at 11:31 a.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 was present.

Senator Colton took the chair at 11:35 a.m.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 563.

Senate File 563

On motion of Senator Rife, Senate File 563, 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, was taken up for consideration.

President Anderson took the chair at 11:41 a.m.

Senator Holden offered amendment S—3764 filed by him on April 16, 1985, to page 1 of the bill.

Senator Palmer raised the point of order that amendment S—3764 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3764 out of order.

Senator Husak asked and received unanimous consent that further action on **Senate File 563** be deferred.

Senator Junkins asked and received unanimous consent to take up out of order Senate File 564.

Senate File 564

On motion of Senator Miller of Des Moines, Senate File 564, 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, was taken up for consideration.

Senator Miller of Des Moines offered amendment S—3723 filed by him on April 12, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3723 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. 564) 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	Lind	Miller, A.V.	Miller, C.P.
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Deluhery	Jensen	Kinley	Mann
Murphy	Nystrom	Schwengels	

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

MOTION TO RECONSIDER WITHDRAWN**House File 183**

Senator Hutchins withdrew the motion to reconsider 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, filed by him on March 12, 1985, and found on page 725 of the Senate Journal.

BUSINESS PENDING**Senate File 563**

The Senate resumed consideration of Senate File 563, previously deferred.

Senator Bruner offered amendment S—3767 filed by him on April 16, 1985 to page 1 of the bill.

Senator Gratias called for a division of the amendment: lines 2 through 6 as division S—3767A and lines 7 through 12 as division S—3767B.

Senator Bruner moved the adoption of division S—3767A, which motion prevailed by a voice vote.

Senator Bruner moved the adoption of division S—3767B.

A non record roll call was requested.

The ayes were 27, nays 10.

Division S—3767B was adopted.

Senator Priebe asked and received unanimous consent that further action on **Senate File 563** be **deferred**.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:20 p.m., until 1:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	41	Transportation
S. C. R.	42	Appropriations

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: April 19, 1985, 8:15 a.m.

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

Members Absent: Colton and Lind (excused).

Committee Business: Assigned House File 270 to a subcommittee and discussed school finance data.

Adjourned: 9:10 a.m.

COMMUNICATION FROM THE SECRETARY OF STATE

April 19, 1985

Ms. K. Marie Thayer
Secretary of the Senate
Senate Chamber
L O C A L

Dear Ms. Thayer:

I hereby certify that Senate File 55 was published in the Clayton County Press-Journal, Strawberry Point, Iowa, on March 12, 1985, and in The Chariton Leader, Chariton, Iowa, on March 19, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following 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 22nd day of April, 1985:

Senate Files 168, 183, 266, 342 and 414.

K. MARIE THAYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 552, the following technical correction was made:

1. Page 15, line 1, "4, and 6" were changed to "5, and 7".

ALSO: In engrossing Senate File 562, the following technical correction was made:

1. Page 16, line 6, "7, 14, and 15" were changed to "9, 16, and 17".

K. MARIE THAYER
Secretary of the Senate

PRESENTATION OF VISITORS

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

Fourteen junior and senior students from Central High School, De Witt, Iowa, accompanied by Eugene Kastler. Senator Goodwin.

Forty-three sixth grade students from Logan-Magnolia Elementary School, Logan, Iowa, accompanied by Miss Freemyer, Mr. Rider and Mrs. Weiland. Senator Hester.

AMENDMENTS FILED

S—3896	H.F.	686	Joe Brown
S—3897	S.F.	457	Michael E. Gronstal
S—3898	S.F.	565	Leonard L. Boswell
			Lowell L. Junkins
			Don Gettings
			John Neighbour

AFTERNOON SESSION

The Senate reconvened at 1:38 p.m., President pro tempore Rodgers presiding.

QUORUM CALL

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

The vote revealed 38 present, 12 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred April 19, 1985)

House File 359

The Senate resumed consideration of House File 359, a bill for an act relating to fees for boiler inspections, deferred on April 19, 1985.

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. 359) 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.	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 Mann Murphy 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 19, 1985)

House File 539

The Senate resumed consideration of House File 539, a bill for an act relating to the jurisdiction and control of the great river road, deferred on April 19, 1985.

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. 539) 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	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Mann Murphy Priebe Schwengels

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 1:50 p.m.

UNFINISHED BUSINESS
(Deferred April 19, 1985)

House File 381

The Senate resumed consideration of House File 381, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication, deferred on April 19, 1985.

Senator Gentleman asked and received unanimous consent that further action on **House File 381** be deferred.

UNFINISHED BUSINESS
(Deferred April 19, 1985)

House File 641

The Senate resumed consideration of House File 641, a bill for an act relating to the violation of a custodial order and providing penalties, deferred on April 19, 1985.

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

On the question "Shall the bill pass?" (H.F. 641) 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	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Small

Absent or not voting, 3:

Mann

Murphy

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 19, 1985)

House File 684

The Senate resumed consideration of 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, deferred on April 19, 1985.

Senator Junkins asked and received unanimous consent that further action on **House File 684** be deferred.

UNFINISHED BUSINESS
(Deferred April 19, 1985)

House File 742

The Senate resumed consideration of 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, deferred on April 19, 1985.

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. 742) 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.	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	Mann	Murphy	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 19, 1985)

House File 501

The Senate resumed consideration of House File 501, a bill for an act relating to the inspection of boilers and unfired steam pressure vessels, deferred on April 19, 1985.

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

On the question "Shall the bill pass?" (H.F. 501) the vote was:

Ayes, 44:

Boswell	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.	Neighbour	Nystrom	Palmer
Priebe	Readinger	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Brown	Gratias	Mann	Murphy
Rife	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 19, 1985)

House File 266

The Senate resumed consideration of 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, deferred on April 19, 1985.

Senator Neighbour offered amendment S—3626 filed by the committee on Appropriations on April 3, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3626 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?" (H.F. 266) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 4:

Gentleman	Holden	Ritsema	Small
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Absent or not voting, 6:

Brown	Coleman	Gratias	Mann
Murphy	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 19, 1985)

House File 746

The Senate resumed consideration of House File 746, a bill for an act relating to merged area hospitals, deferred on April 19, 1985.

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. 746) 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
Miller, A.V.	Miller, C.P.	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Lind	Mann	Murphy	Schwengels
Vande Hoef			

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

WITHDRAWN

Senator Hannon asked and received unanimous consent that **Senate File 491** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred on April 19, 1985)

House File 593

The Senate resumed consideration of 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, deferred on April 19, 1985.

Senator Holt took the chair at 3:50 p.m.

Senator Colton asked and received unanimous consent that further action on **House File 593** be deferred.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 555.

Senate File 555

On motion of Senator Hutchins, 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, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that **Senate File 555** be withdrawn from further consideration of the Senate.

Senator Husak asked and received unanimous consent to take up out of order Senate File 558.

Senate File 558

On motion of Senator Brown, Senate File 558, a bill for an act exempting the rental of mobile or manufactured housing from the sales, services, and use tax, was taken up for consideration.

Senator Small asked unanimous consent that further action on Senate File 558 be deferred.

Senator Small withdrew his request.

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. 558) 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.	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 5:

Mann	Murphy	Neighbour	Schwengels
Welsh			

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 560.

Senate File 560

On motion of Senator Gronstal, Senate File 560, a bill for an act relating to the establishment of and improvements within a secondary road assessment district, was taken up for consideration.

Senator Jensen offered amendment S—3710 filed by Senators Jensen and Gronstal on April 11, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3710 was adopted by a voice vote.

President Anderson took the chair at 3:20 p.m.

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. 560) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Miller, A.V.	Miller, C.P.	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Wells	Welsh		

Nays, 8:

Gratias	Holden	Holt	Lind
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 4:

Hester	Mann	Murphy	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
(Ways and Means Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Concurrent Resolution 40.

Senate Concurrent Resolution 40

On motion of Senator Palmer, Senate Concurrent Resolution 40, a resolution proposing a legislative study of the final report of the tax study committee, was taken up for consideration.

Senator Bruner offered amendment S—3839 filed by him on April 18, 1985, to page 1 of the resolution and moved its adoption.

Amendment S—3839 was adopted by a voice vote.

Senator Vande Hoef asked and received unanimous consent that further action on **Senate Concurrent Resolution 40** be deferred.

UNFINISHED BUSINESS
(Deferred April 17, 1985)

House File 740

The Senate resumed consideration of House File 740, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization, deferred on April 17, 1985.

Senator Gronstal called up the motion to reconsider the vote by which amendment S—3688 to House File 740 was adopted by the Senate on April 17, 1985, filed by him on April 18, 1985, found on page 1489 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3688 by the committee on Commerce to page 1 of the bill, was taken up for reconsideration.

Senator Gronstal asked and received unanimous consent that further action on amendment S—3688 be deferred.

Senator Gronstal offered amendment S—3860 filed by him on April 18, 1985, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3860 was adopted by a voice vote.

With the adoption of amendment S—3860, the Chair ruled amendment S—3802 filed by Senator Gronstal on April 17, 1985 to page 1 of the bill and amendment S—3688, previously deferred, out of order.

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?" (H.F. 740) 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	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Rife

Absent or not voting, 3:

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 561** be **immediately messaged** to the House.

BUSINESS PENDING

Senate Concurrent Resolution 40

The Senate resumed consideration of Senate Concurrent Resolution 40, previously deferred.

Senator Palmer moved the adoption of Senate Concurrent Resolution 40, which motion prevailed by a voice vote and the resolution was adopted.

UNFINISHED BUSINESS (Deferred April 17, 1985)

House File 160

The Senate resumed consideration of 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, deferred on April 17, 1985.

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. 160) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
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.
Miller, C.P.	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Waldstein	Wells	Welsh	

Nays, 2:

Coleman	Tieden
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Absent or not voting, 5:

Gentleman	Mann	Murphy	Schwengels
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 27, 1985)

House File 231

The Senate resumed consideration of House File 231, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts, deferred on March 27, 1985.

Senator Ritsema took the chair at 4:00 p.m.

Senator Waldstein offered amendment S—3772 filed by him on April 16, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3772 was adopted by a voice vote.

With the adoption of amendment S—3772, the Chair ruled amendment S—3477 filed by Senator Waldstein on March 25, 1985, to page 1 of the bill and amendment S—3304 filed by Senator Hultman on March 14, 1985, to the title page of the bill, out of order.

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?” (H.F. 231) 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	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Mann

Murphy

Schwengels

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

WITHDRAWN

Senator Hultman asked and received unanimous consent that **Senate File 133** be withdrawn from further consideration of the Senate.

The Chair ruled amendment S—3246 to page 1 of Senate File 133, deferred on March 27, 1985, out of order.

UNFINISHED BUSINESS

(Deferred March 22, 1985)

House File 541

The Senate resumed consideration of House File 541, a bill for an act to provide for the establishment of the Iowa higher education facilities program, deferred on March 22, 1985.

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. 541) 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	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Mann

Murphy

Schwengels

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

WITHDRAWN

Senator Carr asked and received unanimous consent that **Senate File 453** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred March 22, 1985)

House File 555

The Senate resumed consideration of House File 555, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming, deferred on March 22, 1985.

Senator Rife offered amendment S—3426 filed by him on March 20, 1985, to page 2 and to the title page of the bill and moved its adoption.

Amendment S—3426 was adopted by a voice vote.

Senator Waldstein asked and received unanimous consent that further action on **House File 555** be **deferred**.

UNFINISHED BUSINESS (Deferred April 11, 1985)

House File 554

The Senate resumed consideration of House File 554, 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 on April 11, 1985.

Senator Boswell offered amendment S—3807 filed by Senators Boswell, et al., on April 18, 1985, to pages 1 through 4 of the bill.

Senator Priebe asked and received unanimous consent that further action on **House File 554** and amendment S—3807 be **deferred**.

UNFINISHED BUSINESS
(Deferred April 2, 1985)

House File 686

The Senate resumed consideration of House File 686, a bill for an act relating to plans and programs for educational development in Iowa and amendment S—3565, deferred on April 2, 1985.

Senator Brown offered amendment S—3901 filed by him from the floor to amendment S—3565 and moved its adoption.

Amendment S—3901 was adopted by a voice vote.

President Anderson took the chair at 4:48 p.m.

With the adoption of amendment S—3901 to amendment S—3565, the Chair ruled the following amendments to the bill, out of order:

S—3604 filed by Senators Corning, et al., on April 2, 1985, to amendment S—3565.

S—3625 filed by Senators Corning and Murphy on April 3, 1985, to page 1.

S—3658 filed by Senators Brown and Taylor on April 8, 1985, to page 1.

S—3896 filed by Senator Brown from the floor to page 1.

Senator Brown moved the adoption of amendment S—3565 as amended, which motion prevailed by a voice vote.

Senator Brown offered amendment S—3899 filed by him from the floor to pages 1 and 8 of the bill.

Senator Lind offered amendment S—3904 filed by him from the floor to amendment S—3899 and moved its adoption.

Amendment S—3904 lost by a voice vote.

Senator Brown moved the adoption of amendment S—3899 and requested a record roll call.

On the question “Shall amendment S—3899 be adopted?” (H.F. 686) the vote was:

Ayes, 19:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Gentleman	Gronstal
Hall	Hannon	Horn	Junkins
Miller, A. V.	Miller, C.P.	Neighbour	Palmer
Waldstein	Wells	Welsh	

Nays, 25:

Boswell	Coleman	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Hester	Holden	Holt	Husak
Hutchins	Jensen	Lind	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef			

Absent or not voting, 6:

Hultman	Kinley	Mann	Murphy
Nystrom	Schwengels		

Amendment S—3899 lost.

Senator Brown offered amendment S—3900 filed by him from the floor to pages 1, 3 and 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 10.

Amendment S—3900 was adopted.

Senator Lind offered amendment S—3911 filed by him from the floor to page 3 of the bill.

Senator Small raised the point of order that amendment S—3911 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3911 out of order.

Senator Ritsema offered amendment S—3589 filed by him on April 2, 1985, to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 26.

Amendment S—3589 lost.

Senator Brown offered amendment S—3902 filed by him from the floor to page 4 of the bill.

Senator Jensen raised the point of order that amendment S—3902 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3902 in order.

Senator Brown moved the adoption of amendment S—3902.

A non record roll call was requested.

The ayes were 25, nays 19.

Amendment S—3902 was adopted.

Senator Junkins asked and received unanimous consent to withdraw amendment S—3605 filed by Senator Mann on April 2, 1985, to page 5 of the bill.

The Chair ruled amendment S—3617 filed by Senator Ritsema on April 3, 1985, to amendment S—3605, out of order.

Senator Dieleman withdrew the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3900 to House File 686 was adopted by the Senate on April 22, 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?" (H.F. 686) the vote was:

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

Ayes, 27:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Gentleman	Gettings	Gratias	Gronstal
Holt	Horn	Husak	Junkins
Miller, A.V.	Miller, C.P.	Neighbour	Palmer
Readinger	Rodgers	Small	Taylor
Waldstein	Wells	Welsh	

Nays, 18:

Boswell	Dieleman	Drake	Goodwin
Hall	Hannon	Hester	Holden
Hultman	Hutchins	Jensen	Lind
Priebe	Rife	Ritsema	Soorholtz
Tieden	Vande Hoef		

Absent or not voting, 5:

Kinley	Mann	Murphy	Nystrom
Schwengels			

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

WITHDRAWN

Senator Palmer asked and received unanimous consent that **Senate File 556** be withdrawn from further consideration of the Senate.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

April 19, 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 Lottery Board pursuant to House File 225, Section 99E.5, Seventy-first General Assembly, for terms beginning upon the publication of the bill and serving at the pleasure of the Governor:

Emma M. Chance, Council Bluffs, Pottawattamie County, Iowa; Monroe J. Colston, Urbandale, Polk County, Iowa; Gary Hughes, Coralville, Johnson County, Iowa, and John W. Van Dyke, Sioux City, Woodbury, County, Iowa.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Friday, April 19, 1985, when the final vote was taken on Senate File 562 and House Files 196, 476, 498, 514, 589, 640, 643 and 649.

I was also absent on April 22, 1985, when the vote was taken on Senate Files 178 and 349.

Had I been present, I would have voted "aye" on the foregoing bills.

BILL HUTCHINS

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 22, 1985. Had I been present, I would have voted "aye" on Senate Files 178 and 349.

LOWELL L. JUNKINS

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 22, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 79 — To establish an Iowa advance funding authority, providing for the authority to issue revenue bonds, defining its powers and duties, and providing for the issuance of tax and revenue anticipation notes for certain purposes, and providing an effective date.

PETITIONS

The following petitions were presented and placed on file by:

Senator Mann from thirty-nine residents of Polk County opposing the premium tax legislation that would place a one percent tax on insurance premiums.

Senator Junkins from fifty-nine residents of Fayette, Allamakee and Dubuque Counties favoring legislation to increase appropriations to the Iowa State Transit Assistance Fund to insure continuation of public transit service to Iowans.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 686 passed the Senate on April 22, 1985.

C. JOSEPH COLEMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 686 passed the Senate on April 22, 1985.

JOE BROWN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3900 to House File 686 was adopted by the Senate on April 22, 1985.

JOE BROWN

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Forty-four sixth grade students from Holy Trinity School, Des Moines, Iowa. Senator Mann.

AMENDMENTS FILED

S—3899	H.F.	686	Joe Brown
S—3900	H.F.	686	Joe Brown
S—3901	H.F.	686	Joe Brown
S—3902	H.F.	686	Joe Brown
S—3903	S.F.	563	Berl E. Priebe
S—3904	H.F.	686	Thomas A. Lind
S—3905	H.F.	450	Joy Corning Beverly A. Hannon
S—3906	H.F.	450	Joy Corning Beverly A. Hannon
S—3907	H.F.	450	Joy Corning
S—3908	H.F.	450	Joy Corning
S—3909	H.F.	684	Joe Welsh Edgar H. Holden George Kinley Dale L. Tieden Charles P. Miller

			Jack Nystrom
			Emil Husak
S-3910	H.F.	684	Michael E. Gronstal
S-3911	H.F.	686	Thomas A. Lind
S-3912	S.F.	565	Norman G. Rodgers
S-3913	H.F.	554	Thomas A. Lind
S-3914	H.F.	555	Arthur A. Small, Jr.
S-3915	H.F.	684	John W. Jensen
S-3916	H.F.	554	Berl E. Priebe
			Ray Taylor
			Dale L. Tieden
			Arne Waldstein
			Alvin V. Miller
			Donald V. Doyle
			John Soorholtz
			C. Joseph Coleman
			William D. Palmer
			Norman Rodgers
S-3917	S.F.	565	John W. Jensen
			Berl E. Priebe
			Norman Rodgers
S-3918	S.F.	565	Richard F. Drake
			William D. Palmer
			Joe Welsh
			Jack Nystrom
			David M. Readinger
S-3919	H.F.	648	Thomas Lind
S-3920	H.F.	495	Wally Horn
			Donald V. Doyle

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:16 p.m., until 9:00 a.m., Tuesday, April 23, 1985.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 23, 1985

The Senate met in regular session at 9:07 a.m., President Anderson presiding.

Prayer was offered by the Reverend Lon Lewis, pastor of the United Methodist Church, Nora Springs, Iowa.

The Journal of Monday, April 22, 1985, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for the day on request of Senator Hultman.

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 19, 1985, passed the following bills in which the concurrence of the House was asked:

Senate File 254, a bill for an act relating to administrative endorsements and certificates issued by the board of educational examiners.

Senate File 290, a bill for an act relating to the sale of antique motor vehicles.

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.

HOUSE AMENDMENT CONSIDERED

Senate File 157

Senator Husak called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3887 filed April 19, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Husak moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 157) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	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	Welsh	

Nays, none.

Absent or not voting, 7:

Gentleman	Gratias	Holden	Holt
Mann	Schwengels	Wells	

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

UNFINISHED BUSINESS
(Deferred April 22, 1985)

House File 555

The Senate resumed consideration of House File 555, a bill for an act to establish the Iowa community cultural grants program within the office for planning and programming, deferred on April 22, 1985.

Senator Small withdrew amendment S—3914 filed by him on April 22, 1985, to page 1 of the bill.

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—3426 to House File 555 was adopted by the Senate on April 22, 1985.

The motion prevailed by a voice vote and amendment S—3426 by Senator Rife to page 2 and to the title page of the bill, was taken up for reconsideration.

Senator Rife withdrew amendment S—3426.

Senator Gentleman asked and received unanimous consent that further action on **House File 555** be deferred.

UNFINISHED BUSINESS
(Deferred April 16, 1985)

House File 505

The Senate resumed consideration of 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, deferred on April 16, 1985.

Senator Miller of Des Moines offered amendment S—3881 filed by Senators Miller of Des Moines, et al., on April 19, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3881 was adopted by a voice vote.

With the adoption of amendment S—3881, the Chair ruled amendment S—3561 filed by Senator Vande Hoef on April 1, 1985 to page 1 of the bill, out of order.

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. 505) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Holden	Holt	Neighbour
Rife	Schwengels	Wells	

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

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 565.

Senate File 565

On motion of Senator Readinger, 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, was taken up for consideration.

Senator Drake offered amendment S—3874 filed by Senators Drake, et al., on April 19, 1985, to pages 1 through 8 and to the title page of the bill and called for a division:

Division S—3874A: Lines 2 and 3 and lines 24 through 28.

Division S—3874B: Lines 4 and 5 and lines 29 through 32.

Division S—3874C: Lines 6 through 13.

Division S—3874D: Lines 14 through 23 and lines 33 through 40.

Senator Drake moved the adoption of division S—3874A.

A non record roll call was requested.

The ayes were 31, nays 16.

Division S—3874A was adopted.

Senator Kinley took the chair at 10:05 a.m.

Senator Drake moved the adoption of division S—3874B, which motion prevailed by a voice vote.

With the adoption of division S—3874A, the Chair ruled amendment S—3895 filed by Senator Mann on April 19, 1985, to page 2 of the bill, out of order.

Senator Drake moved the adoption of division S—3874C, which motion prevailed by a voice vote.

Senator Drake asked and received unanimous consent to withdraw division S—3874D.

The Chair ruled amendment S—3923 filed by Senator Mann from the floor to division S—3874D, out of order.

Senator Rodgers offered amendment S—3878 filed by Senators Rodgers, et al., on April 19, 1985, to pages 4 through 6 of the bill.

Senator Rodgers asked and received unanimous consent that further action on amendment S—3878 be deferred.

Senator Jensen offered amendment S—3917 filed by Senators Jensen, et al., on April 22, 1985, to page 4 and to the title page of the bill.

Senator Welsh raised the point of order that amendment S—3917 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3917 out of order.

Senator Drake offered amendment S—3918 filed by Senators Drake, et al., on April 22, 1985, to pages 4, 7 and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3918 be adopted?" (S.F. 565) the vote was:

Ayes, 27:

Boswell	Brown	Bruner	Carr
Deluhery	Drake	Gettings	Gratias
Gronstal	Hannon	Horn	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Murphy	Nystrom	Palmer	Readinger
Rodgers	Schwengels	Small	Soorholtz
Taylor	Wells	Welsh	

Nays, 21:

Coleman	Colton	Corning	Dieleman
Doyle	Gentleman	Goodwin	Hall
Hester	Holden	Hultman	Jensen

Mann	Miller, C.P.	Neighbour	Priebe
Rife	Ritsema	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 2:

Holt	Lind
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Amendment S—3918 was adopted.

Senator Brown withdrew amendment S—3813 filed by him on April 18, 1985, to pages 4 through 6 of the bill.

Senator Rodgers offered amendment S—3912 filed by him on April 22, 1985, to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3912 be adopted?” (S.F. 565) the vote was:

Ayes, 31:

Boswell	Brown	Coleman	Colton
Dieleman	Doyle	Gettings	Goodwin
Gratias	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Priebe
Rodgers	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 18:

Bruner	Carr	Corning	Deluhery
Drake	Gentleman	Gronstal	Holden
Lind	Mann	Nystrom	Palmer
Readinger	Rife	Ritsema	Small
Soorholtz	Welsh		

Absent or not voting, 1:

Holt

Amendment S—3912 was adopted.

Senator Boswell offered amendment S—3898 filed by Senators Boswell, et al., on April 22, 1985, to pages 6 and 7 of the bill.

Senator Coleman took the chair at 12:06 p.m.

Senator Boswell moved the adoption of amendment S—3898, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that a non record roll call be taken on amendment S—3898.

The ayes were 26, nays 21.

Amendment S—3898 was adopted.

(Senate File 565 pending on recess).

RECESS

On motion of Senator Junkins, the Senate recessed at 12:20 p.m., until 1:30 p.m.

APPENDIX

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to House File 196, the following technical correction was made to amendment S—3670:

1. Page 2, line 3, the period should be underlined.

ALSO: I report that in preparing the Senate amendment to House File 498, the following technical correction was made to amendment S—3876 to amendment S—3733:

1. Page 1, line 8, the word "may" was deleted as it duplicates existing language in the bill.

K. MARIE THAYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 23, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 9 — Relating to the operation of all-terrain vehicles subject to penalties provided by law.

Senate File 200 — Relating to the office of the appellate defender.

Senate File 307 — Relating to the operation of fire vehicles.

Senate File 318 — Relating to the authority of the court to issue administrative search warrants to government agencies having the statutory authority to conduct inspections.

PRESENTATION OF VISITORS

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

Sixteen talented and gifted fourth grade students from the Knoxville, Iowa, school district, accompanied by Mrs. Alice Stam. Senator Dieleman.

Senior students from Waukee High School, Waukee, Iowa, accompanied by Paul Bullock. Senator Rodgers.

Fifty Campfire Girls from Cedar Rapids and Marion, Iowa, accompanied by Terri Staub, Barb De Millener, Marcy Usher, Linda Hyde, Donna Shorg and Cherry McCaughey. Senators Hannon, Horn, Hall and Wells.

Sixty-seven Campfire Girls from Iowa City, accompanied by Paula Spray. Senators Small and Brown.

AMENDMENTS FILED

S—3921	H.F.	554	Larry Murphy
S—3922	H.F.	555	Julia B. Gentleman
S—3923	S.F.	565	Tom Mann, Jr.
S—3924	H.F.	684	Arthur A. Small, Jr.
S—3925	H.F.	381	Dale Tieden Julia Gentleman
S—3926	S.F.	566	Lowell L. Junkins
S—3927	S.F.	565	Jack W. Hester
S—3928	S.F.	565	Tom Mann, Jr.
S—3929	S.F.	565	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 1:45 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 41 present, 9 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 566, by Junkins and Hultman, a bill for an act requiring pay telephones to provide change and making civil penalties applicable.

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

HOUSE AMENDMENT CONSIDERED

Senate File 328

Senator Miller of Des Moines called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3777 filed April 17, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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

On the question "Shall the bill pass" (S.F. 328) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Priebe
Readinger	Rodgers	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Rife	Ritsema
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Absent or not voting, 7:

Deluhery	Holt	Hultman	Lind
Palmer	Schwengels	Small	

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 564** be immediately messaged to the House.

WITHDRAWN

Senator Miller of Des Moines asked and received unanimous consent that **Senate File 115** be withdrawn from further consideration of the Senate.

BILL REFERRED TO COMMITTEE

Senator Doyle asked and received unanimous consent that **Senate File 315** be referred from the Senate Calendar under Senate Files Amended by the House to the committee on **Judiciary**.

HOUSE AMENDMENT CONSIDERED

Senate File 387

Senator Gettings called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3779 filed April 17, 1985.

Senator Gettings called for a division of House amendment S—3779: Page 1, lines 3 through 21 as division S—3779A and page 1, lines 22 through 50 and page 2, lines 1 through 42 as division S—3779B.

Senator Gettings moved the adoption of division S—3779A, which motion prevailed by a voice vote.

Senator Gettings asked and received unanimous consent that further action on division S—3779B be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the afternoon on request of Senator Hultman.

BUSINESS PENDING

Senate File 387

The Senate resumed consideration of Senate File 387.

Senator Gettings 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—3779A to Senate File 387 was adopted by the Senate on April 23, 1985.

The motion prevailed by a voice vote and division S—3779A of the House amendment, was taken up for reconsideration.

The Chair stated that pursuant to the Joint Rules, a House amendment is not divisible and therefore, the divisions of House amendment S—3779 were out of order.

Senator Gettings moved that the Senate concur in House amendment S—3779.

A non record roll call was requested.

The ayes were 38, nays 7.

The motion prevailed and the Senate concurred in the House amendment.

Senator Gettings 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. 387) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	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			

Nays, 1:

Drake

Absent or not voting, 4:

Holt	Priebe	Schwengels	Welsh
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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.

POINT OF ORDER
(Senate File 315)

Senator Junkins raised the point of order that pursuant to the Joint Rules, Senate File 315 should not have been previously referred to the committee on Judiciary.

The Chair ruled the point well taken and **Senate File 315** returned to the Senate Calendar under Senate Files Amended by the House.

HOUSE AMENDMENT CONSIDERED

Senate File 433

Senator Dieleman called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3784 filed April 17, 1985.

A non record roll call was requested.

The ayes were 26, nays 16.

The motion prevailed and the Senate concurred in the House amendment.

Senator Dieleman 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. 433) the vote was:

Ayes, 40

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	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
Readinger	Rife	Rodgers	Small
Soorholtz	Vande Hoef	Wells	Welsh

Nays, 7:

Gentleman	Gratias	Holden	Ritsema
Taylor	Tieden	Waldstein	

Absent or not voting, 3:

Coleman	Holt	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

Senate File 565

The Senate resumed consideration of Senate File 565 and amendment S—3878, pending on recess.

Senator Hester offered amendment S—3927 filed by him from the floor to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 25.

Amendment S—3927 lost.

Senator Mann offered amendment S—3928 filed by him from the floor to page 8 of the bill.

Senator Welsh raised the point of order that amendment S—3928 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3928 out of order.

Senator Priebe offered amendment S—3930 filed by Senators Priebe and Drake from the floor to page 4 and to the title page of the bill.

Senator Jensen offered amendment S—3935 filed by him from the floor to amendment S—3930 and moved its adoption.

Amendment S—3935 was adopted by a voice vote.

Senator Holden raised the point of order that amendment S—3930 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—3930 as amended out of order.

The Senate resumed consideration of amendment S—3878 by Senators Rodgers, et al., to pages 4 through 6 of the bill.

Senator Gronstal offered amendment S—3929 filed by him from the floor to amendment S—3878 and moved its adoption.

Amendment S—3929 was adopted by a voice vote.

Senator Coleman raised the point of order that amendment S—3878 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3878 as amended in order.

Senator Rodgers moved the adoption of amendment S—3878 as amended.

A record roll call was requested.

On the question “Shall amendment S—3878 as amended be adopted?” (S.F. 565) the vote was:

Ayes, 5:

Bruner	Drake	Gronstal	Rodgers
Welsh			

Nays, 43:

Boswell	Brown	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Hall	Hannon	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
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Absent or not voting, 2:

Holt Schwengels

Amendment S—3878 as amended lost.

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—3898 to Senate File 565 was adopted by the Senate on April 23, 1985.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 565) the vote was:

Ayes, 16:

Bruner	Carr	Corning	Deluhery
Drake	Gentleman	Goodwin	Gratias
Hall	Kinley	Nystrom	Readinger
Rife	Ritsema	Soorholtz	Welsh

Nays, 31:

Boswell	Brown	Coleman	Colton
Dieleman	Doyle	Gettings	Gronstal
Hannon	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Rodgers	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Absent or not voting, 3:

Holt Miller, A.V. Schwengels

The motion lost.

Senator Gronstal 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—3918 to Senate File 565 was adopted by the Senate on April 23, 1985.

A non record roll call was requested.

The ayes were 17, nays 30.

The motion lost.

The Chair ruled amendment S—3938 filed by Senator Mann from the floor to amendment S—3918, out of order.

Senator Welsh asked and received unanimous consent that further action on **Senate File 565** be **deferred** for preparation of an amendment.

UNFINISHED BUSINESS (Deferred April 22, 1985)

House File 554

The Senate resumed consideration of House File 554, 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 and amendment S—3807, deferred on April 22, 1985.

Senator Priebe offered amendment S—3916 filed by Senators Priebe, et al., on April 22, 1985, to amendment S—3807 and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 16.

Amendment S—3916 was adopted.

With the adoption of amendment S—3916, the Chair ruled amendment S—3913 filed by Senator Lind on April 22, 1985, to amendment S—3807, out of order.

Senator Boswell moved the adoption of amendment S—3807 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3807 as amended, the Chair ruled amendment S—3791 filed by Senator Lind on April 17, 1985, to page 1 of the bill, out of order.

Senator Murphy withdrew amendment S—3921 filed by him from the floor to page 4 of the bill.

Senator Lind asked and received unanimous consent that further action on **House File 554** be **deferred**.

HOUSE AMENDMENTS CONSIDERED

Senate File 480

Senator Brown called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3781 filed April 17, 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. 480) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery
Schwengels

Holt
Wells

Miller, A.V.

Nystrom

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

Senator Colton took the chair at 5:00 p.m.

Senate File 103

Senator Hultman called up for consideration 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, amended by the House in House amendment S—3821 filed April 18, 1985.

Senator Hultman asked and received unanimous consent that further action on House amendment S—3821 and **Senate File 103** be deferred.

Senate File 244

Senator Bruner called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3841 filed April 18, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass" (S.F. 244) 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
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, none.

Absent or not voting, 4:

Holt	Nystrom	Schwengels	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 401

Senator Doyle called up for consideration Senate File 401, a bill for an act relating to the harboring of a runaway child and providing a penalty, amended by the House and moved that the Senate concur in House amendment S—3816 filed April 18, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Doyle moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 401) the vote was:

Ayes, 44:

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

Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Holt	Nystrom	Rodgers	Schwengels
Wells			

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

Senate File 295

Senator Carr called up for consideration Senate File 295, a bill for an act relating to the duty of a liquor control licensee to break empty liquor bottles, amended by the House, and moved that the Senate concur in House amendment S—3886 filed April 19, 1985.

A non record roll call was requested.

The ayes were 24, nays 19.

The motion prevailed and the Senate concurred in the House amendment.

Senator Carr 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. 295) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Horn	Hultman	Husak

Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Ritsema	Small	Soorholtz	Taylor
Tieden	Waldstein	Welsh	

Nays, 5:

Hester	Holden	Jensen	Lind
Vande Hoef			

Absent or not voting, 6:

Gronstal	Holt	Nystrom	Rodgers
Schwengels	Wells		

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

MOTIONS TO RECONSIDER WITHDRAWN

House File 128

Senator Mann withdrew the motion to reconsider 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, filed by him on April 17, 1985, and found on page 1447 of the Senate Journal.

House File 413

Senator Hultman withdrew the motion to reconsider 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, filed by him on April 16, 1985, and found on page 1430 of the Senate Journal.

HOUSE AMENDMENT CONSIDERED

Senate File 539

Senator Husak called up for consideration Senate File 539, a bill for an act relating to motor vehicle fuel, amended by the House,

and moved that the Senate concur in House amendment S—3882 filed April 19, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Husak moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 539) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, 4:

Gentleman	Gratias	Gronstal	Holden
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Absent or not voting, 6:

Holt	Kinley	Nystrom	Rodgers
Schwengels	Wells		

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

BUSINESS PENDING

House File 554

The Senate resumed consideration of House File 554, previously deferred.

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. 554) the vote was:

Ayes, 42:

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	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, 2:

Rife	Ritsema
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Absent or not voting, 6:

Holt	Kinley	Nystrom	Rodgers
Schwengels	Wells		

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

WITHDRAWN

Senator Boswell asked and received unanimous consent that **Senate File 348** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 554** be **immediately messaged** to the House.

BUSINESS PENDING

House File 555

The Senate resumed consideration of House File 555, previously deferred.

Senator Gentleman withdrew amendment S—3922 filed by her from the floor to page 1 of the bill.

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. 555) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rife	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, 2:

Holden	Ritsema
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Absent or not voting, 6:

Holt	Kinley	Nystrom	Rodgers
Schwengels	Wells		

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

WITHDRAWN

Senator Waldstein asked and received unanimous consent that **Senate File 278** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **House File 505** 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 April 19, 1985, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 515, a bill for an act relating to the election to become a senior judge (S—3936).

APPENDIX

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 23rd day of April, 1985:

Senate Files 70, 213, 291, 375, 391 and 392.

K. MARIE THAYER
Secretary of the Senate

BILL RETURNED TO CALENDAR

Pursuant to unanimous consent received by Senator Junkins on April 19, 1985, on Senate Journal page 1508, **House File 450** was returned to the Unfinished Business Calendar from the committee on Appropriations.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3912 to Senate File 565 was adopted by the Senate on April 23, 1985.

BILL HUTCHINS

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

John Schulte, Carróll, Iowa — Champion of the 1985 State Junior High Spelling Contest. Senator Hutchins (April 20, 1985).

PRESENTATION OF VISITORS

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

Seventeen sixth grade students from Grand Valley School, Grand River, Iowa, accompanied by Mrs. Elliott. Senator Boswell.

AMENDMENTS FILED

S—3930	S.F.	565	Berl E. Priebe Richard F. Drake
S—3931	H.F.	684	Joe J. Welsh Edgar H. Holden Charles P. Miller George R. Kinley John N. Nystrom Emil J. Husak Dale L. Tieden
S—3932	H.F.	649	Milo Colton Berl E. Priebe
S—3933	H.F.	450	Milo Colton
S—3934	S.F.	566	John N. Nystrom Joe J. Welsh
S—3935	S.F.	565	John W. Jensen
S—3936	S.F.	515	House amendment
S—3937	H.F.	736	Larry Murphy
S—3938	S.F.	565	Tom Mann, Jr.
S—3939	H.F.	381	Bill Hutchins
S—3940	H.F.	593	Milo Colton
S—3941	H.F.	593	Milo Colton
S—3942	H.F.	686	Joe Brown William W. Dieleman
S—3943	S.F.	103	John W. Jensen Richard Vande Hoef
S—3944	H.F.	696	Berl E. Priebe
S—3945	H.F.	593	Milo Colton
S—3946	H.F.	593	Milo Colton

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:01 p.m., until 9:00 a.m., Wednesday, April 24, 1985..

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 24, 1985

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

Prayer was offered by Father John Hyland, pastor of the St. Mary's Catholic Church, Fort Madison, Iowa.

The Journal of Tuesday, April 23, 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 April 22, 1985, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 271, a bill for an act relating to refund of tuition policies of certain post-secondary institutions and to prescribe a penalty (S—3949).

Senate File 475, a bill for an act relating to corporate takeovers and providing penalties (S—3947).

Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill (S—3948).

ALSO: That the House has on April 23, 1985, passed the following bill in which the concurrence of the House was asked:

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.

ALSO: That the House has on April 23, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 747, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state.

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

SPECIAL GUESTS

Senator Nystrom appeared in the well of the Senate and presented Iowa's six entries and their coaches in the Third International Winter Special Olympics Games held in Salt Lake City, Utah on March 24 through March 29, 1985. The athletes and their accomplishments are as follows:

Cross Country Skiing

Lynn Hobson, Jefferson - Sixth place in one kilometer and a gold medal in the 100 meter sprint.

Al Oines, Clear Lake - Two silver medals in the 100 meter and one kilometer.

Coach Ray Strekal, Des Moines - Recreation Program Specialist at Woodward State Hospital School, was not present.

Speed Skating

Tiffany Rickers, Des Moines - First place in 75 meter event.

Darrell Theobald, Des Moines - Fifth in 75 meter and a gold medal in 300 meter race.

Bill John, Des Moines - Two silver medals in mens' senior division for 75 and 300 meter events. He also was a member of the first Special Olympic Ice Hockey Team.

Coach Diana Bishop, Recreational Director of the Polk County A.R.C.

Alpine Skiing

Joe Haertjens, Davenport - Two gold medals in the mens downhill and slalom.

Coach Judy Grasso, Jefferson - Activities Services Director at the Green County Sheltered Workshop.

Also present was Hiram Brownell, Executive Director of Iowa Special Olympics.

HOUSE AMENDMENT CONSIDERED

Senate File 377

Senator Holt called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3778 filed April 17, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Holt 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. 377) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Rife	Ritsema
Rodgers	Soorholtz	Taylor	Tieden
Vande Hoef	Wells		

Nays, none.

Absent or not voting, 8:

Gronstal	Husak	Kinley	Readinger
Schwengels	Small	Waldstein	Welsh

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

HOUSE AMENDMENT CONSIDERED (Deferred April 23, 1985)

Senate File 103

The Senate resumed consideration of 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, amended by the House in House amendment S—3821 filed April 18, 1985, and deferred on April 23, 1985.

Senator Jensen offered amendment S—3943 filed by Senators Jensen and Vande Hoef on April 23, 1985, to House amendment S—3821 and moved its adoption.

Amendment S—3943 was adopted by a voice vote.

Senator Hultman moved the adoption of House amendment S—3821, as amended, which motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Hultman moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 103) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen

Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Rife	Ritsema	Rodgers
Soorholtz	Taylor	Tieden	Vande Hoef
Wells			

Nays, none.

Absent or not voting, 9:

Gronstal	Husak	Kinley	Priebe
Readinger	Schwengels	Small	Waldstein
Welsh			

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

MOTION TO RECONSIDER WITHDRAWN

House File 540

Senator Coleman withdrew the motion to reconsider House File 540, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty, filed by him on April 17, 1985, and found on page 1470 of the Senate Journal.

HOUSE AMENDMENT CONSIDERED

Senate File 526

Senator Gratias called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3782 filed April 17, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gratias moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, 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, 44:

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	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Rife
Ritsema	Rodgers	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Husak	Kinley	Readinger	Schwengels
Small	Welsh		

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 103** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 250

Senator Nystrom called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3820 filed April 18, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Nystrom moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 250) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Rife	Ritsema	Rodgers
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, 1:

Gentleman

Absent or not voting, 7:

Husak	Kinley	Neighbour	Readeringer
Schwengels	Small	Welsh	

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Small for the morning on request of Senator Junkins.

HOUSE AMENDMENTS CONSIDERED

Senate File 376

Senator Horn called up for consideration Senate File 376, a bill for an act reclassifying and adding certain controlled substances to the schedules in chapter 204, amended by the House,

and moved that the Senate concur in House amendment S—3817 filed April 18, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Horn 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. 376) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Hutchins	Jensen
Junkins	Lind	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Soorholtz	Taylor	Waldstein	Wells

Nays, none.

Absent or not voting, 10:

Holden	Husak	Kinley	Mann
Priebe	Schwengels	Small	Tieden
Vande Hoef	Welsh		

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

Senate File 398

Senator Murphy called up for consideration Senate File 398, a bill for an act relating to school reorganization, amended by the House, and moved that the Senate concur in House amendment S—3825 filed April 18, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Murphy 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. 398) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Halt	Hester
Holden	Holt	Horn	Hultman
Hutchins	Junkins	Kinley	Lind
Mann	Miller, A.V.	Murphy	Neighbour
Nystrom	Palmer	Readinger	Rife
Ritsema	Rodgers	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	

Nays, 2:

Dieleman	Jensen
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Absent or not voting, 9:

Drake	Hannon	Husak	Miller, C.P.
Priebe	Schwengels	Small	Waldstein
Welsh			

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Husak for the morning on request of Senator Junkins.

Senator Ritsema took the chair at 9:40 a.m.

HOUSE AMENDMENTS CONSIDERED

Senate File 27

Senator Bruner called up for consideration Senate File 27, a bill for an act relating to the investment policies for funds available

to certain state agencies, amended by the House, and moved that the Senate concur in House amendment S—3888 filed April 19, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 27) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Colton	Corning	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 5:

Coleman	Deluhery	Gentleman	Neighbour
Vande Hoef			

Absent or not voting, 4:

Gronstal	Husak	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.

Senate File 455

Senator Mann called up for consideration 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 a criminal prosecution, or which is the proceeds of criminal activity, amended

by the House, and moved that the Senate concur in House amendment S—3884 filed April 19, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Mann moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 455) 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	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	Welsh	

Nays, none.

Absent or not voting, 3:

Husak	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.

Senate File 503

Senator Miller of Cerro Gordo called up for consideration 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, amended by the House in House amendment S—3883 filed April 19, 1985.

Senator Gentleman asked and received unanimous consent that further action on **Senate File 503** and House amendment S—3883 be **deferred**.

MOTION TO RECONSIDER ADOPTED

Senator Colton called up the motion to reconsider House File 649 filed by him on April 19, 1985, found on page 1545 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 649) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Doyle	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Hutchins	Junkins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Ritsema
Rodgers	Small	Waldstein	Wells
Welsh			

Nays, 19:

Coleman	Corning	Dieleman	Drake
Goodwin	Gratias	Hester	Holden
Holt	Hultman	Jensen	Kinley
Lind	Neighbour	Rife	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Husak	Schwengels
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The motion prevailed.

Senator Colton moved to reconsider the vote by which House File 649 went to its last reading, which motion prevailed by a voice vote.

House File 649

On motion of Senator Colton, House File 649, a bill for an act relating to water wells by providing for the regulation of water

wells and the registration of water well contractors, was taken up for reconsideration.

Senator Colton offered amendment S—3932 filed by Senators Colton and Priebe on April 23, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3932 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 649) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Doyle
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Horn	Hutchins
Junkins	Mann	Murphy	Nystrom
Palmer	Priebe	Readinger	Rodgers
Small	Tieden	Waldstein	Wells
Welsh			

Nays, 18:

Coleman	Dieleman	Drake	Gratias
Hester	Holden	Hultman	Jensen
Kinley	Lind	Miller, A.V.	Miller, C.P.
Neighbour	Rife	Ritsema	Soorholtz
Taylor	Vande Hoef		

Absent or not voting, 3:

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

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 462** be referred from the Unfinished Business Calendar to the committee on **Energy and Environment**.

UNFINISHED BUSINESS
(Deferred April 22, 1985)

House File 684

The Senate resumed consideration of 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, deferred on April 22, 1985.

President Anderson took the chair at 10:46 a.m.

Senator Holden offered amendment S—3804 filed by the committee on Commerce on April 18, 1985, to pages 6 through 19, 21, 22, 25 and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3804 be adopted?" (H.F. 684) the vote was:

Ayes, 19:

Carr	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hester	Holden
Jensen	Kinley	Miller, C.P.	Palmer
Readinger	Rife	Rodgers	Taylor
Tieden	Vande Hoef	Wells	

Nays, 25:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Hannon	Horn	Hultman
Hutchins	Jenkins	Lind	Mann
Miller, A.V.	Murphy	Neighbour	Nystrom
Priebe	Ritsema	Small	Soorholtz
Waldstein			

Voting present, 1:

Coleman

Absent or not voting, 5:

Gettings
Welsh

Holt

Husak

Schwengels

Amendment S—3804 lost.

Senator Small offered amendment S—3645 filed by the committee on Small Business and Economic Development on April 4, 1985, to pages 8 and 9 of the bill and moved its adoption.

Amendment S—3645 was adopted by a voice vote.

With the adoption of amendment S—3645, the Chair ruled amendment S—3910 filed by Senator Gronstal on April 22, 1985, to pages 7 through 15, 19, 21, 22, 25 and to the title page of the bill, out of order.

Senator Kinley offered amendment S—3963 filed by Senators Kinley and Holden from the floor to pages 6, 19, 20 and to the title page of the bill and called for a division:

Division S—3963A: Page 2, lines 19 through 41 and page 3, lines 46 through 49.

Division S—3963B: Page 1, lines 3 through 34 and page 3, lines 37 through 40.

Division S—3963C: Page 1, lines 35 through 50; page 2, lines 1 through 18 and lines 42 through 50; page 3, lines 1 through 36 and lines 41 through 45.

Senator Small raised the point of order that division S—3963A was not germane to the bill.

The Chair ruled the point well taken and division S—3963A out of order.

Senator Kinley asked and received unanimous consent to withdraw divisions S—3963B and S—3963C.

Senator Jensen offered amendment S—3915 filed by him on April 22, 1985, to pages 14 and 15 of the bill.

Senator Holden asked and received unanimous consent that further action on amendment S—3915 be deferred.

Senator Hultman offered amendment S—3806 filed by him on April 18, 1985, to page 19 and to the title page of the bill.

Senator Small raised the point of order that amendment S—3806 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3806 out of order.

Senator Mann offered amendment S—3849 filed by him on April 18, 1985, to page 19 and to the title page of the bill.

Senator Small raised the point of order that amendment S—3849 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3849 out of order.

Senator Small offered amendment S—3762 filed by him on April 16, 1985, to pages 19 and 20 of the bill.

Senator Holden raised the point of order that amendment S—3762 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3762 in order.

Senator Small offered amendment S—3924 filed by him on April 23, 1985, to amendment S—3762 and moved its adoption.

Amendment S—3924 was adopted by a voice vote.

Senator Small moved the adoption of amendment S—3762, as amended.

A record roll call was requested.

On the question "Shall amendment S—3762 as amended be adopted?" (H.F. 684) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Drake	Gentleman	Gettings	Hall
Hannon	Horn	Hultman	Hutchins
Junkins	Lind	Mann	Miller, A.V.

Miller, C.P.
Rodgers
Welsh

Neighbour
Small

Nystrom
Waldstein

Readinger
Wells

Nays, 16:

Carr
Hester
Palmer
Soorholtz

Goodwin
Holden
Priebe
Taylor

Gratias
Holt
Rife
Tieden

Gronstal
Jensen
Ritsema
Vande Hoef

Absent or not voting, 5:

Doyle
Schwengels

Husak

Kinley

Murphy

Amendment S—3762 as amended was adopted.
(House File 684 pending on recess).

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 553** be referred from the Unfinished Business Calendar to the committee on **State Government**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 43, by Holt, a resolution memorializing the United States postmaster general to issue a commemorative stamp for fairs and expositions.

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1985, amended and passed the following bill in which the concurrence of the House was asked:

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 (S—3962).

ALSO: That the House has on April 23, 1985, amended and passed the following bills in which the concurrence of the House was asked:

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 (S—3961).

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 (S—3960).

ALSO: That the House has on April 23, 1985, concurred in the Senate amendment as amended and 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 (S—3959 to H—3857).

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 394** be referred from the Ways and Means Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:09 p.m., until 1:30 p.m.

APPENDIX

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 23, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 85 — Relating to the application for and issuance of search warrants.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 24, 1985, when the final vote was taken on Senate File 398.

Had I been present, I would have voted "aye" on this bill.

BEVERLY A. HANNON

PRESENTATION OF VISITORS

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

Fifteen senior students from Bridgewater-Fontanelle High School, Fontanelle, Iowa, accompanied by Darrell Burmeister. Senator Boswell.

Ninety sixth grade students from Parkview Elementary School, Ankeny, Iowa, accompanied by Margret Law. Senator Palmer.

AMENDMENTS FILED

S—3947	S.F.	475	House amendment
S—3948	S.F.	524	House amendment
S—3949	S.F.	271	House amendment
S—3950	S.F.	559	Norman G. Rodgers
S—3951	H.F.	593	Milo Colton Thomas A. Lind
S—3952	H.F.	593	Milo Colton
S—3953	H.F.	593	Milo Colton Thomas A. Lind

S—3954	H.F.	593	Milo Colton Thomas A. Lind
S—3955	H.F.	593	Milo Colton Thomas A. Lind
S—3956	H.F.	593	Milo Colton Thomas A. Lind
S—3957	H.F.	593	Milo Colton Thomas A. Lind
S—3958	H.F.	593	Milo Colton Thomas A. Lind'
S—3959	H.F.	642	House amendment
S—3960	S.F.	547	House amendment
S—3961	S.F.	521	House amendment
S—3962	S.F.	329	House amendment
S—3963	H.F.	684	George R. Kinley Edgar H. Holden
S—3964	S.F.	559	Norman G. Rodgers Charles Bruner

AFTERNOON SESSION

The Senate reconvened at 1:36 p.m., President Anderson presiding.

QUORUM CALL

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

The vote revealed 31 present, 19 absent and a quorum present.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 559.

Senate File 559

On motion of Senator Bruner, Senate File 559, a bill for an act relating to the assessing and taxing of storage tanks as real property for property tax purposes, was taken up for consideration.

Senator Brown withdrew amendment S—3664 filed by him on April 9, 1985, to page 1 of the bill.

Senator Rodgers offered amendment S—3964 filed by Senators Rodgers and Bruner from the floor to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 559** and amendment S—3964 be **deferred**.

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 44** be referred from the Unfinished Business Calendar to the committee on **Transportation** and **Senate File 545** be referred from the Unfinished Business Calendar to the committee on **Commerce**.

HOUSE AMENDMENT CONSIDERED

Senate File 450

Senator Gronstal called up for consideration Senate File 450, a bill for an act to create an Iowa commerce commission pilot program for energy conservation improvements, amended by the House, and moved that the Senate concur in House amendment S—3885 filed April 19, 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. 450) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Priebe
Readinger	Ritsema	Rodgers	Small
Soorholtz			

Nays, 12:

Drake	Goodwin	Gratias	Holden
Holt	Hultman	Jensen	Lind
Rife	Taylor	Vande Hoef	Wells

Absent or not voting, 5:

Palmer	Schwengels	Tieden	Waldstein
Welsh			

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 503

The Senate resumed consideration of Senate File 503 and House amendment S—3883, previously deferred.

Senator Miller of Cerro Gordo moved that the Senate concur in the House amendment, which motion prevailed by a voice vote.

Senator Miller of Cerro Gordo moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 503) 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	Nystrom	Priebe
Readinger	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, none.

Absent or not voting, 4:

Palmer	Rife	Schwengels	Welsh
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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.

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 448** be referred from the Unfinished Business Calendar to the committee on **Commerce and Senate File 363**

be referred from the Unfinished Business Calendar to the committee on **Agriculture**.

UNFINISHED BUSINESS
(Deferred April 17, 1985)

House File 575

The Senate resumed consideration of 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 and amendment S—3769, deferred on April 17, 1985.

Senator Small moved the adoption of amendment S—3769, 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?" (H.F. 575) 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	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
Wells			

Nays, 1:

Priebe

Absent or not voting, 4:

Hultman	Schwengels	Waldstein	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.

UNFINISHED BUSINESS
(Deferred April 18, 1985)

House File 451

The Senate resumed consideration of House File 451, a bill for an act relating to child protection and providing penalties and amendment S—3811, deferred on April 18, 1985.

Senator Junkins asked and received unanimous consent that further action on **House File 451** be **deferred**.

UNFINISHED BUSINESS
(Deferred April 9, 1985)

House File 696

The Senate resumed consideration of 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, deferred on April 9, 1985.

Senator Priebe offered amendment S—3944 filed by him on April 23, 1985, to page 1 and to the title page of the bill.

Senator Mann raised the point of order that amendment S—3944 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3944 out of order.

Senator Coleman offered amendment S—3665 filed by him on April 9, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 38, nays 9.

Amendment S—3665 was adopted.

Senator Gronstal offered amendment S—3555 filed by him on March 28, 1985, to page 3 of the bill and moved its adoption.

Amendment S—3555 was adopted by a voice vote.

Senator Mann offered amendment S—3509 filed by him on March 26, 1985, to page 4 of the bill and moved its adoption.

Amendment S—3509 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. 696) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Gentleman	Gettings
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	Goodwin	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 343** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **House File 696** be **immediately messaged** to the House.

BUSINESS PENDING**House File 451**

The Senate resumed consideration of House File 451 and amendment S—3811, previously deferred.

Senator Lind offered amendment S—3840 filed by him on April 18, 1985, to pages 1 and 2 of amendment S—3811 and moved its adoption.

A non record roll call was requested.

The ayes were 32, nays 15.

Amendment S—3840 was adopted.

Senator Murphy offered amendment S—3845 filed by Senators Murphy and Hannon on April 18, 1985, to amendment S—3811 and moved its adoption.

Amendment S—3845 was adopted by a voice vote.

With the adoption of amendment S—3840 to amendment S—3811, the Chair ruled amendment S—3848 filed by Senators Gratas and Murphy on April 18, 1985, to amendment S—3811, out of order.

Senator Murphy moved the adoption of amendment S—3811, as amended, which motion prevailed by a voice vote.

Senator Lind offered amendment S—3827 filed by him on April 18, 1985, to pages 2, 8 and 9 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3827 be adopted?" (H.F. 451) the vote was:

Ayes, 8:

Coleman
Jensen

Goodwin
Lind

Holden
Miller, C.P.

Holt
Vande Hoef

Nays, 33:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gratias	Gronstal	Hall	Hannon
Hester	Horn	Hutchins	Junkins
Kinley	Mann	Murphy	Neighbour
Palmer	Readinger	Ritsema	Rodgers
Small	Taylor	Tieden	Waldstein
Wells			

Absent or not voting, 9:

Hultman	Husak	Miller, A.V.	Nystrom
Priebe	Rife	Schwengels	Soorholtz
Welsh			

Amendment S—3827 lost.

Senator Small offered amendment S—3819 filed by him on April 18, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3819 was adopted by a voice vote.

Senator Murphy offered amendment S—3783 filed by him on April 17, 1985, to page 5 of the bill and moved its adoption.

Amendment S—3783 was adopted by a voice vote.

With the adoption of amendment S—3783, the Chair ruled amendment S—3722 filed by Senator Murphy on April 12, 1985, to page 5 of the bill, out of order.

Senator Murphy offered amendment S—3702 filed by him on April 11, 1985, to page 10 of the bill and moved its adoption.

Amendment S—3702 was adopted by a voice vote.

Senator Ritsema offered amendment S—3774 filed by him on April 17, 1985, to pages 11 through 13 of the bill and called for a division: lines 3 through 5, 7 through 11, 13 and 14 as division S—3774A; lines 6 and 12 as division S—3774B.

Senator Ritsema moved the adoption of division S—3774A.

A non record roll call was requested.

The ayes were 18, nays 26.

Division S—3774A lost.

Senator Ritsema moved the adoption of division S—3774B.

A non record roll call was requested.

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

The ayes were 24, nays 23.

Division S—3774B was adopted.

Senator Bruner offered amendment S—3803 filed by him on April 18, 1985, to pages 12, 13 and 16 of the bill and called for a division: lines 3 through 12 as division S—3803A and lines 13 through 21 as division S—3803B.

Senator Bruner asked and received unanimous consent that further action on division S—3803A be deferred.

Senator Bruner moved the adoption of division S—3803B, which motion prevailed by a voice vote.

Senator Vande Hoef offered amendment S—3891 filed by him on April 19, 1985, to page 13 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 28.

Amendment S—3891 lost.

Senator Ritsema offered amendment S—3814 filed by him on April 18, 1985, to page 13 of the bill.

Senator Colton took the chair at 3:36 p.m.

Senator Ritsema moved the adoption of amendment S—3814.

A non record roll call was requested.

The ayes were 11, nays 37.

Amendment S—3814 lost.

Senator Vande Hoef offered amendment S—3815 filed by him on April 18, 1985, to pages 16 and 17 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 24.

Amendment S—3815 lost.

President Anderson took the chair at 3:50 p.m.

Senator Ritsema offered amendment S—3818 filed by him on April 18, 1985, to pages 16 and 17 of the bill and moved its adoption.

Amendment S—3818 was adopted by a voice vote.

Senator Gratias offered amendment S—3981 filed by Senators Gratias and Murphy from the floor to page 17 of the bill and moved its adoption.

Amendment S—3981 was adopted by a voice vote.

Senator Bruner withdrew division S—3803A, previously deferred.

Senator Murphy 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—3811 as amended to House File 451 was adopted by the Senate on April 24, 1985.

The motion prevailed by a voice vote and amendment S—3811 by Senator Murphy to pages 1, 4, 8 and 13 of the bill, was taken up for reconsideration.

Senator Hannon filed the following motion to reconsider from the floor and moved its adoption:

MR. PRSIDENT: I move to reconsider the vote by which amendment S—3840 to amendment S—3811 to House File 451 was adopted by the Senate on April 23, 1985.

A non record roll call was requested.

The ayes were 31, nays 13.

The motion prevailed.

Senator Lind withdrew amendment S—3840 to amendment S—3811.

Senator Lind offered amendment S—3984 filed by him from the floor to amendment S—3811 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3984 be adopted?” (H.F. 451) the vote was:

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

Ayes, 26:

Coleman	Deluhery	Dieleman	Goodwin
Gratias	Hester	Holden	Holt
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Nystrom	Palmer
Priebe	Rife	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 22:

Boswell	Brown	Bruner	Carr
Colton	Corning	Doyle	Drake
Gentleman	Gettings	Gronstal	Hall
Hannon	Horn	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Readinger
Rodgers	Small		

Absent or not voting, 2:

Hultman	Schwengels
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Amendment S—3984 was adopted.

Senator Hannon withdrew amendment S—3677 filed by her on April 9, 1985, to page 1 of the bill.

Senator Murphy moved the adoption of amendment S—3811 as amended to pages 1, 4, 8 and 13 of the bill.

A record roll call was requested.

On the question "Shall amendment S—3811 as amended be adopted?" (H.F. 451) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Gratias	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rodgers	Small
Soorholtz	Waldstein	Wells	Welsh

Nays, 11:

Goodwin	Gronstal	Hester	Holden
Holt	Jensen	Lind	Ritsema
Taylor	Tieden	Vande Hoef	

Absent or not voting, 3:

Hultman	Rife	Schwengels
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Amendment S—3811 as amended 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?" (H.F. 451) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	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, 3:

Holden

Jensen

Ritsema

Absent or not voting, 3:

Gettings

Hultman

Schwengels

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

BILL ASSIGNED TO COMMITTEE

President Anderson announced that **House File 747** was assigned to the committee on **Appropriations**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 451** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 281** be referred from the Unfinished Business Calendar to the committee on **Agriculture**.

BUSINESS PENDING

House File 684

The Senate resumed consideration of House File 684 and amendment S—3915, previously deferred.

Senator Holden offered amendment S—3982 filed by him from the floor to page 20 and to the title page of the bill.

Senator Small raised the point of order that amendment S—3982 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3982 out of order.

Senator Welsh asked and received unanimous consent to withdraw amendment S—3909 filed by Senators Welsh, et al., on April 22, 1985, to page 22 and to the title page of the bill.

Senator Welsh offered amendment S—3931 filed by Senators Welsh, et al., on April 23, 1985, to page 22 and to the title page of the bill.

Senator Small raised the point of order that amendment S—3931 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3931 out of order.

Senator Coleman offered amendment S—3838 filed by him on April 18, 1985, to page 22 of the bill and moved its adoption.

Amendment S—3838 was adopted by a voice vote.

Senator Gronstal offered amendment S—3977 filed by him from the floor to pages 19, 21, 25 and to the title page of the bill.

Senator Small raised the point of order that amendment S—3977 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3977 out of order.

Senator Colton took the chair at 4:50 p.m.

The Senate resumed consideration of amendment S—3915, previously deferred.

Senator Holden offered amendment S—3976 filed by him from the floor to amendment S—3915 and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 14.

Amendment S—3976 was adopted.

President Anderson took the chair at 5:00 p.m.

Senator Jensen moved the adoption of amendment S—3915 as amended, which motion prevailed by a voice vote.

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—3804 to House File 684 failed to be adopted by the Senate on April 24, 1985.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 684) the vote was:

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

Ayes, 20:

Carr	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Hultman	Hutchins	Junkins
Kinley	Miller, A.V.	Miller, C.P.	Neighbour
Palmer	Readinger	Rife	Vande Hoef

Nays, 28:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gratias	Holt
Horn	Husak	Jensen	Lind
Mann	Murphy	Nystrom	Priebe
Ritsema	Rodgers	Small	Soorholtz
Taylor	Waldstein	Wells	Welsh

Absent or not voting, 2:

Schwengels	Tieden
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The motion lost.

Senator Gronstal raised the point of order that House File 684 should be referred to the committee on Ways and Means under Senate Rule 38.

The Chair ruled the point well taken and **House File 684** was referred to the committee on **Ways and Means** under Senate Rule 38.

HOUSE AMENDMENT CONSIDERED

Senate File 296

Senator Deluhery called up for consideration Senate File 296, a bill for an act relating to the deposit and investment of public funds, amended by the House in House amendment S—3824 filed April 18, 1985.

Senator Holden offered amendment S—3980 filed by Senators Holden and Deluhery from the floor to House amendment S—3824 and called for a division: lines 4 through 13 and line 15 as division S—3980A; line 14 as division S—3980B.

Senator Holden moved the adoption of division S—3980A to House amendment S—3824, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—3980B to House amendment S—3824.

A record roll call was requested.

On the question "Shall division S—3980B to House amendment S—3824 be adopted?" (S.F. 296) the vote was:

Ayes, 24:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Doyle	Gentleman
Goodwin	Gratias	Gronstal	Hall
Holden	Horn	Hultman	Kinley
Mann	Miller, C.P.	Murphy	Palmer
Readinger	Ritsema	Taylor	Welsh

Nays, 22:

Boswell	Coleman	Dieleman	Drake
Gettings	Hester	Holt	Husak
Hutchins	Jensen	Junkins	Miller, A.V.
Neighbour	Poore	Rife	Rodgers
Small	Soorholtz	Tieden	Vande Hoef
Waldstein	Wells		

Absent or not voting, 4:

Hannon	Lind	Nystrom	Schwengels
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Amendment S—3980B was adopted.

Senator Mann offered amendment S—3987 filed by him from the floor to House amendment S—3824.

Senator Kinley raised the point of order that amendment S—3987 was not germane.

The Chair ruled the point well taken and amendment S—3987 out of order.

Senator Husak asked and received unanimous consent that further action on **Senate File 296** and House amendment S—3824 as amended be **deferred**.

INTRODUCTION OF BILL

Senate File 567, by Committee on Appropriations, 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 Appropriations calendar**.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 23, 1985, 6:05 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Horn, C. Miller, Dieleman, Gettings, Gronstal, Colton, Ritsema, Readinger and Lind.

Members Absent: Tieden, Ranking Member; Deluhery, Murphy, Husak, Gentleman, Holt (excused) and Schwengels (excused).

Committee Business: Approved SSB 381 as a committee bill.

Adjourned: 6:19 p.m.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-seven ninth grade students from Oelwein Community Junior High School, Oelwein, Iowa, accompanied by Bruce Willemsem, Mitch Murphy and Carl Heller. Senator Murphy.

Thirty fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Brian Kent. Senator Gettings.

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

Thirty-eight junior and senior students from Earlham High School, Earlham, Iowa, accompanied by Ron Myers and Richard Schreck. Senator Rodgers.

Fifty fifth grade students from Kreft Elementary School, Council Bluffs, Iowa, accompanied by Mrs. Lona Doty and Mrs. Terri Engesser. Senator Hester.

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 540, the following technical correction was made to amendment S—3696:

1. Page 1, line 4, the following language: "license. The committee shall notify the", was changed to "license, the committee shall notify the".

K. MARIE THAYER
Secretary of the Senate

BILL ASSIGNED TO COMMITTEE

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

S. F. 566 Commerce

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 567 (SSB 381), 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, 10: Welsh, Small, Horn, C. Miller, Dieleman, Gettings, Colton, Ritsema, Readinger and Lind. Nays, 1: Gronstal. Absent or not voting, 7: Tieden, Deluhery, Murphy, Husak, Holt, Gentleman, and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3965	H.F.	593	Milo Colton
S—3966	H.F.	593	Milo Colton
S—3967	H.F.	593	Milo Colton
S—3968	H.F.	593	Milo Colton
S—3969	H.F.	593	Milo Colton
			Thomas A. Lind
S—3970	H.F.	593	Milo Colton
			Thomas A. Lind
S—3971	H.F.	593	Milo Colton
			Thomas A. Lind
S—3972	H.F.	593	Milo Colton
			Thomas A. Lind

S—3973	H.F.	593	Milo Colton Thomas A. Lind
S—3974	S.F.	559	Bill Hutchins
S—3975	S.F.	565	Joe Welsh Charles Bruner
S—3976	H.F.	684	Edgar H. Holden
S—3977	H.F.	684	Michael E. Gronstal
S—3978	H.F.	593	Milo Colton Thomas A. Lind
S—3979	S.F.	565	Edgar H. Holden
S—3980	S.F.	296	Edgar H. Holden Patrick J. Deluhery
S—3981	H.F.	451	Arthur L. Gratias Larry Murphy
S—3982	H.F.	684	Edgar H. Holden George R. Kinley
S—3983	H.F.	736	Norman G. Rodgers
S—3984	H.F.	451	Thomas A. Lind
S—3985	H.F.	438	Arthur A. Small, Jr. William W. Dieleman
S—3986	H.F.	450	William W. Dieleman Joe Welsh Charles P. Miller Don Gettings Doug Ritsema Dave Readinger Thomas Lind
S—3987	S.F.	296	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 6:01 p.m., until 9:00 a.m., Thursday, April 25, 1985.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 25, 1985

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

Prayer was offered by Father Carl Leveling, pastor of the St. Paul Catholic Church, Burlington, Iowa.

The Journal of Wednesday, April 24, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Rodgers for the morning on request of Senator Junkins; Senators Schwengels and Taylor for the day on request of Senator Hultman.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1985, passed the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 34, a resolution exempting Senate File 492 from Joint Rule 20.

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

The Senate resumed session, Senator Kinley 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.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1985, amended and passed the following bills in which the concurrence of the Senate is asked:

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 (S—3990).

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 (S—3989).

UNFINISHED BUSINESS

House File 618

The Senate resumed consideration of 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, referred to committee on Judiciary on April 15, 1985, reported out with recommendation for amendment and passage, and returned to the Unfinished Business Calendar on April 19, 1985.

Senator Mann offered amendment S—3822 filed by the committee on Judiciary on April 18, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3822 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. 618) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Hall	Holden	Hultman	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Small	Soorholtz	Waldstein
Wells	Welsh		

Nays, 6:

Carr	Gronstal	Hannon	Jensen
Tieden	Vande Hoef		

Absent or not voting, 10:

Corning	Gentleman	Hester	Holt
Horn	Husak	Miller, C.P.	Rodgers
Schwengels	Taylor		

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

WITHDRAWN

Senator Miller of Cerro Gordo asked and received unanimous consent that **Senate File 474** be withdrawn from further consideration of the Senate.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 567** be referred from the Appropriations Calendar to the committee on **Appropriations**.

UNFINISHED BUSINESS (Deferred April 19, 1985)

House File 495

The Senate resumed consideration of 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, and the recording of income tax refund or rebate payments by the clerk, deferred on April 19, 1985.

Senator Horn offered amendment S—3757 filed by the committee on Judiciary on April 16, 1985, to pages 1 through 5 and to the title page of the bill.

Senator Gentleman called for a division of amendment S—3757:

Division S—3757A: Page 1, lines 3 through 24 and lines 32 through 50; page 2, lines 1 through 10, lines 15 through 38 and lines 41 through 50.

Division S—3757B: Page 1, lines 25 through 31; page 2, lines 11 through 14 and lines 39 and 40.

Senator Horn moved the adoption of division S—3757A, which motion prevailed by a voice vote.

Senator Horn moved the adoption of division S—3757B, which motion prevailed by a voice vote.

With the adoption of division S—3757A, the Chair ruled amendment S—3872 filed by Senators Doyle, et al., on April 19, 1985, to pages 3 through 6 of the bill, out of order.

Senator Horn offered amendment S—3861 filed by him on April 18, 1985, to page 2 of the bill.

Senator Bruner asked and received unanimous consent that further action on amendment S—3861 be deferred.

Senator Doyle offered amendment S—3920 filed by Senators Horn and Doyle on April 22, 1985, to pages 3, 5 and 6 of the bill and moved its adoption.

Amendment S—3920 was adopted by a voice vote.

Senator Mann withdrew amendment S—3823 filed by him on April 18, 1985, to pages 4 and 6 of the bill.

Senator Gentleman raised the point of order that amendment S—3861, previously deferred, was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3861 in order.

Senator Horn moved the adoption of amendment S—3861, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 495) the vote was:

Ayes, 45:

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
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Soorholtz
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Gentleman	Small
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Absent or not voting, 3:

Rodgers	Schwengels	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENTS CONSIDERED

Senate File 271

Senator Colton called up for consideration Senate File 271, a bill for an act relating to refund of tuition policies of certain postsecondary institutions and to prescribe a penalty, amended

by the House, and moved that the Senate concur in House amendment S—3949 filed April 24, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Colton 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. 271) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Goodwin	Gratias	Gronstal	Hall
Hester	Holden	Holt	Horn
Husak	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Soorholtz	Tieden	Vande Hoef	Waldstein
Wells			

Nays, 2:

Hannon	Small
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Absent or not voting, 7:

Gettings	Hultman	Hutchins	Rodgers
Schwengels	Taylor	Welsh	

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

Senate File 329

Senator Doyle called up for consideration 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, amended by the House in House amendment S—3962 filed April 24, 1985.

Senator Soorholtz offered amendment S—3988 filed by Senator Soorholtz, et al., from the floor to House amendment S—3962 and moved its adoption.

Amendment S—3988 was adopted by a voice vote.

Senator Doyle offered amendment S—3993 filed by him from the floor to House amendment S—3962 and moved its adoption.

Amendment S—3993 was adopted by a voice vote.

Senator Doyle asked and received unanimous consent that further action on **Senate File 329** and House amendment S—3962 as amended be **deferred**.

Senate File 521

Senator Horn called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3961 filed April 24, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Horn 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. 521) the vote was:

Ayes, 42:

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

Holt	Horn	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Small	Soorholtz
Waldstein	Welsh		

Nays, 3:

Hultman	Tieden	Vande Hoef
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Absent or not voting, 5:

Jensen	Rodgers	Schwengels	Taylor
Wells			

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 329

The Senate resumed consideration of Senate File 329 and House amendment S—3962 as amended, previously deferred.

Senator Doyle moved that the Senate concur in the House amendment S—3962 as amended.

A non record roll call was requested.

The ayes were 31, nays 13.

The motion prevailed and the Senate concurred in House amendment S—3962 as amended.

Senator Ritsema raised the point of order that the title should reflect the new language included in subsection 4 of House amendment S—3962.

The Chair ruled the point not well taken.

Senator Doyle moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 329) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
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	Small	Soorholtz
Tieden	Waldstein	Wells	Welsh

Nays, 2:

Hester Ritsema

Absent or not voting, 4:

Rodgers Schwengels 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 524

Senator Bruner called up for consideration Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill, amended by the House, and moved that the Senate concur in House amendment S—3948 filed April 24, 1985.

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

Senate File 515

Senator Mann called up for consideration Senate File 515, a bill for an act relating to the election to become a senior judge, amended by the House, and moved that the Senate concur in House amendment S—3936 filed April 23, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Mann moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 515) the vote was:

Ayes, 44:

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	Readinger
Rife	Ritsema	Small	Soorholtz
Vande Hoef	Waldstein	Wells	Welsh

Nays, 2:

Dieleman	Tieden
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Absent or not voting, 4:

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

Senate File 547

Senator Mann called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—3960 filed April 24, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Mann moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 547) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Neighbour	Nystrom
Palmer	Priebe	Readinger	Ritsema
Small	Soorholtz	Tieden	Wells
Welsh			

Nays, 5:

Hultman	Jensen	Murphy	Rife
Vande Hoef			

Absent or not voting, 4:

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:44 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 24, 1985, 6:10 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Murphy, Husak, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Schwengels (excused) and Colton.

Committee Business: Approved LSB 2894S as a committee bill; discussed LSB 1700S, proposed Human Services Appropriations bill and LSB 2888S, legal services of the elderly.

Adjourned: 6:24 p.m.

EDUCATION

Convened: April 25, 1985, 8:24 a.m.

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

Members Absent: Colton and Taylor (excused).

Committee Business: Discussed the school finance bill.

Adjourned: 9:17 a.m.

TRANSPORTATION

Convened: April 25, 1985, 9:25 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 Senate Concurrent Resolution 41 to a subcommittee, suspended rules and reported the resolution as amended to the Senate calendar.

Adjourned: 9:30 a.m.

EXPLANATION OF VOTE

MR. PRESIDENT: I inadvertently recorded a "nay" vote on Senate File 271 on April 25, 1985.

I intended to vote "aye" on this bill.

BEVERLY A. HANNON

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 April 24, 1985:

JUDICIARY COMMITTEE

As members of the Lottery Board:

Monroe J. Colston
John W. Van Dyke
Emma M. Chance
Gary Hughes

LOWELL L. JUNKINS, Chair

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Merlin D. Hulse, former member of the Senate from Cedar County, Clarence, Iowa, who was present in the Senate chamber.

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

Eighth grade students from West Harrison Community School District, Mondamin, Iowa, accompanied by Larry White. Senator Hester.

Fourteen fourth grade students from Southeast Elementary School, Waverly, Iowa, accompanied by Elaine Kosbau and John Orluske. Senator Jensen.

Thirty-three fourth grade students from West Cedar Elementary School, Waverly, Iowa, accompanied by Evelyn Aubrey. Senator Jensen.

AMENDMENTS FILED

S—3988	S. F.	329	John E. Soorholtz Berl E. Priebe Emil J. Husak Arne Waldstein Bill Hutchins Dale L. Tieden
S—3989	S. F.	562	House amendment
S—3990	S. F.	552	House amendment
S—3991	H. F.	450	Arthur L. Gratias
S—3992	H. F.	450	Joe Brown
S—3993	S. F.	329	Donald V. Doyle
S—3994	S. F.	475	Tom Mann, Jr.

AFTERNOON SESSION

The Senate reconvened at 1:31 p.m., Senator Coleman presiding.

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

The Senate resumed session, President pro tempore Rodgers 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 April 24, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 44, by Lind, a resolution relating to a person's freedom of decision.

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.

UNFINISHED BUSINESS
(Deferred April 19, 1985)

House File 700

The Senate resumed consideration of House File 700, a bill for an act relating to the endangering of certain persons and providing penalties, deferred on April 19, 1985.

Senator Holden offered amendment S—3773 filed by him on April 16, 1985, to page 2 of the bill.

Senator Mann raised the point of order that amendment S—3773 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3773 out of order.

President Anderson took the chair at 3:03 p.m.

Senator Carr asked and received unanimous consent that further action on **House File 700** be **deferred**.

UNFINISHED BUSINESS
(Deferred April 24, 1985)

Senate File 559

The Senate resumed consideration of Senate File 559, a bill for an act relating to the assessing and taxing of storage tanks as real property for property tax purposes and amendment S—3964 to page 1 of the bill, deferred on April 24, 1985.

Senator Hutchins withdrew amendment S—3974 filed by him on April 24, 1985, to amendment S—3964.

Senator Holden asked and received unanimous consent that further action on **Senate File 559** and amendment S—3964 be **deferred**.

UNFINISHED BUSINESS
(Deferred April 17, 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 of candidacy papers, deferred April 17, 1985.

Senator Brown offered amendment S—3809 filed by Senators Brown, et al., on April 18, 1985, to page 2 of the bill and moved its adoption.

Amendment S—3809 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (H.F. 552) 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	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery Taylor

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

WITHDRAWN

Senator Wells asked and received unanimous consent that **Senate File 443** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred April 22, 1985)

House File 381

The Senate resumed consideration of House File 381, a bill for an act relating to workers compensation benefits for injuries or death to volunteer fire fighters involving intoxication, deferred on April 22, 1985.

Senator Tieden offered amendment S—3925 filed by Senators Tieden and Gentleman on April 23, 1985, to page 1 of the bill.

Senator Hutchins offered amendment S—3939 filed by him on April 23, 1985, to amendment S—3925 and moved its adoption.

A non record roll call was requested.

The ayes were 31, nays 16.

Amendment S—3939 was adopted.

Senator Tieden moved the adoption of amendment S—3925 as amended, which motion prevailed by a voice vote.

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

On the question “Shall the bill pass?” (H.F. 381) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Drake	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Lind	Mann	Miller, A.V.	Miller, C.P.
Neighbour	Nystrom	Palmer	Priebe
Rife	Rodgers	Small	Soorholtz
Tieden	Wells	Welsh	

Nays, 9:

Corning	Dieleman	Gentleman	Kinley
Murphy	Readinger	Ritsema	Schwengels
Vande Hoef			

Absent or not voting, 2:

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

MOTION TO RECONSIDER ADOPTED

Senator Gronstal called up the motion to reconsider Senate File 457 filed by him on April 8, 1985, found on page 1248 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 457) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	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	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Waldstein	Welsh		

Nays, 5:

Dieleman	Jensen	Tieden	Vande Hoef
Wells			

Absent or not voting, 3:

Holden	Nystrom	Taylor
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The motion prevailed.

Senator Gronstal moved to reconsider the vote by which Senate File 457 went to its last reading, which motion prevailed by a voice vote.

Senate File 457

On motion of Senator Gronstal, Senate File 457, a bill for an act relating to the custody of minor children, was taken up for reconsideration.

Senator Gronstal asked and received unanimous consent that **Senate File 457** be referred to the committee on **Judiciary**.

The Chair ruled the motions to reconsider on Senate File 457 filed by Senators Holden and Bruner on April 8, 1985, and found on page 1248 of the Senate Journal, out of order.

UNFINISHED BUSINESS (Deferred April 23, 1985)

Senate File 565

The Senate resumed consideration of 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, deferred on April 23, 1985.

Senator Welsh offered amendment S—3975 filed by Senators Welsh and Bruner on April 24, 1985, to page 5 of the bill.

Senator Welsh asked and received unanimous consent that further action on amendment S—3975 be deferred.

Senator Holden offered amendment S—3979 filed by him on April 24, 1985, to page 7 of the bill and moved its adoption.

Amendment S—3979 was adopted by a voice vote.

Senator Hall withdrew amendment S—4015 filed by him from the floor to page 8 of the bill.

Senator Welsh asked and received unanimous consent to withdraw amendment S—3975 to page 5 of the bill, previously deferred.

Senator Hutchins withdrew the motion to reconsider the vote by which amendment S—3912 to Senate File 565 was adopted by the Senate on April 23, 1985, filed by him on April 23, 1985 and found on page 1611 of the Senate Journal.

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. 565) 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
Deluhery	Dieleman	Doyle	Drake
Goodwin	Gratias	Gronstal	Holt
Husak	Hutchins	Junkins	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Readinger	Rodgers	Schwengels	Small
Soorholtz	Welsh		

Nays, 23:

Coleman	Colton	Corning	Gentleman
Gettings	Hall	Hannon	Hester
Holden	Horn	Hultman	Jensen
Kinley	Miller, C.P.	Neighbour	Palmer
Priebe	Rife	Ritsema	Tieden
Vande Hoef	Waldstein	Wells	

Absent or not voting, 1:

Taylor

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 329 and 524** and **House Files 381, 495 and 552** be **immediately messaged** to the House.

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

The Senate resumed session, Senator Gronstal presiding.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **House File 618** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 568, by Committee on Ways and Means, a bill for an act 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.

Read first time and **placed on Ways and Means calendar**.

Senate File 569, by Committee on Appropriations, a bill for an act appropriating funds for certain legal fees.

Read first time and **placed on Appropriations calendar**.

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

The Senate resumed session, Senator Gronstal 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 25, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies (S—4017).

INTRODUCTION OF BILL

Senate File 570, by Committee on Appropriations, 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 Appropriations calendar.**

Senate File 571, by Committee on Appropriations, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

Read first time and **placed on Appropriations calendar.**

Senate File 572, by Committee on Appropriations, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, elderly and historical programs of this state.

Read first time and **placed on Appropriations calendar.**

APPENDIX**COMMITTEE REPORTS****APPROPRIATIONS**

Final Bill Action: SENATE FILE 569, a bill for an act appropriating funds for certain legal fees.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Welsh, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Murphy, Husak and Gentleman. Nays, 3: Ritsema, Readinger and Lind. Absent or not voting, 3: Small, Colton and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 570, 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, 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: SENATE FILE 571, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

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: SENATE FILE 572, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, elderly and historical programs of this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Husak, Holt, Ritsema, Readinger and Lind. Nays, 1: Gentleman. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 41, a concurrent resolution concerning school bus safety laws.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—4010.

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.

WAYS AND MEANS

Final Bill Action: 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.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—4009.

Final Vote: Ayes, 10: Palmer, Husak, Boswell, Bruner, Gronstal, Holden, Holt, Mann, Readinger, Soorholtz. Nays, 1: Hester. Absent or not voting, 4: Gratias, Dieleman, Rodgers and Brown.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 568 (SSB 379), a bill for an act 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Husak, Hester, Boswell, Brown, Bruner, Holden, Holt, Mann and Soorholtz. Nays, none. Absent or not voting, 5: Dieleman, Gratias, Gronstal, Readinger and Rodgers.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SENATE STUDY BILL

SSB 382 Ways and Means

Relating to the granting of a partial real property tax credit for new construction of office-research facilities.

RESOLUTION ASSIGNED TO COMMITTEE

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

S. C. R. 43 Rules & Administration

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 24, 1985.

Had I been present, I would have voted "aye" on Senate Files 103, 250, 377 and 526.

DAVE READINGER

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 24, 1985, when the final vote was taken on House File 451.

Had I been present, I would have voted "aye".

DON GETTINGS

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 25, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 70 — Relating to the rights and duties of a person riding a bicycle on the highway, including a penalty.

Senate File 168 — 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 — Providing resale rights to a holder of a motorcycle or motorcycle parts franchise upon termination of the franchise.

Senate File 213 — Relating to the imposition of mandatory minimum sentences.

Senate File 266 — Relating to veteran preference in public employment and providing an effective date.

Senate File 291 — Relating to the authority of the Department of Water, Air and Waste Management over used oil.

Senate File 342 — Relating to bees by making certain acts unlawful, and providing penalties.

Senate File 375 — Providing for forms of certain acknowledgments of conveyances of real estate.

Senate File 391 — Exempting fire trucks and other fire apparatus from meeting air quality standards.

Senate File 392 — Requiring insurance for certain motor vehicle service contracts and providing a remedy.

Senate File 414 — 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.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Castana, Iowa — "Kick Off Days" on July 12, 13 and 14, 1985 — Preparation for 1986 Centennial. Senator Doyle (April 25, 1985).

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty-one fifth and sixth grade students from Meservey-Thornton Elementary School, Thornton, Iowa, accompanied by Jeff Tudor, Alice Heitland and Leroy Scharnhorst. Senator Miller of Cerro Gordo.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 565 passed the Senate on April 25, 1985.

DAVE READINGER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 565 passed the Senate on April 25, 1985.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 565 passed the Senate on April 25, 1985.

MICHAEL E. GRONSTAL

AMENDMENTS FILED

S—3995	H.F.	593	Milo Colton
S—3996	H.F.	593	Milo Colton
S—3997	H.F.	593	Milo Colton
S—3998	H.F.	593	Milo Colton
S—3999	H.F.	593	Milo Colton
S—4000	H.F.	593	Milo Colton
S—4001	H.F.	593	Milo Colton
S—4002	H.F.	593	Milo Colton
S—4003	H.F.	593	Milo Colton
S—4004	S.F.	562	Richard F. Drake Joe Welsh Don Gettings Calvin O. Hultman John N. Nystrom Hurley Hall
S—4005	H.F.	593	Milo Colton
S—4006	H.F.	593	Milo Colton
S—4007	H.F.	593	Milo Colton
S—4008	H.F.	593	Milo Colton
S—4009	H.F.	570	Ways and Means
S—4010	S. C. R.	41	Transportation
S—4011	S. F.	566	Norman Rodgers
S—4012	S. F.	475	Michael E. Gronstal

S-4013	S.F.	475	Tom Mann, Jr.
S-4014	S.F.	559	Edgar H. Holden
S-4015	S.F.	565	Hurley W. Hall
S-4016	H.F.	700	Bob Carr
			Tom Mann, Jr.
			Julia Gentleman
S-4017	S.F.	434	House amendment

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Friday, April 26, 1985.

JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 26, 1985

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

Prayer was offered by the Reverend Roy Pasley, pastor of the First Baptist Church, Boone, Iowa.

The Journal of Thursday, April 25, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Schwengels and Gratias for the day on request of Senator Hultman; Senator Murphy for the day on request of Senator Junkins.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 25, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 771, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986.

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

BILL REFERRED TO COMMITTEE

Senator Junkins raised the point of order that Senate File 572 should be referred from the Appropriations Calendar to the committee on Ways and Means under Senate Rule 38.

Senator Junkins withdrew his point.

Senator Junkins asked and received unanimous consent that **Senate File 572** be referred from the Appropriations Calendar to the committee on **Ways and Means**.

The Senate stood at ease 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 41 present, 9 absent and a quorum present.

SPECIAL GUESTS

Senator Junkins presented "The Kids on the Block", a puppeteering group from Dubuque who visit Iowa schools and groups in an effort to help educate people about the realities of being mentally and physically handicapped. They were visiting and performing at the Capitol in honor of the Special Olympics on May 13, 1985.

The group exhibited their talents with a brief presentation for the members of the Senate.

The Senate stood at ease for the purpose of party caucuses 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 25, 1985, passed the following bills in which the concurrence of the House was asked:

Senate File 452, a bill for an act authorizing conversion of certain real property to a mobile home.

Senate File 509, a bill for an act relating to the inspection of fruit-tree or forest reservations and making the Act retroactive.

ALSO: That the House has on April 25, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 717, a bill for an act relating to the purchase of motor fuel by a regional transit system, providing for a tax refund, and providing penalties.

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

ALSO: That the House has on April 25, 1985, amended and passed the following bills in which the concurrence of the Senate is asked:

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 (S—4021).

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 (S—4022).

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 (S—4023).

ALSO: That the House has on April 25, 1985, concurred in the Senate amendment as amended and passed the following bills 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 (S—4035 to H—3935).

House File 231, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts (S—4036 to H—4006).

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 (S—4037 to H—3933).

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 (S—4038 to H—3890).

House File 523, a bill for an act related to the right of cities to lease or lease-purchase real and personal property (S—4039 to H—3790).

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 (S—4024 to H—3932).

ALSO: That the House has on April 25, 1985, **refused to concur** in the Senate amendment to the following bills:

House File 589, a bill for an act relating to fees collected by county officers.

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.

ALSO: That the House has on April 25, 1985, **refused to concur** in the Senate amendment as amended to the following bill:

House File 730, a bill for an act relating to the licensure of dietitians and nutritionists.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Hultman.

HOUSE AMENDMENT CONSIDERED (Deferred April 24, 1985)

Senate File 296

The Senate resumed consideration of Senate File 296, a bill for an act relating to the deposit and investment of public funds, amended by the House in House amendment S—3824 as amended, deferred on April 24, 1985.

Senator Miller of Des Moines filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which division S—3980B to House amendment S—3824 to Senate File 296 was adopted by the Senate on April 24, 1985.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 296) the vote was:

Ayes, 26:

Boswell	Coleman	Dieleman	Doyle
Drake	Gettings	Goodwin	Hannon
Hester	Holt	Horn	Husak
Hutchins	Junkins	Lind	Miller, A.V.
Miller, C.P.	Neighbour	Priebe	Readinger
Rife	Ritsema	Soorholtz	Vande Hoef
Waldstein	Welsh		

Nays, 19:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Gentleman	Gronstal
Hall	Holden	Hultman	Kinley
Mann	Palmer	Rodgers	Small
Taylor	Tieden	Wells	

Absent or not voting, 5:

Gratias	Jensen	Murphy	Nystrom
Schwengels			

The motion prevailed and division S—3980B to House amendment S—3824, was taken up for reconsideration.

Senator Holden moved the adoption of division S—3980B to House amendment S—3824.

A record roll call was requested.

On the question “Shall division S—3980B to House amendment S—3824 be adopted?” (S.F. 296) the vote was:

Ayes, 18:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Gentleman	Gronstal
Hall	Holden	Hultman	Junkins
Kinley	Mann	Palmer	Small
Taylor	Welsh		

Nays, 27:

Boswell	Coleman	Dieleman	Doyle
Drake	Gettings	Goodwin	Hannon
Hester	Holt	Horn	Husak
Hutchins	Lind	Miller, A. V.	Miller, C.P.
Neighbour	Priebe	Readinger	Rife
Ritsema	Rodgers	Soorholtz	Tieden
Vande Hoef	Waldstein	Wells	

Absent or not voting, 5:

Gratias	Jensen	Murphy	Nystrom
Schwengels			

Division S—3980B lost.

Senator Deluhery moved that the Senate concur in House amendment S—3824 as amended, which motion prevailed by a voice vote.

Senator Deluhery moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 296) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, C.P.
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Gentleman	Gratias	Jensen	Miller, A.V.
Murphy	Nystrom	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 296** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 25, 1985)

Senate File 559

The Senate resumed consideration of Senate File 559, a bill for an act relating to the assessing and taxing of storage tanks as real property for property tax purposes and amendment S—3964 to page 1 of the bill, deferred on April 25, 1985.

Senator Holden offered amendment S—4014 filed by him on April 25, 1985, to amendment S—3964 and moved its adoption.

A non record roll call was requested.

The ayes were 39, nays 3.

Amendment S—4014 was adopted.

Senator Rodgers moved the adoption of amendment S—3964 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3964 as amended, the Chair ruled amendment S—3950 filed by Senator Rodgers on April 24, 1985, to page 1 of the bill, out of order.

Senator Doyle offered amendment S—4019 filed by Senators Doyle and Rodgers from the floor to page 1 and to the title page of the bill and moved its adoption.

Amendment S—4019 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 559) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Drake	Gratias	Hultman	Jensen
Murphy	Nystrom	Schwengels	Waldstein

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

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 571.

Senate File 571

On motion of Senator Deluhery, Senate File 571, a bill for an act relating to the financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986, was taken up for consideration.

Senator Deluhery offered amendment S—4029 filed by him from the floor to pages 1, 2, 4, 5, 6, 10, 11, 12, 16, 18 and 19 of the bill and moved its adoption.

Amendment S—4029 was adopted by a voice vote.

Senator Deluhery asked and received unanimous consent that **House File 771** be substituted for **Senate File 571** as amended.

Senator Deluhery asked and received unanimous consent that further action on **House File 771** be **deferred**.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 565

Senators Mann, Gronstal and Readinger withdrew the motions to reconsider 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, filed on April 25, 1985, and found on page 1680 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 565** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 475

Senator Mann called up for consideration Senate File 475, a bill for an act relating to corporate takeovers and providing penalties, amended by the House in House amendment S—3947 filed April 24, 1985.

Senator Ritsema took the chair at 12:10 p.m.

Senator Mann withdrew amendment S—3994 filed by him on April 25, 1985, to House amendment S—3947.

Senator Mann offered amendment S—4013 filed by him on April 25, 1985, to House amendment S—3947 and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 23.

Amendment S—4013 lost.

Senator Mann asked and received unanimous consent that further action on **Senate File 475** and House amendment S—3947 be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 572.

Senate File 572

On motion of Senator Horn, Senate File 572, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, elderly and historical programs of this state, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Senator Husak took the chair at 12:26 p.m.

Senator Tieden offered amendment S—4027 filed by him from the floor to pages 6 and 7 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 11, nays 34.

Amendment S—4027 lost.

President Anderson took the chair at 1:05 p.m.

Senator Carr offered amendment S—4028 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—4028 was adopted by a voice vote.

Senator Lind offered amendment S—4044 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—4044 lost by a voice vote.

Senator Gronstal offered amendment S—4049 filed by him from the floor to pages 5 and 6 of the bill.

Senator Gronstal asked and received unanimous consent that further action on amendment S—4049 be deferred.

Senator Nystrom offered amendment S—4055 filed by Senators Nystrom, et al., from the floor to page 6 of the bill.

Senator Waldstein offered amendment S—4057 filed by Senators Waldstein, et al., from the floor to amendment S—4055 and moved its adoption.

Amendment S—4057 was adopted by a voice vote.

Senator Nystrom moved the adoption of amendment S—4055 as amended.

A record roll call was requested.

On the question “Shall amendment S—4055 as amended be adopted?” (S.F. 572) the vote was:

Ayes, 27:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Gentleman	Gronstal	Hultman	Hutchins
Junkins	Lind	Mann	Miller, A.V.
Nystrom	Palmer	Priebe	Readinger
Ritsema	Rodgers	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 18:

Brown	Deluhery	Drake	Gettings
Goodwin	Hall	Hannon	Holden
Holt	Horn	Husak	Kinley
Miller, C.P.	Neighbour	Rife	Small
Wells	Welsh		

Absent or not voting, 5:

Gratias	Hester	Jensen	Murphy
Schwengels			

Amendment S—4055 as amended was adopted.

Senator Ritsema offered amendment S—4051 filed by him from the floor to page 11 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—4051 be adopted?” (S.F. 572) the vote was:

Ayes, 11:

Coleman	Gentleman	Goodwin	Holden
Holt	Hultman	Miller, C.P.	Neighbour
Ritsema	Vande Hoef	Waldstein	

Nays, 31:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gettings	Gronstal
Hall	Hannon	Horn	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Nystrom	Palmer	Priebe
Readinger	Rodgers	Small	Soorholtz
Tieden	Wells	Welsh	

Absent or not voting, 8:

Gratias	Hester	Husak	Jensen
Murphy	Rife	Schwengels	Taylor

Amendment S—4051 lost.

Senator Lind offered amendment S—4052 filed by him from the floor to pages 11, 14 and 15 of the bill and moved its adoption.

Amendment S—4052 lost by a voice vote.

Senator Horn offered amendment S—4025 filed by him from the floor to pages 11 and 14 of the bill and moved its adoption.

Amendment S—4025 was adopted by a voice vote.

Senator Gentleman offered amendment S—4060 filed by her from the floor to page 12 of the bill and moved its adoption.

Amendment S—4060 lost by a voice vote.

Senator Gentleman offered amendment S—4054 filed by her from the floor to page 12 of the bill.

Senator Kinley took the chair at 1:51 p.m.

Senator Bruner asked and received unanimous consent that further action on amendment S—4054 be deferred.

Senator Bruner offered amendment S—4053 filed by him from the floor to page 12 of the bill and called for a division: lines 2 and 3 as division S—4053A and lines 4 through 23 as division S—4053B.

Senator Bruner moved the adoption of division S—4053A, which motion prevailed by a voice vote.

Senator Bruner moved the adoption of division S—4053B, which motion lost by a voice vote.

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

The Senate resumed session, Senator Brown 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 25, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 714, a bill for an act relating to the filing of a protest because of a clerical or mathematical error having been made in the assessment of a person's property.

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

House File 761, a bill for an act 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.

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

House File 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation.

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

INTRODUCTION OF BILLS

Senate File 573, by Committee on Appropriations, a bill for an act to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication.

Read first time and **placed on Appropriations calendar.**

Senate File 574, by Committee on Ways and Means, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax.

Read first time and **placed on Ways and Means calendar.**

Senate File 575, by Committee on Appropriations, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the Act takes effect upon its publication.

Read first time and **placed on Appropriations calendar.**

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.

BUSINESS PENDING

Senate File 572

The Senate resumed consideration of Senate File 572 and amendments S—4054 and S—4049, previously deferred.

Senator Lind offered amendment S—4056 filed by him from the floor to page 15 of the bill.

Senator Mann raised the point of order that amendment S—4056 was not germane to the bill.

Senator Mann withdrew his point of order.

Senator Lind moved the adoption of amendment S—4056.

A non record roll call was requested.

The ayes were 14, nays 30.

Amendment S—4056 lost.

Senator Lind offered amendment S—4043 filed by him from the floor to page 15 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 27.

Amendment S—4043 lost.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 559** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 572

The Senate resumed consideration of Senate File 572 and amendments S—4054 and S—4049.

Senator Welsh offered amendment S—4064 filed by him from the floor to page 20 of the bill.

Senator Ritsema raised the point of order that amendment S—4064 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4064 out of order.

Senator Horn offered amendment S—4067 filed by him from the floor to page 20 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 26.

Amendment S—4067 lost.

President Anderson took the chair at 3:12 p.m.

Senator Gronstal offered amendment S—4050 filed by him from the floor to pages 20 and 21 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—4050 be adopted?" (S.F. 572) the vote was:

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

Ayes, 16:

Boswell	Brown	Bruner	Colton
Corning	Drake	Gentleman	Goodwin
Gronstal	Hannon	Hultman	Mann
Miller, A.V.	Neighbour	Readinger	Rife

Nays, 30:

Carr	Coleman	Deluhery	Dieleman
Doyle	Gettings	Hall	Hester
Holden	Holt	Horn	Husak
Hutchins	Junkins	Kinley	Lind
Miller, C.P.	Nystrom	Palmer	Priebe
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Absent or not voting, 4:

Gratias	Jensen	Murphy	Schwengels
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Amendment S—4050 lost.

Senator Bruner offered amendment S—4075 filed by him from the floor to page 20 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 11, nays 35.

Amendment S—4075 lost.

Senator Colton took the chair at 4:20 p.m.

Senator Gronstal offered amendment S—4061 filed by him from the floor to page 20 of the bill and moved its adoption.

Amendment S—4061 was adopted by a voice vote.

Senator Lind offered amendment S—4042 filed by him from the floor to page 21 of the bill and moved its adoption.

Amendment S—4042 lost by a voice vote.

Senator Junkins offered amendment S—4026 filed by him from the floor to page 22 of the bill and moved its adoption.

Amendment S—4026 was adopted by a voice vote.

Senator Holden offered amendment S—4063 filed by Senators Holden, et al., from the floor to page 22 of the bill.

Senator Horn raised the point of order that amendment S—4063 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4063 out of order.

Senator Holden asked and received unanimous consent that amendment S—4077 filed by Senators Holden, et al., from the floor to page 22 of the bill be withdrawn.

Senator Lind withdrew amendment S—4068 filed by him from the floor to page 4 of the bill.

Senator Hultman offered amendment S—4062 filed by Senators Hultman and Horn from the floor to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 11.

Amendment S—4062 was adopted.

Senator Lind offered amendment S—4082 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—4082 lost by a voice vote.

Senator Gentleman moved the adoption of amendment S—4054 to page 12 of the bill, previously deferred.

A non record roll call was requested.

The ayes were 13, nays 24.

Amendment S—4054 lost.

Senator Gronstal moved the adoption of amendment S—4049 to pages 5 and 6 of the bill, previously deferred, which motion lost by a voice vote.

Senator Bruner offered amendment S—4073 filed by him from the floor to page 12 of the bill.

Senator Small offered amendment S—4076 filed by him from the floor to amendment S—4073 and moved its adoption.

Amendment S—4076 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—4073, 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—4061 to Senate File 572 was adopted by the Senate on April 26, 1985.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 572) the vote was:

Ayes, 27:

Carr	Coleman	Deluhery	Dieleman
Doyle	Gettings	Hall	Holden
Holt	Horn	Husak	Hutchins
Lind	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Ritsema	Rodgers
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 18:

Boswell	Brown	Bruner	Colton
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Corning	Drake	Gentleman	Goodwin
Gronstal	Hannon	Hester	Hultman
Junkins	Mann	Miller, A.V.	Neighbour
Rife	Tieden		

Absent or not voting, 5:

Gratias	Jensen	Kinley	Murphy
Schwengels			

The motion prevailed and amendment S—4061 to page 20 of the bill, was taken up for reconsideration.

Senator Hultman asked and received unanimous consent that further action on **Senate File 572** and amendment S—4061 be **deferred**.

BUSINESS PENDING

House File 771

On motion of Senator Deluhery, House File 771, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986, previously substituted for Senate File 571 and deferred, was taken up for further consideration.

President Anderson took the chair at 5:51 p.m.

Senator Deluhery withdrew amendment S—4040 filed by him from the floor to pages 1, 2, 5, 6, 7, 10, 11, 12, 13, 17, 19 and 20 of the bill.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Holt and Holden for the remainder of the evening on request of Senator Hultman.

BUSINESS PENDING

House File 771

The Senate resumed consideration of House File 771.

Senator Deluhery offered amendment S—4066 filed by him from the floor to pages 1, 2, 3, 6, 7, 10, 11, 12, 13 and 17 of the bill and moved its adoption.

Amendment S—4066 was adopted by a voice vote.

Senator Vande Hoef offered amendment S—4046 filed by Senators Vande Hoef, et al., from the floor to page 2 of the bill and moved its adoption.

On the question "Shall amendment S—4046 be adopted?" (H.F. 771) the vote was:

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

Ayes, 14:

Drake	Goodwin	Hester	Hultman
Lind	Nystrom	Priebe	Rife
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 27:

Boswell	Brōwn	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Junkins	Mann
Miller, C.P.	Neighbour	Palmer	Readinger
Small	Wells	Welsh	

Absent or not voting, 9:

Gratias	Holden	Holt	Jensen
Kinley	Miller, A.V.	Murphy	Rodgers
Schwengels			

Amendment S—4046 lost.

Senator Waldstein offered amendment S—4041 filed by Senators Waldstein, et al., from the floor to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 25.

Amendment S—4041 lost.

Senator Bruner offered amendment S—4065 filed by him from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—4065 was adopted by a voice vote.

Senator Priebe offered amendment S—4085 filed by him from the floor to page 16 of the bill.

Senator Junkins asked and received unanimous consent that further action on amendment S—4085 be deferred.

Senator Hultman offered amendment S—4071 filed by Senator Holden from the floor to page 20 of the bill.

Senator Junkins raised the point of order that amendment S—4071 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—4071 in order.

Senator Hultman moved the adoption of amendment S—4071 and requested a record roll call.

On the question "Shall amendment S—4071 be adopted?" (H.F. 771) the vote was:

Ayes, 15:

Corning	Drake	Gentleman	Goodwin
Hester	Hultman	Lind	Readinger
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hall

Hannon	Horn	Husak	Hutchins
Junkins	Mann	Miller, A.V.	Miller, C.P.
Neighbour	Priebe	Rodgers	Small
Wells	Welsh		

Absent or not voting, 9:

Gratias	Holden	Holt	Jensen
Kinley	Murphy	Nystrom	Palmer
Schwengels			

Amendment S—4071 lost.

Senator Junkins offered amendment S—4069 filed by him from the floor to page 20 of the bill and moved its adoption.

Amendment S—4069 was adopted by a voice vote.

Senator Hultman offered amendment S—4078 filed by Senators Holden and Holt from the floor to page 20 of the bill.

Senator Deluhery raised the point of order that amendment S—4078 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4078 out of order.

Senator Priebe moved the adoption of amendment S—4085 to page 16 of the bill, previously deferred, which motion prevailed by a voice vote.

The Chair ruled amendment S—4030 filed by Senator Junkins from the floor to page 2 of the bill, out of order.

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

On the question "Shall the bill pass?" (H.F. 771) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Lind	Mann	Miller, A.V.

Miller, C.P.	Neighbour	Palmer	Priebe
Readinger	Rife	Rodgers	Small
Soorholtz	Wells	Welsh	

Nays, 6:

Hester	Hultman	Ritsema	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 9:

Gratias	Holden	Holt	Jensen
Kinley	Murphy	Nystrom	Schwengels
Tieden			

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 45, by Drake, Welsh and Nystrom, a resolution concerning the sale of Consolidated Rail corporation (Conrail).

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

INTRODUCTION OF BILLS

Senate File 576, by Committee on Ways and Means, 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 Ways and Means calendar**.

Senate File 577, by Junkins and Hultman, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure,

providing for the creation of the Iowa export trading company, and requesting an interim study committee.

Read first time and referred to the committee on **Agriculture**.

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

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

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

The vote revealed 37 present, 13 absent and a quorum present.

BUSINESS PENDING

Senate File 572

The Senate resumed consideration of Senate File 572 and amendment S—4061, previously deferred.

Senator Gronstal offered amendment S—4087 filed by him from the floor to page 20 of the bill and moved its adoption.

Amendment S—4087 was adopted by a voice vote.

Senator Gronstal withdrew amendment S—4061 to page 20 of the bill.

The Chair ruled amendment S—4084 filed by Senator Dieleman from the floor to amendment S—4061, 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. 572) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Gettings	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Mann	Miller, A.V.	Miller, C.P.

Neighbour	Palmer	Priebe	Readinger
Rife	Rodgers	Small	Soorholtz
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 7:

Gentleman	Gronstal	Hester	Hultman
Lind	Ritsema	Taylor	

Absent or not voting, 10:

Doyle	Goodwin	Gratias	Holden
Holt	Jensen	Kinley	Murphy
Nystrom	Schwengels		

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Goodwin and Vande Hoef for the remainder of the evening on request of Senator Hultman and Senator Coleman for the remainder of the evening on request of Senator Hutchins.

President Anderson took the chair at 7:50 p.m.

HOUSE AMENDMENT CONSIDERED

Senate File 434

Senator Dieleman called up for consideration Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, amended by the House in House amendment S—4017 filed April 25, 1985.

Senator Dieleman offered amendment S—4080 filed by him from the floor to pages 1, 2 and 4 of House amendment S—4017 and called for a division: lines 4 through 8 as division S—4080A and lines 9 through 12 as division S—4080B.

Senator Dieleman moved the adoption of division S—4080A to House amendment S—4017, which motion prevailed by a voice vote.

Senator Dieleman asked and received unanimous consent that further action on division S—4080B to House amendment S—4017 be deferred.

Senator Welsh offered amendment S—4086 filed by him from the floor to pages 2 through 5 of House amendment S—4017 and moved its adoption.

Amendment S—4086 was adopted by a voice vote.

With the adoption of amendment S—4086 to House amendment S—4017, the Chair ruled division S—4080B, previously deferred, and amendment S—4081 filed by Senator Welsh from the floor to pages 3, 4 and 5 of House amendment S—4017, out of order.

Senator Junkins offered amendment S—4033 filed by him from the floor to page 5 of House amendment S—4017 and moved its adoption.

Amendment S—4033 was adopted by a voice vote.

Senator Dieleman moved that the Senate concur in House amendment S—4017 as amended, which motion prevailed by a voice vote.

Senator Dieleman moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 434) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Neighbour	Nystrom	Palmer

Priebe	Readerger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Wells	Welsh	

Nays, none.

Absent or not voting, 11:

Coleman	Goodwin	Gratias	Holden
Holt	Jensen	Kinley	Murphy
Schwengels	Vande Hoef	Waldstein	

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lind and Waldstein for the remainder of the evening on request of Senator Hultman.

HOUSE AMENDMENT CONSIDERED

Senate File 562

Senator Gettings called up for consideration 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, amended by the House in House amendment S—3989 filed April 25, 1985.

Senator Gettings offered amendment S—4045 filed by him from the floor to House amendment S—3989.

Amendment S—4045 was adopted by a voice vote.

Senator Hultman offered amendment S—4018 filed by him from the floor to House amendment S—3989 and moved its adoption.

Amendment S—4018 lost by a voice vote.

Senator Welsh offered amendment S—4047 filed by Senators Welsh and Gettings from the floor to House amendment S—3989 and moved its adoption.

Amendment S—4047 was adopted by a voice vote.

Senator Drake offered amendment S—4004 filed by Senators Drake, et al., on April 25, 1985, to House amendment S—3989 and moved its adoption.

Amendment S—4004 was adopted by a voice vote.

Senator Small offered amendment S—4079 filed by him from the floor to House amendment S—3989.

Senator Rife raised the point of order that amendment S—4079 to House amendment S—3989 was not germane.

Senator Rife withdrew his point of order.

Senator Gentleman raised the point of order that amendment S—4079 to House amendment S—3989 was not germane.

The Chair ruled the point well taken and amendment S—4079 out of order.

Senator Welsh offered amendment S—4048 filed by him from the floor to House amendment S—3989 and moved its adoption.

Amendment S—4048 was adopted by a voice vote.

With the adoption of amendment S—4048 to House amendment S—3989, the Chair ruled amendment S—4031 filed by Senator Junkins from the floor to House amendment S—3989, out of order.

Senator Welsh offered amendment S—4091 filed by him from the floor to House amendment S—3989 and moved its adoption.

Amendment S—4091 was adopted by a voice vote.

Senator Junkins asked and received unanimous consent that further action on **Senate File 562** and House amendment S—3989 as amended be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 552

Senator Miller of Des Moines called up for consideration 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, amended by the House in House amendment S—3990 filed April 25, 1985.

Senator Carr offered amendment S—4088 filed by Senators Carr, et al., from the floor to House amendment S—3990 and moved its adoption.

Amendment S—4088 was adopted by a voice vote.

Senator Hultman offered amendment S—4059 filed by him from the floor to House amendment S—3990 and moved its adoption.

Amendment S—4059 was adopted by a voice vote.

Senator Miller of Des Moines offered amendment S—4058 filed by Senators Miller of Des Moines and Welsh from the floor to House amendment S—3990 and moved its adoption.

Amendment S—4058 was adopted by a voice vote.

Senator Carr offered amendment S—4090 filed by Senators Carr, Welsh and Miller of Des Moines from the floor to House amendment S—3990 and moved its adoption.

Amendment S—4090 was adopted by a voice vote.

With the adoption of amendment S—4090 to House amendment S—3990, the Chair ruled amendment S—4072 filed by Senator Ritsema from the floor to House amendment S—3990, out of order.

Senator Junkins offered amendment S—4032 filed by him from the floor to House amendment S—3990 and moved its adoption.

Amendment S—4032 was adopted by a voice vote.

Senator Miller of Des Moines moved that the Senate concur in House amendment S—3990 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 552) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Junkins	Mann	Miller, A.V.	Miller, C.P.
Neighbour	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Coleman	Goodwin	Gratias	Holden
Holt	Jensen	Kinley	Lind
Murphy	Schwengels	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 File 562

The Senate resumed consideration of Senate File 562 and House amendment S—3989 as amended, previously deferred.

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—4048 to Senate File 562 was adopted by the Senate on April 26, 1985.

The motion prevailed by a voice vote and amendment S—4048 by Senator Welsh to House amendment S—3989, was taken up for reconsideration.

Senator Welsh withdrew amendment S—4048 to House amendment S—3989.

Senator Welsh offered amendment S—4092 filed by him from the floor to House amendment S—3989 and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 9.

Amendment S—4092 was adopted.

WITHDRAWN

Senator Deluhery asked and received unanimous consent that **Senate File 571** be withdrawn from further consideration of the Senate.

BUSINESS PENDING

Senate File 562

The Senate resumed consideration of Senate File 562 and House amendment S—3989 as amended.

Senator Gettings moved that the Senate concur in House amendment S—3989 as amended, which motion prevailed by a voice vote.

Senator Gettings moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 562) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Junkins	Mann	Miller, A.V.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Wells
Welsh			

Nays, none.

Absent or not voting, 13:

Coleman	Goodwin	Gratias	Holden
Holt	Jensen	Kinley	Lind
Miller, C.P.	Murphy	Schwengels	Vande Hoef
Waldstein			

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

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

The Senate resumed session, President pro tempore 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 26, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 762, a bill for an act to legalize the proceedings for the organization, establishment, boundaries and election and tenure of office of the board of trustees of the Sun Valley sanitary district in the township of Union, county of Ringgold and declaring the district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law.

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

House File 763, a bill for an act to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication.

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

House File 767, a bill for an act relating to the base period under the unemployment compensation law for an employee who has received workers' compensation or indemnity insurance benefits and applying retroactively (with H—4086 adopted).

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

House File 769, a bill for an act relating to pari-mutuel betting by providing that persons licensed to conduct dog races are eligible for the tax credit to assist in retiring the annual debt on the cost of construction of the licensed facility and providing that the state racing commission shall include a statement in its annual report describing the degree to which all segments of the Iowa economy and all geographic regions of the state have been served by the commission.

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

ALSO: That the House has on April 26, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

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 controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties (S—4083).

Senate File 406, a bill for an act relating to the destruction of noxious weeds and providing a penalty (S—4096).

Senate File 561, a bill for an act relating to taxation by updating references to the internal revenue code (S—4095).

ALSO: That the House has on April 26, 1985, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the Senate is asked:

House File 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties (S—4093 to H—3891).

ALSO: That the House has on April 26, 1985, **refused to concur** in the Senate amendment to the following bill:

House File 554, a bill for an act relating to security interests in farm products and providing penalties.

INTRODUCTION OF BILLS

Senate File 578, by Committee on Appropriations, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Read first time and **placed on Appropriations calendar.**

Senate File 579, by Committee on Appropriations, a bill for an act relating to substance abuse evaluations and temporary restricted licenses for second and subsequent violators of section 321.281, and providing for retroactive application.

Read first time and **placed on Appropriations calendar.**

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 41

TRANSPORTATION: Gettings, Chair; Doyle and Nystrom

Senate Concurrent Resolution 42

APPROPRIATIONS: Tieden, Chair; Welsh and Gronstal

House File 720

EDUCATION: Murphy, Chair; Hannon and Corning

SSB 382

WAYS AND MEANS: Brüner, Chair; Mann and Holden

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 25, 1985, 1:07 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 (excused).

Committee Business: Approved LSB 1700S as a committee bill; amended and approved LSB 2898S and 1696S as committee bills.

Recessed: 2:35 p.m.

Reconvened: 4:31 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 (excused).

Committee Business: Approved LSB 2876S, LSB 2881S, LSB 2905S and LSB 1696S.

Adjourned: 4:53 p.m.

RULES AND ADMINISTRATION

Convened: April 25, 1985, 10:15 a.m.

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

Members Absent: Kinley and Hultman, Ranking Member.

Committee Business: Assigned governor's appointees to the Lottery Board to the Judiciary Committee.

Adjourned: 10:17 a.m.

WAYS AND MEANS

Convened: April 25, 1985, 9:30 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Gratias (arrived 9:25 a.m.), Gronstal (arrived 9:45 a.m.), Holden, Holt, Mann, Readinger (arrived 9:56 a.m.) and Soorholtz.

Members Absent: Dieleman and Rodgers.

Committee Business: Approved SSB 379 as a committee bill; reported House File 570 as amended to the Senate calendar; SSB 375 ordered redrafted as amended as a committee bill.

Adjourned: 10:05 a.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Priebe, A. Miller, Boswell, Palmer, Hutchins, Vande Hoef and Hester. Nays, none. Absent or not voting, 3: Husak, Soorholtz and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 573, a bill for an act to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication.

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: SENATE FILE 575, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the Act takes effect upon its publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, 1: Husak. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 578, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Colton, Husak, Readinger and Gronstal. Nays, none. Absent or not voting, 6: Murphy, Holt, Schwengels, Lind, Ritsema and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 579, a bill for an act relating to substance abuse evaluations and temporary restricted licenses for second and subsequent violators of section 321.281, and providing for retroactive application.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Colton, Husak, Readinger and Gronstal. Nays, none. Absent or not voting, 6: Murphy, Holt, Schwengels, Lind, Ritsema and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 572, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, elderly and historical programs of this state.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Husak, Hester, Boswell, Dieleman, Holden, Holt, Readinger, Rodgers and Soorholtz. Nays, 4: Brown, Bruner, Gronstal and Mann. Absent or not voting, 1: Gratias.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 574 (SSB 375), a bill for an act relating to when electricity steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 576 (SSB 382), 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, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Gratias.

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 26th day of April, 1985:

Senate Files 63, 303, 409, 456 and 490.

MARILYN MUELLER
Parliamentarian

SENATE STUDY BILLS

SSB 383 Ways and Means

Creating an Iowa pork producers council to replace the swine producers association.

SSB 384 Education

Relating to moneys available to school districts and area education agencies.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—4013 to House amendment S—3947 to Senate File 475 failed to be adopted by the Senate on April 26, 1985.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which Senate File 562 passed the Senate on April 26, 1985.

CALVIN O. HULTMAN

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 565, the following technical correction was made to amendment S—3918:

1. Page 3, line 4, "3. Page 7, by inserting after line 33 the" was changed to: "3. Page 8, by inserting after line 8 the".

K. MARIE THAYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the Honorable James Schaben, former member of the Senate from Harrison County, Dunlap, Iowa, who was present in the Senate chamber.

The following visitors were present in the Senate gallery:

Eighteen eighth grade students from Holy Trinity School, Templeton, Iowa, accompanied by Duane Siepker, Sue Romey and Mary Ann Kirsch. Senator Hutchins.

Sixty-five eighth grade students from St. Edwards School, Waterloo, Iowa. Senators Lind and Corning.

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

Fifty fifth and sixth grade students from Harris-Lake Park Elementary School, Harris, Iowa, accompanied by Judy Brueggeman and Art Schumacher. Senators Holt and Vande Hoef.

Forty-seven student council members from Peet Junior High School, Cedar Falls, Iowa, accompanied by Marie Theobald and Carolyn Haurum. Senator Corning.

Twenty-six eighth grade students from West Bend Middle School, West Bend, Iowa, accompanied by Lou Ann Dundee. Senator Priebe.

Eighteen sixth grade students from Walnut Elementary School, Walnut, Iowa, accompanied by Ed Lippincott and Ann Nelsen. Senator Hester.

Twenty second through sixth grade students from Mount Ayr Elementary School, Mount Ayr, Iowa, accompanied by Marilyn Hawkins. Senator Boswell.

Sixty sixth grade students from Garner-Hayfield Junior High School, Garner, Iowa, accompanied by Brian Campbell, Sandy Stille and Nancy Nelson.

AMENDMENTS FILED

S-4018	S.F.	562	Calvin O. Hultman
S-4019	S.F.	559	Donald V. Doyle Norman G. Rodgers
S-4020	H.F.	764	Calvin O. Hultman
S-4021	S.F.	374	House amendment
S-4022	S.F.	424	House amendment
S-4023	S.F.	461	House amendment
S-4024	H.F.	571	House amendment
S-4025	S.F.	572	Wally Horn
S-4026	S.F.	572	Lowell L. Junkins
S-4027	S.F.	572	Dale Tieden
S-4028	S.F.	572	Bob Carr
S-4029	S.F.	571	Patrick J. Deluhery
S-4030	H.F.	771	Lowell L. Junkins
S-4031	S.F.	562	Lowell L. Junkins
S-4032	S.F.	552	Lowell L. Junkins
S-4033	S.F.	434	Lowell L. Junkins
S-4034	S.F.	252	Thomas A. Lind
S-4035	H.F.	139	House amendment
S-4036	H.F.	231	House amendment
S-4037	H.F.	476	House amendment
S-4038	H.F.	484	House amendment
S-4039	H.F.	523	House amendment
S-4040	H.F.	771	Patrick J. Deluhery
S-4041	H.F.	771	Arne Waldstein Berl E. Priebe Richard Vande Hoef Richard F. Drake

S—4042	S. F.	572	Thomas A. Lind
S—4043	S. F.	572	Thomas A. Lind
S—4044	S. F.	572	Thomas A. Lind
S—4045	S. F.	562	Don Gettings
S—4046	H. F.	771	Richard Vande Hoef Jack W. Hester Douglas Ritsema Arne Waldstein
S—4047	S. F.	562	Joe Welsh Don Gettings
S—4048	S. F.	562	Joe Welsh
S—4049	S. F.	572	Michael E. Gronstal
S—4050	S. F.	572	Michael E. Gronstal
S—4051	S. F.	572	Douglas Ritsema
S—4052	S. F.	572	Thomas A. Lind
S—4053	S. F.	572	Charles Bruner
S—4054	S. F.	572	Julia B. Gentleman
S—4055	S. F.	572	John N. Nystrom William D. Palmer Bill Hutchins Berl E. Priebe C. Joseph Coleman Donald Doyle Leonard L. Boswell David Readinger Bob Carr
S—4056	S. F.	572	Thomas A. Lind
S—4057	S. F.	572	Arne Waldstein Bill Hutchins John N. Nystrom
S—4058	S. F.	552	Charles P. Miller Joe Welsh
S—4059	S. F.	552	Calvin O. Hultman
S—4060	S. F.	572	Julia Gentleman
S—4061	S. F.	572	Michael Gronstal
S—4062	S. F.	572	Calvin O. Hultman Wally Horn
S—4063	S. F.	572	Edgar H. Holden Calvin O. Hultman Ray Taylor Lee W. Holt

			Thomas A. Lind
			John Jensen
			David Readinger
S-4064	S. F.	572	Joe Welsh
S-4065	H. F.	771	Charles Bruner
			Patrick Deluhery
S-4066	H. F.	771	Patrick J. Deluhery
S-4067	S. F.	572	Wally Horn
S-4068	S. F.	572	Thomas Lind
S-4069	H. F.	771	Lowell L. Junkins
S-4070	H. F.	761	Donald V. Doyle
S-4071	H. F.	771	Edgar H. Holden
S-4072	S. F.	552	Douglas Ritsema
S-4073	S. F.	572	Charles Bruner
S-4074	S. F.	475	Tom Mann, Jr.
S-4075	S. F.	572	Charles Bruner
S-4076	S. F.	572	Arthur A. Small, Jr.
S-4077	S. F.	572	Edgar H. Holden
			Calvin O. Hultman
			Thomas A. Lind
			David Readinger
			Ray Taylor
			Lee Holt
S-4078	H. F.	771	Edgar H. Holden
			Calvin O. Hultman
			Thomas A. Lind
			Dave Readinger
			Ray Taylor
			Lee Holt
S-4079	S. F.	562	Arthur A. Small, Jr.
S-4080	S. F.	434	William W. Dieleman
S-4081	S. F.	434	Joe J. Welsh
S-4082	S. F.	572	Thomas Lind
S-4083	S. F.	110	House amendment
S-4084	S. F.	572	William W. Dieleman
S-4085	H. F.	771	Berl E. Priebe
S-4086	S. F.	434	Joe Welsh
S-4087	S. F.	572	Michael Gronstal
			Joe Welsh
			Beverly A. Hannon
			Bob Carr
S-4088	S. F.	552	Bob Carr
			Alvin V. Miller

S-4089	S.F.	492	Joe Brown
S-4090	S.F.	552	Bob Carr Joe Welsh
S-4091	S.F.	562	Joe Welsh
S-4092	S.F.	562	Joe Welsh
S-4093	H.F.	462	House amendment
S-4094	S.F.	570	Norman Rodgers John Soorholtz William W. Dieleman
S-4095	S.F.	561	House amendment
S-4096	S.F.	406	House amendment

ADJOURNMENT

On motion of Senator Welsh, the Senate adjourned at 9:42 p.m., until 10:00 a.m., Monday, April 29, 1985.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 29, 1985

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

Prayer was offered by the Reverend Robert Ricks, pastor of the Capitol Hill Christian Church, Des Moines, Iowa.

The Journal of Friday, April 26, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hester and Schwengels for the day on request of Senator Hultman.
Senator Brown for the day on request of Senator Junkins.

COMMUNICATION

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

Dear Everyone in the Iowa Senate:

Thank you for the lovely gift and the money. It was so kind of you to do this for me.

I miss all of you; it is like one big family and gets in your blood. The Senate is a great place to work.

Thanks again for everything. I appreciate your thoughtfulness.

Fondly,
Jeanne Heller
Secretary

**HOUSE AMENDMENTS TO
SENATE AMENDMENTS CONSIDERED**

House File 139

Senator Deluhery called up for consideration House File 139, a bill for an act relating to the crime of lascivious acts with a child and providing a penalty, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4035 to Senate amendment H—3935 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Deluhery 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. 139) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	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:

Brown	Drake	Hester	Mann
Priebe	Schwengels		

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

House File 231

Senator Hultman called up for consideration House File 231, a bill for an act relating to the establishment and maintenance of pumping stations in drainage districts, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4036 to Senate amendment H—4006 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Hultman 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. 231) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	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	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Brown	Drake	Hester	Priebe
Schwengels			

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

House File 523

Senator Wells called up for consideration House File 523, a bill for an act related to the right of cities to lease or lease-purchase real and personal property, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4039 to Senate amendment H—3790 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Wells 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. 523) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.F.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Brown	Drake	Hester	Hultman
Priebe	Schwengels		

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

SENATE INSISTS

House File 643

Senator Gronstal called up for consideration 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, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

House File 730

Senator Dieleman called up for consideration House File 730, a bill for an act relating to the licensure of dietitians and nutritionists, amended by the Senate and moved that the Senate recede from its amendment.

Senator Husak took the chair at 10:50 a.m.

On the question "Shall the motion to recede 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, 17:

Bruner	Carr	Corning	Deluhery
Dieleman	Gentleman	Gettings	Gronstal
Hall	Hannon	Horn	Murphy
Nystrom	Palmer	Small	Soorholtz
Welsh			

Nays, 28:

Boswell	Coleman	Colton	Doyle
Goodwin	Gratias	Holden	Holt
Hultman	Husak	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Neighbour	Readinger
Rife	Ritsema	Rodgers	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Absent or not voting, 5:

Brown
Schwengels

Drake

Hester

Priebe

The motion lost and the Senate **insisted** on its amendment.

HOUSE AMENDMENTS CONSIDERED

Senate File 374

Senator Lind called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—4021 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Lind 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. 374) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Rife	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Brown
Priebe

Drake
Rodgers

Hester
Schwengels

Holden

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

Senate File 406

Senator Neighbour called up for consideration Senate File 406, a bill for an act relating to the destruction of noxious weeds and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—4096 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Neighbour 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. 406) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Readinger	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Brown	Drake	Hester	Hultman
Priebe	Rife	Schwengels	

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

Senate File 424

Senator Bruner called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—4022 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 424) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
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
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Brown	Deluhery	Drake	Hester
Priebe	Schwengels		

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

Senator Coleman took the chair at 11:20 a.m.

**HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED**

House File 484

Senator Hutchins called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4038 to Senate amendment H—3890 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Hutchins moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 484) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	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	Nystrom	Palmer
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Brown	Drake	Hester	Neighbour
Priebe	Schwengels		

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

SENATE RECEDES

House File 589

Senator Neighbour called up for consideration House File 589, a bill for an act relating to the fees collected by county officers, amended by the Senate, and moved that the Senate recede from its amendment.

A non record roll call was requested.

The ayes were 30, nays 13.

The motion prevailed and the Senate receded from its amendment.

Senator Neighbour moved that the bill be read the last time now and placed upon its passage, and the bill was read the time.

On the question "Shall the bill pass?" (H.F. 589) the vote was:

Ayes, 34:

Bruner	Coleman	Colton	Corning
Deluhery	Dieleman	Doyle	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Holt	Horn	Hultman
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Murphy	Neighbour	Nystrom
Palmer	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Vande Hoef
Waldstein	Wells		

Nays, 10:

Boswell	Carr	Gronstal	Husak
Jensen	Lind	Miller, C.P.	Taylor
Tieden	Welsh		

Absent or not voting, 6:

Brown	Drake	Hester	Holden
Priebe	Schwengels		

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 110

Senator Bruner called up for consideration 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 controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—4083 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 110) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Cólton	Deluhery	Doyle	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Readinger
Ritsema	Rodgers	Small	Soorholtz
Taylor	Waldstein	Wells	Welsh

Nays, 13:

Corning	Djeleman	Goodwin	Gratias
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Rife	Tieden
Vande Hoef			

Absent or not voting, 5:

Brown
Schwengels

Drake

Hester

Priebe

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 Drake for the day on request of Senator Hultman.

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **House File 730** on the part of the Senate: Senators Dieleman, Chair; Miller of Des Moines, Wells, Ritsema and Nystrom.

The Chair announced the following conference committee on **House File 643** on the part of the Senate: Senator Hutchins, Chair; Gronstal, Bruner, Holden and Jensen.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 568.

Senate File 568

On motion of Senator Mann, Senate File 568, a bill for an act relating to drainage improvements by counties and providing for assessing the benefits of the improvements, issuing bonds, and making imposing rates for its use, benefit, and connection, was taken up for consideration.

Senator Waldstein asked and received unanimous consent that further action on **Senate File 568** be **deferred**.

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 574.

Senate File 574

On motion of Senator Holden, Senate File 574, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax, was taken up for consideration.

Senator Holden asked and received unanimous consent that further action on **Senate File 574** be **deferred**.

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 576.

Senate File 576

On motion of Senator Small, Senate File 576, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities, 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. 576) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Palmer	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Brown	Drake	Hester	Miller, C.P.
Nystrom	Priebe	Schwengels	

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

Senator Junkins asked and received unanimous consent that **Senate File 576** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 548** be referred from the Ways and Means Calendar to the committee on **Ways and Means**.

HOUSE AMENDMENT CONSIDERED

Senate File 561

Senator Rodgers called up for consideration Senate File 561, 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, amended by the House, and moved that the Senate concur in House amendment S—4095 filed April 26, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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

On the question "Shall the bill pass?" (S.F. 561) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Readinger	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 8:

Brown	Drake	Hester	Miller, C.P.
Nystrom	Priebe	Rife	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 **House Files 730 and 643** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 580, by Committee on Ways and Means, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other medial used for the purpose of transmitting that which can be seen, heard or read under certain conditions.

Read first time and placed on Ways and Means calendar.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:05 p.m., until 1:30 p.m.

APPENDIX

PROOF OF PUBLICATION

Published copy of House File 762 and verified proof of publication of said bill in the Mount Ayr Record-News, a newspaper published in Mount Ayr, Iowa, on April 11, 1985, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: April 26, 1985, 7:30 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hutchins, Palmer, Boswell, Hester and Vande Hoef.

Members Absent: Soorholtz, Ranking Member; Husak and Waldstein.

Committee Business: Reported Senate File 577 to the Senate calendar.

Adjourned: 7:31 p.m.

APPROPRIATIONS

Convened: April 26, 1985, 8:56 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Husak and Readinger.

Members Absent: Murphy, Holt, Ritsema, Gentleman, Schwengels and Lind.

Committee Business: Approved LSB 2123 S as amended as a committee bill; approved LSB 2898S and LSB 2897S as committee bills.

Adjourned: 9:19 p.m.

WAYS AND MEANS

Convened: April 26, 1985, 9:35 p.m.

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

Members Absent: Gratias.

Committee Business: Approved SSBs 375, 382 and 383 as committee bills; approved Senate File 36 as amended and ordered redrafted as a committee bill; reported Senate File 572 to the Senate calendar; assigned House File 684 to a subcommittee.

Adjourned: 10:05 a.m.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 552 passed the Senate on April 26, 1985.

MICHAEL E. GRONSTAL

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—3990 as amended to Senate File 552 on April 26, 1985.

MICHAEL E. GRONSTAL

PRESENTATION OF VISITORS

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

Twenty students from Radcliff Junior High School, Radcliff, Iowa, accompanied by Mrs. Ana Lettow. Senator Taylor.

Fifty fourth grade students from Sacred Heart School, West Des Moines, Iowa, accompanied by Ed Garza and Miss Benetti. Senator Gentleman.

Twenty-one fifth grade students from Williamson Elementary School, Chariton, Iowa, accompanied by Pat Dawson. Senator Neighbour.

Thirty-eight fifth grade students from Roosevelt Elementary School, Ames, Iowa, accompanied by Nathan Tosten. Senator Bruner.

AMENDMENTS FILED

S—4097

S.F.

552

Michael E. Gronstal
Joe J. Welsh

S-4098	S.F.	573	Joe J. Welsh
S-4099	S.F.	573	Joe J. Welsh

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President pro tempore Rodgers.

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.

BUSINESS PENDING

Senate File 574

The Senate resumed consideration of Senate File 574, previously deferred.

Senator Holden offered amendment S—4100 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—4100 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. 574) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
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
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Brown
Schwengels

Coleman

Drake

Hester

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 574** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 568

The Senate resumed consideration of Senate File 568, previously deferred.

Senator Mann asked and received unanimous consent that further action on **Senate File 568** be **deferred**.

SENATE RECEDES

House File 554

Senator Boswell called up for consideration House File 554, 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, amended by the Senate and moved that the Senate recede from its amendment.

A non record roll call was requested.

The ayes were 33, nays 14.

The motion prevailed and the Senate receded from its amendment.

Senator Husak took the chair at 2:15 p.m.

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. 554) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Neighbour	Nystrom	Palmer	Readinger
Ritsema	Rodgers	Small	Soorholtz
Taylor	Vande Hoef	Wells	Welsh

Nays, 6:

Lind	Murphy	Priebe	Rife
Tieden	Waldstein		

Absent or not voting, 4:

Drake	Hester	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.

President pro tempore Rodgers took the chair at 2:40 p.m.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up out of order House File 570.

House File 570

On motion of Senator Husak, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—4009 filed by the committee on Ways and Means on April 25, 1985, to pages 1, 2 and to the title page of the bill.

Senator Gronstal asked and received unanimous consent that further action on **House File 570** and amendment S—4009 be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 577.

Senate File 577

On motion of Senator Hultman, Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee, with report of committee recommending passage, was taken up for consideration.

Senator Hultman offered amendment S—4107 filed by him from the floor to page 22 of the bill and moved its adoption.

Amendment S—4107 was adopted by a voice vote.

Senator Hultman offered amendment S—4106 filed by him from the floor to page 22 of the bill and called for a division: lines 2 through 9 as division S—4106A and lines 10 through 13 as division S—4106B.

Senator Hultman withdrew division S—4106B.

Senator Hultman asked and received unanimous consent that further action on division S—4106A be deferred.

Senator Holden offered amendment S—4109 filed by him from the floor to page 23 and to the title page of the bill and moved its adoption.

Amendment S—4109 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that further action on **Senate File 577** be **deferred**.

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 April 26, 1985, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 21, a resolution relating to the proposal to abolish the United States Small Business Administration.

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

House Concurrent Resolution 29, a resolution to request and urge the Congress of the United States to take certain actions to assist farmers.

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

House Concurrent Resolution 31, a resolution concerning school bus safety law.

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

ALSO: That the House has on April 29, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 768, a bill for an act relating to townships providing fire protection and ambulance service, establishing emergency warning systems and levying taxes for those purposes.

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

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 570.

Senate File 570

On motion of Senator Welsh, Senate File 570, 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, was taken up for consideration.

Senator Doyle offered amendment S—4101 filed by him from the floor to pages 1, 5 and to the title page of the bill.

Senator Gratias raised the point of order that amendment S—4101 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—4101 in order.

Senator Doyle moved the adoption of amendment S—4101, which motion prevailed by a voice vote.

Senator Rodgers offered amendment S—4094 filed by Senators Rodgers, et al., on April 26, 1985, to page 4 of the bill and moved its adoption.

Amendment S—4094 was adopted by a voice vote.

Senator Mann offered amendment S—4105 filed by him from the floor to page 12 of the bill and moved its adoption.

Amendment S—4105 was adopted by a voice vote.

Senator Small asked and received unanimous consent that further action on **Senate File 570** be **deferred.**

BUSINESS PENDING

Senate File 577

The Senate resumed consideration of Senate File 577 and division S—4106A, previously deferred.

Senator Kinley offered amendment S—4112 filed by him from the floor to pages 1 and 23 and to the title page of the bill and called for a division:

Division S—4112A: Page 1, lines 34 through 50; page 2, lines 1 through 6 and lines 11 through 14.

Division S—4112B: Page 1, lines 2 through 33 and page 2, lines 7 through 10.

President pro tempore Rodgers took the chair at 4:06 p.m.

Senator Rife raised the point of order that division S—4112A was not germane to the bill.

The Chair ruled the point not well taken and division S—4112A in order.

Senator Rife asked and received unanimous consent that further action on division S—4112A be deferred.

Senator Miller of Cerro Gordo raised the point of order that division S—4112B was not germane to the bill.

The Chair ruled the point well taken and division S—4112B out of order.

INTRODUCTION OF BILL

Senate File 581, by Committee on Ways and Means, a bill for an act creating an Iowa pork producers council to replace the Iowa swine producers association.

Read first time and placed on Ways and Means calendar.

BUSINESS PENDING

Senate File 577

The Senate resumed consideration of Senate File 577 and divisions S—4106A and S—4112A, previously deferred.

Senator Hultman offered amendment S—4111 filed by him from the floor to page 22 of the bill and moved its adoption.

Amendment S—4111 was adopted by a voice vote.

With the adoption of amendment S—4111, the Chair ruled division S—4106A to page 22 of the bill, previously deferred, out of order.

Senator Holden offered amendment S—4116 filed by him from the floor to page 22 and to the title page of the bill.

Senator Holden asked and received unanimous consent that further action on **Senate File 577**, division S—4112A and amendment S—4116 be **deferred**.

Senator Welsh took the chair at 4:27 p.m.

MOTION TO RECONSIDER ADOPTED

Senator Brown called up the motion to reconsider House File 686 filed by him on April 22, 1985, found on page 1581 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 686) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Holt	Horn
Hultman	Husak	Jensen	Junkins
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Ritsema	Rodgers
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 7:

Corning
Hutchins

Gentleman
Rife

Hall
Tieden

Hannon

Absent or not voting, 4:

Hester

Holden

Kinley

Schwengels

The motion prevailed.

The Chair ruled the motion to reconsider filed by Senator Coleman to House File 686 on April 22, 1985 and found on page 1581 of the Senate Journal, out of order.

Senator Brown moved to reconsider the vote by which House File 686 went to its last reading, which motion prevailed by a voice vote.

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, was taken up for reconsideration.

Senator Brown called up the motion to reconsider the vote by which amendment S—3900 to House File 686 was adopted by the Senate on April 22, 1985, filed by him on April 22, 1985, found on page 1581 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—3900 by Senator Brown to pages 1, 3 and 4 of the bill, was taken up for reconsideration.

Senator Brown offered amendment S—3942 filed by Senators Brown and Dieleman on April 23, 1985, to amendment S—3900 and moved its adoption.

Amendment S—3942 was adopted by a voice vote.

Senator Brown moved the adoption of amendment S—3900 as amended, which motion prevailed by a voice vote.

Senator Brown filed the following motion to reconsider from the floor and moved its adoption.

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3902 to House File 686 was adopted by the Senate on April 22, 1985.

The motion prevailed by a voice vote and amendment S—3902 by Senator Brown to page 4 of the bill, was taken up for reconsideration.

Senator Brown asked and received unanimous consent that further action on amendment S—3902 be deferred.

Senator Brown offered amendment S—4120 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—4120 was adopted by a voice vote.

With the adoption of amendment S—4120, the Chair ruled amendment S—3902 to page 4 of the bill, previously deferred, out of order.

Senator Coleman raised the point of order that House File 686 should be referred to the committee on State Government under Senate Rule 38.

The Chair ruled the point not well taken.

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. 686) the vote was:

Ayes, 34:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Doyle	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Holt	Horn	Husak
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rodgers
Small	Soorholtz	Taylor	Waldstein
Wells	Welsh		

Nays, 12:

Boswell	Coleman	Dieleman	Hall
Hannon	Hultman	Hutchins	Jensen
Rife	Ritsema	Tieden	Vande Hoef

Absent or not voting, 4:

Hester

Holden

Kinley

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 **House File 686** 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 MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

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 (S—4114).

ALSO: That the House has on April 26, 1985, concurred in the Senate amendment as amended and 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 (S—4113).

ALSO: That the House has on April 26, 1985, refused to concur in the Senate amendment to the House amendment to the following bill:

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.

ALSO: That the House has on April 26, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 465, a bill for an act relating to agricultural limestone (S—4115).

ALSO: That the House has on April 29, 1985, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 34, a resolution concerning the sale of Consolidated Rail Corporation (Conrail).

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

ALSO: That the members of the **conference committee**, appointed Monday, April 29, 1985, on **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, on the part of the House, are: The Representative from Linn, Mr. Osterberg, Chair; the Representative from Jasper, Mr. Black, the Representative from Appanoose, Mr. Jay, the Representative from Kossuth, Mrs. Mullins, and the Representative from Plymouth, Mr. Paulin.

QUORUM CALL

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

The vote revealed 41 present, 9 absent and a quorum present.

HOUSE AMENDMENTS TO SENATE AMENDMENTS CONSIDERED

House File 476

Senator Husak called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4037 to Senate amendment H—3933 filed April 26, 1985.

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

House File 571

Senator Colton called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4024 to Senate amendment H—3932 filed April 26, 1985.

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

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 552

Senator Gronstal withdrew the motion to reconsider 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, filed by him on April 29, 1985, and found on page 1744 of the Senate Journal.

Senator Gronstal withdrew the motion to reconsider the vote by which the Senate concurred in House amendment S—3990 on April 26, 1985, filed by him on April 29, 1985, and found on page 1744 of the Senate Journal.

Senate File 562

Senator Hultman withdrew the motion to reconsider 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, filed by him on April 26, 1985, and found on page 1722 of the Senate Journal.

The Chair ruled amendment S—4103 filed by Senator Holden from the floor to House amendment S—3989, out of order.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate Files 434, 552 and 562 and House Files 476 and 571 be immediately messaged** to the House.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 747, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Welsh, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Husak, Gentleman, Readinger and Lind. Nays, 2: Ritsema and Holt. Absent or not voting, 3: Small, Murphy and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House File 747.

House File 747

On motion of Senator Horn, House File 747, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state, with report of committee recommending passage, was taken up for consideration.

Senator Welsh offered amendment S—4123 filed by him from the floor to pages 1, 4, 6, 7, 8, 11, 12, 14, 15, 20 and 21 of the bill.

Senator Gronstal called for a division of amendment S—4123:

Division S—4123A: Page 3, lines 6 through 44.

Division S—4123B: Page 1, lines 3 through 50; page 2; page 3, lines 1 through 5 and lines 45 through 50; and page 4.

Senator Gronstal raised the point of order that division S—4123A was not germane to the bill.

The Chair ruled the point not well taken and division S—4123A in order.

Senator Welsh moved the adoption of division S—4123A.

A record roll call was requested.

On the question “Shall division S—4123A be adopted?” (H.F. 747) the vote was:

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

Ayes, 30:

Boswell	Carr	Coleman	Deluhery
Dieleman	Doyle	Gettings	Hall
Holt	Horn	Husak	Hutchins
Jensen	Junkins	Lind	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 17:

Brown	Bruner	Colton	Corning
Drake	Gentleman	Goodwin	Gratias
Gronstal	Hannon	Holden	Hultman
Mann	Miller, A. V.	Neighbour	Readinger
Rife			

Absent or not voting, 3:

Hester	Kinley	Schwengels
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Division S—4123A was adopted.

Senator Gentleman offered amendment S—4126 filed by her from the floor to division S—4123B and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—4126 to division S—4123B be adopted?” (H.F. 747) the vote was:

Ayes, 16:

Bruner	Coleman	Corning	Drake
Gentleman	Gratias	Hannon	Holden
Holt	Mann	Murphy	Rife
Ritsema	Taylor	Vande Hoef	Waldstein

Nays, 30:

Boswell	Brown	Carr	Colton
Deluhery	Dieleman	Doyle	Gettings
Goodwin	Gronstal	Hall	Horn
Hultman	Husak	Hutchins	Jensen
Junkins	Lind	Miller, A.V.	Neighbour
Nystrom	Palmer	Priebe	Readeringer
Rodgers	Small	Soorholtz	Tieden
Wells	Welsh		

Absent or not voting, 4:

Hester	Kinley	Miller, C.P.	Schwengels
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Amendment S—4126 lost.

Senator Welsh moved the adoption of division S—4123B, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 747) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Goodwin	Hall
Holden	Horn	Husak	Hutchins
Jensen	Junkins	Lind	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Rodgers	Small
Soorholtz	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, 13:

Corning	Drake	Gentleman	Gratias
Gronstal	Hannon	Holt	Hultman
Mann	Readeringer	Rife	Ritsema
Vande Hoef			

Absent or not voting, 3:

Hester	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.

BUSINESS PENDING

Senate File 577

The Senate resumed consideration of Senate File 577, amendment S—4116 to page 22 and to the title page of the bill and division S—4112A, previously deferred.

Senator Holden offered amendment S—4127 filed by him from the floor to amendment S—4116 and moved its adoption.

Amendment S—4127 was adopted by a voice vote.

Senator Holden offered amendment S—4118 filed by him from the floor to amendment S—4116 and moved its adoption.

Amendment S—4118 was adopted by a voice vote.

Senator Small raised the point of order that amendment S—4116 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—4116 as amended in order.

Senator Junkins asked and received unanimous consent that further action on **Senate File 577**, amendment S—4116 as amended and division S—4112A be **deferred**.

Senator Welsh took the chair at 6:40 p.m.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 581 (SSB 383), a bill for an act creating an Iowa pork producers council to replace the Iowa swine producers association.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**CONSIDERATION OF BILL
(Ways and Means Calendar)**

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 581.

Senate File 581

On motion of Senator Soorholtz, Senate File 581, a bill for an act creating an Iowa pork producers council to replace the Iowa swine producers association, was taken up for consideration.

Senator Soorholtz offered amendment S—4117 filed by Senators Soorholtz and Priebe from the floor to page 3 of the bill and moved its adoption.

Amendment S—4117 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 581) 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	Hutchins
Jensen	Junkins	Lind	Mann
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hester	Kinley	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 Hutchins asked and received unanimous consent that **Senate File 581** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 577

The Senate resumed consideration of Senate File 577, amendment S—4116 as amended and division S—4112A, previously deferred.

Senator Holden offered amendment S—4122 filed by him from the floor to pages 9 and 10 of the bill and moved its adoption.

Amendment S—4122 was adopted by a voice vote.

With the adoption of amendment S—4122, the Chair ruled amendment S—4129 filed by Senator Waldstein from the floor to pages 9, 10 and 11 of the bill, out of order.

Senator Waldstein offered amendment S—4131 filed by him from the floor to page 22 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 9, nays 35.

Amendment S—4131 lost.

Senator Mann offered amendment S—4124 filed by him from the floor to page 22 and to the title page of the bill.

Senator Hultman raised the point of order that amendment S—4124 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4124 out of order.

Senator Brown took the chair at 7:12 p.m.

Senator Welsh offered amendment S—4119 filed by him from the floor to page 23 and to the title page of the bill.

Senator Hultman raised the point of order that amendment S—4119 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4119 out of order.

Senator Readinger offered amendment S—4133 filed by him from the floor to page 25 and to the title page of the bill and moved its adoption.

A non record roll call was requested.

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

The ayes were 25, nays 21.

Amendment S—4133 was adopted.

Senator Priebe asked and received unanimous consent that further action on **Senate File 577**, amendment S—4116 as amended and division S—4112A be **deferred**.

BUSINESS PENDING

House File 570

The Senate resumed consideration of House File 570 and amendment S—4009 to pages 1 and 2 and to the title page of the bill, previously deferred.

Senator Bruner offered amendment S—4104 filed by him from the floor to amendment S—4009 and moved its adoption.

Amendment S—4104 was adopted by a voice vote.

Senator Coleman took the chair at 7:25 p.m.

Senator Palmer offered amendment S—4134 filed by him from the floor to amendment S—4009 and moved its adoption.

Amendment S—4134 was adopted by a voice vote.

With the adoption of amendment S—4134, the Chair ruled amendment S—4108 filed by Senators Priebe, et al., from the floor to amendment S—4009, out of order.

Senator Palmer moved the adoption of amendment S—4009 as amended, which motion prevailed by a voice vote.

President pro tempore Rodgers took the chair at 7:40 p.m.

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

On the question "Shall the bill pass?" (H.F. 570) the vote was:

Ayes, 23:

Boswell	Brown	Bruner	Dieleman
Doyle	Gentleman	Goodwin	Gronstal
Hannon	Holden	Holt	Husak
Hutchins	Junkins	Mann	Miller, A.V.
Murphy	Neighbour	Readinger	Rodgers
Soorholtz	Wells	Welsh	

Nays, 22:

Carr	Coleman	Colton	Corning
Deluhery	Drake	Gettings	Gratias
Hall	Horn	Hultman	Jensen
Miller, C.P.	Palmer	Priebe	Rife
Ritsema	Small	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 5:

Hester	Kinley	Lind	Nystrom
Schwengels			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

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 29, 1985, refused to concur in the Senate amendments to the House amendments to the following bills:

Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

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.

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.

ALSO: That the House has, on April 29, 1985, **insisted on** its amendment to **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, and the members of the **conference committee**, on the part of the House are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Dubuque, Mr. Knapp, the Representative from Greene, Mr. Blanshan, the Representative from Plymouth, Mr. Paulin, and the Representative from Black Hawk, Mr. Diemer.

ALSO: That the House has, on April 29, 1985, **insisted on** its amendment to **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, and the members of the **conference committee** on the part of the House are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Boone, Ms. Lonergan, the Representative from Polk, Ms. Buhr, the Representative from Page, Mr. Royer, and the Representative from Scott, Mr. Hermann.

SENATE INSISTS

Senate File 434

Senator Dieleman called up for consideration Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

Senate File 552

Senator Miller of Des Moines called up for consideration 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, amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

Senate File 562

Senator Gettings called up for consideration 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, amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **Senate File 434** on the part of the Senate: Senators Dieleman, Chair; Welsh, Wells, Tieden and Corning.

The Chair announced the following conference committee on **Senate File 552** on the part of the Senate: Senators C. Miller, Chair; Welsh, Carr, Tieden and Ritsema.

The Chair announced the following conference committee on **Senate File 562** on the part of the Senate: Senators Gettings, Chair; Welsh, Priebe, Tieden and Holt.

The Chair announced the following conference committee on **House File 571** on the part of the Senate: Senators Colton, Chair; Welsh, A. Miller, Tieden and Readinger.

The Chair announced the following conference committee on **House File 476** on the part of the Senate: Senators Husak, Chair; Welsh, Murphy, Tieden and Hester.

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

The Senate resumed session, President pro tempore Rodgers presiding.

APPENDIX

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 29th day of April, 1985:

Senate Files 121, 154, 172, 194, 230 and 289.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 580, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purpose of transmitting that which can be seen, heard or read under certain conditions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENTS TO A STATE BOARD

In accordance with Senate Rule 60, the following senators were appointed to a subcommittee of a standing committee:

JUDICIARY

As members of the Lottery Board:

EMMA M. CHANCE, MONROE J. COLSTON, GARY HUGHES and JOHN W. VAN DYKE: Doyle, Chair; Mann, Horn, Ritsema and Drake.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 29, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 63 — Relating to the approval of attorney fees by the Department of Job Service.

Senate File 303 — 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 456 — Relating to the licensure of private investigative and security agencies and providing an effective date.

Senate File 490 — 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.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 572 passed the Senate on April 26, 1985.

LOWELL L. JUNKINS

MR. PRESIDENT: I move to reconsider the vote by which House File 570 failed to pass the Senate on April 29, 1985.

WILLIAM D. PALMER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—4133 to Senate File 577 was adopted by the Senate on April 29, 1985.

BERL E. PRIEBE

REPORT OF COMMITTEE MEETING

AGRICULTURE

Convened: April 26, 1985, 2:11 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Hutchins (arrived 2:19 p.m.), Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Approved LSB 4149XS 71 as amended as a committee bill.

Adjourned: 2:36 p.m.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	717	Ways and Means
H.F.	762	Judiciary
H.F.	764	Ways and Means
H.F.	766	Appropriations
H.F.	767	Labor
H.F.	769	Ways and Means
S. C. R.	44	Rules & Administration
S. C. R.	45	Rules & Administration

PRESENTATION OF VISITORS

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

Twenty eleventh and twelfth grade students from Cumberland-Massena Honor Society, Massena, Iowa, accompanied by Gary Battles. Senators Boswell and Hester.

AMENDMENTS FILED

S-4100	S.F.	574	Edgar H. Holden
S-4101	S.F.	570	Donald V. Doyle
S-4102	H.F.	244	Joe Welsh
S-4103	S.F.	562	Edgar H. Holden
S-4104	H.F.	570	Charles Bruner
S-4105	S.F.	570	Tom Mann, Jr.

S-4106	S.F.	577	Calvin O. Hultman
S-4107	S.F.	577	Calvin O. Hultman
S-4108	H.F.	570	Berl E. Priebe Bill Hutchins Bob Carr Edgar H. Holden Dale L. Tieden Arne Waldstein
S-4109	S.F.	577	Edgar H. Holden
S-4110	S.F.	579	Douglas Ritsema
S-4111	S.F.	577	Calvin O. Hultman
S-4112	S.F.	577	George R. Kinley
S-4113	H.F.	451	House amendment
S-4114	S.F.	463	House amendment
S-4115	S.F.	465	House amendment
S-4116	S.F.	577	Edgar H. Holden
S-4117	S.F.	581	John E. Soorholtz Berl E. Priebe
S-4118	S.F.	577	Edgar H. Holden
S-4119	S.F.	577	Joe Welsh
S-4120	H.F.	686	Joe Brown
S-4121	S.F.	570	Arthur A. Small, Jr.
S-4122	S.F.	577	Edgar H. Holden
S-4123	H.F.	747	Joe Welsh
S-4124	S.F.	577	Tom Mann, Jr.
S-4125	S.F.	575	Joe Welsh
S-4126	H.F.	747	Julia Gentleman
S-4127	S.F.	577	Edgar H. Holden
S-4128	S.F.	566	Hurley Hall
S-4129	S.F.	577	Arne Waldstein
S-4130	S.F.	577	Jack Rife
S-4131	S.F.	577	Arne Waldstein
S-4132	S.F.	570	Donald V. Doyle
S-4133	S.F.	577	David M. Readinger
S-4134	H.F.	570	William D. Palmer
S-4135	S.F.	579	Douglas Ritsema
S-4136	H.F.	761	Arthur A. Small, Jr. Donald V. Doyle
S-4137	S.F.	577	Arne Waldstein
S-4138	S.F.	577	Douglas Ritsema

ADJOURNMENT

On motion of Senator Junkins, the Senate adjourned at 8:00 p.m., until 9:00 a.m., Tuesday, April 30, 1985.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SEVENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 30, 1985

The Senate met in regular session at 9:25 a.m., President Anderson presiding.

Prayer was offered by the Reverend Robert Robinson, pastor of the Grace United Methodist Church, Sioux City, Iowa.

The Journal of Monday, April 29, 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 April 26, 1985, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 26, a resolution to encourage the establishment of the United States Institute of Peace in Iowa.

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hester and Schwengels for the day on request of Senator Hultman.

APPOINTMENT OF CONFERENCE COMMITTEE (House File 476)

Senator Hultman asked and received unanimous consent that Senator Vande Hoef be appointed to the conference committee on **House File 476** to replace Senator Hester.

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.

HOUSE AMENDMENT CONSIDERED

Senate File 463

Senator Gronstal called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—4114 filed April 29, 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. 463) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Jensen	Kinley	Mann	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Ritsema	Rodgers	Small
Soorholtz	Wells		

Nays, 10:

Coleman	Holden	Hultman	Lind
Miller, A.V.	Miller, C.P.	Rife	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 6:

Hester
Tieden

Holt
Welsh

Junkins

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 29, 1985)

Senate File 577

The Senate resumed consideration of Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee and amendment S—4116 as amended and division S—4112A, deferred on April 29, 1985.

Senator Ritsema offered amendment S—4138 filed by him on April 29, 1985, to page 4 of the bill and moved its adoption.

Amendment S—4138 was adopted by a voice vote.

Senator Deluhery offered amendment S—4140 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—4140 was adopted by a voice vote.

Senator Waldstein offered amendment S—4137 filed by him on April 29, 1985, to pages 10 and 11 of the bill and called for a division: lines 2 through 4 as division S—4137A and lines 5 through 7 as division S—4137B.

Senator Waldstein moved the adoption of division S—4137A.

A non record roll call was requested.

The ayes were 7, nays 32.

Division S—4137A lost.

Senator Waldstein moved the adoption of division S—4137B.

A non record roll call was requested.

The ayes were 6, nays 34.

Division S—4137B lost.

Senator Holden moved the adoption of amendment S—4116 as amended, to page 22 and to the title page of the bill, deferred on April 29, 1985.

A record roll call was requested.

On the question "Shall amendment S—4116 as amended be adopted?" (S.F. 577) the vote was:

Ayes, 13:

Brown	Colton	Corning	Gentleman
Gettings	Goodwin	Hall	Holden
Kinley	Lind	Nystrom	Palmer
Readinger			

Nays, 28:

Boswell	Bruner	Carr	Deluhery
Doyle	Drake	Gratias	Hannon
Holt	Horn	Husak	Hutchins
Jensen	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Priebe	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Voting present, 2:

Coleman	Hultman
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Absent or not voting, 7:

Dieleman	Gronstal	Hester	Junkins
Mann	Schwengels	Welsh	

Amendment S—4116 as amended lost.

The Senate resumed consideration of division S—4112A by Senator Kinley to page 23 and to the title page of the bill, deferred on April 29, 1985.

Senator Rife offered amendment S—4130 filed by him on April 29, 1985, to division S—4112A and moved its adoption.

Amendment S—4130 was adopted by a voice vote.

Senator Kinley moved the adoption of division S—4112A as amended.

A record roll call was requested.

On the question "Shall division S—4112A as amended be adopted?" (S.F. 577) the vote was:

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

Ayes, 19:

Brown	Carr	Colton	Corning
Deluhery	Gentleman	Gettings	Goodwin
Hall	Holden	Hultman	Hutchins
Jensen	Kinley	Lind	Mann
Nystrom	Palmer	Readinger	

Nays, 24:

Boswell	Bruner	Doyle	Drake
Gratias	Hannon	Holt	Horn
Husak	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Priebe	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Voting present, 1:

Coleman

Absent or not voting, 6:

Dieleman	Gronstal	Hester	Junkins
Schwengels	Welsh		

Division S—4112A as amended lost.

Senator Small offered amendment S—4141 filed by him from the floor to page 23 of the bill and moved its adoption.

Amendment S—4141 was adopted by a voice vote.

Senator Coleman offered amendment S—4142 filed by him from the floor to page 21 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 32.

Amendment S—4142 lost.

Senator Priebe called up the motion to reconsider the vote by which amendment S—4133 to Senate File 577 was adopted by the Senate on April 29, 1985, filed by him on April 29, 1985, found on page 1771 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—4133 by Senator Readinger to page 25 and to the title page of the bill, was taken up for reconsideration.

Senator Readinger moved the adoption of amendment S—4133.

A non record roll call was requested.

The ayes were 14, nays 32.

Amendment S—4133 lost.

Senator Horn 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—4112A to Senate File 577 failed to be adopted by the Senate on April 30, 1985.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 577) the vote was:

Ayes, 29:

Boswell
Corning
Gentleman
Hall

Brown
Deluhery
Gettings
Holden

Bruner
Dieleman
Goodwin
Horn

Colton
Doyle
Gronstal
Hultman

Junkins	Kinley	Lind	Mann
Miller, C.P.	Neighbour	Nystrom	Palmer
Readinger	Rodgers	Soorholtz	Wells
Welsh			

Nays, 19:

Carr	Coleman	Drake	Gratias
Hannon	Holt	Husak	Hutchins
Jensen	Miller, A.V.	Murphy	Priebe
Rife	Ritsema	Small	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 2:

Hester	Schwengels
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The motion prevailed and division S—4112A by Senator Kinley to page 23 and to the title page of the bill, was taken up for reconsideration.

Senator Kinley moved the adoption of division S—4112A.

A record roll call was requested.

On the question "Shall division S—4112A be adopted?" (S.F. 577) the vote was:

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

Ayes, 25:

Brown	Bruner	Colton	Corning
Deluhery	Dieleman	Gentleman	Gettings
Gronstal	Hall	Holden	Horn
Hultman	Hutchins	Junkins	Kinley
Lind	Mann	Neighbour	Nystrom
Palmer	Readinger	Rodgers	Small
Wells			

Nays, 24:

Boswell	Carr	Coleman	Doyle
Drake	Goodwin	Gratias	Hannon
Holt	Husak	Jensen	Miller, A.V.
Miller, C.P.	Murphy	Priebe	Rife
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Absent or not voting, 1:

Hester

Division S—4112A was adopted.

Senator Readinger raised the point of order that Senate File 577 should be referred to the committee on Appropriations under Senate Rule 38.

The Chair ruled the point well taken and **Senate File 577** was referred to the committee on **Appropriations**.

PRESENTATION OF PELLA TULIP QUEEN

Senator Dieleman appeared on the rostrum and presented Geselle Mulder, Queen of the Fiftieth Annual Tulip Time Festival from Pella, Iowa. Accompanying the Queen were the members of her court: Kellie Kredit, Stephanie Te Ronde, Glenda Vander Waal and Sandy Gooselink.

Queen Geselle presented President Anderson with a kiss and a box of Dutch pastries and invited the Senate to attend the Tulip Time Festival in Pella on May 9, 10 and 11, 1985.

The Queen and her attendants distributed the famous Dutch cookies to the Senators and staff.

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

The Senate resumed session, Senator Colton presiding.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment

authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Welsh, Small, Tieden, Horn, C. Miller, Gronstal, Colton, Husak, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, none. Absent or not voting, 5: Deluhery, Dieleman, Gettings, Murphy and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 577

On motion of Senator Hultman, Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee, with report of committee on Appropriations recommending passage, was taken up for consideration.

President Anderson took the chair at 11:50 a.m.

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. 577) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	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	Ritsema
Rodgers	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 4:

Carr	Coleman	Mann	Rife
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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.

RECESS

On motion of Senator Junkins, the Senate recessed at 12:28 p.m., until 1:30 p.m.

APPENDIX

RESOLUTION ENROLLED, SIGNED AND SENT TO THE SECRETARY OF STATE

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following resolution has been enrolled, signed by the President of the Senate and the Speaker of the House, and submitted to the Secretary of State's office this 30th day of April, 1985:

Senate Joint Resolution 3.

K. MARIE THAYER
Secretary of the Senate

COMMUNICATION

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

SENATE CONCURRENT RESOLUTION 19

Acknowledgment from United States Congressman Neal Smith that he has received an enrolled copy of Senate Concurrent Resolution 19, regarding the funding of Amtrak, adopted by the 1985 Session of the Seventy-first General Assembly.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 29, 1985. Had I been present, I would have voted "aye" on the following bills:

House Files 139, 231, 484, 523, 589 and 730 (motion to recede); Senate Files 374, 406, 424, 110, 576, 561 and 572.

JOE BROWN

PRESENTATION OF VISITORS

Senator Priebe presented Andres Leon STAMBOULI Mattatia, Brig. General Simon TAGLIAFERRA De Lima, D.G. Italo A. ALLIEGRO, Maria Cristina HERNANDEZ, Eudoro GONZALEZ, Jorge Vicente RAMOS Guerra, Theofana

CAMARGO and Angel Augusto LESMA Hernandez, all from Venezuela.

The group was visiting the United States under the auspices of the International Visitor Program of the U.S. Information Agency (USIA) and participating in a One-Country Project entitled "The Formulation of American Foreign Policy". They were accompanied by Ms. Lillian Nigaglioni and Mr. Francisco Lanza, simultaneous seminar interpreters with the United States Department of State, and Mr. Raymond Kaufman, escort officer with the United States Embassy, Caracas.

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

Thirty fifth grade students from Clegg Park Elementary School, West Des Moines, Iowa, accompanied by Mary True. Senator Gentleman.

Eighty-five senior students from Johnston High School, Johnston, Iowa, accompanied by David Pitz and Pat Kinsey. Senator Palmer.

Three government students from the Iowa Training School, Eldora, Iowa, accompanied by George Rinehart. Senator Taylor.

The following visitors were present in the Senate gallery:

Forty-four fifth and sixth grade students from Ballard Community School, Cambridge, Iowa, accompanied by JoAnn Larson and Laurie Moore. Senator Bruner.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Iola McMorrow. Senator Gettings.

AMENDMENTS FILED

S-4139	S. F.	570	Donald V. Doyle
S-4140	S. F.	577	Patrick J. Deluhery
S-4141	S. F.	577	Arthur A. Small, Jr.
S-4142	S. F.	577	C. Joseph Coleman

AFTERNOON SESSION

The Senate reconvened at 1:40 p.m., Senator Murphy 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 26, 1985, concurred in the Senate amendment to the House amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 296, a bill for an act relating to the deposit and investment of public funds.

ALSO: That the House has on April 26, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 502, a bill for an act relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties.

ALSO: That the House has on April 26, 1985, receded from its amendment and passed the following bill:

Senate File 524, a bill for an act creating a residential care licensing classification for the mentally ill.

ALSO: That the House has on April 26, 1985, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

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.

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.

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.

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.

House File 210, a bill for an act relating to the weighting per pupil for shared programs of school districts.

House File 255, a bill for an act relating to the election of hospital trustees.

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.

House File 378, a bill for an act exempting road workers from the forty miles per hour minimum speed limit.

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.

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.

House File 460, a bill for an act relating to the investment of the pension funds of public safety police officers, Iowa public employees, and police officers and fire fighters, and 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 businesses operating in this state.

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.

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, and the recording of income tax refund or rebate payments by the clerk.

House File 498, a bill for an act relating to the qualifications of a weed commissioner or a deputy weed commissioner.

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.

House File 540, a bill for an act relating to the mining of ores and minerals other than coal and authorizing a penalty.

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.

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.

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 631, a bill for an act relating to the operation and funding of community, supervised apartment living arrangements.

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.

House File 677, a bill for an act creating an Iowa sheep and wool promotion board, and providing a penalty.

House File 678, a bill for an act relating to drainage and drainage districts.

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.

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.

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.

House File 729, a bill for an act relating to certain tax levies of political subdivisions and area schools.

House File 740, a bill for an act relating to the abandonment of funds or a deposit in a banking or financial organization.

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.

ALSO: That the House has on April 29, 1985, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 381, a bill for an act relating to workers' compensation benefits for injuries or death to volunteer fire fighters involving intoxication.

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.

INTRODUCTION OF BILL

Senate File 582, by Readinger, a bill for an act to establish a shared tax base in certain metropolitan areas.

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.

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 29, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 547, a bill for an act relating to adoption and termination of parental rights and providing penalties.

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

ALSO: That the members of the conference committee, appointed April 30, 1985, on **Senate File 434**, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, on the part of the House, are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Des Moines, Ms. Baxter, the Representative from Palo Alto, Mr. Fogarty, the Representative from Marshall, Mr. Handorf, and the Representative from Polk, Ms. Metcalf.

ALSO: That the members of the conference committee, appointed April 30, 1985, on **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, on the part of the House, are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Des Moines, Mr. Spear, the Representative from Polk, Mr. Sherzan, the Representative from Jones, Mr. McKean, and the Representative from Benton, Mr. Hummel.

ALSO: That the members of the conference committee, appointed April 30, 1985, on **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, on the part of the House, are: The Representative from Dubuque, Mr. Jochum, Chair; the Representative from Greene, Mr. Blanshan, the Representative from Pottawattamie, Mr. Pavich, the Representative from Winnebago, Mr. Branstad, and the Representative from Mills, Mr. Harbor.

ALSO: That the members of the conference committee, appointed April 30, 1985, on **House File 730**, a bill for an act relating to the licensure of dietitians and nutritionists, on the part of the House, are: The Representative from Black Hawk, Ms. Teaford, Chair; the Representative from Greene, Mr. Blanshan, the Representative from Story, Ms. Hammond, the Representative from Delaware, Mr. Hanson, and the Representative from Grundy, Mr. Renken.

MOTION TO RECONSIDER WITHDRAWN

Senator Hultman withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 577 passed the Senate on April 30, 1985.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 577** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 41

On motion of Senator Husak, **Senate Concurrent Resolution 41**, a resolution concerning school bus safety laws, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—4010 filed by the committee on Transportation on April 25, 1985, to page 1 of the resolution and moved its adoption.

Amendment S—4010 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that **House Concurrent Resolution 31** be substituted for **Senate Concurrent Resolution 41** as amended.

House Concurrent Resolution 31

On motion of Senator Husak, **House Concurrent Resolution 31**, a resolution concerning school bus safety laws, was taken up for consideration.

Senator Husak moved the adoption of House Concurrent Resolution 31, which motion prevailed by a voice vote and the resolution was adopted.

Senator Husak asked and received unanimous consent that **Senate Concurrent Resolution 41** be withdrawn from further consideration of the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 642

Senator Welsh called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3959 to Senate amendment H—3857 filed April 24, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Welsh 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. 642) 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	Lind	Mann	Miller, A. V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 2:

Ritsema Vande Hoef

Voting present, 1:

Doyle

Absent or not voting, 4:

Holden Kinley Schwengels Small

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

Senator Junkins asked and received unanimous consent that **House File 642** be immediately messaged to the House.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 573.

Senate File 573

On motion of Senator Welsh, Senate File 573, a bill for an act to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication, was taken up for consideration.

Senator Welsh offered amendment S—4099 filed by him on April 29, 1985, to page 1 of the bill and moved its adoption.

Amendment S—4099 was adopted by a voice vote.

Senator Welsh offered amendment S—4098 filed by him on April 29, 1985, to page 1 of the bill and moved its adoption.

Amendment S—4098 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that **House File 763** be substituted for **Senate File 573** as amended.

House File 763

On motion of Senator Welsh, House File 763, a bill for an act to transfer funds credited to the Iowa economic emergency fund to the general fund of the state, effective upon publication, was taken up for consideration.

Senator Colton took the chair at 2:18 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?" (H.F. 763) 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
Junkins	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, 3:

Holden	Jensen	Kinley
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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 Welsh asked and received unanimous consent that **Senate File 573** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 451

Senator Murphy called up for consideration House File 451, a bill for an act relating to child protection and providing penalties, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4113 to Senate amendment H—4041 filed April 29, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Murphy 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. 451) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	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	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

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

Senator Junkins asked and received unanimous consent that **House File 451** be **immediately messaged** to the House.

SENATE RECEDES

Senate File 103

Senator Hultman called up for consideration 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, amended by the House, further amended by the Senate and moved that the Senate recede from its amendment.

The motion prevailed by a voice vote and the Senate **receded from** its amendment.

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, 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	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Soorholtz

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 580.

Senate File 580

On motion of Senator Rodgers, Senate File 580, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purpose of transmitting that which can be seen, heard or read under certain conditions, 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. 580) 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	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 4:

Boswell	Hultman	Jensen	Murphy
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Absent or not voting, 1:

Soorholtz

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

Senator Junkins asked and received unanimous consent that **Senate File 580** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred April 29, 1985)

Senate File 570

The Senate resumed consideration of Senate File 570, 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, deferred on April 29, 1985.

Senator Doyle offered amendment S—4132 filed by him on April 29, 1985, to page 5 of the bill and moved its adoption.

Amendment S—4132 was adopted by a voice vote.

Senator Doyle offered amendment S—4139 filed by him from the floor to pages 7 and 19 of the bill and moved its adoption.

Amendment S—4139 was adopted by a voice vote.

Senator Small offered amendment S—4121 filed by him on April 29, 1985, to page 14 of the bill and moved its adoption.

Amendment S—4121 was adopted by a voice vote.

Senator Mann offered amendment S—4143 filed by him from the floor to page 19 of the bill.

Senator Welsh raised the point of order that amendment S—4143 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4143 out of order.

Senator Mann filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—4094 to Senate File 570 was adopted by the Senate on April 29, 1985.

A non record roll call was requested.

The ayes were 13, nays 33.

The motion 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. 570) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	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
Rodgers	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Welsh	

Nays, 5:

Carr	Gentleman	Holden	Hultman
Tieden			

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 Junkins asked and received unanimous consent that **Senate File 570** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the remainder of the day on request of Senator Hultman.

MOTION TO RECONSIDER ADOPTED

Senator Palmer called up the motion to reconsider House File 570 filed by him on April 29, 1985, found on page 1771 of the Senate and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 570) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Coleman
Corning	Dieleman	Doyle	Drake
Gentleman	Goodwin	Gronstal	Hannon
Holden	Holt	Husak	Hutchins
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rodgers	Soorholtz
Waldstein	Wells	Welsh	

Nays, 17:

Carr	Colton	Deluhery	Gettings
Gratias	Hall	Hester	Horn
Hultman	Jensen	Lind	Nystrom
Rife	Small	Taylor	Tieden
Vande Hoef			

Absent or not voting, 2:

Ritsema	Schwengels
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The motion prevailed.

Senator Palmer moved to reconsider the vote by which House File 570 went to its last reading, which motion prevailed by a voice vote.

House File 570

On motion of Senator Husak, 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, was taken up for reconsideration.

Senator Priebe filed the following motion to reconsider from the floor and moved its adoption.

MR. PRESIDENT: I move to reconsider the vote by which amendment S—4009 to House File 570 was adopted by the Senate on April 29, 1985.

The motion prevailed by a voice vote and amendment S—4009 to pages 1 and 2 and to the title page of the bill, was taken up for reconsideration.

Senator Priebe offered amendment S—4144 filed by Senators Priebe, et al., from the floor to amendment S—4009 and moved its adoption.

Amendment S—4144 was adopted by a voice vote.

Senator Palmer moved the adoption of amendment S—4009 as amended, 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?” (H.F. 570) the vote was:

Ayes, 29:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Gentleman	Goodwin
Gronstal	Hannon	Holden	Holt
Husak	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rodgers	Soorholtz	Waldstein	Wells
Welsh			

Nays, 19:

Carr	Colton	Deluhery	Drake
Gettings	Gratias	Hall	Hester
Horn	Hultman	Jensen	Lind
Nystrom	Rife	Ritsema	Small
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

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

Senator Junkins asked and received unanimous consent that **House File 570** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Husak for the remainder of the day on request of Senator Hutchins.

UNFINISHED BUSINESS (Deferred April 22, 1985)

Senate File 563

The Senate resumed consideration of Senate File 563, 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, deferred on April 22, 1985.

Senator Priebe offered amendment S—3903 filed by him on April 22, 1985, to page 1 of the bill and moved its adoption.

Amendment S—3903 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. 563) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gettings	Gratias
Hall	Hannon	Hester	Holt
Horn	Hutchins	Jensen	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	

Nays, 5:

Gentleman Readinger	Goodwin	Gronstal	Holden
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Absent or not voting, 6:

Coleman Schwengels	Hultman Welsh	Husak	Junkins
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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 Rife asked and received unanimous consent that **Senate File 344** be withdrawn from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 465

Senator Waldstein called up for consideration Senate File 465, a bill for an act relating to agricultural limestone, amended by the House, and moved that the Senate concur in House amendment S—4115 filed April 29, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Waldstein moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 465) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.

Murphy	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Corning	Gronstal	Husak	Junkins
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 Rodgers asked and received unanimous consent that **Senate Files 134, 187 and 310** be withdrawn from further consideration of the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Waldstein for the remainder of the day on request of Senator Hultman.

WITHDRAWN

Senator Priebe asked and received unanimous consent that **Senate File 36** be withdrawn from further consideration of the Senate.

Senator Hutchins asked and received unanimous consent that **Senate File 50** be withdrawn from further consideration of the Senate.

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

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

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

The vote revealed 38 present, 12 absent and a quorum present.

MOTION TO RECONSIDER LOST

House File 315

Senator Carr called up the motion to reconsider House File 315, a bill for an act relating to drug product selection, filed by him on April 16, 1985, found on page 1431 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 315) the vote was:

Ayes, 19:

Dieleman	Drake	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hultman	Jensen	Kinley	Lind
Priebe	Readinger	Rife	Ritsema
Small	Taylor	Vande Hoef	

Nays, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Gentleman	Gettings	Gronstal
Hannon	Horn	Hutchins	Junkins
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Rodgers
Soorholtz	Tieden	Wells	Welsh

Absent or not voting, 3:

Husak	Schwengels	Waldstein
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The motion lost.

The Chair ruled the motions to reconsider on House File 315 filed by Senators Hultman and Lind on April 16, 1985, and found on page 1431 of the Senate Journal, out of order.

UNFINISHED BUSINESS
(Deferred April 29, 1985)

Senate File 568

The Senate resumed consideration of Senate File 568, a bill for an act 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, deferred on April 29, 1985.

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. 568) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Weish	

Nays, none.

Absent or not voting, 7:

Drake	Hultman	Husak	Lind
Nystrom	Schwengels	Waldstein	

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

UNFINISHED BUSINESS
(Deferred April 19, 1985)

House File 701

The Senate resumed consideration of 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, deferred April 19, 1985.

Senator Mann offered amendment S—3716 filed by the committee on Judiciary on April 12, 1985, to pages 1 through 4 and to the title page of the bill and moved its adoption.

Amendment S—3716 was adopted by a voice vote.

Senator Taylor offered amendment S—3859 filed by him on April 18, 1985, to page 4 of the bill.

Senator Murphy called for a division of amendment S—3859: page 1, lines 3 through 19 as division S—3859A and page 1, lines 20 through 50 and page 2 as division S—3859B.

Senator Taylor moved the adoption of division S—3859A.

A record roll call was requested.

On the question "Shall division S—3859A be adopted?" (H.F. 701) the vote was:

Ayes, 16:

Deluhery	Dieleman	Drake	Goodwin
Gratias	Holt	Jensen	Lind
Miller, C.P.	Murphy	Rife	Ritsema
Small	Taylor	Tieden	Vande Hoef

Nays, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Doyle
Gentleman	Gettings	Gronstal	Hall
Hannon	Horn	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Neighbour
Palmer	Priebe	Readinger	Rodgers
Wells	Welsh		

Absent or not voting, 8:

Hester	Holden	Hultman	Husak
Nystrom	Schwengels	Soorholtz	Waldstein

Division S—3859A lost.

Senator Taylor moved the adoption of division S—3859B.

A record roll call was requested.

On the question “Shall division S—3859B be adopted?” (H.F. 701) the vote was:

Ayes, 13:

Dieleman	Goodwin	Gratias	Holt
Hultman	Jensen	Lind	Miller, C.P.
Priebe	Rife	Taylor	Tieden
Vande Hoef			

Nays, 33:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Murphy
Neighbour	Palmer	Readinger	Ritsema
Rodgers	Small	Soorholtz	Wells
Welsh			

Absent or not voting, 4:

Husak	Nystrom	Schwengels	Waldstein
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Division S—3859B lost.

Senator Small offered amendment S—4145 filed by Senators Small, et al., from the floor to page 4 of the bill and moved its adoption.

Amendment S—4145 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. 701) 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.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Husak	Nystrom	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.

Senator Junkins asked and received unanimous consent that **House File 701** be **immediately messaged** to the House.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 762, a bill for an act to legalize the proceedings for the organization, establishment, boundaries and election and tenure of office of the board of trustees of the Sun Valley sanitary district in the township of Union, county of Ringgold and declaring the district a duly and legally organized

corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn and Taylor. Nays, none. Absent or not voting, 2: Drake and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 46, a resolution requesting an interim study committee to study the use of the safe working environment for users of video display terminals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Nystrom, Bruner, Coleman, Corning, Gentleman, Horn, Mann, C. Miller and Rife. Nays, none. Absent or not voting, 4: Dieleman, Drake, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 507, 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.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Nystrom, Bruner, Coleman, Corning, Gentleman, Horn, Mann, C. Miller and Rife. Nays, none. Absent or not voting, 4: Dieleman, Drake, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

UNFINISHED BUSINESS (Deferred April 25, 1985)

House File 700

The Senate resumed consideration of House File 700, a bill for an act relating to the endangering of certain persons and providing penalties, deferred on April 25, 1985.

Senator Carr offered amendment S—4016 filed by Senators Carr, et al., on April 25, 1985, to page 2 of the bill and moved its adoption.

Amendment S—4016 was adopted by a voice vote.

Senator Gentleman offered amendment S—4153 filed by her from the floor to page 1 of the bill.

Senator Carr asked and received unanimous consent that further action on **House File 700** and amendment S—4153 be **deferred**.

UNFINISHED BUSINESS (Deferred April 19, 1985)

House File 438

The Senate resumed consideration of House File 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment and amendment S—3717, deferred on April 19, 1985.

Senator Doyle asked and received unanimous consent to take up amendment S—3985. *

Senator Small offered amendment S—3985 filed by Senators Small and Dieleman on April 24, 1985, to page 2 of the bill.

President Anderson took the chair at 6:10 p.m.

Senator Small moved the adoption of amendment S—3985.

A non record roll call was requested.

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

The ayes were 21, nays 17.

Amendment S—3985 was adopted.

With the adoption of amendment S—3985, the Chair ruled amendment S—3717 by the committee on Judiciary to page 2 of the bill, deferred on April 19, 1985, out of order.

Senator Colton filed the following motion to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—3985 to House File 438 was adopted by the Senate on April 30, 1985.

Senator Hultman asked and received unanimous consent that further action on **House File 438** and the motion to reconsider on amendment S—3985 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 April 26, 1985, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 549, a bill for an act relating to domestic abuse counseling and the coordination of certain domestic abuse programs by the department of human services.

ALSO: That the House has on April 30, 1985, concurred in the Senate amendments as amended and passed the following bills in which the concurrence of the Senate is asked:

House File 747, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state (S—4155).

House File 771, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986 (S—4151).

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 46, by Committee on State Government, a resolution requesting an interim study committee to study the use of a safe working environment for users of video display terminals.

Read first time and **placed on calendar**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Holt, Holden and Soorholtz for the remainder of the evening on request of Senator Hultman.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 771

Senator Deluhery called up for consideration House File 771, a bill for an act relating to the administration and financing of services and programs under the jurisdiction of the department of human services, the state department of health, the foster care review board, and the commission on children, youth, and families for the fiscal year beginning July 1, 1985, and ending June 30, 1986, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4151 to Senate amendment H—4114 filed April 30, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Deluhery 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. 771) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Horn	Hutchins	Junkins
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Small	Tieden	Vande Hoef
Wells	Welsh		

Nays, 5:

Hultman	Jensen	Lind	Ritsema
Taylor			

Absent or not voting, 11:

Coleman	Hester	Holden	Holt
Husak	Kinley	Rife	Rodgers
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 **House File 771** be **immediately messaged** to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 747

Senator Horn called up for consideration House File 747, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4155 to Senate amendment H—4115 filed April 30, 1985.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 747) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Hutchins	Junkins	Mann
Miller, A.V.	Murphy	Neighbour	Readinger
Rodgers	Small	Taylor	Wells
Welsh			

Nays, 12:

Colton	Dieleman	Doyle	Jensen
Lind	Miller, C.P.	Nystrom	Palmer
Priebe	Ritsema	Tieden	Vande Hoef

Absent or not voting, 9:

Coleman	Holden	Holt	Husak
Kinley	Rife	Schwengels	Soorholtz
Waldstein			

The motion prevailed and the Senate concurred in the House amendment to the Senate amendment.

Senator Horn 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. 747) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Hutchins	Junkins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rodgers	Small	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, 2:

Jensen	Ritsema
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Absent or not voting, 9:

Coleman	Holden	Holt	Husak
Kinley	Rife	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 House File 747 be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

Senate File 563

Senator Small filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 563 passed the Senate on April 30, 1985.

On the question "Shall the motion to reconsider be adopted?" (S.F. 563) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Hutchins
Junkins	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Readinger
Ritsema	Rodgers	Small	Taylor
Wells	Welsh		

Nays, 3:

Jensen	Tieden	Vande Hoef
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Absent or not voting, 13:

Coleman	Holden	Holt	Hultman
Husak	Kinley	Lind	Nystrom
Priebe	Rife	Schwengels	Soorholtz
Waldstein			

The motion prevailed.

Senator Boswell moved to reconsider the vote by which Senate File 563 went to its last reading, which motion prevailed by a voice vote.

Senate File 563

On motion of Senator Boswell, Senate File 563, 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, was taken up for reconsideration.

Senator Small offered amendment S—4149 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—4149 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. 563) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Horn
Hultman	Hutchins	Jensen	Junkins
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Priebe	Ritsema	Rodgers
Small	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 4:

Carr	Gentleman	Gronstal	Readinger
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Absent or not voting, 12:

Coleman	Holden	Holt	Husak
Kinley	Lind	Nystrom	Palmer
Rife	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 563** 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 762.

House File 762

On motion of Senator Dieleman, House File 762, a bill for an act to legalize the proceedings for the organization, establishment, boundaries and election and tenure of office of the board of trustees of the Sun Valley sanitary district in the township of Union, county of Ringgold and declaring the district a duly and legally organized corporate body as provided by law and further declaring all trustees duly and legally elected and holding office as provided by law, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 762) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluherly	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Horn	Hutchins	Jensen
Junkins	Mann	Miller, A.V.	Murphy
Neighbour	Priebe	Readinger	Ritsema
Rodgers	Small	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, 1:

Miller, C.P.

Absent or not voting, 14:

Coleman	Drake	Holden	Holt
Hultman	Husak	Kinley	Lind
Nystrom	Palmer	Rife	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 to take up out of order Senate File 507.

Senate File 507

On motion of Senator Hannon, Senate File 507, 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, 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. 507) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Hall	Hannon	Hester
Horn	Hutchins	Jensen	Junkins
Mann	Murphy	Neighbour	Priebe
Ritsema	Rodgers	Small	Taylor
Vande Hoef	Wells	Welsh	

Nays, 1:

Miller, C.P.

Absent or not voting, 18:

Coleman	Gentleman	Gronstal	Holden
Holt	Hultman	Husak	Kinley
Lind	Miller, A.V.	Nystrom	Palmer
Readinger	Rife	Schwengels	Soorholtz
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 that **Senate File 507** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 1985, adopted the conference committee report and passed 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.

INTRODUCTION OF BILL

Senate File 583, by Junkins and Hultman, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 47, by Horn and Brown, a resolution relating to a study of merged areas schools funding and governance.

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

CONFERENCE COMMITTEE REPORT RECEIVED (House File 476)

A conference committee report signed by the following Senate and House members was filed April 30, 1985, on 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:

ON THE PART OF THE SENATE:

LARRY MURPHY
DALE L. TIEDEN
RICHARD VANDE HOEF
JOE WELSH

ON THE PART OF THE HOUSE:

THOMAS J. JOCHUM, Chair
GENE BLANSHAN
MARVIN E. DIEMER
DON KNAPP
DONALD J. PAULIN

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 476

Senator Tieden called up the conference committee report on 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, filed April 30, 1985.

Senator Tieden moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

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. 476) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Hutchins	Jensen	Junkins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Priebe	Readinger	Ritsema	Rodgers
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 13:

Coleman	Holden	Holt	Husak
Kinley	Lind	Nystrom	Palmer
Rife	Schwengels	Small	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 **House File 476** be **immediately messaged** to the House.

BUSINESS PENDING

House File 700

The Senate resumed consideration of House File 700 and amendment S—4153, previously deferred.

Senator Gentleman moved the adoption of amendment S—4153 to page 1 of the bill.

A non record roll call was requested.

The ayes were 15, nays 19.

Amendment S—4153 lost.

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

On the question "Shall the bill pass?" (H.F. 700) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Hutchins	Junkins
Mann	Miller, C.P.	Murphy	Neighbour
Priebe	Readinger	Ritsema	Rodgers
Small	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 1:

Jensen

Absent or not voting, 15:

Coleman	Holden	Holt	Horn
Hultman	Husak	Kinley	Lind
Miller, A.V.	Nystrom	Palmer	Rife
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 **House File 700** be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

Senator Junkins called up the motion to reconsider Senate File 572, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, elderly and historical programs of this state, filed by him on April 29, 1985, found on page 1771 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 572) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hester	Horn	Hultman	Hutchins
Jensen	Junkins	Mann	Murphy
Neighbour	Priebe	Readinger	Ritsema
Rodgers	Small	Taylor	Vande Hoef
Wells	Welsh		

Nays, 1:

Tieden

Absent or not voting, 15:

Coleman	Hannon	Holden	Holt
Husak	Kinley	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Rife
Schwengels	Soorholtz	Waldstein	

The motion prevailed.

Senator Junkins moved to reconsider the vote by which Senate File 572 went to its last reading, which motion prevailed by a voice vote.

Senator Junkins asked and received unanimous consent that **Senate File 572** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 579.

Senate File 579

On motion of Senator Welsh, Senate File 579, a bill for an act relating to substance abuse evaluations and temporary restricted licenses for second and subsequent violators of section 321.281, and providing for retroactive application, was taken up for consideration.

Senator Ritsema offered amendment S—4110 filed by him on April 29, 1985, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—4110 be adopted?" (S.F. 579) the vote was:

Ayes, 10:

Corning	Gentleman	Gettings	Goodwin
Gratias	Hester	Jensen	Murphy
Ritsema	Vande Hoef		

Nays, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gronstal	Hall	Hannon
Horn	Hultman	Hutchins	Mann
Miller, A.V.	Miller, C.P.	Neighbour	Priebe
Readinger	Rodgers	Small	Taylor
Wells	Welsh		

Absent or not voting, 14:

Drake	Holden	Holt	Husak
Junkins	Kinley	Lind	Nystrom
Palmer	Rife	Schwengels	Soorholtz
Tieden	Waldstein		

Amendment S—4110 lost.

Senator Ritsema withdrew amendment S—4135 filed by him on April 29, 1985, to page 1 of the bill.

Senator Welsh asked and received unanimous consent that further action on **Senate File 579** be deferred.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 462

Senator Mann called up for consideration House File 462, a bill for an act relating to the protection of victims and witnesses in judicial proceedings, and providing penalties, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4093 to Senate amendment H—3891 filed April 26, 1985.

A non record roll call was requested.

The ayes were 27, nays 5.

The motion prevailed and the Senate concurred in the House amendment to the Senate amendment.

Senator Mann 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. 462) the vote was:

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

Ayes, 38:

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

Hall	Hannon	Hester	Horn
Hultman	Hutchins	Jensen	Junkins
Mann	Miller, A.V.	Murphy	Neighbour
Priebe	Readinger	Ritsema	Rodgers
Small	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Holden	Holt	Husak	Kinley
Lind	Miller, C.P.	Nystrom	Palmer
Rife	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 **House File 462** be **immediately messaged** to the House.

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

The Senate resumed session, Senator Gronstal presiding.

QUORUM CALL

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

The vote revealed 37 present, 13 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 April 30, 1985, refused to concur in the Senate amendment to the following bill:

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.

ALSO: That the House has on April 30, 1985, adopted the conference committee report and passed **House File 571**, a bill for an act relating to the funding of state agencies for designated service programs including health programs for minority, elderly, and disadvantaged persons for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

INTRODUCTION OF BILL

Senate File 584, by Junkins and Hultman, a bill for an act to provide for the time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication.

Read first time and referred to the committee on **Rules and Administration**.

CONFERENCE COMMITTEE REPORTS RECEIVED

Senate File 562

A conference committee report signed by the following Senate and House members was filed April 30, 1985, on 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, filed April 30, 1985:

On the Part of the Senate:

DONALD E. GETTINGS, Chair
BERL E. PRIEBE
JOE J. WELSH

On the Part of the House:

THOMAS J. JOCHUM, Chair
GENE BLANSHAN
EMIL PAVICH

House File 571

A conference committee report signed by the following Senate and House members was filed April 30, 1985, on 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:

On the Part of the Senate:

MILO COLTON, Chair
 JOE WELSH
 ALVIN V. MILLER
 DALE L. TIEDEN
 DAVID READINGER

On the Part of the House:

THOMAS J. JOCHUM, Chair
 FLORENCE D. BUHR
 JOYCE LONERGAN
 BILL ROYER
 DONALD F. HERMANN

CONFERENCE COMMITTEE REPORTS CONSIDERED

House File 571

Senator Colton called up the conference committee report on 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, filed April 30, 1985.

Senator Colton moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

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. 571) the vote was:

Ayes, 40:

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

Hannon	Hester	Horn	Hultman
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Readinger
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Bruner	Holden	Holt	Husak
Lind	Nystrom	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 Junkins asked and received unanimous consent that **House File 571** be immediately messaged to the House.

President Anderson took the chair at 10:10 p.m.

Senate File 562

Senator Gettings called up the conference committee report on 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, filed April 30, 1985.

Senator Gettings moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

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. 562) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery

Dieleman	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Horn	Hultman	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Neighbour	Palmer
Priebe	Readinger	Ritsema	Small
Soorholtz	Taylor	Vande Hoef	Wells
Welsh			

Nays, 5:

Doyle	Hester	Murphy	Rife
Tieden			

Absent or not voting, 8:

Holden	Holt	Husak	Lind
Nystrom	Rodgers	Schwengels	Waldstein

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

Senator Gronstal asked and received unanimous consent that **House File 562** be **immediately messaged** to the House.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 552)

A conference committee report signed by the following Senate and House members was filed April 30, 1985, on 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:

On the Part of the Senate:

CHARLES P. MILLER, Chair
JOE WELSH
BOB CARR

On the Part of the House:

THOMAS JOCHUM, Chair
CLAY SPEAR
GARY SHERZAN
ANDY McKEAN
KYLE HUMMEL

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 552

Senator Miller of Des Moines called up the conference committee report on 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, filed April 30, 1985.

Senator Miller of Des Moines moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

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

On the question "Shall the bill pass?" (S.F. 552) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Ritsema
Small	Soorholtz	Taylor	Vande Hoef
Wells	Welsh		

Nays, 3:

Jensen	Rife	Tieden
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Absent or not voting, 9:

Coleman	Holden	Holt	Husak
Lind	Nystrom	Rodgers	Schwengels
Waldstein			

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

Senator Gronstal asked and received unanimous consent that **Senate File 552** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 579

The Senate resumed consideration of Senate File 579, previously deferred.

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. 579) 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
Drake	Gettings	Gratias	Gronstal
Hannon	Horn	Hultman	Hutchins
Junkins	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Priebe	Readinger	Rife
Small	Taylor	Wells	Welsh

Nays, 14:

Corning	Doyle	Gentleman	Goodwin
Hall	Hester	Jensen	Kinley
Mann	Palmer	Ritsema	Soorholtz
Tieden	Vande Hoef		

Absent or not voting, 8:

Holden	Holt	Husak	Lind
Nystrom	Rodgers	Schwengels	Waldstein

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

Senator Junkins asked and received unanimous consent that **Senate File 579** be **immediately messaged** to the House.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 434)

A conference committee report signed by the following Senate and House members was filed April 30, 1985, on Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies:

On the Part of the Senate:

WILLIAM DIELEMAN, Chair
JOE WELSH
JAMES WELLS
DALE TIEDEN
JOY CORNING

On the Part of the House:

THOMAS JOCHUM, Chair
ELAINE BAXTER
WARD HANDORF
DANIEL FOGARTY
JANET METCALF

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 434

Senator Dieleman called up the conference committee report on Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, filed April 30, 1985.

Senator Dieleman moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein 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?" (S.F. 434) the vote was:

Ayes, 41:

Boswell
Coleman

Brown
Colton

Bruner
Corning

Carr
Deluhery

Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A. V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Ritsema	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, 1:

Rife

Absent or not voting, 8:

Holden	Holt	Husak	Lind
Nystrom	Rodgers	Schwengels	Waldstein

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

Senator Junkins asked and received unanimous consent that **Senate File 434** be **immediately messaged** to the House.

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

The Senate resumed session, 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 April 30, 1985, adopted the conference committee report and passed Senate File 434, a bill for an act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

ALSO: That the House has, on April 30, 1985, adopted the conference committee report and passed 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.

ALSO: That the House has, on April 30, 1985, adopted the conference committee report and passed 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.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 29, 1985, 5:07 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Husak, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Small, Vice Chair; Murphy and Schwengels.

Committee Business: Reported House File 747 to the Senate calendar; approved LSB 2574S as a committee bill.

Adjourned: 5:17 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 30, 1985, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 409 — 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.

BILLS ASSIGNED TO COMMITTEE

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

H.F.	714	Ways and Means
H.F.	761	Ways and Means
H.F.	768	Ways and Means

H.C.R.	21	Rules and Administration
H.C.R.	26	Rules and Administration
H.C.R.	29	Rules and Administration
H.C.R.	34	Rules and Administration

PRESENTATION OF VISITORS

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

Thirty sixth, seventh and eighth grade students from Amos Hiatt Junior High School, Des Moines, Iowa, accompanied by Jane Hildebrand. Senator Kinley.

AMENDMENTS FILED

S—4143	S.F.	570	Tom Mann, Jr.
S—4144	H.F.	570	Berl E. Priebe Bob Carr Dale Tieden
S—4145	H.F.	701	Arthur A. Small, Jr. Donald V. Doyle Tom Mann, Jr.
S—4146	S.F.	578	Calvin O. Hultman Wally E. Horn
S—4147	S.F.	578	Richard F. Drake Hurley W. Hall
S—4148	H.F.	450	Joy Corning
S—4149	S.F.	563	Arthur A. Small Jack Rife
S—4150	H.F.	593	Alvin V. Miller
S—4151	H.F.	771	House amendment
S—4152	H.F.	450	Joy Corning
S—4153	H.F.	700	Julia Gentleman
S—4154	H.F.	593	Alvin V. Miller
S—4155	H.F.	747	House amendment
S—4156	H.F.	766	Calvin O. Hultman
S—4157	H.F.	593	Alvin V. Miller

ADJOURNMENT

On motion of Senator Welsh, the Senate adjourned at 11:15 p.m., until 10:30 a.m., Wednesday, May 1, 1985.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SEVENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, May 1, 1985

The Senate met in regular session at 10:30 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend David Runyon, pastor of the Friends Worship Center, Hesper, Iowa.

The Journal of Tuesday, April 30, 1985, was approved.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

April 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 Joan U. Axel, Muscatine, Muscatine County, Iowa, for appointment to the Lottery Board pursuant to House File 225, Section 99E.5, Seventy-first General Assembly, for a term beginning upon the publication of the bill and serving at the pleasure of the Governor.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read and referred to the committee on **Rules and Administration**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the day on request of Senator Hultman; Senator Husak for the day on request of Senator Junkins.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate Concurrent Resolution 46** be referred from the Regular Calendar to the committee on **Rules and Administration**.

UNFINISHED BUSINESS (Deferred April 18, 1985)

House File 648

The Senate resumed consideration of House File 648, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education, deferred on April 18, 1985.

Senator Lind offered amendment S—3919 filed by him on April 22, 1985, to page 1 and to the title page of the bill.

Senator Corning raised the point of order that amendment S—3919 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3919 out of order.

Senator Taylor offered amendment S—3805 filed by Senators Taylor, et al., on April 18, 1985, to page 1 of the bill.

Senator Gentleman asked and received unanimous consent that further action on **House File 648** and amendment S—3805 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 May 1, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 773, a bill for an act to establish an education research foundation, to prescribe its functions, and to make an appropriation.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 48, by Committee on State Government, a resolution relating to public retirement systems.

Read first time and **placed on calendar**.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 568** be **immediately messaged** to the House.

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

The Senate resumed session, President Anderson presiding.

BILL ASSIGNED TO COMMITTEE

President Anderson announced that **House File 773** was assigned to the committee on **Appropriations**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 49, by Committee on Rules and Administration, a resolution calling for an interim study of school finance.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 50, by Committee on Rules and Administration, a resolution to provide for adjournment sine die.

Read first time and **placed on calendar**.

Senate Resolution 11, by Committee on Rules and Administration, a resolution to propose changes in Rule 37 of the Rules of the Senate for the 71st General Assembly.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:52 a.m., until 1:30 p.m.

APPENDIX

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 1st day of May, 1985:

Senate Files 434, 552 and 562.

K. MARIE THAYER
Secretary of the Senate

CONFERENCE COMMITTEE REPORT RECEIVED (House File 643)

A conference committee report signed by the following Senate and House members was filed May 1, 1985, on 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:

On the Part of the Senate:

BILL HUTCHINS, Chair
MICHAEL E. GRONSTAL
CHARLES BRUNER
EDGAR H. HOLDEN
JOHN W. JENSEN

On The Part of the House:

DAVID OSTERBERG, Chair
DENNIS H. BLACK
DANIEL J. JAY
SUE B. MULLINS
DONALD J. PAULIN

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: April 30, 1985, 12:15 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Coleman.

Committee Business: Accepted subcommittee reports on Governor's appointees to the Lottery Board.

Adjourned: 12:37 p.m.

RULES AND ADMINISTRATION

Convened: May 1, 1985, 9:52 a.m.

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

Members Absent: Kinley.

Committee Business: Reported Senate File 584 and House Concurrent Resolution 34 to the Senate calendar; approved proposed senate resolutions on: the senate budget, sine die, interim study of school finance and a change of Senate Rule 37.

Adjourned: 10:20 a.m.

STATE GOVERNMENT

Convened: April 30, 1985, 4:07 p.m.

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

Members Absent: Dieleman, Vice Chair, Drake, Schwengels (excused) and Welsh.

Committee Business: Reported Senate File 507 to the Senate calendar; approved LSB 6119S 71 and LSB 6113S 71 as committee bills.

Adjourned: 4:12 p.m.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 585, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Welsh, Small, Tieden, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Murphy, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, none. Absent or not voting, 4: Horn, Husak, Colton and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 11, a resolution to propose changes in Rule 37 of the Rules of the Senate for the 71st General Assembly.

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 49, a resolution calling for an interim study of school finance.

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 50, a resolution to provide for adjournment sine die.

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 FILE 584, a bill for an act to provide for the time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 34, a resolution concerning the sale of Consolidated Rail Corporation (Conrail).

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 CONCURRENT RESOLUTION 48, a resolution relating to public retirement systems.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Carr, Nystrom, Bruner, Coleman, Corning, Gentleman, Horn, Mann, C. Miller and Rife. Nays, none. Absent or not voting, 4: Dieleman, Drake, 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:

S. C. R.	47	Rules and Administration
S. F.	582	Ways and Means
S. F.	583	Ways and Means

PRESENTATION OF VISITORS

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

Forty-two eighth grade students from Panora-Linden Middle School, Panora, Iowa, accompanied by Mike De Jong. Senator Rodgers.

Thirty-one eleventh and twelfth grade students from Rockwell City Senior High School, Rockwell City, Iowa. Senator Waldstein.

Third, fourth and fifth grade students from Moulton Elementary School, Des Moines, Iowa, accompanied by Lynn Cory. Senator Mann.

The following visitors were present in the Senate gallery:

Six senior students from Wayne Community School, Corydon, Iowa, accompanied by Joe Crozier. Senator Neighbour.

AMENDMENTS FILED

S—4158	H.F.	450	Arthur A. Small, Jr.
S—4159	H.F.	593	Tom Lind

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., Senator Boswell presiding.

INTRODUCTION OF BILLS

Senate File 585, by Committee on Appropriations, a bill for an act appropriating federal funds made available from federal block grants, allocated portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants.

Read first time and **placed on Appropriations calendar.**

Senate File 586, by Committee on Appropriations, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication.

Read first time and **placed on Appropriations calendar.**

Senate File 587, by Committee on Appropriations, a bill for an act relating to and appropriating petroleum overcharge funds.

Read first time and **placed on Appropriations calendar.**

QUORUM CALL

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

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Resolution 11.

Senate Resolution 11

On motion of Senator Hultman, Senate Resolution 11, a resolution to propose changes in Rule 37 of the Rules of the Senate for the 71st General Assembly, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 11, 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 for consideration Senate File 584.

Senate File 584

On motion of Senator Hultman, Senate File 584, a bill for an act to provide for the time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Des Moines asked unanimous consent that further action on **Senate File 584** be **deferred**.

President Anderson took the chair at 2:10 p.m.

Senator Miller of Des Moines withdrew his request.

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. 584) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman

Hutchins	Junkins	Kinley	Lind
Mann	Miller, A. V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Readinger
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Carr	Colton	Hester	Husak
Jensen	Priebe	Rife	

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

Senator Junkins asked and received unanimous consent that **Senate File 584** be **immediately messaged** to the House.

SPECIAL GUESTS

Senator Small appeared in the well of the Senate and presented the following 1985 University of Iowa Council of International Programs participants:

Dr. Peter Halmos, Hungary; Ms. Rosa Dell'Aversana, Italy; Ms. Olaug Krogsaeter, Norway; Mr. Tomasz Kazmierczak, Poland; Ms. Prisca St. Paul, Saint Lucia; Ms. Annemarie Aebi, Switzerland; Ms. Thitiya Phaobtong, Thailand; Mr. Mohammad Yousef, West Bank and Ms. Fanny Chirisa, Zimbabwe.

COMMITTEE REPORTS

APPROPRIATIONS

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—4162.

Final Vote: Ayes, 13: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Murphy, Holt, Readinger and Lind. Nays, 2: Gentleman and Ritsema. Absent or not voting, 3: Colton, Husak and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 586, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Welsh, Small, Horn, Deluhery, Dieleman, Gettings, Gronstal, Murphy, Holt, Gentleman, Readinger and Lind. Nays, 2: C. Miller and Ritsema. Absent or not voting, 4: Tieden, Colton, Husak and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 587, a bill for an act relating to and appropriating petroleum overcharge funds.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Welsh, Small, Tieden, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Murphy, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, none. Absent or not voting, 4: Horn, Colton, Husak and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 588, a bill for an act amending statutory provision relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Welsh, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Husak, Holt, Readinger and Lind. Nays, 2: Ritsema and Gentleman. Absent or not voting, 3: Small, Murphy and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—4161.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Murphy, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, none. Absent or not voting, 3: Colton, Husak and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 773, a bill for an act to establish an education research foundation, to prescribe its functions, and to make an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Murphy, Holt, Ritsema, Gentleman, Readinger and Lind. Nays, none. Absent or not voting, 3: Colton, Husak and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS PENDING

House File 648

The Senate resumed consideration of House File 648 and amendment S—3805, previously deferred.

Senator Corning asked and received unanimous consent to take up amendment S—4160.

Senator Corning offered amendment S—4160 filed by Senators Corning, et al., from the floor to page 1 of the bill.

Senator Welsh offered amendment S—4167 filed by Senators Welsh and Small from the floor to amendment S—4160 and moved its adoption.

Amendment S—4167 was adopted by a voice vote.

Senator Lind asked and received unanimous consent that further action on **House File 648** and amendments S—4160 as amended and S—3805, be **deferred**.

WITHDRAWN

Senator Brown asked and received unanimous consent that **Senate Files 29, 225, 373 and 458** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House File 773.

House File 773

On motion of Senator Horn, House File 773, a bill for an act to establish an education research foundation, to prescribe its functions, and to make an appropriation, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 773) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gettings	Goodwin
Gratias	Gronstal	Hannon	Hester
Holden	Holt	Horn	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, 2:

Gentleman	Hall
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Absent or not voting, 5:

Drake
Waldstein

Hultman

Husak

Schwengels

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 1985, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 686, a bill for an act relating to plans and programs for educational development in Iowa.

ALSO: That the House has on May 1, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 564, 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 (S—4166).

SENATE INSISTS

House File 686

Senator Brown called up for consideration House File 686, a bill for an act relating to plans and programs for educational development in Iowa, amended by the Senate and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 575.

Senate File 575

On motion of Senator Welsh, Senate File 575, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the act takes effect upon its publication, was taken up for consideration.

Senator Welsh offered amendment S—4165 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—4165 was adopted by a voice vote.

Senator Welsh withdrew amendment S—4125 filed by him on April 29, 1985, to page 1 and to the title page of the bill.

Senator Welsh asked and received unanimous consent that further action on **Senate File 575** be **deferred**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 686** on the part of the Senate: Senators Brown, Chair; Wells, Horn, Gratias and Corning.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **House Files 686** and **773** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 156.

Senate File 156

On motion of Senator Horn, 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, with reports of committees on Appropriations and Education recommending amendment and passage, was taken up for consideration.

Senator Brown offered amendment S—3146 filed by the committee on Education on February 20, 1985, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3146 was adopted by a voice vote.

Senator Welsh offered amendment S—4162 filed by the committee on Appropriations from the floor to pages 2, 3 and to the title page of bill and moved its adoption.

Amendment S—4162 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. 156) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hutchins	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Priebe	Readinger
Rife	Rodgers	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 3:

Gentleman	Ritsema	Vande Hoef
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Absent or not voting, 6:

Goodwin
Nystrom

Hultman
Schwengels

Husak

Neighbour

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

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 1, 1985, adopted the conference committee report and passed 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.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House File 766.

House File 766

On motion of Senator Small, House File 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Small asked and received unanimous consent that further action on **House File 766** be **deferred**.

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 587.

Senate File 587

On motion of Senator Tieden, Senate File 587, a bill for an act relating to and appropriating petroleum overcharge funds, was taken up for consideration.

Senator Boswell took the chair at 3:30 p.m.

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. 587) 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	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Welsh			

Nays, none.

Absent or not voting, 5:

Husak	Miller, A.V.	Nystrom	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 that **Senate File 587** be **immediately messaged** to the House.

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 585.

Senate File 585

On motion of Senator Welsh, Senate File 585, a bill for an act appropriating federal funds made available from federal block grants, allocated portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants, was taken up for consideration.

Senator Welsh offered amendment S—4170 filed by him from the floor to page 13 of the bill and moved its adoption.

Amendment S—4170 was adopted by a voice vote.

Senator Colton offered amendment S—4171 filed by him from the floor to pages 1, 16 and 17 of the bill and moved its adoption.

Amendment S—4171 was adopted by a voice vote.

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. 585) 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	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Holden	Husak	Jensen	Nystrom
Schwengels			

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

Senator Junkins asked and received unanimous consent that **Senate File 585** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that **Senate Concurrent Resolution 48** be referred from the Regular Calendar to the committee on **Rules and Administration**.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 156** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 541** be referred from the Unfinished Business Calendar to the committee on **Human Resources**.

CONFERENCE COMMITTEE REPORT CONSIDERED**House File 643**

Senator Hutchins called up the conference committee report on 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, filed May 1, 1985.

Senator Hutchins moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

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

On the question "Shall the bill pass?" (H.F. 643) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hutchins
Jensen	Junkins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe
Readinger	Ritsema	Rodgers	Small
Taylor	Tieden	Vande Hoef	Waldstein
Welsh			

Nays, 1:

Hultman

Absent or not voting, 8:

Brown	Corning	Gratias	Husak
Rife	Schwengels	Soorholtz	Wells

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 members of the conference committee, appointed May 1, 1985, on **House File 686**, a bill for an act relating to plans and programs for educational development in Iowa, on the part of the House, are: The Representative from Johnson, Mr. Varn, Chair; the Representative from Buena Vista, Mr. Groth, the Representative from Clinton, Mr. Ollie, the Representative from Jones, Mr. McKean, and the Representative from Taylor, Mr. Daggett.

CONSIDERATION OF BILL (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House Concurrent Resolution 34.

House Concurrent Resolution 34

On motion of Senator Drake, House Concurrent Resolution 34, a resolution concerning the sale of Consolidated Rail Corporation (Conrail), with report of committee recommending passage, was taken up for consideration.

Senator Drake moved the adoption of House Concurrent Resolution 34, 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 586.

Senate File 586

On motion of Senator Welsh, Senate File 586, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication, was taken up for consideration.

Senator Junkins withdrew amendment S—4183 filed by him from the floor to page 1 of the bill.

Senator Gratias offered amendment S—4172 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—4172 was adopted by a voice vote.

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. 586) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Drake	Gentleman	Gettings	Gratias
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Hutchins	Jensen

Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rife
Rodgers	Small	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 6:

Goodwin	Holden	Holt	Neighbour
Ritsema	Vande Hoef		

Voting present, 2:

Dieleman	Doyle
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Absent or not voting, 3:

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

INTRODUCTION OF BILL

Senate File 588, by Committee on Appropriations, a bill for an act amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance.

Read first time and placed on Appropriations calendar.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 588.

Senate File 588

On motion of Senator Deluhery, Senate File 588, a bill for an act amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund

and to grant certain children automatic eligibility for medical assistance, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 588) 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	Hultman	Hutchins	Jensen
Junkins	Kinley	Lind	Mann
Miller, A. V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

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

Senator Junkins asked and received unanimous consent that **Senate File 588** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 564

Senator Miller of Des Moines called up for consideration Senate File 564, 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, amended by the House, and moved that the Senate concur in House amendment S—4166 filed May 1, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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

On the question "Shall the bill pass?" (S.F. 564) 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	Hutchins	Jensen
Junkins	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, 4:

Holden	Husak	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 as amended was agreed to.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Junkins asked and received unanimous consent to take up out of order Senate File 578.

Senate File 578

On motion of Senator Welsh, Senate File 578, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds, was taken up for consideration.

Senator Gentleman offered amendment S—4169 filed by her from the floor to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 13, nays 28.

Amendment S—4169 lost.

Senator Drake offered amendment S—4147 filed by Senators Drake and Hall on April 30, 1985, to page 7 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 12.

Amendment S—4147 was adopted.

Senator Palmer offered amendment S—4186 filed by him from the floor to page 8 of the bill and called for a division: lines 2 through 10 as division S—4186A and lines 11 through 19 as division S—4186B.

The Chair stated that the amendment S—4186 was not divisible.

Senator Welsh asked and received unanimous consent that further action on **Senate File 578** and amendment S—4186 be **deferred**.

BUSINESS PENDING**Senate File 575**

The Senate resumed consideration of Senate File 575, previously deferred.

Senator Welsh offered amendment S—4182 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 32, nays 14.

Amendment S—4182 was adopted.

Senator Welsh offered amendment S—4184 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—4184 was adopted by a voice vote.

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. 575) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Hutchins	Jensen
Junkins	Kinley	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, 4:

Hester	Husak	Mann	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Junkins asked and received unanimous consent that **Senate File 575** be **immediately messaged** to the House.

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 May 1, 1985, adopted the conference committee report and passed House File 686, a bill for an act relating to plans and programs for education development in Iowa.

ALSO: That the House has on May 1, 1985, adopted the conference committee report and passed House File 730, a bill for an act relating to the licensure of dietitians and nutritionists.

CONFERENCE COMMITTEE REPORTS RECEIVED

House File 686

A conference committee report signed by the following Senate and House members was filed May 1, 1985, on House File 686, a bill for an act relating to plans and programs for educational development in Iowa:

On the Part of the Senate:

JOE BROWN, Chair
JAMES D. WELLS
WALLY E. HORN
ARTHUR L. GRATIAS
JOY CORNING

On the Part of the House:

RICHARD J. VARN, Chair
RICHARD GROTH
C. ARTHUR OLLIE
HORACE DAGGETT

House File 730

A conference committee report signed by the following Senate and House members was filed May 1, 1985, on House File 730, a bill for an act relating to the licensure of dietitians and nutritionists:

On the Part of the Senate:

WILLIAM W. DIELEMAN, Chair
CHARLES P. MILLER

On the Part of the House:

JANE TEAFORD, Chair
GENE BLANSHAN

JAMES D. WELLS
DOUGLAS RITSEMA
JOHN N. NYSTROM

JOHNIE HAMMOND
DARRELL R. HANSON
BOB RENKEN

CONFERENCE COMMITTEE REPORTS CONSIDERED

House File 686

Senator Brown called up the conference committee report on House File 686, a bill for an act relating to plans and programs for educational development in Iowa, filed May 1, 1985.

Senator Brown moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

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. 686) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Doyle
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Holt	Horn
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Readinger	Rodgers	Small
Soorholtz	Taylor	Waldstein	Wells
Welsh			

Nays, 12:

Coleman	Dieleman	Drake	Hannon
Holden	Hultman	Hutchins	Jensen
Lind	Ritsema	Tieden	Vande Hoef

Absent or not voting, 5:

Hester	Husak	Nystrom	Rife
Schwengels			

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown for the remainder of the day on request of Senator Junkins.

House File 730

Senator Dieleman called up the conference committee report on House File 730, a bill for an act relating to the licensure of dietitians and nutritionists, filed May 1, 1985.

Senator Dieleman moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein 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:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gettings	Gronstal
Hall	Hannon	Holt	Horn
Hultman	Hutchins	Jensen	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Rodgers	Small
Soorholtz	Waldstein	Wells	Welsh

Nays, 10:

Gentleman	Goodwin	Gratias	Hester
Holden	Mann	Ritsema	Taylor
Tieden	Vande Hoef		

Absent or not voting, 4:

Brown

Husak

Nystrom

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 578

The Senate resumed consideration of Senate File 578 and amendment S—4186, previously deferred.

Senator Palmer withdrew amendment S—4186 to page 8 of the bill.

Senator Palmer offered amendment S—4188 filed by Senators Palmer and Gentleman from the floor to page 8 of the bill and moved its adoption.

Amendment S—4188 was adopted by a voice vote.

Senator Hultman offered amendment S—4146 filed by Senators Hultman and Horn on April 30, 1985, to page 8 of the bill and moved its adoption.

Amendment S—4146 was adopted by a voice vote.

Senator Welsh offered amendment S—4168 filed by him from the floor to pages 12 and 13 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—4168 be adopted?" (S.F. 578) the vote was:

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

Ayes, 23:

Boswell
Dieleman
Hannon
Mann

Carr
Doyle
Horn
Miller, A.V.

Coleman
Gettings
Hutchins
Miller, C.P.

Colton
Hall
Junkins
Murphy

Neighbour Soorholtz	Palmer Wells	Priebe Welsh	Rodgers
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Nays, 21:

Bruner Gentleman Hester Lind Small Waldstein	Corning Goodwin Holden Readinger Taylor	Deluhery Gratias Holt Rife Tieden	Drake Gronstal Jensen Ritsema Vande Hoef
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Absent or not voting, 6:

Brown Nystrom	Hultman Schwengels	Husak	Kinley
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Amendment S—4168 was adopted.

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. 578) the vote was:

Ayes, 33:

Boswell Colton Drake Gronstal Hutchins Miller, A.V. Palmer Rodgers Welsh	Bruner Corning Gettings Hall Jensen Miller, C.P. Priebe Small	Carr Dieleman Goodwin Hannon Junkins Murphy Readinger Soorholtz	Coleman Doyle Gratias Horn Mann Neighbour Rife Wells
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Nays, 12:

Deluhery Holt Taylor	Gentleman Hultman Tieden	Hester Lind Vande Hoef	Holden Ritsema Waldstein
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Absent or not voting, 5:

Brown Schwengels	Husak	Kinley	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Junkins asked and received unanimous consent that **Senate File 578** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Resolution 12, by Committee on Rules and Administration, a resolution relating to daily operations of the Senate.

Read first time and **placed on calendar**.

The Senate stood at ease until the fall of the gavel

The Senate resumed session, Senator Boswell, presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 51, by Committee on Small Business and Economic Development, a resolution relating to commercial and industrial development in the state.

Read first time and **placed on calendar**.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 585, the following technical correction was made to amendment S—4171:

1. Page 1, line 7, "2, and 3" was changed to "2, and 3".

K. MARIE THAYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 1, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 121 — Relating to nonsubstantive code corrections.

Senate File 154 — Relating to the duties of the secretary for the state board of engineering examiners.

Senate File 172 — Increasing the maximum amount of credit life insurance that may be written to insure the life of a debtor.

Senate File 194 — Striking the semiannual reporting requirement by mobile home park licensees, and providing a civil penalty.

Senate File 230 — Relating to qualifications of sureties.

Senate File 289 — 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.

BILL ASSIGNED TO COMMITTEE

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

H.F. 547 Human Resources

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate on April 26, 1985. Had I been present, I would have voted "aye" on the following bills:

Senate Files 296, 559, 572, 434, 552 and 562 and House File 771; division S—3980B to House amendment S—3824 to Senate File 296; and amendment S—4055 as amended to Senate File 572.

I would have voted "nay" on the motion to reconsider Senate File 296, amendment S—4051 to Senate File 572 and the motion to reconsider Senate File 572.

LARRY MURPHY

**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 May 1, 1985:

Joan U. Axel—Lottery Board—Judiciary

LOWELL L. JUNKINS, Chair

**SUBCOMMITTEE ASSIGNMENT FOR
APPOINTMENT TO A STATE BOARD**

In accordance with Senate Rule 60, the following senators were appointed to a subcommittee of a standing committee:

JUDICIARY

As a member of the Lottery Board:

Joan U. Axel: Doyle, Chair; Mann, Horn, Ritsema and Drake.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—4167 to amendment S—4160 to House File 648 was adopted by the Senate on May 1, 1985.

JOE WELSH

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 12, a resolution relating to daily operations 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.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 51, a resolution relating to commercial and industrial development in the state.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Small, Rodgers, Rife, Boswell, Doyle, Hutchins, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 761, a bill for an act 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.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 2: Husak and Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—4190.

Final Vote: Ayes, 12: Palmer, Hester, Boswell, Bruner, Dieleman, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz. Nays, 1: Gratias. Absent or not voting, 2: Husak and Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 768, a bill for an act relating to townships providing fire protection and ambulance service, establishing emergency warning systems and levying taxes for those purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Hester, Boswell, Bruner, Dieleman, Gronstal, Holden, Mann, Readinger, Rodgers and Soorholtz. Nays, 1: Holt. Absent or not voting, 3: Husak, Brown and Gratias.

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 fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Sherry Murphy. Senator Gettings.

Sixty eighth grade students from Dow City-Arion High School, Dow City, Iowa. Senator Hutchins.

AMENDMENTS FILED

S—4160	H.F.	648	Joy Corning Beverly Hannon Julia Gentleman
S—4161	H.F.	766	Appropriations

S-4162	S.F.	156	Appropriations
S-4163	H.F.	648	Tom Lind
S-4164	H.F.	438	Bob Carr
S-4165	S.F.	575	Joe Welsh
S-4166	S.F.	564	House amendment
S-4167	H.F.	648	Joe Welsh Arthur A. Small, Jr.
S-4168	S.F.	578	Joe Welsh
S-4169	S.F.	578	Julia Gentleman
S-4170	S.F.	585	Joe Welsh
S-4171	S.F.	585	Milo Colton
S-4172	S.F.	586	Arthur L. Gratias
S-4173	H.F.	648	Arthur A. Small Joe Welsh
S-4174	H.F.	648	Thomas A. Lind
S-4175	H.F.	438	Milo Colton
S-4176	H.F.	438	Milo Colton
S-4177	H.F.	438	Milo Colton
S-4178	H.F.	438	Milo Colton
S-4179	H.F.	438	Milo Colton
S-4180	H.F.	438	Milo Colton
S-4181	H.F.	438	Milo Colton
S-4182	S.F.	575	Joe Welsh
S-4183	S.F.	586	Lowell L. Junkins
S-4184	S.F.	575	Joe Welsh
S-4185	H.F.	764	Bill Hutchins
S-4186	S.F.	578	William D. Palmer
S-4187	S.F.	532	Arne Waldstein John Soorholtz Leonard Boswell Berl E. Priebe
S-4188	S.F.	578	William D. Palmer Julia Gentleman
S-4189	H.F.	764	Edgar H. Holden Bill Hutchins
S-4190	H.F.	764	Ways and Means

ADJOURNMENT

On motion of Senator Hannon, the Senate adjourned at 7:15 p.m., until 10:00 a.m., Thursday, May 2, 1985.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SEVENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 2, 1985

The Senate met in regular session at 10:06 a.m., President Anderson presiding.

Prayer was offered by the Reverend Cletus Hawes, pastor of the St. Joseph Church, Bellevue, Iowa.

The Journal of Wednesday, May 1, 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 May 1, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

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 (S—4191).

SPECIAL GUEST

Senator Horn presented Melissa Tyler, Disneyland's 1985 Ambassador to the World, a role that carries the responsibility of representing the Magic Kingdom during its 30th anniversary year as its official emissary of goodwill.

As the 21st Ambassador, Melissa will host heads of state and other dignitaries who visit Disneyland and travel extensively throughout the world.

Melissa, 20, is a junior at UCLA majoring in music and plans to pursue a career combining music and communications.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Husak and Brown 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 40 present, 10 absent and a quorum present.

UNFINISHED BUSINESS

(Deferred May 1, 1985)

House File 648

The Senate resumed consideration of House File 648, a bill for an act relating to the schools subject to the provisions of chapter 601A on sex discrimination in education and amendments S—3805 and S—4160 as amended, deferred on May 1, 1985.

Senator Small called up the motion to reconsider the vote by which amendment S—4167 to amendment S—4160 to House File 648, was adopted by the Senate on May 1, 1985, filed by Senator Welsh on May 1, 1985, found on page 1875 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—4167 to amendment S—4160 by Senators Welsh and Small, was taken up for reconsideration.

Senator Welsh asked and received unanimous consent that further action on amendment S—4167 to amendment S—4160 be deferred.

Senator Small offered amendment S—4173 filed by Senators Small and Welsh on May 1, 1985, to amendment S—4160.

Senator Taylor asked unanimous consent that amendment S—4192 be substituted for amendments S—3805, S—4160, S—4163 and S—4173, S—4167 and S—4174 to amendment S—4160.

Objection was raised by Senator Small.

Senator Junkins asked and received unanimous consent that further action on **House File 648** and amendments S—3805 and S—4173 and S—4167 to S—4160 be **deferred**.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House File 761.

House File 761

On motion of Senator Bruner, House File 761, a bill for an act 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, with report of committee recommending passage, was taken up for consideration.

Senator Small asked and received unanimous consent that further action on **Senate File 761** be **deferred**.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 51.

Senate Concurrent Resolution 51

On motion of Senator Small, Senate Concurrent Resolution 51, a resolution relating to commercial and industrial development in the state, was taken up for consideration.

Senator Small moved the adoption of Senate Concurrent Resolution 51, 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 Resolution 12.

Senate Resolution 12

On motion of Senator Hultman, Senate Resolution 12, a resolution relating to daily operations of the Senate, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 12, which motion prevailed by a voice vote and the resolution was adopted.

UNFINISHED BUSINESS

(Deferred May 1, 1985)

House File 766

The Senate resumed consideration of House File 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation, deferred on May 1, 1985.

Senator Small asked and received unanimous consent to withdraw amendment S—4161 filed by the committee on Appropriations on May 1, 1985, to pages 6, 7 and 8 of the bill.

Senator Hultman offered amendment S—4156 filed by him on April 30, 1985, to page 4 of the bill.

Senator Welsh raised the point of order that amendment S—4156 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4156 out of order.

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

On the question "Shall the bill pass?" (H.F. 766) the vote was:

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

Ayes, 21:

Boswell	Bruner	Carr	Coleman
Colton	Doyle	Gettings	Gronstal
Hall	Hannon	Horn	Hutchins
Junkins	Kinley	Mann	Neighbour
Palmer	Rodgers	Small	Wells
Welsh			

Nays, 24:

Corning	Deluhery	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hester
Holden	Holt	Hultman	Jensen
Lind	Miller, C.P.	Murphy	Nystrom
Priebe	Rife	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 5:

Brown	Husak	Miller, A.V.	Readinger
Schwengels			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

BUSINESS PENDING

House File 648

The Senate resumed consideration of House File 648 and amendments S—4167 and S—4173 to S—4160 and S—3805, previously deferred.

Senator Small moved the adoption of amendment S—4173 to amendment S—4160, which motion prevailed by a voice vote.

With the adoption of amendment S—4173 to amendment S—4160, the Chair ruled amendment S—4167 by Senators Welsh and Small to amendment S—4160, previously deferred and amendment S—4174 filed by Senator Lind on May 1, 1985 to amendment S—4160, out of order.

Senator Corning moved the adoption of amendment S—4160 as amended.

A non record roll call was requested.

The ayes were 30, nays 16.

Amendment S—4160 was adopted.

With the adoption of amendment S—4160 as amended, the Chair ruled amendment S—4192 filed by Senator Taylor from the floor to page 1 of the bill, out of order.

Senator Taylor asked and received unanimous consent to withdraw amendment S—3805 to page 1 of the bill, deferred on May 1, 1985.

Senator Lind withdrew amendment S—4163 filed by him on May 1, 1985, to page 1 of the bill.

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?" (H.F. 648) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Colton
Corning	Deiuhery	Doyle	Drake
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Hutchins
Junkins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 5:

Dieleman	Gratias	Jensen	Miller, C.P.
Vande Hoef			

Absent or not voting, 4:

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

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **House File 648** and **Senate Concurrent Resolution 51** be **immediately messaged** to the House.

BUSINESS PENDING

House File 761

The Senate resumed consideration of House File 761, previously deferred.

Senator Small offered amendment S—4136 filed by him on April 29, 1985, to page 3 of the bill and moved its adoption.

Amendment S—4136 was adopted by a voice vote.

With the adoption of amendment S—4136, the Chair ruled amendment S—4070 filed by Senator Doyle on April 26, 1985 to page 3 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?" (H.F. 761) the vote was:

Ayes, 30:

Bruner	Carr	Coleman	Colton
Corning	Delehery	Dieleman	Doyle
Drake	Gentleman	Gettings	Gronstal
Horn	Hultman	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Readinger
Ritsema	Rodgers	Small	Soorholtz
Wells	Welsh		

Nays, 16:

Boswell	Goodwin	Gratias	Hall
Hannon	Hester	Holden	Holt
Hutchins	Jensen	Priebe	Rife
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 4:

Brown

Husak

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 that **House File 761** be **immediately messaged** to the House.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 2, 1985, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 41, a resolution relating to the board of regents ten-year building program.

This resolution was read and assigned to the committee on **Appropriations**.

INTRODUCTION OF BILL

Senate File 589, by Junkins and Hultman, a bill for an act related to the licensure of dietitians.

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.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 2, 1985, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 42, a resolution relating to the operation of motor vehicles and other modes of transportation and recreation while under the influence of intoxicants or intoxicated, and other collateral issues regarding the use of alcoholic beverages and drugs.

This bill was read first time and assigned to the committee on **Rules and Administration**.

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

The Senate resumed session, President pro tempore Rodgers presiding.

INTRODUCTION OF BILL

Senate File 590, by Junkins and Hultman, a bill for an act relating to establishing nonpartisan mobile deputy registrars.

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

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 May 2, 1985, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the Senate is asked:

House File 315, a bill for an act relating to drug product selection (S—4193 to H—4169).

QUORUM CALL

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

The vote revealed 36 present, 14 absent and a quorum present.

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

The Senate resumed session, 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 40 present, 10 absent and a quorum present.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 49.

Senate Concurrent Resolution 49

On motion of Senator Hutchins, Senate Concurrent Resolution 49, a resolution calling for an interim study of school finance, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 49, which motion prevailed by a voice vote and the resolution was adopted.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 49** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 764.

House File 764

On motion of Senator Bruner House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman took the chair at 2:15 p.m.

Senator Bruner offered amendment S—4190 filed by the committee on Ways and Means on May 1, 1985 to pages 3 through 6, 8 through 10, 12 through 15 and 17 through 20 of the bill and called for a division:

Division S—4190A: Page 1, lines 40 through 50; page 2, lines 1 through 23; page 3, lines 2 through 28; and page 4, lines 10 through 14.

Division S—4190B: Page 1, lines 3 through 39; page 2, lines 24 through 50; page 3, line 1 and lines 29 through 50; and page 4, lines 1 through 9.

Senator Holden asked and received unanimous consent that further action on **House File 764** and divisions S—4190A and S—4190B be **deferred**.

INTRODUCTION OF BILL

Senate File 591, by Committee on Ways and Means, 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 deposited in the title guaranty fund, by permitting life insurance companies and associations to invest in bonds of the African development bank, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property, by creating a commitment costs fund, creating a title guaranty fund, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for the reorganization of bank affiliates and merging or acquiring banks, 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, establishing an interim study committee, and providing for the repeal of portions of the Act.

Read first time and placed on Ways and Means calendar.

President Anderson took the chair at 2:27 p.m.

MOTION TO RECONSIDER ADOPTED

Senator Rife called up the motion to reconsider Senate File 532 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?" (S.F. 532) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
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, 5:

Brown	Drake	Hester	Husak
Schwengels			

The motion prevailed.

Senator Priebe moved to reconsider the vote by which Senate File 532 went to its last reading, which motion prevailed by a voice vote.

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 reconsideration.

Senator Waldstein offered amendment S—4187 filed by Senators Waldstein, et al., on May 1, 1985, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—4187 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. 532) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Priebe	Rife
Ritsema	Rodgers	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Hultman	Lind	Readinger
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Absent or not voting, 5:

Brown	Hester	Husak	Palmer
Schwengels			

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

BILLS ASSIGNED TO COMMITTEE

President Anderson announced that **Senate Files 589 and 590** were assigned to the committee on **State Government**.

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

The Senate resumed session, 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 May 2, 1985, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 264, a bill for an act to eliminate the net worth eligibility requirement for loans from the conservation practices revolving loan fund (S—4196).

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 and providing an effective date and an appropriation (S—4202).

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.

HOUSE AMENDMENT CONSIDERED

Senate File 264

Senator Waldstein called up for consideration Senate File 264, a bill for an act to eliminate the net worth eligibility requirement

for loans from the conservation practices revolving loan fund, amended by the House, and moved that the Senate concur in House amendment S—4196 filed May 2, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Waldstein 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. 264) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	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
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hester	Husak	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 May 2, 1985, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was 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.

HOUSE AMENDMENT CONSIDERED

Senate File 473

Senator Carr called up for consideration 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 and providing an effective date and an appropriation, amended by the House, and moved that the Senate concur in House amendment S—4202 filed May 2, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Carr 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. 473) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holt	Horn
Hultman	Hutchins	Jensen	Junkins
Kinley	Mann	Miller, A. V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Hester	Holden	Husak	Lind
Readinger	Rife		

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

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 589, a bill for an act related to the licensure of dietitians.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Dieleman, Nystrom, Bruner, Corning, Horn, Mann, C. Miller and Rife. Nays, 1: Gentleman. Absent or not voting, 4: Coleman, Drake, Schwengels and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 589.

Senate File 589

On motion of Senator Dieleman, Senate File 589, a bill for an act related to the licensure of dietitians, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 589) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Holden	Holt	Horn
Hultman	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife

Ri' ana	Rodgers	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

SENATE INSISTS

House File 570

Senator Palmer called up for consideration 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, amended by the Senate, and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 315

Senator Carr called up for consideration House File 315, a bill for an act relating to drug product selection, amended by the Senate, further amended by the House in House amendment S—4193 to Senate amendment S—4169 filed May 2, 1985.

Senator Hultman asked and received unanimous consent that further action on **House File 315** and House amendment S—4193 to Senate amendment H—4169 be **deferred**.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 768.

House File 768

On motion of Senator Readinger, House File 768, a bill for an act relating to townships providing fire protection and ambulance service, establishing emergency warning systems and levying taxes for those purposes, with report of committee recommending passage, was taken up for consideration.

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?" (H.F. 768) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A. V.
Miller, C.P.	Neighbour	Nystrom	Priebe
Readinger	Rife	Rodgers	Small
Soorholtz	Wells	Welsh	

Nays, 12:

Gentleman	Goodwin	Gratias	Holt
Jensen	Murphy	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 3:

Holden	Husak	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.

MOTION TO RECONSIDER ADOPTED

Senator Priebe filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 766 failed to pass the Senate on May 2, 1985.

On the question "Shall the motion to reconsider be adopted?" (H.F. 766) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Doyle	Gettings
Gronstal	Hall	Hannon	Horn
Hutchins	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Priebe	Readinger	Rodgers
Small	Soorholtz	Vande Hoef	Wells
Welsh			

Nays, 17:

Corning	Deluhery	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Ritsema	Schwengels	Taylor	Tieden
Waldstein			

Absent or not voting, 4:

Dieleman	Drake	Husak	Rife
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The motion prevailed.

Senator Priebe moved to reconsider the vote by which House File 766 went to its last reading, which motion prevailed by a voice vote.

House File 766

On motion of Senator Small, House File 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation, was taken up for reconsideration.

Senator Hultman asked and received unanimous consent that further action on **House File 766** be **deferred**.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 591, 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 deposited in the title guaranty fund, by permitting life insurance companies and associations to invest in bonds of the African development bank, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property, by creating a commitment costs fund, creating a title guaranty fund, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for the reorganization of bank affiliates and merging or acquiring banks, 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, establishing an interim study committee, and providing for the repeal of portions of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Palmer, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Mann, Readinger, Rodgers and Soorholtz. Nays, none. Absent or not voting, 4: Husak, Brown, Holden and Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 591.

Senate File 591

On motion of Senator Holden, Senate File 591, 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 deposited in the title guaranty fund, by permitting life insurance companies and associations to invest in bonds of the African development bank, by providing that the Iowa housing finance authority initiate a self-sustaining title guarantee program for titles of real property, by creating a commitment costs fund, creating a title guaranty fund, by providing for conditions and restrictions on loans and dealings between state banks and affiliates, by providing for the reorganization of bank affiliates and merging or acquiring banks, 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, establishing an interim study committee, and providing for the repeal of portions of the Act, was taken up for consideration.

Senator Rife withdrew amendment S—4201 filed by him from the floor to pages 19 through 22 of the bill.

Senator Coleman offered amendment S—4203 filed by Senators Coleman and Holden from the floor to page 24 of the bill and moved its adoption.

Amendment S—4203 was adopted by a voice vote.

Senator Rife asked and received unanimous consent that further action on **Senate File 591** be **deferred**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 570** on the part of the Senate: Senators Palmer, Chair; Bruner, Gronstal, Holden and Holt.

BUSINESS PENDING

House File 315

The Senate resumed consideration of House File 315 and House amendment S—4193 to Senate amendment H—4169, previously deferred.

Senator Hultman asked and received unanimous consent that further action on **House File 315** and House amendment S—4193 to Senate amendment H—4169 be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 364

Senator Mann called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—4191 filed May 2, 1985.

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

BUSINESS PENDING

House File 764

The Senate resumed consideration of House File 764 and divisions S—4190A and S—4190B, previously deferred.

Senator Rodgers moved the adoption of division S—4190A, which motion prevailed by a voice vote.

Senator Holden offered amendment S—4197 filed by Senators Holden, et al., from the floor to pages 1 through 4 of division S—4190B and moved its adoption.

A non record roll call was requested.

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

The ayes were 23, nays 26.

Amendment S—4197 lost.

Senator Bruner offered amendment S—4195 filed by him from the floor to pages 1 through 3 of division S—4190B and moved its adoption.

Amendment S—4195 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that further action on **House File 764** and division S—4190B as amended be **deferred**.

BUSINESS PENDING

Senate File 591

The Senate resumed consideration of Senate File 591, previously deferred.

Senator Rife offered amendment S—4207 filed by him from the floor to pages 19 through 21 and to the title page of the bill.

Senator Colton took the chair at 4:55 p.m.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 364** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 591

The Senate resumed consideration of Senate File 591.

Senator Rife moved the adoption of amendment S—4207.

A record roll call was requested.

On the question "Shall amendment S—4207 be adopted?" (S.F. 591) the vote was:

Ayes, 17:

Boswell	Carr	Dieleman	Drake
Goodwin	Gratias	Hultman	Junkins
Murphy	Priebe	Rife	Ritsema
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 29:

Brown	Bruner	Coleman	Colton
Corning	Deluhery	Doyle	Gentleman
Gettings	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Neighbour	Nystrom
Readinger	Rodgers	Small	Wells
Welsh			

Absent or not voting, 4:

Hester	Husak	Palmer	Schwengels
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Amendment S—4207 lost.

Senator Holden offered amendment S—4206 filed by him from the floor to page 27 of the bill and moved its adoption.

Amendment S—4206 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. 591) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Dieleman	Doyle
Gentleman	Gettings	Gronstal	Hall
Hannon	Holden	Holt	Horn

Hutchins	Jensen	Junkins	Kinley
Mann	Miller, A. V.	Miller, C. P.	Nystrom
Palmer	Priebe	Readinger	Rodgers
Small	Soorholtz	Waldstein	Wells
Welsh			

Nays, 13:

Carr	Coleman	Drake	Goodwin
Gratias	Hultman	Lind	Murphy
Neighbour	Ritsema	Taylor	Tieden
Vande Hoef			

Absent or not voting, 4:

Hester	Husak	Rife	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 591** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 13, by Committee on Rules and Administration, a resolution revising the schedule for committee action on gubernatorial appointments requiring confirmation by the senate.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 52, by Committee on Rules and Administration, a resolution relating to interim studies.

Read first time and **placed on calendar**.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 590, a bill for an act relating to establishing nonpartisan mobile deputy registrars.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—4205.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Corning, Drake, Gentleman, Horn, Mann, C. Miller, Rife and Welsh. Nays, none. Absent or not voting, 2: Coleman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 590.

Senate File 590

On motion of Senator Gronstal, Senate File 590, a bill for an act relating to establishing nonpartisan mobile deputy registrars, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—4205 filed by the committee on State Government from the floor to pages 2 and 3 of the bill.

Senator Gentleman called for a division of amendment S—4205: lines 2 and 3, 7 and 8 and 14 and 15 as division S—4205A and lines 4 through 6 and lines 9 through 13 as division S—4205B.

Senator Gronstal moved the adoption of division S—4205A, which motion prevailed by a voice vote.

Senator Gronstal moved the adoption of division S—4205B.

A record roll call was requested.

On the question "Shall division S—4205B be adopted?" (S.F. 590) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hall
Hannon	Horn	Hutchins	Junkins
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Priebe	Ritsema
Rodgers	Small	Wells	Welsh

Nays, 17:

Corning	Drake	Gentleman	Goodwin
Gratias	Holden	Holt	Hultman
Jensen	Lind	Readinger	Rife
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 5:

Hester	Husak	Kinley	Nystrom
Schwengels			

Division S—4205B was adopted.

Senator Gronstal offered amendment S—4208 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—4208 was adopted by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 590

The Senate resumed consideration of Senate File 590.

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. 590) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Hutchins
Lind	Mann	Miller, A. V.	Miller, C.P.
Murphy	Neighbour	Priebe	Readinger
Rife	Ritsema	Rodgers	Small
Soorholtz	Vande Hoef	Wells	Welsh

Nays, 5:

Gentleman	Holden	Jensen	Taylor
Tieden			

Absent or not voting, 9:

Coleman	Hester	Husak	Junkins
Kinley	Nystrom	Palmer	Schwengels
Waldstein			

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

IMMEDIATE MESSAGE RESCINDED

Senator Hutchins asked and received unanimous consent to have the Immediate Message of May 2, 1985, removed from **Senate File 591**.

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

The Senate resumed session, 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 37 present, 3 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for the remainder of the day on request of Senator Waldstein.

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 members of the **conference committee**, appointed May 2, 1985, on **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, on the part of the House, are: The Representative from Linn, Mr. Brammer, Chair; the Representative from Jasper, Mr. Parker, the Representative from Marshall, Mr. Swartz, the Representative from Benton, Mr. Hummel, and the Representative from Clayton, Mr. Halvorson.

Senator Welsh took the chair at 6:05 p.m.

INTRODUCTION OF RESOLUTION

Senate Resolution 14, by Committee on Rules and Administration, a resolution deferring action on the confirmation of the governor's appointments to the lottery board until the second regular session of the seventy-first general assembly.

Read first time and **placed on calendar**.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 590** be **immediately messaged** to the House.

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

The Senate resumed session, Senator Murphy presiding.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 30, 1985, 11:35 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, C. Miller, Gronstal, Colton, Husak, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Deluhery, Dieleman, Gettings, Murphy and Schwengels.

Committee Business: Reported Senate File 577 to the Senate calendar.

Recessed: 11:38 a.m.

Reconvened: May, 1, 1985, 11:31 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn (arrived 12:00 noon), Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Murphy, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Colton, Husak and Schwengels.

Committee Business: Approved LSB 2906S, LSB 2123S and LSB 2913S as committee bills; reported House File 773 to the Senate calendar; reported House File 766 and Senate File 156 as amended to the Senate calendar.

Adjourned: 12:35 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: May 1, 1985, 4:21 p.m.

Members Present: Small, Chair; Rodgers, Vice Chair; Rife, Ranking Member; Boswell, Doyle, Hutchins, Neighbour, Readinger, Ritsema, Vande Hoef and Waldstein.

Members Absent: Brown.

Committee Business: Approved LSB 6126S 71 as a committee resolution.

Adjourned: 4:22 p.m.

STATE GOVERNMENT

Convened: May 2, 1985, 3:00 p.m.

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

Members Absent: Coleman and Schwengels.

Committee Business: Reported Senate File 589 and Senate File 590 (as amended) to the Senate calendar.

Adjourned: 3:07 p.m.

WAYS AND MEANS

Convened: May 1, 1985, 6:25 p.m.

Members Present: Palmer, Chair; Hester, Ranking Member; Boswell, Bruner, Dieleman, Gratiias, Gronstal, Holden, Holt, Mann, Readinger, Rodgers and Soorholtz.

Members Absent: Husak, Vice Chair and Brown.

Committee Business: Reported House Files 761 and 768 and House File 764 as amended to the Senate calendar; substituted LSB 2917 for House File 684 and and ordered redrafted as a committee bill.

Adjourned: 7:05 p.m.

WAYS AND MEANS

Convened: May 2, 1985, 1:55 p.m.

Members Present: Palmer, Chair; Hester, Ranking Member; Boswell, Bruner, Dieleman, Gratiias, Gronstal, Mann, Readinger, Rodgers and Soorholtz.

Members Absent: Husak, Vice Chair; Brown, Holden and Holt.

Committee Business: Approved LSB 2917S as a committee bill.

Adjourned: 1:58 p.m.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was attending a conference committee meeting when the vote on House File 643 was taken on May 1, 1985.

Had I been present, I would have voted "aye".

JOY CORNING

MR. PRESIDENT: I was necessarily absent from the Senate chamber for a brief period on April 30, 1985.

Had I been present, I would have voted "aye" on Senate Files 463 and 563 and division S—4112A and amendment S—4116 to Senate File 577.

LOWELL L. JUNKINS

MR. PRESIDENT: I was necessarily absent from the Senate chamber on May 2, 1985, when the final vote was taken on House File 766.

Had I been present, I would have voted "aye" on the bill.

DAVE READINGER

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

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 2nd day of May, 1985:

Senate Files 306, 438, 480, 509 and 539.

K. MARIE THAYER
Secretary of the Senate

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Troy Mielke — Boy Scout Eagle Award. Senator Vande Hoef (May 5, 1985).

Dethmers Manufacturing Company (DEMCO), Boyden, Iowa — 1985 State of Iowa Small Business Award. Senator Vande Hoef (May 10, 1985).

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE CONCURRENT RESOLUTION 41, a resolution relating to the board of regents ten-year building program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—4213.

Final Vote: Ayes, 13: Small, Tieden, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Readinger and Lind. Nays, 3: Welsh, Ritsema and Gentleman. Absent or not voting, 2: Husak and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 13, a resolution revising the schedule for committee action on gubernatorial appointments requiring confirmation by the senate.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Hutchins, Kinley, Gettings, and Jensen. Nays, none. Absent or not voting, 2: Junkins and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 14, a resolution deferring action on the confirmation of the Governor's appointments to the Lottery Board until the second regular session of the seventy-first general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Junkins, Hutchins, Hultman and Jensen. Nays, none. Absent or not voting, 2: Kinley and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 52, a resolution relating to interim studies.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Hutchins, Kinley, Gettings, and Jensen. Nays, none. Absent or not voting, 2: Junkins and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 26, a resolution to encourage the establishment of the United States Institute of Peace in Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 4: Hutchins, Kinley, Gettings and Jensen. Nays, none. Absent or not voting, 2: Junkins and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 29, a resolution requesting and urging the Congress of the United States to take certain actions to assist farmers.

Recommendation: DO PASS.

Final Vote: Ayes, 4: Hutchins, Kinley, Gettings and Jensen. Nays, none. Absent or not voting, 2: Junkins and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 42, a resolution relating to the operation of motor vehicles and other modes of transportation and recreation while under the influence of intoxicants or intoxicated, and other collateral issues regarding the use of alcoholic beverages and drugs.

Recommendation: DO PASS.

Final Vote: Ayes, 4: Hutchins, Kinley, Gettings and Jensen. Nays, none. Absent or not voting, 2: Junkins and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 591 passed the Senate on May 2, 1985.

BILL HUTCHINS

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 590, the following technical correction was made to Senate amendment S—4205:

1. Page 1, line 10, the words "immediately appoint the next" were underlined.

K. MARIE THAYER
Secretary of the Senate

PRESENTATION OF VISITORS

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

Twenty-one tenth grade students from Bennett Senior High School, Bennett, Iowa, accompanied by Bill Huckstadt. Senator Hannon.

Fifteen first through sixth grade students from Lamoni Elementary School, Lamoni, Iowa, accompanied by Mrs. Boswell, Mrs. Green and Mrs. Taylor. Senator Boswell.

Forty sixth grade students from Clarion Elementary School, Clarion, Iowa, accompanied by Mrs. Aldrich and Mrs. Rohrer. Senator Taylor.

The following visitors were present in the Senate gallery:

Eighty fifth grade students from Orange City Elementary School, Orange City, Iowa, accompanied by Paul Koets, Wilma Leslie and Phil Bach. Senator Ritsema.

AMENDMENTS FILED

S—4191	S. F.	364	House amendment
S—4192	H. F.	648	Ray Taylor
S—4193	H. F.	315	House amendment
S—4194	H. C. R.	41	Wally Horn John Nystrom
S—4195	H. F.	764	Charles H. Bruner
S—4196	S. F.	264	House amendment

S—4197	H.F.	764	Edgar H. Holden Calvin O. Hultman Norman G. Rodgers
S—4198	H.F.	438	Tom Mann, Jr.
S—4199	H.F.	764	Joe Welsh
S—4200	H.C.R.	41	Wally Horn John Nystrom
S—4201	S.F.	591	Jack Rife
S—4202	S.F.	473	House amendment
S—4203	S.F.	591	C. Joseph Coleman Edgar H. Holden
S—4204	H.F.	764	Donald V. Doyle
S—4205	S.F.	590	State Government
S—4206	S.F.	591	Edgar H. Holden
S—4207	S.F.	591	Jack Rife
S—4208	S.F.	590	Michael Gronstal
S—4209	H.F.	753	Charles Bruner Bob Carr Tom Mann, Jr. John Nystrom Julia Gentleman Richard Drake Forrest Schwengels Charles P. Miller Joe Welsh Wally Horn William W. Dieleman C. Joseph Coleman Jack Rife Joy Corning
S—4210	H.F.	764	Bill Hutchins
S—4211	H.C.R.	41	Julia Gentleman Joe J. Welsh Douglas Ritsema
S—4212	H.F.	438	Bob Carr
S—4213	H.C.R.	41	Appropriations

ADJOURNMENT

On motion of Senator Hannon, the Senate adjourned at 6:55 p.m., until 8:00 a.m., Friday, May 3, 1985.

JOURNAL OF THE SENATE

ONE HUNDRED TENTH CALENDAR DAY
SEVENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Friday, May 3, 1985

The Senate met in regular session at 8:25 a.m., President pro tempore Rodgers presiding.

COMMITTEE OF THE WHOLE

Senator Junkins moved that the Senate resolve itself into a committee of the whole to discuss Senate Study Bill 394 and the education funding plan and that Senator Brown serve as chair of the committee.

The motion prevailed by a voice vote.

Senator Brown took the chair at 8:30 a.m.

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

The vote revealed 28 present, 22 absent and a quorum present.

The following panelists appeared in the well of the Senate for questions and answers concerning SSB 394 and the education funding plan:

Lowell Dauenbaugh, School Finance Research Specialist (ISEA).

Ed Velie, Research Director (IASB).

Diane Bolender, Legislative Service Bureau.

Gary Kaufman, Legislative Service Bureau.

Sue Lerdal, Legislative Service Bureau.

Reginald Harrington, Legislative Fiscal Bureau.

On motion of Senator Hultman, the Senate arose from the committee of the whole and resumed regular session, President Anderson presiding.

Prayer was offered by the Reverend Arthur Beumler, Jr., pastor of the Morningside Presbyterian Church, Sioux City, Iowa.

The Journal of Thursday, May 2, 1985, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the day on request of Senator Hultman; Senator Husak for the day 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 May 1, 1985, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 25, a resolution declaring the opposition of the General Assembly to certain proposed federal program reductions.

ALSO: That the House has on May 2, 1985, passed the following bills in which the concurrence of the House was asked:

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.

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, and to change the method of administering the state scholarship program.

Senate File 560, a bill for an act relating to the establishment of and improvements within a secondary road assessment district.

Senate File 587, a bill for an act relating to and appropriating petroleum overcharge funds.

Senate File 588, a bill for an act amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance.

ALSO: That the House has on May 2, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 777, a bill for an act relating to certain state funds by making a supplemental appropriation to the Iowa beer and liquor control department and allowing interest from the investment of certain employee insurance funds to be deposited to those funds.

This bill was read first time and referred to the committee on **Appropriations**.

ALSO: That the House has on May 2, 1985, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 43, a resolution authorizing the payment of fees for legal services rendered the Iowa General Assembly.

This resolution was read first time and referred to the committee on **Appropriations**.

ALSO: That the House has on May 2, 1985, amended and passed the following bills in which the concurrence of the Senate is asked:

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 (S—4217).

Senate File 574, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax (S—4216).

Senate File 585, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated (S—4215).

Senate File 586, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication (S—4214).

ALSO: That the House on May 2, 1985, **insisted on** its amendment to **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, and that the members of the **conference committee** on the part of the House, are; The Representative from Polk, Mr. Sherzan, chair; the Representative from Johnson, Mr. Varn, the Representative from Buena Vista, Mr. Groth, the Representative from Ida, Mr. Bennett, and the Representative from Louisa, Mr. Corey.

INTRODUCTION OF BILL

Senate File 592, by Junkins and Hultman, a bill for an act related to the establishment of the private sector small-business development corporation Act of 1985.

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

SPECIAL GUESTS

Senator Hutchins appeared in the well of the Senate and presented six Japanese members of the Diet of Yamanashi Prefecture (equivalent to the Iowa House of Representatives). Members of the group are as follows:

Mr. Suelo Omori, Mr. Tomiaski Aonuma, Mr. Kazue Nishimura, Mr. Kiyokazu Takata, Mr. Shigematsu Maejim and Mr. Mitsugi Katsumata. They were accompanied by their tour conductor, Mr. Chishio Uchida.

The group was on their way from Kofu, Japan to visit their sister state in Brazil. Kofu is the sister city to Des Moines and is the capital of Yamanashi Prefecture.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 364** on the part of the Senate: Senators Mann, Chair; Gronstal, Brown, Jensen and Hultman.

Senator Colton took the chair at 9:55 a.m.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Resolution 14.

Senate Resolution 14

On motion of Senator Junkins, Senate Resolution 14, a resolution deferring action on the confirmation of appointments submitted by the Governor to the Senate during the last thirty days of the regular session of the General Assembly, was taken up for consideration.

Senator Junkins moved the adoption of Senate Resolution 14, 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 52.

Senate Concurrent Resolution 52

On motion of Senator Hutchins, Senate Concurrent Resolution 52, a resolution relating to interim studies, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 52, which motion prevailed by a voice vote and the resolution was adopted.

Senator Junkins asked and received unanimous consent to take up for consideration House Concurrent Resolution 26.

House Concurrent Resolution 26

On motion of Senator Hutchins, House Concurrent Resolution 26, a resolution to encourage the establishment of the United States Institute of Peace in Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins moved the adoption of House Concurrent Resolution 26, which motion prevailed by a voice vote and the resolution was adopted.

Senator Junkins asked and received unanimous consent to take up for consideration House Concurrent Resolution 29.

House Concurrent Resolution 29

On motion of Senator Priebe, House Concurrent Resolution 29, a resolution to request and urge the Congress of the United States to take certain actions to assist farmers, with report of committee recommending passage, was taken up for consideration.

Senator Priebe moved the adoption of House Concurrent Resolution 29, which motion prevailed by a voice vote and the resolution was adopted.

Senator Junkins asked and received unanimous consent to take up for consideration House Concurrent Resolution 42.

House Concurrent Resolution 42

On motion of Senator Doyle, House Concurrent Resolution 42, a resolution relating to the operation of motor vehicles and other modes of transportation and recreation while under the influence of intoxicants or intoxicated, and other collateral issues regarding the use of alcoholic beverages and drugs, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved the adoption of House Concurrent Resolution 42, which motion prevailed by a voice vote and the resolution was adopted.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 52, House Concurrent**

Resolutions 26, 29 and 42 and Senate File 589 be immediately messaged to the House.

UNFINISHED BUSINESS
(Deferred May 2, 1985)

House File 766

The Senate resumed consideration of House File 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation, deferred on May 2, 1985.

Senator Small offered amendment S—4218 filed by Senators Small and Hultman from the floor to pages 6 through 8 of the bill and moved its adoption.

Amendment S—4218 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. 766) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Hutchins	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, 6:

Coleman	Holden	Husak	Jensen
Schwengels	Waldstein		

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

UNFINISHED BUSINESS
(Deferred May 2, 1985)

House File 764

The Senate resumed consideration of House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, and division S—4190B as amended, deferred on May 2, 1985.

Senator Bruner moved the adoption of division S—4190B as amended to pages 3 through 6, 9, 10, 12 through 15 and 17 through 20 of the bill, which motion prevailed by a voice vote.

With the adoption of division S—4190B as amended, the Chair ruled the following amendments out of order:

S—4185 filed by Senator Hutchins on May 1, 1985, to pages 6 and 14 of the bill.

S—4189 filed by Senators Holden and Hutchins on May 1, 1985, to pages 5 through 19 of the bill.

S—4210 filed by Senator Hutchins on May 2, 1985, to page 12 of the bill.

Senator Junkins asked and received unanimous consent that further action on **House File 764** be **deferred**.

CONSIDERATION OF RESOLUTION
(Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Resolution 13.

Senate Resolution 13

On motion of Senator Junkins, Senate Resolution 13, a resolution revising the schedule for committee action on gubernatorial appointments requiring confirmation by the senate, was taken up for consideration.

Senator Junkins moved the adoption of Senate Resolution 13, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration House Concurrent Resolution 41.

House Concurrent Resolution 41

On motion of Senator Small, House Concurrent Resolution 41, a resolution relating to the board of regents ten-year building program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Small offered amendment S—4213 filed by the committee on Appropriations on May 2, 1985, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—4213 was adopted by a voice vote.

With the adoption of amendment S—4213, the Chair ruled the following amendments out of order:

S—4194 filed by Senators Horn and Nystrom on May 2, 1985, to pages 2 and 3 of the bill.

S—4200 filed by Senators Horn and Nystrom on May 2, 1985, to page 3 of the bill.

S—4211 filed by Senators Gentleman, et al., on May 2, 1985, to pages 1 through 4 of the bill.

Senator Small moved the adoption of House Concurrent Resolution 41 as amended.

On the question "Shall the resolution be adopted?" (H.C.R. 41) 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
Corning	Deluhery	Dieleman	Drake
Goodwin	Gronstal	Hall	Hannon
Horn	Hutchins	Junkins	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Readinger	Rife
Small	Wells		

Nays, 21:

Coleman	Colton	Doyle	Gentleman
Gettings	Gratias	Hester	Holt
Hultman	Jensen	Kinley	Neighbour
Priebe	Ritsema	Rodgers	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Welsh			

Absent or not voting, 3:

Holden	Husak	Schwengels
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The resolution having received a constitutional majority was declared to have been adopted as amended by the Senate.

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolution 41** be **immediately messaged** to the House.

HOUSE AMENDMENT TO
SENATE AMENDMENT CONSIDERED
(Deferred May 2, 1985)

House File 315

The Senate resumed consideration of House File 315, a bill for an act relating to drug product selection and House amendment S—4193 to Senate amendment H—4169, deferred on May 2, 1985.

Senator Lind asked unanimous consent that further action on House File 315 be deferred.

Senator Lind withdrew his request.

Senator Carr moved that the Senate concur in House amendment S—4193 to Senate amendment H—4169.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 315) the vote was:

Ayes, 30:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Gronstal
Hannon	Holt	Horn	Hutchins
Junkins	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Rodgers	Small	Waldstein
Wells	Welsh		

Nays, 18:

Corning	Drake	Goodwin	Gratias
Hall	Hester	Holden	Hultman
Jensen	Kinley	Lind	Readinger
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef		

Absent or not voting, 2:

Husak	Schwengels
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The motion prevailed and the Senate concurred in the House amendment to the Senate amendment.

Senator Carr 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. 315) the vote was:

Ayes, 30:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Gentleman	Gettings	Gronstal	Hannon
Holt	Horn	Hutchins	Junkins
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Rodgers	Small	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 18:

Coleman	Corning	Drake	Goodwin
Gratias	Hall	Hester	Holden
Hultman	Jensen	Kinley	Nystrom
Readinger	Rife	Ritsema	Soorholtz
Taylor	Tieden		

Absent or not voting, 2:

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

HOUSE AMENDMENTS CONSIDERED

Senate File 349

Senator Hultman called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—4217 filed May 3, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hultman moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 349) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Holden	Holt	Horn
Hultman	Hutchins	Junkins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Rodgers	Small	Soorholtz

Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 4:

Hester	Jensen	Murphy	Ritsema
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Absent or not voting, 4:

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

Senate File 574

Senator Holden called up for consideration Senate File 574, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax, amended by the House, and moved that the Senate concur in the House amendment S—4216 filed May 3, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Holden moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 574) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Hutchins	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Gronstal
Schwengels

Husak
Small

Jensen
Waldstein

Mann

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

WITHDRAWN

Senator Dieleman asked and received unanimous consent that **Senate File 518** be withdrawn from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 586

Senator Welsh called up for consideration Senate File 586, a bill for an act appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication, amended by the House, and moved that the Senate concur in House amendment S—4214 filed May 3, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Welsh 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. 586) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gentleman	Gettings
Gratias	Hall	Hannon	Hester
Holden	Holt	Horn	Hutchins
Jensen	Junkins	Kinley	Lind
Miller, A.V.	Murphy	Nystrom	Palmer

Priebe Small Welsh	Readinger Soorholtz	Rife Taylor	Rodgers Waldstein
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Nays, 6:

Goodwin Tieden	Miller, C.P. Vande Hoef	Neighbour	Ritsema
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Voting present, 1:

Dieleman

Absent or not voting, 6:

Gronstal Schwengels	Hultman Wells	Husak	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.

UNFINISHED BUSINESS (Deferred April 19, 1985)

House File 753

The Senate resumed consideration of 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, deferred April 19, 1985.

Senator Bruner offered amendment S—4209 filed by Senators Bruner, et al., on May 2, 1985, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—4209 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. 753) the vote was:

Ayes, 37:

Boswell Coleman	Brown Colton	Bruner Corning	Carr Deluhery
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Dieleman	Doyle	Drake	Gentleman
Gettings	Gronstal	Hall	Hannon
Hester	Horn	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Rodgers	Small
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 8:

Goodwin	Gratias	Holden	Holt
Jensen	Lind	Ritsema	Tieden

Absent or not voting, 5:

Hultman	Husak	Nystrom	Schwengels
Soorholtz			

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 585

Senator Welsh called up for consideration Senate File 585, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants, amended by the House, and moved that the Senate concur in House amendment S—4215 filed May 3, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Welsh moved that the bill as amended by the House, and concurred in by the Senate be read the last time now, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 585) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
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.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rife	Ritsema	Rodgers
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 4:

Husak	Nystrom	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.

SENATE INSISTS

Senate File 329

Senator Doyle called up for consideration 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 reference, and update provisions relating to court reorganization, amended the House, further amended by the Senate and moved that the Senate insist on its amendment.

The motion prevailed by a voice vote and the Senate insisted on its amendment.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 53, by Brown, a resolution calling for a special session of the Iowa Legislature for the purpose of improving the qualitative deficiencies and efficiencies of education in Iowa.

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

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

The Senate resumed session at 1:35 p.m., President pro tempore Rodgers presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 329** on the part of the Senate: Senators Priebe, Chair; Deluhery, Dieleman, Ritsema and Soorholtz.

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 May 3, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures (S—4220).

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.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE CONCURRENT RESOLUTION 43, a resolution authorizing the payment of fees for legal services rendered the Iowa General Assembly.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Welsh, Small, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Gentleman and Readinger. Nays, 2: Tieden and Lind. Absent or not voting, 3: Ritsema, Husak and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 777, a bill for an act relating to certain state funds by making a supplemental appropriation to the Iowa beer and liquor control department and allowing interest from the investment of certain employee insurance funds to be deposited to those funds.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Small, Tieden, Horn, Deluhery, C. Miller, Gettings, Gronstal, Colton, Murphy, Holt, Gentleman, Readinger and Lind. Nays, 1: Dieleman. Absent or not voting, 3: Ritsema, Husak and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 777.

House File 777

On motion of Senator Welsh, House File 777, a bill for an act relating to certain state funds by making a supplemental appropriation to the Iowa beer and liquor control department and allowing interest from the investment of certain employee insurance funds to be deposited to those funds, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 777) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Doyle	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Hutchins	Junkins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Priebe
Readinger	Rodgers	Small	Soorholtz
Wells	Welsh		

Nays, 12:

Dieleman	Holden	Holt	Jensen
Lind	Rife	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 4:

Carr	Coleman	Husak	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 RESOLUTION (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 43.

House Concurrent Resolution 43

On motion of Senator Welsh, House Concurrent Resolution 43, a resolution authorizing the payment of fees for legal services rendered the Iowa General Assembly, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved the adoption of House Concurrent Resolution 43.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (H.C.R. 43) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Gratias	Gronstal	Hall
Hannon	Holden	Horn	Hutchins
Junkins	Kinley	Mann	Miller, A. V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rodgers
Small	Soorholtz	Taylor	Wells
Welsh			

Nays, 11:

Goodwin	Hester	Holt	Jensen
Lind	Rife	Ritsema	Schwengels
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 2:

Hultman	Husak
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The motion prevailed and the resolution was adopted.

Senator Welsh took the chair at 2:10 p.m.

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 May 3, 1985, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 507, 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 (S—4221).

Senate File 581, a bill for an act creating an Iowa Pork producers council to replace the Iowa swine producers association (S—4222).

UNFINISHED BUSINESS
(Deferred April 19, 1985)

House File 450

The Senate resumed consideration of House File 450, a bill for an act to establish a board of education examiners, to prescribe its duties, and to make appropriations, deferred on April 19, 1985.

Senator Colton offered amendment S—3708 filed by the committee on Education on April 11, 1985, to pages 1 through 4, 7 through 14, 16 and 18 of the bill.

Senator Colton offered amendment S—3992 filed by Senator Brown on April 25, 1985, to amendment S—3708.

Senator Gratias asked and received unanimous consent that further action on **House File 450** and amendments S—3708 and S—3992 to S—3708 be **deferred**.

UNFINISHED BUSINESS
(Deferred April 30, 1985)

House File 438

The Senate resumed consideration of House File 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment, and the motion to reconsider on amendment S—3985, deferred on April 30, 1985.

Senator Colton moved the adoption of the motion to reconsider amendment S—3985.

A non record roll call was requested.

The ayes were 29, nays 12.

The motion prevailed and amendment S—3985 by Senators Small and Dieleman to page 2 of the bill, was taken up for reconsideration.

Senator Mann offered amendment S—4198 filed by him on May 2, 1985, to amendment S—3985 and moved its adoption.

Amendment S—4198 was adopted by a voice vote.

Senator Colton moved the adoption of amendment S—3985 as amended, which motion prevailed by a voice vote.

Senator Colton withdrew the following amendments filed by him on May 1, 1985:

S—4164 to page 1 of the bill and S—4175, S—4176, S—4177, S—4178, S—4179, S—4180 and S—4181 to page 2 of the bill.

Senator Carr offered amendment S—4212 filed by him on May 2, 1985, to page 2 of the bill and moved its adoption.

Amendment S—4212 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 438) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Coleman
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Hall	Hannon
Holden	Holt	Horn	Hutchins
Jensen	Junkins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, 8:

Carr	Colton	Deluhery	Goodwin
Gratias	Gronstal	Murphy	Welsh

Absent or not voting, 5:

Hester	Hultman	Husak	Lind
Rodgers			

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

HOUSE AMENDMENTS CONSIDERED

Senate File 507

Senator Hannon called up for consideration Senate File 507, 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, amended by the House, and moved that the Senate concur in House amendment S—4221 filed May 3, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hannon 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. 507) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hutchins	Jensen	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Readinger	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Priebe

Absent or not voting, 4:

Hester	Hultman	Husak	Rife
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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 581

Senator Soorholtz called up for consideration Senate File 581, a bill for an act creating an Iowa pork producers council to replace the Iowa swine producers association, amended by the House, and moved that the Senate concur in House amendment S—4222 filed May 3, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Soorholtz 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. 581) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	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, 3:

Gentleman	Hultman	Husak
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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 that **House File 438** be immediately messaged to the House.

UNFINISHED BUSINESS
(Deferred April 19, 1985)

House File 736

The Senate resumed consideration of House File 736, a bill for an act to include a physician's assistant on the board of medical examiners and amendment S—3873, deferred on April 19, 1985.

Senator Mann raised the point of order that amendment S—3873 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3873 in order.

Senator Holden moved the adoption of amendment S—3873 by Senator Holden to page 1 of the bill.

A non record roll call was requested.

The ayes were 16, nays 27.

Amendment S—3873 lost.

Senator Rodgers offered amendment S—3983 filed by him on April 24, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 11, nays 31.

Amendment S—3983 lost.

Senator Hall offered amendment S—3796 filed by him on April 17, 1985, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 22.

Amendment S—3796 lost.

Senator Murphy withdrew amendment S—3937 filed by him on April 23, 1985, to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that further action on **House File 736** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 570

Senator Small called up for consideration Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures, amended by the House in House amendment S—4220 filed May 3, 1985.

Senator Small offered amendment S—4228 filed by Senator Welsh from the floor to House amendment S—4220 and moved its adoption.

Amendment S—4228 to House amendment S—4220 was adopted by a voice vote.

Senator Small moved that the Senate concur in House amendment S—4220 as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Small moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 570) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Hall	Hannon	Hester
Holt	Horn	Hultman	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Miller, C.P.	Neighbour	Palmer	Priebe
Readinger	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Wells
Welsh			

Nays, 9:

Carr
Murphy
Waldstein

Gentleman
Rife

Gronstal
Tieden

Holden
Vande Hoef

Absent or not voting, 4:

Husak

Junkins

Lind

Nystrom

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 764

The Senate resumed consideration of House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, previously deferred.

Senator Hultman offered amendment S—4020 filed by him on April 26, 1985, to page 2 of the bill.

Senator Bruner raised the point of order that amendment S—4020 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—4020 in order.

Senator Hultman moved the adoption of amendment S—4020, which motion prevailed by a voice vote.

Senator Bruner offered amendment S—4224 filed by him from the floor to pages 2, 3, 5, 6, 7, 11, 12, 13, 15, 16 and 17 of the bill and called for a division:

Division S—4224A: Page 1, lines 3 through 22, lines 30 through 32 and lines 40 through 50; page 2, lines 1 through 9 and lines 17 through 19.

Division S—4224B: Page 1, lines 23 through 29 and lines 33 through 39; page 2, lines 10 through 16.

Senator Bruner asked and received unanimous consent that further action on divisions S—4224A and S—4224B be deferred.

Senator Holden offered amendment S—4223 filed by him from the floor to pages 6, 7, 9 and 10 through 19 of the bill and called for a division:

Division S—4223A: lines 3 and 4 and lines 32, 33, 40 and 41.

Division S—4223B: line 5.

Division S—4223C: line 6.

Division S—4223D: line 7.

Division S—4223E: lines 8 through 31, lines 35 and 36, lines 42 and 43 and lines 46 through 49.

Division S—4223F: lines 34, lines 37 through 39 and lines 44 and 45.

Senator Holden asked and received unanimous consent that further action on divisions S—4223A through S—4223F be deferred.

Senator Holden called for a further division of amendment S—4224, previously deferred:

Division S—4224C: Page 1, lines 28 and 29 and lines 38 and 39; page 2, lines 15 and 16.

Senator Bruner moved the adoption of division S—4224A, which motion prevailed by a voice vote.

With the adoption of division S—4224A, the Chair ruled divisions S—4223C and S—4224F, previously deferred, out of order.

Senator Bruner moved the adoption of division S—4224B.

A non record roll call was requested.

The ayes were 14, nays 25.

Division S—4224B lost.

Senator Bruner withdrew division S—4224C.

Senator Priebe offered amendment S—4227 filed by Senators Priebe and Drake from the floor to page 5 of the bill.

Senator Bruner raised the point of order that amendment S—4227 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4227 out of order.

President Anderson took the chair at 4:35 p.m.

Senator Holden moved the adoption of division S—4223A, previously deferred.

A non record roll call was requested.

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

The ayes were 21, nays 25.

Division S—4223A lost.

Senator Holden withdrew divisions S—4223B and S—4223D.

Senator Holden called for a further division of amendment S—4223: page 1, lines 8 through 29 as division S—4223G.

Senator Holden moved the adoption of division S—4223E, which motion lost by a voice vote.

Senator Holden withdrew division S—4223G.

Senator Doyle offered amendment S—4204 filed by him on May 2, 1985, to page 10 of the bill and moved its adoption.

Amendment S—4204 was adopted by a voice vote.

Senator Drake offered amendment S—4219 filed by him from the floor to page 15 of the bill.

Senator Bruner asked and received unanimous consent that further action on amendment S—4219 be deferred.

Senator Welsh offered amendment S—4199 filed by him on May 2, 1985, to pages 19 and 20 of the bill and moved its adoption.

Amendment S—4199 was adopted by a voice vote.

Senator Coleman 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—4223A to House File 764 failed to be adopted by the Senate on May 3, 1985.

A non record roll call was requested.

The ayes were 26, nays 20.

The motion prevailed and division S—4223A by Senator Holden to pages 6, 7, 11, 12, 15 and 16 of the bill, was taken up for reconsideration.

Senator Holden moved the adoption of division S—4223A.

A record roll call was requested.

On the question "Shall division S—4223A be adopted?" (H.F. 764) the vote was:

Ayes, 26:

Boswell	Brown	Coleman	Corning
Deluhery	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Husak	Jensen	Lind
Priebe	Rife	Ritsema	Rodgers
Schwengels	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Nays, 20:

Bruner	Carr	Colton	Dieleman
Doyle	Gronstal	Hall	Hannon
Horn	Hutchins	Junkins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Palmer	Readinger	Small	Wells

Absent or not voting, 4:

Gettings	Kinley	Nystrom	Soorholtz
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Division S—4223A was adopted.

The Senate resumed consideration of amendment S—4219 to page 15 of the bill, previously deferred.

Senator Bruner raised the point of order that amendment S—4219 was not germane to the bill.

The Chair ruled the point well taken and amendment S—4219 out of order.

Senator Bruner 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—4190B to House File 764 was adopted by the Senate on May 3, 1985.

The motion prevailed by a voice vote and division S—4190B by Senator Bruner to pages 3, 5, 6, 9, 10, 12, 14, 15, 17, 18 and 19 of the bill, was taken up for reconsideration.

Senator Bruner called for a further division of division S—4190B: page 4, lines 8 and 9 as division S—4190C.

Senator Bruner withdrew division S—4190C.

Senator Bruner moved the adoption of division S—4190B, which motion prevailed by a voice vote.

Senator Mann asked and received unanimous consent that further action on **House File 764** be **deferred**.

CONFERENCE COMMITTEE REPORT RECEIVED

A conference committee report signed by the following Senate and House members was filed May 3, 1985, on **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:

On the Part of the Senate:

TOM MANN, JR., Chair
MICHAEL E. GRONSTAL
JOE BROWN

On the Part of the House:

GARY SHERZAN, Chair
RICHARD VARN
RICHARD GROTH

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 364

Senator Mann called up the conference committee report on 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 May 3, 1985.

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.

Senator Junkins asked and received unanimous consent that further action on the conference committee report on **Senate File 364** be **deferred**.

GOVERNOR'S ITEM VETO MESSAGE

May 3, 1985

The Honorable Robert T. Anderson
Lieutenant Governor
State Capitol Building
L O C A L

Dear Governor Anderson:

I hereby transmit Senate File 552, 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.

Senate File 552 is approved May 3, 1985, with the following exception which I hereby disapprove.

I am unable to approve Section 4 which reads as follows:

"Sec. 4. 1984 Iowa Acts, chapter 1306, section 2, subsection 2, unnumbered paragraph 3, is amended to read as follows:

The department, by ~~January 15~~ July 1, 1985, shall provide the general assembly with evidence from independent experts of the validity and effectiveness of the inmate classification system and shall suggest changes in the system to make it more effective. If the department fails to comply with the requirements of this paragraph, the state comptroller shall withhold one percent of the funds appropriated under section 2, subsection 1 of this Act when the funds are allocated

to the department until the evidence has been presented to the general assembly. The validation study shall determine if the classification instruments accomplish the following objectives:"

Section 4 provides that the Department of Corrections shall be penalized one percent of the funds appropriated to the state office for general administration, if the study which is being completed by an independent Philadelphia research firm with federal grant money is not completed by July 1, 1985. In the 1984 appropriations bill for the Department of Corrections, the legislature stated that this study must be done. However, the legislature appropriated no money for the project.

The Department used \$5,000 from its budget which had been appropriated for other purposes to start the study and, after considerable effort, obtained a \$15,000 federal grant from the National Institute of Corrections in October of 1984 to complete the project.

Some legislators had told the Corrections officials that the project should not be done by the Department's statisticians and should not be done using professionals from the Iowa universities. The Department solicited the work of a Philadelphia research firm which some of the legislators specifically requested. In January of 1984, the Department reported to the appropriate subcommittee of the legislature that it had provided all requested information to the Philadelphia firm and that the Department, as well as the legislators, are now waiting for the results of the study.

If some unforeseen catastrophe occurs or some problem arises which results in the experts being unable to complete the study by July 1, 1985, the general administration of the Department should not be penalized by losing one percent of its operating budget. The Department has acted in good faith to comply with the legislators' request and should not be placed in a position of losing funding over a matter which they have little control.

It should be noted that the National Institute of Corrections and not the Department has the contract with the Philadelphia firm. Because of the lack of control the Department has over the completion of the project, the penalty provision in Section 4 is unduly harsh and also unnecessary.

The veto of Section 4 does not in any way or manner indicate that the study should not be completed. On the contrary, the Department is committed to do everything possible to encourage the experts to complete the study. The study has merit and should be completed as quickly as possible without sacrificing quality.

For the above reasons, I hereby respectfully disapprove of this item in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 552 are hereby approved as of this date.

Very truly yours,
TERRY E. BRANSTAD
Governor

MOTION TO RECONSIDER
(Senate File 552)

MR. PRESIDENT: I move that the Senate, on reconsideration, agree to pass Section 4 of Senate File 552, the objections of the Governor to the contrary notwithstanding.

CHARLES P. MILLER

MOTION TO OVERRIDE GOVERNOR'S
ITEM VETO LOST

Senator Miller of Des Moines called up for consideration the motion to reconsider filed by him on May 3, 1985, on Section 4 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, item vetoed by the Governor on May 3, 1985.

Senator Miller of Des Moines moved that the Senate, on reconsideration, agree to pass Section 4 of Senate File 552, the objections of the Governor to the contrary notwithstanding.

On the question "Shall the Senate, on reconsideration, pass Section 4, the objections of the Governor to the contrary notwithstanding?" (S.F. 552) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Junkins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Priebe	Rodgers	Small	Wells
Welsh			

Nays, 20:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Lind	Readinger
Rife	Ritsema	Schwengels	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 item veto was sustained.

BUSINESS PENDING

Senate File 364

The Senate resumed consideration of the conference committee report, previously deferred.

Senator Mann moved the adoption of the conference committee report to Senate File 364.

A record roll call was requested.

On the question "Shall the conference committee report be adopted?" (S.F. 364) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Hutchins	Junkins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Palmer	Readinger	Rodgers
Small	Soorholtz	Wells	Welsh

Nays, 20:

Corning	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hester	Holden
Holt	Hultman	Husak	Jensen
Priebe	Rife	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 2:

Lind Nystrom

The motion prevailed and the conference committee report and the recommendations and amendments contained therein 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. 364) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Junkins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Readinger
Rodgers	Small	Soorholtz	Wells
Welsh			

Nays, 20:

Corning	Dieleman	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Jensen
Priebe	Rife	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein

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 until the fall of the gavel.

The Senate resumed session, Senator Brown presiding.

QUORUM CALL

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

The vote revealed 41 present, 9 absent and a quorum present.

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 May 3, 1985, amended and passed the following bills in which the concurrence of the Senate is asked:

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 (S—4231).

Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading company, and requesting an interim study committee (S—4230).

INTRODUCTION OF BILL

Senate File 593, by Holden, a bill for an act prohibiting corporal punishment inflicted by an employee of a public school district and providing a penalty.

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

HOUSE AMENDMENT CONSIDERED

Senate File 577

Senator Hultman called up for consideration Senate File 577, a bill for an act relating to the economy of the state of Iowa, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for a seven-year write-off of interest bought down under the authority's operating assistance program, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, providing for stipulation of redemption periods, providing for voluntary conveyances of real estate in lieu of foreclosure, providing for the creation of the Iowa export trading

company, and requesting an interim study committee, amended by the House, and moved that the Senate concur in House amendment S—4230 filed May 3, 1985.

A non record roll call was requested.

The ayes were 38, nays 9.

The motion prevailed and the Senate concurred in the House amendment.

Senator Hultman moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 577) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Jensen	Junkins	Kinley
Lind	Mann	Miller, A.V.	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, 4:

Carr	Hutchins	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 as amended was agreed to.

MOTION TO RECONSIDER WITHDRAWN**Senate File 591**

Senator Hutchins withdrew the motion to reconsider Senate File 591, 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, filed by him on May 2, 1985, and found on page 1913 of the Senate Journal.

COMMITTEE REPORT**WAYS AND MEANS**

Final Bill Action: SENATE FILE 583, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Gratiias, Gronstal, Boswell, Mann, Bruner, Holt, Holden, Soorholtz, Rodgers, Dieleman and Hester. Nays, none. Absent or not voting, 3: Husak, Brown and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**CONSIDERATION OF BILL
(Ways and Means Calendar)**

Senator Junkins asked and received unanimous consent to take up for consideration Senate File 583.

Senate File 583

On motion of Senator Palmer, Senate File 583, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema offered amendment S—4233 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—4233 was adopted by a voice vote.

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. 583) 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	Palmer	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Nystrom Priebe

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

BUSINESS PENDING

House File 764

The Senate resumed consideration of House File 764, previously deferred.

Senator Mann offered amendment S—4232 filed by him from the floor to page 8 of the bill.

Senator Holden offered amendment S—4234 filed by him from the floor to amendment S—4232 and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 19.

Amendment S—4234 was adopted.

Senator Mann moved the adoption of amendment S—4232, 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?" (H.F. 764) the vote was:

Ayes, 34:

Brown	Coleman	Colton	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Junkins
Kinley	Miller, A.V.	Neighbour	Nystrom
Priebe	Readinger	Rodgers	Small
Soorholtz	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, 16:

Boswell	Bruner	Carr	Corning
Drake	Gronstal	Holt	Lind
Mann	Miller, C.P.	Murphy	Palmer
Rife	Ritsema	Schwengels	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

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 May 3, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

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 (S—4235).

BILL REFERRED TO COMMITTEE

Senator Colton asked and received unanimous consent that **House File 450**, previously deferred, be referred to the committee on **Education**.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **House File 766** and **Senate Files 583** and **591** be **immediately messaged** to the House.

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

The Senate resumed session, Senator Boswell 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.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **House File 764** be **immediately messaged** to the House.

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

The Senate resumed session, Senator Deluhery presiding.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 394

WAYS AND MEANS: Holden, Chair; Palmer and Rodgers

Senate File 548

WAYS AND MEANS: Gronstal, Chair; Rodgers and Gratias

Senate File 582

WAYS AND MEANS: Readinger, Chair; Soorholtz and Dieleman

Senate Concurrent Resolution 43

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Junkins

Senate Concurrent Resolution 44

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Gettings

Senate Concurrent Resolution 45

RULES AND ADMINISTRATION: Hutchins, Chair; Gettings and Jensen

Senate Concurrent Resolution 46

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Junkins

House File 684

WAYS AND MEANS: Holden, Chair; Palmer and Holt

House File 714

WAYS AND MEANS: Gratias, Chair; Dieleman and Gronstal

House File 717

WAYS AND MEANS: Mann, Chair; Gronstal and Hester

House File 761

WAYS AND MEANS: Bruner, Chair; Mann and Hester

House File 764

WAYS AND MEANS: Bruner, Chair; Holden and Mann

House File 767

LABOR & INDUSTRIAL RELATIONS: Colton, Chair; Gettings and Rife

House File 768

WAYS AND MEANS: Readinger, Chair; Gronstal and Brown

House File 769

WAYS AND MEANS: Palmer, Chair; Husak and Holt

House Concurrent Resolution 21

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Junkins

House Concurrent Resolution 26

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Gettings

House Concurrent Resolution 29

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Gettings

SSB 383

WAYS AND MEANS: Soorholtz, Chair; Palmer and Husak

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: May 2, 1985, 5:37 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Gentleman, Readinger and Lind.

Members Absent: Husak and Schwengels.

Committee Business: Reported House Concurrent Resolution 41 as amended to the Senate calendar.

Adjourned: 6:03 p.m.

APPROPRIATIONS

Convened: May 3, 1985, 12:08 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Gentleman, Readinger and Lind.

Members Absent: Ritsema (excused), Husak and Schwengels.

Committee Business: Reported House File 777 and House Concurrent Resolution 43 to the Senate Calendar.

Adjourned: 12:20 p.m.

RULES AND ADMINISTRATION

Convened: May 2, 1985, 1:30 p.m.

Members Present: Hutchins, Vice Chair; Kinley, Gettings and Jensen.

Members Absent: Junkins, Chair and Hultman, Ranking Member.

Committee Business: Reported House Concurrent Resolutions 26, 29 and 42 to the Senate calendar; approved proposed resolutions revising schedule for gubernatorial appointees and relating to interim studies.

Adjourned: 1:37 p.m.

WAYS AND MEANS

Convened: May 3, 1985, 6:30 p.m.

Members Present: Palmer, Chair; Hester, Ranking Member; Gratias, Gronstal, Boswell, Mann, Bruner, Holt, Holden, Soorholtz and Rodgers.

Members Absent: Husak, Vice Chair; Brown and Readinger.

Committee Business: Reported Senate File 583 to the Senate calendar.

Adjourned: 6:35 p.m.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on May 3, 1985, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 434 — Relating to and making appropriations to various executive and legislative departments, bureaus, and agencies.

Senate File 562 — Relating to and making appropriations to various state commissions, and agencies relating to business, trade, and transportation.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 3rd day of May, 1985:

Senate Files 317, 385, 407, 413 and 466.

K. MARIE THAYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 315 passed the Senate on May 3, 1985.

THOMAS A. LIND

MR. PRESIDENT: I move to reconsider the vote by which Senate File 570 passed the Senate on May 3, 1985.

CALVIN O. HULTMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 753 passed the Senate on May 3, 1985.

ARNE WALDSTEIN

MR. PRESIDENT: I move to reconsider the vote by which House File 753 passed the Senate on May 3, 1985.

RICHARD F. DRAKE

MR. PRESIDENT: I move to reconsider the vote by which House File 753 passed the Senate on May 3, 1985.

CHARLES BRUNER

MR. PRESIDENT: I move to reconsider the vote by which amendment S-4209 to House File 753 was adopted by the Senate on May 3, 1985.

ARNE WALDSTEIN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 364 passed the Senate on May 3, 1985.

JOE WELSH

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-five fifth grade students from Pocahontas Elementary School, Pocahontas, Iowa, accompanied by Mrs. Smith. Senator Waldstein.

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

Twenty-seven sixth grade students from Boyden Elementary School, Boyden, Iowa, accompanied by Marcene Cox, Mr. Vander Schaaf, Mr. Huls and Mr. and Mrs. Harmon. Senators Ritsema and Vande Hoef.

Fifteen fifth grade talented and gifted students from Windsor Elementary School, Des Moines, Iowa, accompanied by Pat Ballou and John Viviano. Senator Readinger.

Twenty-six fifth grade students from Atkins Elementary School, Atkins, Iowa, accompanied by Mr. Darrell McReynolds. Senator Husak.

Thirty-three eighth grade students from Blessed Sacrament School, Waterloo, Iowa. Senators Lind and Corning.

Sixty-seven fifth grade students from Carpenter Elementary School, Monticello, Iowa, accompanied by Bob Furino, Wilma Linn and Vicky Standley. Senator Hannon.

Forty-nine fifth through eighth grade students from Central Lee School, Argyle, Iowa, accompanied by Deanna Lind. Senator Junkins.

AMENDMENTS FILED

S-4214	S. F.	586	House amendment
S-4215	S. F.	585	House amendment
S-4216	S. F.	574	House amendment
S-4217	S. F.	349	House amendment
S-4218	H. F.	766	Arthur A. Small, Jr. Calvin O. Hultman
S-4219	H. F.	764	Richard F. Drake
S-4220	S. F.	570	House amendment
S-4221	S. F.	507	House amendment
S-4222	S. F.	581	House amendment
S-4223	H. F.	764	Edgar H. Holden
S-4224	H. F.	764	Charles Bruner
S-4225	H. F.	753	Arne Waldstein Dale L. Tieden
S-4226	H. F.	450	Arthur L. Gratias
S-4227	H. F.	764	Berl E. Priebe
S-4228	S. F.	570	Joe Welsh
S-4229	H. C. R.	37	Arne Waldstein Ray Taylor
S-4230	S. F.	577	House amendment
S-4231	S. F.	24	House amendment

S—4232	H.F.	764	Thomas Mann, Jr.
S—4233	S.F.	583	Douglas Ritsema
S—4234	H.F.	764	Edgar H. Holden
S—4235	S.F.	565	House amendment
S—4236	S.F.	24	Charles Bruner Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 8:37 p.m., until 8:30 a.m., Saturday, May 4, 1985.

JOURNAL OF THE SENATE

ONE HUNDRED ELEVENTH CALENDAR DAY
SEVENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Saturday, May 4, 1985

The Senate met in regular session at 8:32 a.m., Senator Boswell presiding.

Prayer was offered by the Honorable Robert T. Anderson, Lt. Governor of Iowa.

The Journal of Friday, May 3, 1985, was approved.

President Anderson took the chair at 8:35 a.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Tieden for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on May 3, 1985, amended and passed the following bills in which the concurrence of the House was asked:

Senate File 383, a bill for an act relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers (S—4237).

Senate File 575, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the Act takes effect upon its publication (S—4238).

Senate File 578, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds (S—4239).

ALSO: That the House has on May 3, 1985, adopted the conference committee report and passed 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.

ALSO: That the House has on May 3, 1985, refused to concur in the Senate amendment to the following bill:

House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties.

ALSO: That the members of the **conference committee**, appointed May 3, 1985, on **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, on the part of the House, are: The Representative from Appanoose, Mr. Jay, Chair; the Representative from Linn, Ms. Chapman, the Representative from Carroll, Mr. Peterson, the Representative from Buchanan,, Mr. Kremer, and the Representative from Calhoun, Mr. Maulsby.

ALSO: That the House has on May 3, 1985, passed the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 37, a resolution relating to telephone service for legislators.

ALSO: That the House has on May 3, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 780, a bill for an act appropriating funds relating to the compensation and benefits for public officials and employees.

This bill was read first time and referred 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 38 present, 12 absent and a quorum present.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 570

Senator Hultman withdrew the motion to reconsider Senate File 570, 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, filed by him on May 3, 1985, and found on page 1963 of the Senate Journal.

Senate File 364

Senator Welsh 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 May 3, 1985, and found on page 1963 of the Senate Journal.

House File 753

Senator Waldstein withdrew the motion to reconsider 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, filed by him on May 3, 1985, and found on page 1963 of the Senate Journal.

Senator Drake withdrew the motion to reconsider House File 753 filed by him on May 3, 1985, and found on page 1963 of the Senate Journal.

Senator Bruner withdrew the motion to reconsider House File 753 filed by him on May 3, 1985, and found on page 1963 of the Senate Journal.

The Chair ruled the motion to reconsider the vote by which amendment S—4209 to House File 753 was adopted by the Senate on May 3, 1985, filed by Senator Waldstein on May 3, 1985, and found on page 1963 of the Senate Journal, out of order.

The Chair ruled amendment S—4225 filed by Senators Waldstein and Tieden on May 3, 1985, to amendment S—4209, out of order.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate Files 364 and 570 and House File 753** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Junkins asked and received unanimous consent that **Senate File 569 and House File 292** be referred from the Appropriations Calendar to the committee on **Appropriations**.

Senator Junkins asked and received unanimous consent that the following bills be referred from the Unfinished Business Calendar to committee:

S. C. R.	16	Transportation
S. F.	184	Local Government
H. F.	572	Transportation

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

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 46 present, 4 absent and a quorum present.

BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	53	Rules and Administration
S. F.	592	Small Business & Economic Development
S. F.	593	Education
H. C. R.	37	Rules and Administration

Senator Kinley took the chair at 9:25 a.m.

HOUSE AMENDMENT CONSIDERED

Senate File 383

Senator Colton called up for consideration Senate File 383, a bill for an act relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers, amended by the House, and moved that the Senate concur in House amendment S—4237 filed May 4, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Colton 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. 383) 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
Mann	Miller, A.V.	Miller, C.P.	Murphy
Neighbour	Nystrom	Palmer	Priebe

Readinger	Rife	Ritsema	Rodgers
Schwengels	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Jensen Tieden

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the day on request of Senator Hultman.

SENATE INSISTS

House File 764

Senator Bruner called up for consideration House File 764, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, amended by the Senate and moved that the Senate recede from its amendment.

A non record roll call was requested.

The ayes were 7, nays 30.

The motion lost and the Senate **insisted** on its amendment.

Senator Junkins asked and received unanimous consent that **House File 764** be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

Senator Junkins called up the motion to reconsider House File 244 filed by him on April 18, 1985, found on page 1504 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 244) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	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	Rodgers	Schwengels
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Drake	Jensen	Small	Tieden
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The motion prevailed.

Senator Junkins moved to reconsider the vote by which House File 244 went to its last reading, which motion prevailed by a voice vote.

House File 244

On motion of Senator Junkins, House File 244, a bill for an act relating to programs relating to substance abuse, was taken up for reconsideration.

Senator Welsh offered amendment S—4102 filed by him on April 29, 1985, to page 10 of the bill and moved its adoption.

Amendment S—4102 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. 244) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	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	Rodgers	Schwengels
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Jensen	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 that **House File 244** be **immediately messaged** to the House.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on House File 764 on the part of the Senate: Senators Bruner, Chair; Hutchins, Mann, Holt and Ritsema.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Junkins called up the appointment of Flora E. Haker as a member of the State Judicial Nominating Commission, placed on the Individual Confirmation Calendar on April 2, 1985, found on page 1185 of the Senate Journal and deferred by resolution on April 15, 1985.

Senator Hultman moved 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	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Mann
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 5:

Drake	Jensen	Miller, A.V.	Tieden
Welsh			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 329)

A conference committee report signed by the following Senate and House members was filed May 4, 1985, on 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.

On the Part of the Senate:

BERL E. PRIEBE, Chair
PATRICK J. DELUHERY
WILLIAM W. DIELEMAN
DOUGLAS RITSEMA
JOHN SOORHOLTZ

On the Part of the House:

DANIEL J. JAY, Chair
KAY CHAPMAN
MIKE PETERSON
JOSEPH M. KREMER
RUHL MAULSBY

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 329

Senator Priebe called up the conference committee report on 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, filed May 4, 1985.

Senator Priebe moved the adoption of the conference committee report.

The motion prevailed and the conference committee report and the recommendations and amendments contained therein was adopted.

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. 329) the vote was:

Ayes, 46:

Boswell	Brown	Carr	Coleman
Colton	Corning	Deluhery	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	Rodgers	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Bruner	Dieleman	Jensen	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.

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

The Senate resumed session, Senator Kinley presiding.

HOUSE AMENDMENT CONSIDERED

Senate File 24

Senator Dieleman called up for consideration 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, amended by the House in House amendment S—4231 filed May 3, 1985.

Senator Bruner asked and received unanimous consent to withdraw amendment S—4236 filed by Senators Bruner and Mann on May 3, 1985, to House amendment S—4231.

Senator Gronstal offered amendment S—4240 filed by Senators Gronstal, et al., from the floor to House amendment S—4231 and moved its adoption.

Amendment S—4240 was adopted by a voice vote.

Senator Dieleman moved that the Senate concur in House amendment S—4231 as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Dieleman moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 24) 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
Junkins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rife	Ritsema	Rodgers	Schwengels
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hultman	Jensen	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.

CONFERENCE COMMITTEE REPORT RECEIVED (House File 570)

A conference committee report signed by the following Senate and House members was filed May 4, 1985, on 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.

On the Part of the Senate:

WILLIAM D. PALMER, Chair
CHARLES BRUNER
MICHAEL E. GRONSTAL
EDGAR H. HOLDEN
LEE HOLT

On the Part of the House:

PHILIP BRAMMER, Chair
EDWARD G. PARKER
TOM SWARTZ
KYLE HUMMEL
ROGER A. HALVORSON

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 570

Senator Palmer called up the conference committee report on 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, filed May 4, 1985.

President Anderson took the chair at 10:35 a.m.

Senator Palmer moved the adoption of the conference committee report.

A non record roll call was requested.

The ayes were 30, nays 18.

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?" (H.F. 570) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Gentleman
Gronstal	Hannon	Holden	Holt
Horn	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Neighbour	Palmer	Readinger
Rodgers	Small	Soorholtz	Taylor
Wells	Welsh		

Nays, 18:

Brown	Colton	Deluhery	Drake
Gettings	Goodwin	Gratias	Hall
Hester	Hultman	Miller, C.P.	Nystrom
Priebe	Rife	Ritsema	Schwengels
Vande Hoef	Waldstein		

Absent or not voting, 2:

Jensen	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.

Senator Kinley took the chair at 11:05 a.m.

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 May 4, 1985, refused to concur in the Senate amendment to the House amendment to the following bill:

Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, and administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 570** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 575

Senator Welsh called up for consideration Senate File 575, a bill for an act relating to and making appropriations to state agencies for capital projects, amended by the House in House amendment S—4238 filed May 4, 1985.

Senator Priebe offered amendment S—4242 filed by Senators Priebe, et al., from the floor to House amendment S—4238 and moved its adoption.

Amendment S—4242 was adopted by a voice vote.

With the adoption of amendment S—4242 to House amendment S—4238, the Chair ruled amendment S—4245 filed by Senator Welsh from the floor to House amendment S—4238, out of order.

Senator Mann offered amendment S—4241 filed by him from the floor to House amendment S—4238.

Senator Taylor raised the point of order that amendment S—4241 was not germane.

The Chair ruled the point well taken and amendment S—4241 out of order.

Senator Welsh moved the adoption of House amendment S—4238, as amended.

A non record roll call was requested.

The ayes were 15, nays 28.

The motion lost and the Senate **refused to concur** in the House amendment as amended.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate File 329** be **immediately messaged** to the House.

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

The Senate resumed session, 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 May 4, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 309, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties (S—4250).

MOTION TO RECONSIDER ADOPTED

Senate File 575

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 the Senate refused to concur in House amendment S—4238 as amended to Senate File 575 on May 4, 1985.

The motion prevailed by a voice vote and House amendment S—4238, as amended, was taken up for reconsideration.

Senator Welsh asked and received unanimous consent that further action on **Senate File 575** and House amendment S—4238 as amended be **deferred**.

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

The Senate resumed session, 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 members of the **Conference Committee**, appointed May 4, 1985, on **House File 764**, a bill for an act relating to unpaid taxes and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties, on the part of the House, are: The Representative from Story, Mr. Rosenberg, Chair; the Representative from Woodbury, Mr. O’Kane, the Representative from Jackson, Mr. Tabor, the Representative from Delaware, Mr. Hanson and the Representatative from Clinton, Mr. Schneklath.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 780, a bill for an act appropriating funds relating to the compensation and benefits for public officials and employees.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Small, Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Gentleman and Readinger. Nays, none. Absent or not voting, 4: Tieden, Husak, Schwengels and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**CONSIDERATION OF BILL
(Appropriations Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration House File 780.

House File 780

On motion of Senator Welsh, House File 780, a bill for an act appropriating funds relating to the compensation and benefits for public officials and employees, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 780) the vote was:

Ayes, 32:

Boswell	Brown	Bruner	Carr
Coleman	Deluhery	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Neighbour
Nystrom	Palmer	Priebe	Readinger
Rodgers	Small	Soorholtz	Welsh

Nays, 16:

Colton	Corning	Dieleman	Doyle
Drake	Gentleman	Hester	Holden
Mann	Rife	Ritsema	Schwengels
Taylor	Vande Hoef	Waldstein	Wells

Absent or not voting, 2:

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

HOUSE AMENDMENT CONSIDERED

Senate File 578

Senator Welsh called up for consideration Senate File 578, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, making coordinating amendments to the Code, and appropriating funds, amended by the House, in House amendment S—4239 filed May 4, 1985.

Senator Mann withdrew amendment S—4246 filed by him from the floor to House amendment S—4239.

Senator Hultman withdrew amendment S—4243 filed by him from the floor to House amendment S—4239.

Senator Welsh moved that the Senate concur in House amendment S—4239.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Welsh 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. 578) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Junkins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rodgers
Small	Soorholtz	Waldstein	Welsh

Nays, 10:

Drake	Hester	Holden	Holt
Rife	Ritsema	Schwengels	Taylor
Vande Hoef	Wells		

Absent or not voting, 4:

Coleman	Jensen	Mann	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.

BUSINESS PENDING

Senate File 575

The Senate resumed consideration of Senate File 575 and House amendment S—4238 as amended, previously deferred.

Senator Priebe filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—4242 to House amendment S—4238 to Senate File 575 was adopted by the Senate on May 4, 1985.

The motion prevailed by a voice vote and amendment S—4242 by Senators Priebe, et al., to House amendment S—4238, was taken up for reconsideration.

Senator Junkins asked and received unanimous consent that further action on amendment S—4242 to House amendment S—4238 be deferred.

Senator Welsh offered amendment S—4252 filed by Senators Welsh, et al., from the floor to House amendment S—4238 and moved its adoption.

Amendment S—4252 was adopted by a voice vote.

With the adoption of amendment S—4252 to House amendment S—4238, the Chair ruled amendment S—4242 to House amendment S—4238, previously deferred, out of order.

Senator Welsh moved that the Senate concur in House amendment S—4238 as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Welsh moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 575) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
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	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 3:

Colton	Doyle	Mann
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Absent or not voting, 4:

Coleman	Holden	Jensen	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.

SENATE RECEDES

Senate File 570

Senator Welsh called up for consideration Senate File 570, a bill for an act making corrections and other changes relating to court reorganization, court fees, administrative closure under chapter 601A, the ability to pay a criminal fine, the judicial

retirement system, and other court procedures, amended by the House, further amended by the Senate and moved that the Senate recede from its amendment.

A record roll call was requested.

On the question "Shall the motion to recede be adopted?" (S.F. 570) 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
Dieleman	Drake	Goodwin	Gronstal
Hall	Hannon	Hester	Hultman
Husak	Junkins	Miller, A.V.	Miller, C.P.
Murphy	Readinger	Rodgers	Schwengels
Soorholtz	Taylor	Vande Hoef	Waldstein
Welsh			

Nays, 23:

Coleman	Colton	Corning	Deluhery
Doyle	Gentleman	Gettings	Gratias
Holden	Holt	Horn	Hutchins
Kinley	Lind	Mann	Neighbour
Nystrom	Palmer	Priebe	Rife
Ritsema	Small	Wells	

Absent or not voting, 2:

Jensen	Tieden
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The motion prevailed and the Senate **receded from its amendment.**

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. 570) the vote was:

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

Ayes, 31:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Junkins	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Palmer
Readinger	Rodgers	Schwengels	Soorholtz
Waldstein	Wells	Welsh	

Nays, 17:

Coleman	Colton	Doyle	Drake
Gentleman	Gettings	Gratias	Holt
Lind	Mann	Nystrom	Priebe
Rife	Ritsema	Small	Taylor
Vande Hoef			

Absent or not voting, 2:

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

HOUSE AMENDMENT CONSIDERED

Senate File 309

Senator Rodgers called up for consideration Senate File 309, a bill for an act relating to dishonored checks, drafts, or orders for payment and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—4250 filed May 4, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

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

On the question "Shall the bill pass?" (S.F. 309) 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
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Neighbour	Nystrom
Palmer	Priebe	Readinger	Rife
Ritsema	Rodgers	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Jensen	Junkins	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.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:40 p.m., until 12:55 p.m.

AFTERNOON SESSION

The Senate reconvened at 12:55 p.m., Senator Brown 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 May 4, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 576, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities (S—4256).

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 54, by Brown, a resolution establishing a joint subcommittee of the Senate and House to conduct with senators from the Nebraska Senate, the feasibility of joint operation of educational services and facilities for hearing impaired and visually impaired persons.

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

Senator Kinley took the chair at 1:00 p.m.

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.

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 May 4, 1985, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 583, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395 (S—4257).

MOTIONS TO RECONSIDER WITHDRAWN

Senator Hultman withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 578 passed the Senate on May 4, 1985.

Senator Hultman withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which House File 780 passed the Senate on May 4, 1985.

Senator Carr withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 24 passed the Senate on May 4, 1985.

Senator Lind withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 24 passed the Senate on May 4, 1985.

Senator Gronstal withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 24 passed the Senate on May 4, 1985.

MOTION TO RECONSIDER LOST

Senate File 24

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

MR. PRESIDENT: I move to reconsider the vote by which Senate 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, passed the Senate on May 4, 1985.

On the question "Shall the motion to reconsider be adopted?" (S.F. 24) the vote was:

Ayes, none.

Nays, 37:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Hultman	Hutchins
Junkins	Kinley	Lind	Miller, A.V.
Murphy	Neighbour	Palmer	Readinger
Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Wells
Welsh			

Absent or not voting, 13:

Colton	Doyle	Holt	Horn
Husak	Jensen	Mann	Miller, C.P.
Nystrom	Priebe	Rodgers	Tieden
Waldstein			

The motion lost.

The Chair ruled the motions to reconsider the vote by which Senate File 24 passed the Senate on May 4, 1985, filed by Senators Mann, Bruner and Readinger from the floor, out of order.

The Chair ruled amendment S—4244 filed by Senator Bruner from the floor to amendment S—4236 to House amendment S—4231 to Senate File 24, out of order.

HOUSE AMENDMENTS CONSIDERED

Senate File 576

Senator Palmer called up for consideration Senate File 576, a bill for an act relating to the granting of a partial real property tax credit for new construction of office-research facilities, amended by the House, and moved that the Senate concur in House amendment S—4256 filed May 4, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Palmer 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. 576) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Deluhery	Dieleman
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Hultman	Hutchins	Junkins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Neighbour	Palmer	Readinger

Rife	Ritsema	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Wells

Nays, none.

Absent or not voting, 14:

Colton	Doyle	Draké	Holt
Horn	Husak	Jensen	Mann
Nystrom	Priebe	Rodgers	Tieden
Waldstein	Welsh		

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

Senate File 583

Senator Palmer called up for consideration Senate File 583, a bill for an act correcting references to an additional real property tax under the local option tax provisions of Senate File 395, amended by the House, and moved that the Senate concur in House amendment S—4257 filed May 4, 1985.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Palmer 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. 583) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, C.P.
Murphy	Neighbour	Nystrom	Palmer
Priebe	Readinger	Rife	Ritsema
Rodgers	Schwengels	Soorholtz	Taylor
Vande Hoef	Wells	Welsh	

Nays, 3:

Carr Colton Small

Absent or not voting, 4:

Jensen Miller, A.V. Tieden Waldstein

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

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

The Senate resumed session, 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 AMENDMENT CONSIDERED

Senate File 565

Senator Readinger called up for consideration 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, amended by the House in House amendment S—4235 filed May 4, 1985.

Senator Gentleman offered amendment S—4247 filed by her from the floor to pages 1 and 2 of House amendment S—4235 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—4247 to House amendment S—4235 be adopted?” (S.F. 565) the vote was:

Ayes, 15:

Brown	Coleman	Colton	Corning
Deluhery	Gentleman	Gettings	Hall
Holden	Horn	Hultman	Kinley
Neighbour	Palmer	Small	

Nays, 30:

Boswell	Bruner	Carr	Dieleman
Doyle	Drake	Gratias	Gronstal
Hannon	Hester	Holt	Hutchins
Junkins	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Priebe
Readinger	Rife	Ritsema	Rodgers
Schwengels	Soorholtz	Taylor	Vande Hoef
Wells	Welsh		

Absent or not voting, 5:

Goodwin	Husak	Jensen	Tieden
Waldstein			

Amendment S—4247 lost.

Senator Murphy withdrew amendment S—4254 filed by him from the floor to pages 1 through 4 of House amendment S—4235.

Senator Gratias offered amendment S—4249 filed by him from the floor to page 2 of House amendment S—4235 and moved its adoption.

Amendment S—4249 lost by a voice vote.

Senator Drake withdrew amendment S—4248 filed by him from the floor to page 4 of House amendment S—4235.

Senator Boswell offered amendment S—4255 filed by him from the floor to page 4 of House amendment S—4235 and moved its adoption.

Amendment S—4255 lost by a voice vote.

Senator Hutchins withdrew amendment S—4251 filed by him from the floor to pages 4 and 10 of House amendment S—4235.

Senator Readinger moved that the Senate concur in House amendment S—4235.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 565) the vote was:

Ayes, 27:

Brown	Bruner	Carr	Deluhery
Dieleman	Drake	Goodwin	Gronstal
Horn	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Readinger	Rodgers	Schwengels	Small
Soorholtz	Wells	Welsh	

Nays, 20:

Boswell	Coleman	Colton	Corning
Doyle	Gentleman	Gettings	Gratias
Hall	Hannon	Hester	Holden
Holt	Hultman	Neighbour	Priebe
Rife	Ritsema	Taylor	Vande Hoef

Absent or not voting, 3:

Jensen	Tieden	Waldstein
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The motion prevailed and the Senate concurred in the House amendment.

Senator Readinger moved that the bill as amended by the House, and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 565) the vote was:

Ayes, 27:

Brown	Bruner	Carr	Deluhery
Dieleman	Drake	Goodwin	Gronstal
Horn	Husak	Hutchins	Junkins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Readinger	Rodgers	Schwengels	Small
Soorholtz	Wells	Welsh	

Nays, 20:

Boswell	Coleman	Colton	Corning
Doyle	Gentleman	Gettings	Gratias
Hall	Hannon	Hester	Holden
Holt	Hultman	Neighbour	Priebe
Rife	Ritsema	Taylor	Vande Hoef

Absent or not voting, 3:

Jensen	Tieden	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.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Junkins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 50.

Senate Concurrent Resolution 50

On motion of Senator Junkins, Senate Concurrent Resolution 50, a resolution to provide for adjournment sine die, was taken up for consideration.

Senator Junkins offered amendment S—4253 filed by Senators Junkins and Hultman from the floor to page 1 of the resolution and moved its adoption.

Amendment S—4253 was adopted by a voice vote.

Senator Junkins moved the adoption of Senate Concurrent Resolution 50 as amended, which motion prevailed by a voice vote and the resolution as amended was adopted.

IMMEDIATELY MESSAGED

Senator Junkins asked and received unanimous consent that **Senate Files 24 and 575 and Senate Concurrent Resolution 50** be immediately messaged to the House.

APPENDIX**REPORT OF COMMITTEE MEETING****APPROPRIATIONS**

Convened: May 4, 1985, 9:03 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Horn, Deluhery, C. Miller, Dieleman, Gettings, Gronstal, Colton, Murphy, Holt, Ritsema, Gentleman and Readinger.

Members Absent: Tieden, Ranking Member; Husak, Schwengels and Lind.

Committee Business: Reported House File 780 to the Senate calendar.

Adjourned: 9:15 a.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 574 passed the Senate on May 4, 1985.

BILL HUTCHINS

COMMUNICATION FROM THE SECRETARY OF STATE

May 3, 1985

Ms. K. Marie Thayer
Secretary of the Senate
Senate chamber
L O C A L

Dear Ms. Thayer:

I hereby certify that House File 225 and Governor Terry E. Branstad's item veto message were published in The Clinton Herald, Clinton, Iowa, on May 1, 1985, and in The Altoona Herald-Mitchellville Index, Altoona, Iowa, on May 2, 1985.

I further certify that Senate File 79 was published in the Grinnell Herald-Register, Grinnell, Iowa, on April 29, 1985, and in the Buena Vista County Journal, Newell, Iowa, on May 2, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

AMENDMENTS FILED

S—4237	S. F.	383	House amendment
S—4238	S. F.	575	House amendment
S—4239	S. F.	578	House amendment
S—4240	S. F.	24	Michael E. Gronstal William W. Dieleman Berl E. Priebe Jack Rife Bill Hutchins Calvin O. Hultman John E. Soorholtz
S—4241	S. F.	575	Tom Mann, Jr.
S—4242	S. F.	575	Berl E. Priebe Ray Taylor Arne Waldstein
S—4243	S. F.	578	Calvin O. Hultman
S—4244	S. F.	24	Charles Bruner
S—4245	S. F.	575	Joe Welsh
S—4246	S. F.	578	Tom Mann, Jr.
S—4247	S. F.	565	Julia B. Gentleman
S—4248	S. F.	565	Richard F. Drake
S—4249	S. F.	565	Arthur L. Gratias
S—4250	S. F.	309	House amendment
S—4251	S. F.	565	Bill Hutchins
S—4252	S. F.	575	Joe J. Welsh Lowell L. Junkins Hurley Hall Berl E. Priebe
S—4253	S. C. R.	50	Lowell L. Junkins Calvin O. Hultman
S—4254	S. F.	565	Larry Murphy
S—4255	S. F.	565	Leonard Boswell
S—4256	S. F.	576	House amendment
S—4257	S. F.	583	House amendment

On motion of Senator Junkins, the Senate stood at ease at 3:26 p.m., until the fall of the gavel.

HOUSE MESSAGES RECEIVED SUBSEQUENT TO ADJOURNMENT

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that that House has on March 26, 1985, passed the following bills in which the concurrence of the Senate is asked:

House File 493, a bill for an act relating to the fees for and duration of operator's and chauffeur's licenses.

House File 698, a bill for an act relating to consumer frauds and providing penalties.

ALSO: That the House has on March 28, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 710, a bill for an act relating to the establishment and the regulation of vehicular traffic within rural residence districts, making penalties applicable.

ALSO: That the House has on April 3, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 601, a bill for an act providing that the worker right to know provisions of the hazardous chemicals risks right to know Act apply to a certified pesticide applicator's employees who are not themselves certified under chapter 206.

ALSO: That the House has on April 19, 1985, passed the following bill in which the concurrence of the House was asked:

Senate File 459, a bill for an act relating to real property which is subject to foreclosure.

ALSO: That the House has on May 3, 1985, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was 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.

House File 700, a bill for an act relating to the endangering of certain persons and providing penalties.

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, 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.

House File 761, a bill for an act 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.

House File 766, a bill for an act to establish an Iowa small business new jobs training program and making an appropriation.

ALSO: That the House has on May 3, 1985, passed the following bills in which the concurrence of the House was asked:

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 obtain a license to conduct the raffle.

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.

Senate File 568, a bill for an act 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.

Senate File 584, a bill for an act to provide for the time required for action on gubernatorial appointments which require confirmation by the senate and are submitted to the senate during the last thirty days prior to adjournment sine die and providing an effective date by publication.

ALSO: That the House has on May 3, 1985, failed to override the Governor's Item Veto to Section 6, Subsection 1 (c), and Sections 5, 18, and 19 of **House File 747**, a bill for an act relating to and making appropriations to agencies, institutions, commissions, departments, and boards responsible for education, artistic, and historical programs of this state.

ALSO: That the House has on May 4, 1985, concurred in the Senate amendment to the House amendment and passed the following bills in which the concurrence of the House was asked:

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.

Senate File 575, a bill for an act relating to and making appropriations to state agencies for capital projects and providing that the Act takes effect upon its publication.

ALSO: That the House has on May 4, 1985, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

House File 438, a bill for an act relating to evidence of intent in cases alleging theft of library equipment.

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.

ALSO: That the House has on May 4, 1985, passed the following resolutions in which the concurrence of the House was asked:

Senate Concurrent Resolution 50, a resolution providing for adjournment of the 1985 Session of the Seventy-first General Assembly.

Senate Concurrent Resolution 51, a resolution relating to commercial and industrial development in the state.

ALSO: That the House has on May 4, 1985, passed the following bills in which the concurrence of the House was asked:

Senate File 580, a bill for an act exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purposes of transmitting that which can be seen, hear or read under certain conditions.

Senate File 589, a bill for an act related to the licensure of dietitians.

ALSO: That the House has on May 4, 1985, passed the following bill in which the concurrence of the Senate is asked:

House File 781, a bill for an act to appropriate funds from the general fund of the state to the state board of regents for use by the cooperative extension service in agriculture and home economics of Iowa state university of science and technology to fund the rural concern hotline for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

ALSO: That the House has on May 4, 1985, adopted the conference committee report and passed **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.

ALSO: That the House has on May 4, 1985, adopted the conference committee report and passed **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.

FINAL DISPOSITION OF MOTIONS TO RECONSIDER

Pursuant to Senate Rule 24, the following motions to reconsider which remained on the Senate Calendar upon the adjournment of the 1985 Regular Session of the Seventy-first General Assembly, will be considered to have **failed**:

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. Motion filed by Senator Coleman on April 2, 1985.

SENATE FILE 533, a bill for an act relating to the content requirements of types of milk, and providing an effective date. Motions filed by Senators Husak and Vande Hoef on March 28, 1985, and by Senator Mann on March 29, 1985.

(Amendments S—3599 and S—3603 to Senate File 533, out of order.)

SENATE FILE 574, a bill for an act relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax. Motion filed by Senator Hutchins on May 4, 1985.

HOUSE FILE 308, a bill for an act relating to clinical privileges of certain licensed practitioners. Motions filed by Senator Miller of Des Moines on April 15, 1985, and by Senator Wells on May 16, 1985.

(Motion to reconsider the vote by which amendment S—3739 to House File 308 failed to be adopted filed by Senator Miller of Des Moines, out of order).

HOUSE FILE 315, a bill for an act relating to drug product selection. Motion filed by Senator Lind on May 3, 1985.

HOUSE FILE 319, a bill for an act relating to accrued interest from certain gifts received by the commission for the blind. Motion to reconsider filed by Senator Waldstein on April 16, 1985.

BILLS TO BE RETURNED TO COMMITTEE

Pursuant to Senate Rule 4, the following bills which remaind on the Unfinished Business Calendar upon adjournment of the 1985 Regular Session will be returned to committee:

H.F.	593	Transportation
H.F.	736	State Government

The Senate resumed session, President Anderson presiding.

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 103, the following technical correction was made to House amendment S-3821:

1. Page 1, lines 31, 32, 33 and 34, the following language: "or as a merged area hospital under chapter 145A or to sell or lease a county hospital in conjunction with the establishment of a merged area hospital", was changed by removing the underscoring.

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 244, the following technical corrections were made to the original bill:

1. Page 3, line 3, "1673b" was changed to "1673(b)".
2. Page 3, line 11, "U.S.C. § 1673B" was changed to "U.S.C. § 1673(b)".

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 570, the following technical corrections were made:

1. Page 24, line 27, "section 29" was changed to "section 30".
2. Page 24, line 29, "and 20" was changed to "and 19".

K. MARIE THAYER
Secretary of the Senate

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 4th day of May, 1985:

Senate Files 13, 24, 27, 81, 103, 110, 156, 157, 218, 224, 244, 250, 254, 264, 271, 290, 295, 296, 309, 328, 329, 349, 355, 359, 364, 374, 376, 377, 383, 387, 393, 398, 401, 406, 423, 424, 433, 435, 445, 449, 450, 452, 455, 459, 463, 465, 467, 473, 497, 502, 503, 507, 511, 514, 515, 521, 524, 525, 526, 538, 547, 560, 561, 564, 565, 568, 570, 574, 575, 576, 577, 578, 580, 581, 583, 584, 585, 586, 587, 588 and 589.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Junkins moved that a committee be appointed to notify the Governor that the Senate was ready to adjourn sine die in accordance with Senate Concurrent Resolution 50.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Rodgers, Holt and Coleman.

COMMITTEE TO NOTIFY THE HOUSE

Senator Junkins moved that a committee be appointed to notify the House that the Senate was ready to adjourn sine die in accordance with Senate Concurrent Resolution 50.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Hutchins, Doyle and Lind.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to adjourn sine die.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Rodgers reported that the committee appointed to notify the Governor that the Senate was ready to adjourn sine die had performed its duty.

The report was received and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Hutchins reported that the committee appointed to notify the House that the Senate was ready to adjourn sine die had performed its duty.

The report was received and the committee discharged.

**BILL ASSIGNED TO COMMITTEE
SUBSEQUENT TO ADJOURNMENT**

President Anderson assigned **Senate Concurrent Resolution 54** to the committee on **Education**.

FINAL ADJOURNMENT

By virtue of Senate Concurrent Resolution 50, duly adopted, the day of May 4, 1985, having arrived, President Anderson declared the 1985 Regular Session of the Seventy-first General Assembly adjourned sine die.

COMMUNICATION FROM THE GOVERNOR

May 30, 1985

The Honorable Robert T. Anderson
President of the Senate
State Capitol Building
L O C A L

Dear Governor Anderson:

In January, I made my annual address to the legislature and outlined a progressive program for Iowans within the fiscal restrictions we currently face to address our problems. I indicated that, "Perhaps never again will there be a time when it is so crucial for us to pull together . . . to help us overcome today's troubles." I am pleased to report that after a difficult and often trying session, that call for cooperation was, for the most part, answered.

JOBS FOR IOWANS

Perhaps unlike any previous session of the Iowa legislature, there was a strong consensus that this state needed bold action to improve our economic health. We removed some major impediments to retooling and production and provided new incentives to do business in Iowa. As a result, Iowa will now be better able to compete in the race for jobs.

By eliminating the sales tax on machinery, equipment and computers, we have taken away an unfair penalty on business people and farmers in this state. At long last, we are honoring a decade old commitment to complete the phaseout of the personal property tax.

I indicated in my Budget Address that I would commit the full cooperation of the Executive Branch to implementing a state lottery. The revenues generated by the lottery have been targeted where they can do the most good -- economic development.

The \$10 million Economic Development Fund and new Iowa Main Street program will give meaningful assistance to the jobs creating efforts of communities across the state.

Small and emerging businesses will receive special help through incubators and changes in our venture capital laws. The unemployment tax penalty on expanding employees has been eliminated, and next year we must make Iowa's system competitive. The new dollars we have directed toward the development of alternate crops, expansion of our exports, tourism promotion and economic development transportation tools will enhance our work in these areas that are also key to improving our economy and creating more jobs.

EDUCATION

Iowans take our responsibility to provide a quality education for our young people very seriously. In a time of tight state budgets, I believe that education was one of the areas that demanded increased support. I am disappointed that the legislature instead cut my funding recommendations for both K-12 and the Regents' institutions.

The General Assembly also did not approve a new teacher certification structure. This "Master Teacher" program would have offered important incentives for outstanding achievement in our education system.

On the positive side, approval was given to the establishment of a pilot teacher testing project, curriculum coordinating committees and legislation to improve education standards statewide. We are also giving schools more incentives to share programs. In addition, increased funding for the Tuition Grant Program will allow more students to attend our private colleges, and the grants can be larger.

PUBLIC SAFETY

Special attention was given to improving the safety of Iowa children. All of us have suffered for our boys and girls who are missing, abused or neglected. The changes we made in our laws this session will help prevent child abuse and toughen the penalties against abusers. These changes form part of a comprehensive program to better protect Iowa's children.

The General Assembly was unfortunately much less responsive on other critical public safety issues. The legislators failed to adopt stronger measures to ban the production and dissemination of child pornography. For the second year in a row, the legislature ignored the public outcry for a crackdown on drunk drivers and did not approve uniform, nationally recognized standards for drunk driving. Moreover, the prison population cap should have been eliminated. I am concerned for the safety of all Iowans when we continue to parole dangerous felons because of an arbitrary lid on prison population.

In spite of these significant shortcomings in the areas of education and public safety, this General Assembly can and should feel a sense of accomplishment. I am appreciative of the legislative effort in the area of natural resources by adopting a state water plan and amending the Iowa Soil Conservation Revolving Loan Program. We have kept the budget in line, although I have misgivings about how the state will pay for some of the programs the legislature has obligated us to in the future.

We have honored our commitments to cooperate and even compromise when necessary. As a result, we have attained some major victories on behalf of the people of Iowa. We have laid the groundwork for a new era of economic development, and we can begin now to build a stronger and better Iowa.

Very truly yours,
TERRY E. BRANSTAD
Governor



AMENDMENTS FILED

**During The
Seventy-first General Assembly
1985 Regular Session**

S-3001

1 Amend Senate Resolution 1 as follows:

DIVISION S—3001A

2 1. Page 4, line 27, by striking the word “Non-
3 controversial” and inserting in lieu thereof the words
4 “Proposed Noncontroversial”.

DIVISION S—3001B

5 2. Page 5, line 20, by striking the word “The” and
6 inserting in lieu thereof the words “At the beginning
7 of the 11th week of the first session and the beginning
8 of the 9th week of the second session the”.
9 3. Page 5, line 20 by striking the word “may” and
10 inserting in lieu thereof the word “shall”.

EDGAR H. HOLDEN

S-3002

1 Amend Senate Resolution 1 as follows:
2 1. Page 13, line 9, by inserting after the word
3 “a” the words “non-record or record”.
4 2. Page 13, line 30, by inserting after the words
5 “take the” the words “non-record or record”.

EDGAR H. HOLDEN

S-3003

1 Amend Senate Concurrent Resolution 3 as follows:
2 1. Page 15, line 6, by inserting after the word
3 “voting” the words “unless otherwise specified by
4 statute”.

LOWELL L. JUNKINS
CALVIN O. HULTMAN

S-3004

1 Amend Senate Concurrent Resolution 3 as follows:
2 1. Page 18, by inserting after line 23 the
3 following:
4 “RULE
5 If a bill has been amended by the other house and
6 the amendment substantially alters the subject matter
7 of the bill, the house of origin, upon receiving the

8 amended bill, shall refer the bill to the committee
9 from which the bill was first reported for further
10 consideration. A bill referred to committee under
11 this rule may be returned to its place on the calendar
12 after seven days unless the committee determines to
13 retain the bill. The deadlines of joint rule 20 do
14 not apply to a referral under this rule and a bill
15 retained by a committee under this rule is subject to
16 a motion to withdraw the bill from committee as
17 provided in the rules of that house.”

TOM MANN, Jr.

S-3005

1 Amend Senate Concurrent Resolution 2 as follows:
2 1. By striking page 6, line 33 through page 7,
3 line 2 and inserting the following: “of the
4 legislative council comparable worth report. If
5 position grade changes allowable under the provisions
6 of this paragraph are determined by the joint
7 subcommittee to be inconsistent with the comparable
8 worth recommendations of the legislative council, the
9 comparable worth recommendations shall be implemented
10 in lieu of the inconsistent provisions of this
11 paragraph. Grade changes”.

JULIA B. GENTLEMAN

S-3006

1 Amend Senate Concurrent Resolution 3 as follows:
2 1. Page 16, line 12, by inserting after the word
3 “committee” the words “, an individual legislator”.
4 2. Page 16, line 16, by inserting after the word
5 “committee” the words “or an individual legislator”.

C. JOSEPH COLEMAN

S-3007

1 Amend Senate Concurrent Resolution 2 as follows:
2 1. Page 1, line 25, by striking the word and
3 figure “January 14” and inserting in lieu thereof
4 the word and figure “July 1”.

ARNE WALDSTEIN

S-3008

- 1 Amend Senate Concurrent Resolution 3 as follows:
- 2 1. Page 11, line 30, by inserting after the word
- 3 "intern" the words "at a time".

DALE L. TIEDEN

S-3009

- 1 Amend Senate Concurrent Resolution 3 as follows:
- 2 1. Page 16, line 15, by inserting after the word
- 3 "committee." the words "All nullification resolutions
- 4 presented by a member of a standing committee shall
- 5 not be referred to a subcommittee and shall be voted
- 6 upon by the committee prior to adjournment."

CALVIN O. HULTMAN

S-3010

- 1 Amend Senate Concurrent Resolution 3 as follows:
- 2 1. Page 18, lines 7 and 8, by striking the words
- 3 "It cannot be amended" and inserting in lieu thereof
- 4 the words "A vetoed bill or appropriation item cannot
- 5 be amended in this case".

JULIA B. GENTLEMAN

S-3011

- 1 Amend Senate Concurrent Resolution 3 as follows:
- 2 1. Page 16, line 15, by striking the word
- 3 "a" and inserting in lieu thereof the words "the
- 4 same".
- 5 2. Page 16, line 15, by inserting after the word
- 6 "committee" the words "it would be referred to if it
- 7 was a bill".
- 8 3. Page 16, line 19, by striking the word "may"
- 9 and inserting in lieu thereof the word "shall".

EDGAR H. HOLDEN
RICHARD VANDE HOEF

S-3012

- 1 Amend Senate Concurrent Resolution 3 as follows:
- 2 1. Page 7, line 5, by inserting after the word

3 "bill" the words "as passed by the house of origin or
4 amended by the second house".

DOUGLAS RITSEMA

S-3013

1 Amend Senate Concurrent Resolution 3 as follows:
2 1. Page 16, line 18, by striking the word
3 "committee." and inserting in lieu thereof the words
4 "committee by a majority vote of the standing
5 committee."
6 2. Page 17, line 6, by inserting after the word
7 "calendar." the words "If the nullification resolution
8 is approved by the administrative rules review
9 committee it shall be placed on the calendar."

EDGAR H. HOLDEN

S-3014

1 Amend Senate Concurrent Resolution 3 as follows:
2 1. Page 17, by inserting after line 6 the words
3 "A nullification resolution is subject to a motion
4 to withdraw the nullification resolution from the
5 committee as provided in the rules of that house."

DALE L. TIEDEN

S-3015

1 Amend Senate Concurrent Resolution 3 as follows:
2 1. Page 16, line 15, by inserting after the word
3 "committee." the words "A nullification resolution
4 may be presented by a member of a standing committee."

CALVIN O. HULTMAN

S-3016

1 Amend Senate Concurrent Resolution 4 as follows:
2 1. Page 3, by striking lines 19 through 23.

JOHN W. JENSEN

S-3017

1 Amend Senate File 19 as follows:
2 1. Page 1, lines 27 and 28, by striking the words

3 "points shall not be accumulated" and inserting the
4 following: "in determining a license suspension the
5 department shall not consider or assess points".

BILL HUTCHINS

S-3018

1 Amend Senate Concurrent Resolution 4 as follows:
2 1. Page 3, line 23, by inserting after the word
3 "depression" the words "however, the passage of this
4 resolution shall not automatically trigger the
5 provisions of section 654.15".

LOWELL L. JUNKINS
BERL E. PRIEBE

S-3019

1 Amend Senate Concurrent Resolution 4 as follows:
2 1. Page 2, line 2, by striking the words "drop
3 in farmland value" and inserting in lieu thereof the
4 following: "decrease in price".
5 2. Page 2, line 13, by striking the words
6 "rate of".

ARNE WALDSTEIN

S-3020

1 Amend Senate Concurrent Resolution 4 as follows:
2 1. Page 3, line 23, by inserting after the word
3 "depression" the words "however, the passage of this
4 resolution shall not trigger the provisions of
5 section 654.15".

BERL E. PRIEBE
LOWELL L. JUNKINS

HOUSE AMENDMENT TO
SENATE CONCURRENT RESOLUTION 3

S-3021

1 Amend Senate Concurrent Resolution 3, as amended,
2 passed and reprinted by the Senate, as follows:
3 1. Page 16, by striking line 13 through page 17,
4 line 17.
5 2. Page 18, line 23, by striking the numeral "74"
6 and inserting in lieu thereof the numeral "73".

S-3022

- 1 Amend Senate File 77 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "the" the words "Monday prior to the".
- 4 2. Page 1, line 18, by inserting after the word
- 5 "the" the words "Monday prior to the".

ARTHUR L. GRATIAS

S-3023

- 1 Amend Senate File 9 as follows:
- 2 1. Page 1, by striking lines 25 and 26 and
- 3 inserting in lieu thereof the following: "or highway.
- 4 This section does not apply to farm tractors,
- 5 implements of husbandry, or any vehicles designed
- 6 primarily for use in construction, forestry, or
- 7 lawn and grounds maintenance."

LEONARD L. BOSWELL

S-3024

- 1 Amend Senate File 78 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "associations" the words "and individuals".

CALVIN O. HULTMAN
THOMAS A. LIND

S-3025

- 1 Amend Senate File 91 as follows:
- 2 1. Page 8, line 18, by striking the words "On the
- 3 next ~~Friday~~ Monday" and inserting the following: "~~On~~
- 4 ~~the next Friday~~ Within eight working days".

LARRY MURPHY

S-3026

- 1 Amend Senate File 91 as follows:
- 2 1. Page 1, line 35, by striking the word
- 3 "~~October~~" and inserting the following: "October".
- 4 2. Page 2, line 1, by striking the words "January
- 5 of each even-numbered" and inserting the following:
- 6 "of each odd-numbered".
- 7 3. Page 7, by striking lines 33 and 34 and
- 8 inserting the following: "the second Tuesday in

9 September of each odd-numbered year in each school”.

10 4. Page 10, by striking lines 17 through 19 and
11 inserting the following: “organization meeting of the
12 board ~~the third Monday in September~~ which shall be
13 held within eight working days after the regular
14 school election, and the election and”.

15 5. Page 10, by striking lines 28 through 31 and
16 inserting the following: “meet and organize ~~at two~~
17 ~~o'clock p.m., or at seven thirty o'clock p.m., if so~~
18 as ordered by the president of the board, ~~on the third~~
19 ~~Monday in September~~ within eight working days after
20 the regular school election of each odd-numbered year
21 at”.

22 6. Page 11, line 35, by striking the words
23 “~~October~~ January” and inserting the following:
24 “October”.

25 7. Page 12, line 1, by striking the words “even-
26 numbered” and inserting the following: “odd-
27 numbered”.

28 8. Page 13, lines 20 and 21, by striking the
29 words “on the ~~last Monday in September~~” and inserting
30 the following: “~~on the last Monday in September~~
31 within eight working hours”.

32 9. Page 15, line 20, by striking the words
33 “January 2, 1986” and inserting the following: “the
34 date the organizational meeting is held in 1985”.

LARRY MURPHY

S-3027

1 Amend Senate File 25 as follows:

2 1. Page 3, line 10, by striking the words “the
3 physician” and inserting the following: “this
4 decision must be confirmed by another physician. The
5 attending physician”.

ARTHUR L. GRATIAS
JAMES WELLS

S-3028

1 Amend Senate File 25 as follows:

2 1. Page 1, line 2, by striking the words “Right
3 to Decline Life-” and inserting the following:
4 ““Life-”.

5 2. Page 1, by inserting after line 3 the
6 following:
7 “Sec. 2. NEW SECTION. 144A.2. POLICY STATEMENT.
8 The legislature finds that all adults have the

9 fundamental right to control the decisions relating to
10 their own medical care, including the decision to have
11 medical or surgical means or procedures calculated to
12 prolong their lives provided, withheld or withdrawn.
13 This right is subject to certain interests of society,
14 such as the protection of human life and the
15 preservation of ethical standards in the medical
16 profession. The legislature further finds that the
17 artificial prolongation of life for persons with a
18 terminal condition may secure only a precarious and
19 burdensome existence, while providing nothing
20 medically necessary or beneficial to the patient. In
21 order that the rights and intentions of persons with
22 such conditions may be respected even after they are
23 no longer able to participate actively in decisions
24 concerning themselves, and to encourage communications
25 between these patients, their families, and their
26 physicians, the legislature declares that the laws of
27 Iowa shall recognize the right of an adult to make a
28 written declaration instructing the adult's physician
29 to provide, withhold, or withdraw life-sustaining
30 procedures or to designate another to make treatment
31 decisions, in the event the person is diagnosed as
32 suffering from a terminal condition."

33 3. Page 1, by striking lines 17 through 19 and
34 inserting the following:

35 "5. "Life-sustaining procedure" means any medical
36 procedure, treatment or intervention which meets both
37 of the following requirements:

38 a. Utilizes mechanical or artificial means to
39 sustain, restore, or supplant a spontaneous vital
40 function.

41 b. When applied to a patient in a terminal
42 condition, would serve only to prolong the dying
43 process.

44 "Life-sustaining procedure" does not include the
45 provision of sustenance or the administration of
46 medication or performance of any medical procedure
47 deemed necessary to provide comfort care or to
48 alleviate pain."

49 4. Page 3, by striking lines 19 through 22.

50 5. Page 3, line 24, by striking the words "shall

Page 2

1 be given no" and inserting the words "shall not be
2 in".

3 6. Page 3, by striking lines 29 through 33.

4 7. Page 3, line 35, by inserting after the word

5 "patient" the words "who is not known to the attending

6 physician to be pregnant with a fetus that could
7 develop to the point of live birth with the continued
8 application of life-sustaining procedures.”
9 8. Page 4, by inserting after line 23 the
10 following:
11 “f. An adult sibling.”
12 9. Page 4, line 32, by inserting after the figure
13 “144A.6” the words “or the provisions of section
14 144A.7”.
15 10. Page 5, line 1 by inserting after the word
16 “chapter” the words “or the provisions of section
17 144A.7”.
18 11. Renumber sections and correct internal
19 references as necessary in accordance with this
20 amendment.

COMMITTEE ON
HUMAN RESOURCES
JAMES D. WELLS, Chair

S-3029

1 Amend Senate File 79 as follows:
2 1. Page 4, by inserting after line 6, the
3 following:
4 “Sec. ____ . NEW SECTION. 442.6A STAFF.
5 The executive director of the housing finance
6 authority, appointed under section 220.6, shall serve
7 also as the executive director of the advance funding
8 authority and shall perform duties prescribed by the
9 board of the authority.”

ARTHUR L. GRATIAS
JOE BROWN

S-3030

1 Amend Senate File 19 as follows:
2 1. Page 1, by striking lines 1 through 18.
3 2. Page 1, by striking lines 29 and 30 and
4 inserting the following: “miles per hour or less.”

RICHARD F. DRAKE

S-3031

1 Amend Senate File 97 as follows:
2 1. Page 1, by striking lines 5 and 6 and inserting
3 in lieu thereof the following:

4 "Sec. 2. Notwithstanding the provisions of section
5 123.3(33), Code 1985, persons born on or before
6 September 30, 1965 shall be deemed to be of legal age.
7 This section is for explanatory purposes only and
8 shall not be codified in the permanent code."

RICHARD F. DRAKE

S-3032

1 Amend Senate File 70 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1, Section 321.1, subsection 3, Code
5 1985, is amended by adding the following new lettered
6 paragraph:
7 NEW LETTERED PARAGRAPH. c. "Bicycle" means a
8 device having two wheels and having at least one
9 saddle or seat for the use of a rider which is
10 propelled by human power."

EDGAR H. HOLDEN

S-3033

1 Amend Senate File 19 as follows:
2 1. Page 1, lines 28 and 29, by striking the words
3 "ten miles per hour" and inserting the following:
4 "twenty percent".

DOUG RITSEMA

S-3034

1 Amend Senate File 19 as follows:
2 1. Page 1, by striking lines 3 through 5 and
3 inserting the following:
4 "NEW SUBSECTION. Upon the completion of court
5 proceedings and after the time for appeal has expired,
6 the reports, informations, citations and warnings
7 issued for traffic violations for exceeding the legal
8 speed limit by ten miles per hour or less in speed
9 zones having a legal limit greater than twenty-five
10 miles per hour or five miles per hour or less in speed
11 zones having a legal limit of twenty-five miles per
12 hour or less, and the corresponding court records."
13 2. Page 1, by striking lines 27 through 29 and
14 inserting the following: "makes necessary or
15 desirable. However, in determining a license
16 suspension the department shall not consider or assess

17 points for violations of the legal speed limit by ten
 18 miles per hour or less in speed zones having a legal
 19 limit greater than twenty-five miles per hour or five
 20 miles per hour or less in speed zones having a legal
 21 limit of twenty-five miles per hour or less, the
 22 records of which are classified”.

23 3. Page 1, after line 30, by inserting the
 24 following:

25 “Sec. 4. Section 321.491, unnumbered paragraph 2,
 26 Code 1985, is amended to read as follows:

27 Within ten days after the conviction or forfeiture
 28 of bail of a person upon a charge of violating any
 29 provision of this chapter or other law regulating the
 30 operation of vehicles on highways every ~~said~~
 31 magistrate of the court or clerk of the court of
 32 record in which such conviction was had or bail was
 33 forfeited shall prepare and immediately forward to the
 34 department an abstract of the record of ~~said~~ the court
 35 covering the case in which ~~said~~ the person was so
 36 convicted or forfeited bail, which abstract must be
 37 certified by the person so required to prepare the
 38 same to be true and correct. However, an abstract of
 39 the record shall not be forwarded for convictions of
 40 speeding violations of ten miles per hour or less over
 41 the legal speed limit in speed zones having a legal
 42 limit greater than twenty-five miles per hour or five
 43 miles per hour or less in speed zones having a legal
 44 limit of twenty-five miles per hour or less, the
 45 records of which are classified as confidential under
 46 section 1 of this Act.”

47 4. Title page, by striking line 2 and inserting
 48 the following: “certain violations over the legal”.

BILL HUTCHINS
 C. JOSEPH COLEMAN

S-3035

1 Amend Senate File 77 as follows:

2 1. Page 1, by inserting after line 11 the
 3 following:

4 “Sec. ____ . Section 279.10, Code 1985, is amended
 5 by adding the following new subsection:

6 NEW SUBSECTION. 4. The state board of public
 7 instruction may grant a request made by a board of
 8 directors of a school district stating its desire to
 9 commence classes for regularly established elementary
 10 and secondary schools before the first day of
 11 September. Such request shall be based upon a showing
 12 that a starting date on or after the first day of

13 September would be detrimental to educational
14 quality.”

DALE L. TIEDEN

S-3036

- 1 Amend Senate File 91 as follows:
- 2 1. By striking page 9, line 30, through page 10,
3 line 11.
- 4 2. By renumbering as necessary.

JOY CORNING

S-3037

- 1 Amend Senate File 91 as follows:
- 2 1. By striking everything after the enacting
3 clause and inserting the following:
4 “Section 1. Section 39.24, Code 1985, is amended
5 to read as follows:
6 39.24 SCHOOL OFFICERS.
7 Members of boards of directors of community and
8 independent school districts, and boards of directors
9 of merged areas shall be elected at the school
10 election. Their terms of office shall be ~~three~~ four
11 years, except as otherwise provided by section
12 275.23A, ~~or 280A.11, 280A.12, or 280A.13.~~
- 13 Sec. 2. Section 273.8, subsection 1, Code 1985, is
14 amended to read as follows:
15 1. BOARD OF DIRECTORS. The board of directors of
16 an area education agency shall consist of not less
17 than five nor more than nine members, each a resident
18 of and elected in the manner provided in this section
19 from a director district that is approximately equal
20 in population to the other director districts in the
21 area education agency. Each director shall serve a
22 ~~three-year~~ four-year term which commences at the
23 organization meeting.
- 24 Sec. 3. Section 273.8, subsection 2, unnumbered
25 paragraph 2, Code 1985, is amended to read as follows:
26 The director district conventions shall be called
27 and the locations of the conventions shall be
28 determined by the area education agency administrator.
29 ~~Annually~~ Biennially the director district conventions
30 shall be held within two weeks following the regular
31 school election. Notice of the time, date and place
32 of a director district convention shall be published
33 by the area education agency administrator at least
34 forty-five days prior to the day of the district

35 conventions in at least one newspaper of general
36 circulation in the director district. The cost of
37 publication shall be paid by the area education
38 agency.

39 Sec. 4. Section 273.8, subsection 3, unnumbered
40 paragraph 1, Code 1985, is amended to read as follows:

41 The board of directors of each area education
42 agency shall meet and organize at the first regular
43 meeting in October of each ~~odd-numbered~~ year at a
44 suitable place designated by the president. Directors
45 whose terms commence at the organization meeting shall
46 qualify by taking the oath of office required by
47 section 277.28 at or before the organization meeting.

48 Sec. 5. Section 274.7, Code 1985, is amended to
49 read as follows:

50 274.7 DIRECTORS.

Page 2

1 The affairs of each school corporation shall be
2 conducted by a board of directors, the members of
3 which in all community or independent school districts
4 shall be chosen for a term of ~~three~~ four years.

5 Sec. 6. Section 275.12, subsection 2, Code 1985,
6 is amended to read as follows:

7 2. The petition filed under subsection 1 shall
8 also state the name of the proposed school district
9 and the number of directors which may be either five
10 or seven and the method of election of the school
11 directors of the proposed district. The method of
12 election of the directors shall be one of the
13 following optional plans:

14 a. Election at large from the entire district by
15 the electors of the entire district.

16 b. Division of the entire school district into
17 designated geographical subdistricts on the basis of
18 population, to be known as director districts, each of
19 which ~~director districts~~ shall be represented on the
20 school board by one director who shall be a resident
21 of ~~such~~ the director district but who shall be elected
22 by the vote of the electors of the entire school
23 district. The school district shall be divided into
24 the same number of director districts as the number of
25 school directors the district is authorized by law.

26 The boundaries of ~~such~~ the director districts and the
27 area and population included within each district
28 shall be such as justice, equity, and the interests of
29 the people ~~may~~ require. Changes in the boundaries of
30 director districts shall not be made during a period
31 commencing sixty days prior to the date of the ~~annual~~

32 regular school election. ~~Insofar As far as may be~~
33 practicable, the boundaries of ~~such the~~ districts
34 shall follow established political or natural
35 geographical divisions.
36 c. Election of not more than one-half of the total
37 number of school directors at large from the entire
38 district and the remaining directors from and as
39 residents of designated single-member or multi-member
40 director districts into which the entire school
41 district shall be divided on the basis of population
42 for each director. In such case, all directors shall
43 be elected by the electors of the entire school
44 district. Changes in the boundaries of director
45 districts shall not be made during a period commencing
46 sixty days prior to the date of the ~~annual~~ regular
47 school election.
48 d. Division of the entire school district into
49 designated geographical subdistricts on the basis of
50 population, to be known as director districts, each of

Page 3

1 which ~~director districts~~ shall be represented on the
2 school board by one director who shall be a resident
3 of ~~such that~~ director district and who shall be
4 elected by the voters of ~~said that~~ director district.
5 Place of voting in ~~such~~ director districts shall be
6 designated by the commissioner of elections. Changes
7 in the boundaries of director districts shall not be
8 made during a period commencing sixty days prior to
9 the date of the ~~annual~~ regular school election.
10 e. In districts having seven directors, election
11 of three directors at large by the electors of the
12 entire district, ~~one no more than two at each annual a~~
13 regular school election, and election of the remaining
14 directors as residents of and by the electors of
15 individual geographic subdistricts established on the
16 basis of population and identified as director
17 districts. Boundaries of the subdistricts shall
18 follow precinct boundaries, ~~insofar as far as~~
19 practicable, and shall not be changed less than sixty
20 days prior to the ~~annual~~ regular school election.
21 Sec. 7. Section 275.25, subsection 3, Code 1985,
22 is amended to read as follows:
23 3. The directors who are elected to serve shall
24 serve until their successors are elected and qualify.
25 At the special election, the three newly elected
26 ~~director directors~~ receiving the most votes shall be
27 elected to serve until ~~the director's successor~~
28 qualifies their successors qualify after the fourth

29 third regular school election date occurring after the
 30 effective date of the reorganization; the two newly
 31 elected directors receiving the next largest number of
 32 votes shall be elected to serve until the directors'
 33 successors qualify after the ~~third~~ second regular
 34 school election date occurring after the effective
 35 date of the reorganization; ~~and the two newly elected~~
 36 ~~directors receiving the next largest number of votes~~
 37 ~~shall be elected to serve until the directors'~~
 38 ~~successors qualify after the second regular school~~
 39 ~~election date occurring after the effective date of~~
 40 ~~the reorganization.~~ However, in districts that
 41 include all or a part of a city of fifteen thousand or
 42 more population and in districts in which the
 43 proposition to establish a new corporation provides
 44 for the election of seven directors, the ~~three~~ four
 45 newly elected directors receiving the most votes shall
 46 be elected to serve until the directors' successors
 47 qualify after the ~~fourth~~ third regular school election
 48 date occurring after the effective date of the
 49 reorganization and the three newly elected directors
 50 receiving the next largest number of votes shall be

Page 4

1 elected to serve until the directors' successors
 2 qualify after the second regular school election date
 3 occurring after the effective date of the
 4 reorganization.

5 Sec. 8. Section 275.36, Code 1985, is amended to
 6 read as follows:

7 275.36 SUBMISSION OF CHANGE TO ELECTORS.

8 If a petition for a change in the number of
 9 directors or in the method of election of school
 10 directors, describing the boundaries of the proposed
 11 director districts, if any, signed by eligible
 12 electors of the school district equal in number to at
 13 least thirty percent of those who voted in the last
 14 previous ~~annual~~ regular school election in the school
 15 district, but not less than twenty-five persons, and
 16 accompanied by affidavit as required by section 275.13
 17 be is filed with the school board of a school
 18 district, not earlier than six months and not later
 19 than two months before a regular or special school
 20 election, the school board shall submit such the
 21 proposition to the voters at such the election. If a
 22 proposition for a change in the number of directors or
 23 in the method of election of school directors
 24 submitted to the voters under this section is
 25 rejected, it shall not be resubmitted to the voters of

26 the district in substantially the same form within the
27 next three years; if it is approved, no other proposal
28 ~~may shall~~ be submitted to the voters of the district
29 under this section within the next six years.

30 Sec. 9. Section 275.37, Code 1985, is amended to
31 read as follows:

32 275.37 INCREASE IN NUMBER OF DIRECTORS.

33 At the next succeeding ~~annual~~ regular school
34 election in a district where the number of directors
35 has been increased from five to seven, and directors
36 are elected at large, there shall be elected a
37 director to succeed each incumbent director whose term
38 is expiring in that year, and two additional
39 directors. Upon organizing as required by section
40 279.1, either one or two of the newly elected ~~director~~
41 directors who received the fewest votes in the
42 election shall be assigned a term of ~~either one year~~
43 ~~or two years if as necessary in order that as nearly~~
44 as possible ~~one-third one-half~~ of the members of the
45 board shall be elected ~~each year~~ biennially.

46 Sec. 10. Section 275.38, Code 1985, is amended to
47 read as follows:

48 275.38 IMPLEMENTING CHANGED METHOD OF ELECTION.

49 If change in the method of election of school
50 directors is approved at a regular or special school

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1 election, the directors who were serving unexpired
2 terms or were elected concurrently with approval of
3 the change of method shall serve out the terms for
4 which they were elected. If the plan adopted is that
5 described in section 275.12, subsection 2, paragraph
6 "b," "c," "d," or "e," the board shall at the earliest
7 practicable time designate the districts from which
8 residents are to be elected as school directors at
9 each of the next ~~three two~~ succeeding annual regular
10 school elections, arranging so far as possible for
11 elections of directors as residents of the respective
12 districts to coincide with the expiration of terms of
13 incumbent members residing in those districts. If an
14 increase in the size of the board from five to seven
15 members is approved concurrently with the change in
16 method of election of directors, the board shall make
17 the necessary adjustment in the manner prescribed in
18 section 275.37, as well as providing for
19 implementation of the districting plan under this
20 section.

21 Sec. 11. Section 275.41, subsections 4, 5, 6, and
22 7, Code 1985, are amended to read as follows:

23 4. If the total number of directors determined
24 under subsection 2 or 3 is an odd number, the board of
25 the district with the largest population shall
26 designate the term of office of one of the members who
27 is retained to commence at the organizational meeting
28 of the board of the newly formed district and to end
29 at the organizational meeting following the ~~fourth~~
30 third regular school election held thereafter in the
31 manner specified in the reorganization petition.
32 If the total number of directors determined under
33 subsection 2 or 3 is an even number, that number of
34 directors shall function until a special election can
35 be held, at which time an additional director shall be
36 elected to a term from the newly formed district
37 ending at the organizational meeting following the
38 ~~fourth~~ third regular school election held thereafter.
39 The procedure for calling the special election shall
40 be the procedure specified in section 275.25.
41 5. The boards of directors of school districts
42 which are involved in the merger which have three or
43 more directors who are retained, shall each designate
44 two of the directors who are retained to serve terms
45 that expire at the organizational meeting following
46 the ~~second~~ first regular school election held
47 thereafter. All other directors who are retained
48 shall serve terms that expire at the organizational
49 meeting following the ~~third~~ second regular school
50 election held thereafter. If there is an insufficient

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1 number of board members eligible to be retained from a
2 former school district, the board of the former school
3 district may appoint members to fill the vacancies. A
4 vacancy occurs if there is an insufficient number of
5 former board members who reside in the newly formed
6 district or if there is an insufficient number who are
7 willing to serve on the board of the newly formed
8 district.
9 6. At the ~~second~~ first regular school election
10 held after the effective date of the merger, the two
11 vacancies which will occur on the board shall be
12 filled in a manner specified in the reorganization
13 petition.
14 7. At the ~~third~~ second regular school election
15 held after the effective date of merger, if a five-
16 member board is specified in the reorganization
17 petition, two directors shall be elected in the manner
18 specified in the reorganization petition and if a
19 seven-member board is specified in the reorganization

20 petition, four directors shall be elected, two for
21 ~~one-year~~ two-year terms and two for ~~three-year~~ four-
22 year terms, in the manner specified in the
23 reorganization petition.

24 Sec. 12. Section 277.1, Code 1985, is amended to
25 read as follows:

26 277.1 REGULAR ELECTION.

27 The regular election shall be held ~~annually~~
28 biennially on the second Tuesday in September of each
29 odd-numbered year in each school district for the
30 election of officers of the district and merged area
31 and for the purpose of submitting to the voters any
32 matter authorized by law.

33 Sec. 13. Section 277.2, Code 1985, is amended to
34 read as follows:

35 277.2 SPECIAL ELECTION.

36 The board of directors in any school corporation
37 may call a special election at which ~~election~~ the
38 voters shall have the powers exercised at the regular
39 election with reference to the sale of school property
40 and the application to be made of the proceeds, the
41 authorization to change the method of election of
42 school directors to any method authorized by section
43 275.12, the authorization of seven members on the
44 board of directors, the authorization to establish or
45 change the boundaries of director districts, and the
46 authorization of a schoolhouse tax or indebtedness, as
47 provided by law.

48 Sec. 14. Section 277.20, unnumbered paragraph 1,
49 Code 1985, is amended to read as follows:

50 On the next ~~Friday~~ Monday after the regular school

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1 election, the county board of supervisors shall
2 canvass the returns made to the county commissioner of
3 elections from the several precinct polling places and
4 the absentee ballot counting board, ascertain the
5 result of the voting with regard to every matter voted
6 upon and cause a record to be made thereof as required
7 by section 50.24. Special elections held in school
8 districts shall be canvassed at the time and in the
9 manner required by that section. The board shall
10 declare the results of the voting for members of
11 boards of directors of school corporations nominated
12 pursuant to section 277.4, and the commissioner shall
13 at once issue a certificate of election to each person
14 declared elected. The board shall also declare the
15 results of the voting on any public question submitted
16 to the voters of a single school district, and the

17 commissioner shall certify the result as required by
18 section 50.27.

19 Sec. 15. Section 277.23, unnumbered paragraph 2,
20 Code 1985, is amended to read as follows:

21 A change from five to seven directors shall be
22 effected in a district at the first regular election
23 after authorization by the voters or when a district
24 becomes wholly or in part within a city of fifteen
25 thousand population or more in the following manner:
26 If the term of ~~one director~~ two directors of the five-
27 member board expires at the time of ~~said the~~ regular
28 election, ~~three~~ four directors shall be elected to
29 serve until the ~~third~~ second following regular
30 election ~~thereafter~~; if the terms of ~~two~~ three
31 directors expire at the time of ~~said the~~ regular
32 election, three directors shall be elected to serve
33 until the ~~third~~ second regular election thereafter and
34 ~~one director~~ two directors shall be elected to serve a
35 ~~term the expiration of which coincides with the~~
36 ~~expiration of the term of the director heretofore~~
37 ~~singly elected until the next regular election.~~

38 Sec. 16. Section 277.25, Code 1985, is amended to
39 read as follows:

40 277.25 DIRECTORS IN NEW DISTRICTS.

41 At the first election in newly organized districts
42 the directors shall be elected as follows:

43 1. In districts having three directors, ~~one~~
44 ~~director~~ two directors shall be elected for ~~one year~~;
45 ~~one for~~ two years, and one for ~~three~~ four years.

46 2. In districts having five directors, ~~two~~ three
47 shall be elected for ~~one year~~, ~~two for~~ two years, and
48 ~~one~~ two for ~~three~~ four years.

49 3. In districts having seven directors, ~~two~~ four
50 shall be elected for ~~one year~~, ~~two for~~ two years, and

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1 three for ~~three~~ four years.

2 Sec. 17. Section 277.28, unnumbered paragraph 1,
3 Code 1985, is amended to read as follows:

4 Each director elected at a regular district or
5 director district election, as the case may be, shall
6 qualify by taking the oath of office on or before the
7 time set for the organization meeting of the board the
8 third Monday in September of each odd-numbered year,
9 and the election and qualification shall be entered of
10 record by the secretary. The oath may be administered
11 by ~~any~~ a qualified member of the board or the
12 secretary of the board and may be taken in
13 substantially the following form:

14 Sec. 18. Section 279.1, Code 1985, is amended to
15 read as follows:
16 279.1 ORGANIZATION.
17 The board of directors of each school corporation
18 shall meet and organize at two o'clock p.m., or at
19 seven-thirty o'clock p.m., if so ordered by the
20 president of the board, on the third Monday in
21 September of each odd-numbered year at ~~some~~ a suitable
22 place to be designated by the secretary. Notice of
23 the place and hour of ~~such the~~ meeting shall be given
24 by the secretary to each member and each member-elect
25 of the board.
26 ~~Such The~~ organization shall be effected by the
27 election of a president from the members of the board,
28 who shall be entitled to vote as a member.
29 Sec. 19. Section 280A.11, unnumbered paragraph 1,
30 Code 1985, is amended to read as follows:
31 The governing board of a merged area is a board of
32 directors composed of one member elected from each
33 director district in the area by the qualified
34 electors of the respective district. Members of the
35 board shall be residents of the district from which
36 elected. Successors shall be chosen at the annual
37 regular school elections for members whose terms
38 expire. The term of a member of the board of
39 directors is ~~three~~ four years and commences at the
40 organization meeting. Vacancies on the board which
41 occur more than ninety days prior to the next regular
42 school election may be filled at the next regular
43 meeting of the board by appointment by the remaining
44 members of the board. A member so chosen shall be a
45 resident of the district in which the vacancy occurred
46 and shall serve until a member is elected pursuant to
47 section 69.12 to fill the vacancy for the balance of
48 the unexpired term. A vacancy is defined in section
49 277.29. A member shall not serve on the board of
50 directors who is a member of a board of directors of a

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1 local school district or a member of an area education
2 agency board. A member of the board of directors of a
3 merged area shall not be an employee of the merged
4 area.
5 Sec. 20. Section 280A.12, Code 1985, is amended to
6 read as follows:
7 280A.12 DIRECTORS OF MERGED AREA.
8 In each merged area, the initial board of directors
9 elected at the special election shall organize within
10 fifteen days following the election and may thereafter

11 proceed with the establishment of the designated area
 12 vocational school or area community college. The
 13 board of directors of the merged area shall organize
 14 at the first regular meeting in October of each ~~odd-~~
 15 numbered year. Organization of the board shall be
 16 effected by the election of a president and other
 17 officers from the board membership as board members
 18 determine. The board of directors shall appoint a
 19 secretary and a treasurer who shall each give bond as
 20 prescribed in section 291.2 and who shall each receive
 21 the salary determined by the board. The secretary and
 22 treasurer shall perform duties under chapter 291 and
 23 additional duties the board of directors deems
 24 necessary. However, the board may appoint one person
 25 to serve as the secretary and treasurer. If one
 26 person serves as the secretary and treasurer, only one
 27 bond is necessary for that person. The frequency of
 28 meetings other than organizational meetings shall be
 29 as determined by the board of directors but the
 30 president or a majority of the members may call a
 31 special meeting at any time.

32 Sec. 21. Section 280A.13, subsection 1, Code 1985,
 33 is amended to read as follows:

34 1. The board of a merged area may change the
 35 number of directors on the board and shall make
 36 corresponding changes in the boundaries of director
 37 districts. Changes shall be completed not later than
 38 July 1 of a fiscal year for the next regular school
 39 election ~~to be held the next following September.~~

40 Sec. 22. Section 280A.13, subsection 4, Code 1985,
 41 is amended to read as follows:

42 4. To the extent possible the board shall provide
 43 that changes in the boundary lines of director
 44 districts of merged areas do not lengthen or diminish
 45 the term of office of a director of the board.
 46 Initial terms of office shall be set by the board so
 47 that as nearly as possible the terms of ~~one-third one~~
 48 half of the members expire ~~annually~~ biennially.

49 Sec. 23. Section 280A.15, subsection 1, Code 1985,
 50 is amended to read as follows:

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1 1. Regular elections held ~~annually~~ by the merged
 2 area for the election of members of the board of
 3 directors as required by section 280A.11, for the
 4 renewal of the twenty and one-fourth cents per
 5 thousand dollars of assessed valuation levy authorized
 6 in section 280A.22, or for any other matter authorized
 7 by law and designated for election by the board of

8 directors of the merged area, shall be held on the
9 date of the school election as fixed by section 277.1.
10 The election notice shall be made a part of the local
11 school election notice published as provided in
12 section 49.53 in each local school district where
13 voting is to occur in the merged area election and the
14 election shall be conducted by the county commissioner
15 of elections pursuant to chapters 39 to 53 and section
16 277.20.

17 Sec. 24. Section 280A.15, subsection 4, Code 1985,
18 is amended to read as follows:

19 4. The votes cast in the election shall be
20 canvassed and abstracts of the votes cast shall be
21 certified as required by section 277.20. In each
22 county whose commissioner of elections is responsible
23 under section 47.2 for conducting elections held for a
24 merged area, the county board of supervisors shall
25 convene at ten o'clock a.m. on the ~~last Monday in~~
26 September after the regular school election, canvass
27 the abstracts of votes cast and declare the results of
28 the voting. The commissioner shall at once issue
29 certificates of election to each person declared
30 elected, and shall certify to the merged area board in
31 substantially the manner prescribed by section 50.27
32 the result of the voting on any public question
33 submitted to the voters of the merged area. Members
34 elected to the board of directors of a merged area
35 shall qualify by taking the oath of office prescribed
36 in section 277.28.

37 Sec. 25. Section 280A.22, subsection 1, paragraph
38 a, Code 1985, is amended to read as follows:

39 a. In addition to the tax authorized under section
40 280A.17, the voters in ~~any a~~ merged area may at the
41 ~~annual~~ regular school election vote a tax not
42 exceeding twenty and one-fourth cents per thousand
43 dollars of assessed value in any one year for a period
44 not to exceed ten years for the purchase of grounds,
45 construction of buildings, payment of debts contracted
46 for the construction of buildings, purchase of
47 buildings and equipment for buildings, and the
48 acquisition of libraries, and for the purpose of
49 maintaining, remodeling, improving, or expanding the
50 area vocational school or area community college of

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1 the merged area. The tax shall be collected by the
2 county treasurers and remitted to the treasurer of the
3 merged area as provided in section 331.552, subsection
4 29. The proceeds of the tax shall be deposited in a

5 separate and distinct fund to be known as the voted
6 tax fund, to be paid out upon warrants drawn by the
7 president and secretary of the board of directors of
8 the merged area district for the payment of costs
9 incurred in providing the school facilities for which
10 the tax was voted.

11 Sec. 26. Section 303B.3, Code 1985, is amended to
12 read as follows:

13 303B.3 ELECTION.

14 A trustee of a regional board shall be elected
15 without regard to political affiliation at the ~~general~~
16 regular school election by the vote of the electors of
17 the trustee's district from a list of nominees, the
18 names of which have been taken from nomination papers
19 filed in accordance with chapter 45 in all respects
20 except that they shall be signed by not less than
21 twenty-five eligible electors of the respective
22 district. The election shall be administered by the
23 commissioner who has jurisdiction under section 47.2.

24 Sec. 27. Section 303B.4, Code 1985, is amended to
25 read as follows:

26 303B.4 TERMS.

27 Regional library trustees shall take office on the
28 first day of January following the ~~general~~ regular
29 school election and shall serve terms of four years;
30 ~~except that trustees elected to the initial board in~~
31 ~~the year 1974 shall determine their respective terms~~
32 ~~by lot so that three members shall serve terms of two~~
33 ~~years and four members shall serve terms of four~~
34 ~~years.~~ A vacancy shall be filled when it occurs not
35 less than ninety days before the next ~~general~~ regular
36 school election by appointment by the regional board
37 for the unexpired term. ~~No~~ A trustee shall ~~not~~
38 on a local library board or be employed by a library
39 during the trustee's term of office as a regional
40 library trustee.

41 Sec. 28. Section 376.1, unnumbered paragraph 1,
42 Code 1985, is amended to read as follows:

43 A city shall hold a regular city election on the
44 ~~first~~ second Tuesday ~~after the first Monday~~ in
45 ~~November~~ September of each odd-numbered year. A city
46 shall hold regular, special, primary, or runoff city
47 elections as provided by state law.

48 Sec. 29. Section 376.2, unnumbered paragraph 1,
49 Code 1985, is amended to read as follows:

50 Terms of city officers begin and end at noon on the

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1 first day third Monday in January which is not a
2 Sunday or legal holiday, following a regular city
3 election September of each odd-numbered year.

4 Sec. 30.

5 1. In order to accomplish the transition from
6 election of directors of community and independent
7 school districts, merged areas, and of area education
8 agencies, annually for terms of three years each to
9 election of such directors biennially for terms of
10 four years each, and the change in the date of the
11 regular city election, the following adjustments in
12 terms and times of election shall be made,
13 notwithstanding other provisions of law:

14 a. The term of office of each director of a
15 community or an independent school district, merged
16 area, and area education agency board whose term
17 expires in the years 1985 and 1986 shall expire at
18 noon on September 16, 1985 and the successors shall be
19 elected at the regular school election in 1985 or in
20 the case of the area education agency, at the director
21 district convention in 1985.

22 b. In community, independent, and consolidated
23 school districts, merged areas, and area education
24 agencies having five-member boards of directors, the
25 persons elected as directors in 1985 who receive the
26 greatest and the next greatest number of votes in that
27 election shall serve terms of four years each and the
28 other persons so elected shall serve terms of two
29 years each.

30 c. In community, independent, and consolidated
31 school districts, merged areas, and area education
32 agencies having seven-member boards of directors, the
33 persons elected as directors in 1985 who receive the
34 greatest, the next greatest and the third greatest
35 number of votes shall serve terms of four years each,
36 and the other persons so elected shall serve terms of
37 two years each.

38 d. In merged areas and area education agencies
39 having more than seven members, the persons elected as
40 directors in 1985 who receive the greatest, the next
41 greatest, the third greatest and the fourth greatest
42 number of votes shall serve terms of four years each,
43 and the other persons so elected shall serve terms of
44 two years each.

45 e. The term of office of a city council member
46 whose term expires in 1985 shall expire at noon on
47 September 16, 1985 and the successors shall be elected
48 at the city election in 1985.

49 2. In order to accomplish the transition from
50 election of trustees of a regional library board from

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1 the general election to the regular school election,
2 the following adjustments in terms shall be made,
3 notwithstanding other provisions of law:
4 a. The term of office of each trustee whose term
5 expires in 1986 shall expire on noon of September 16,
6 1985 and the successor shall be elected at the regular
7 school election in 1985.
8 b. The term of office of each trustee whose term
9 expires in 1988 shall expire on noon of September 21,
10 1987 and the successor shall be elected at the regular
11 school election in 1987.
12 Sec. 31. This Act, being deemed of immediate
13 importance, takes effect from and after its
14 publication in The Sioux City Journal, a newspaper
15 published in Sioux City, Iowa, and in the Charles City
16 Press, a newspaper published in Charles City, Iowa."

JOY CORNING

S-3038

1 Amend Senate File 57 as follows:
2 1. Page 6, line 31, by striking the word "may"
3 and inserting the following: "shall".
4 2. Page 7, line 8, by striking the word
5 "governor," and inserting the following: "governor
6 and".
7 3. Page 7, line 9, by striking the words "state,
8 and the general assembly" and inserting the following:
9 "state".
10 4. Page 9, line 18, by striking the word
11 "commissioner" and inserting the following:
12 "director".
13 5. Page 12, line 31, by striking the words
14 "defined as a" and inserting the following: "who has
15 not reached eighteen years of age."
16 6. Page 12, line 32, by striking the words "minor
17 in section 599.1."
18 7. Page 12, line 34, by striking the words "the
19 age of majority" and inserting the following:
20 "eighteen years of age".
21 8. Page 13, line 2, by striking the words "the
22 age of majority" and inserting the following:
23 "eighteen years of age".
24 9. Page 13, line 3, by striking the words "the

25 age of" and inserting the following: "eighteen years
26 of age".
27 10. Page 13, line 4, by striking the word
28 "majority".

COMMITTEE ON
WAYS AND MEANS
WILLIAM D. PALMER, Chair

S-3039

1 Amend Senate File 79 as follows:
2 1. Page 4, by inserting after line 6, the
3 following:
4 "Sec. . NEW SECTION. 442A.6A STAFF.
5 The executive director and staff of the Iowa
6 housing finance authority, pursuant to chapter 220,
7 shall also serve as executive director and staff of
8 the advance funding authority, respectively. The
9 executive director shall not, directly or indirectly,
10 exert influence to induce any other officers or
11 employees of the state to adopt a political view, or
12 to favor a political candidate for office."
13 2. Page 7, line 17, by inserting after the word
14 "member" the following: "or employee other than the
15 executive director".
16 3. Page 7, by inserting after line 29, the
17 following:
18 "3. The executive director shall not have an
19 interest in a bank or other financial institution in
20 which the funds of the authority are deposited or
21 which is acting as trustee or paying agent under a
22 trust indenture to which the authority is a party.
23 The executive director shall not receive, in addition
24 to fixed salary or compensation, any money or valuable
25 thing, either directly or indirectly, or through any
26 substantial interest in any other corporation or
27 business unit, for negotiating, procuring,
28 recommending, or aiding in any loan made by the
29 authority, nor shall the executive director be
30 pecuniarily interested, either as principal, co-
31 principal, agent, or beneficiary, either directly or
32 indirectly or through any substantial interest in any
33 other corporation or business unit, in any loan."
34 4. By renumbering as necessary.

ARTHUR L. GRATIAS
JOE BROWN

S-3040

- 1 Amend Senate File 25 as follows:
- 2 1. Page 6, by striking lines 30 through 32
- 3 and inserting in lieu thereof the following:
- 4 "authorize or approve mercy killing or euthanasia."

CHARLES BRUNER

S-3041

- 1 Amend S-3037 to Senate File 91 as follows:
- 2 1. Page 6, line 50, by striking the words "On the
- 3 next ~~Friday~~ Monday" and inserting the following: "~~On~~
- 4 ~~the next Friday~~ Within eight working days".

LARRY MURPHY

S-3042

- 1 Amend S-3037 to Senate File 91 as follows:
- 2 1. Page 8, by striking lines 7 and 8 and
- 3 inserting the following: "time set for the
- 4 organization meeting of the board ~~the third Monday in~~
- 5 ~~September which shall be held within eight working~~
- 6 ~~days after the regular school election,"~~
- 7 2. Page 8, by striking lines 18 through 21 and
- 8 inserting the following: "shall meet and organize at
- 9 ~~two o'clock p.m., or at seven-thirty o'clock p.m., if~~
- 10 ~~so as~~ ordered by the president of the board, ~~on the~~
- 11 ~~third Monday in September within eight working days~~
- 12 ~~after the regular school election of each odd-numbered~~
- 13 ~~year at a suitable".~~
- 14 3. Page 10, lines 25 and 26, by striking the
- 15 words "on the ~~last Monday in September~~" and inserting
- 16 the following: "~~on the last Monday in September~~
- 17 ~~within eight working days~~".
- 18 4. Page 12, line 18, by striking the words
- 19 "September 16, 1985" and inserting the following:
- 20 "the date the organizational meeting is held in 1985".

LARRY MURPHY

S-3043

- 1 Amend Senate File 24 as follows:
- 2 1. Page 3, by striking lines 11 and 12 and
- 3 inserting the following:
- 4 "Sec. 4. Taxpayers electing to compute their
- 5 minimum tax according to the method in section 1 of

6 this Act for tax years beginning in 1983, 1984, or
 7 1985 shall make such election by April 30, 1986.
 8 Notwithstanding, the due date for making such
 9 election, the penalty and interest provisions of
 10 section 422.25 shall apply to any underpayment of the
 11 minimum tax. Interest on refunds resulting from such
 12 election shall be computed from the later of the date
 13 the return indicating such election is filed or April
 14 30, 1985, in the case of tax years beginning in 1983
 15 or 1984, or April 30, 1986, in the case of tax years
 16 beginning in 1985. For purposes of computing the
 17 minimum tax by taxpayers making such election for tax
 18 years beginning in 1983 and 1984, the "Internal
 19 Revenue Code of 1954" means the Internal Revenue Code
 20 of 1954 as amended to and including January 1, 1985.
 21 Sec. 5. This Act is applicable for tax years
 22 beginning on or after January 1, 1986. However,
 23 taxpayers who were subject to the minimum tax for tax
 24 years beginning in 1983, 1984, and 1985, may elect to
 25 compute their minimum tax liabilities according to the
 26 method in section 1 of this Act.
 27 Sec. 6. This Act, being deemed of immediate
 28 importance, takes effect from and after its
 29 publication in The Altoona Herald-Mitchellville Index,
 30 a newspaper published in Altoona, Iowa, and in the
 31 Prairie City News, a newspaper published in Prairie
 32 City, Iowa."

COMMITTEE ON
 WAYS AND MEANS
 WILLIAM PALMER, Chair

S-3044

1 Amend Senate File 91 as follows:
 2 1. Page 1, by inserting after line 8 the fol-
 3 lowing:
 4 "Sec. ____ . Section 49.19, Code 1985, is amended to
 5 read as follows:
 6 49.19 UNPAID OFFICIALS, PAPER BALLOTS OPTIONAL FOR
 7 CERTAIN CITY ELECTIONS.
 8 The commissioner may appoint unpaid election
 9 precinct officials to election boards, as provided by
 10 sections 49.15, 49.16 and 49.20, or elect not to use
 11 voting machines even though they are available, as
 12 permitted by section 49.26, or both, for any election
 13 held for a city, even if the city has a population of
 14 more than three thousand five hundred, if there is no
 15 contest for any office on the ballot and no public
 16 question is being submitted to the voters at that

17 election. The commissioner may use paper ballots or
 18 an additional machine in a precinct in which all
 19 qualified voters are not eligible to vote for all
 20 offices or issues on the ballot at the regular school
 21 election pursuant to section 277.1 and the regular
 22 city election pursuant to section 376.1."
 23 2. By renumbering as necessary.

MILO COLTON
 DONALD DOYLE

S-3045

1 Amend S-3037 to Senate File 91 as follows:
 2 1. Page 1, by inserting after line 12 the fol-
 3 lowing:
 4 "Sec. ____ Section 49.19, Code 1985, is amended to
 5 read as follows:
 6 49.19 UNPAID OFFICIALS, PAPER BALLOTS OPTIONAL FOR
 7 CERTAIN CITY ELECTIONS.
 8 The commissioner may appoint unpaid election
 9 precinct officials to election boards, as provided by
 10 sections 49.15, 49.16 and 49.20, or elect not to use
 11 voting machines even though they are available, as
 12 permitted by section 49.26, or both, for any election
 13 held for a city, even if the city has a population of
 14 more than three thousand five hundred, if there is no
 15 contest for any office on the ballot and no public
 16 question is being submitted to the voters at that
 17 election. The commissioner may use paper ballots or
 18 an additional machine in a precinct in which all
 19 qualified voters are not eligible to vote for all
 20 offices or issues on the ballot at the regular school
 21 election pursuant to section 277.1 and the regular
 22 city election pursuant to section 376.1."
 23 2. By renumbering as necessary.

MILO COLTON
 DONALD DOYLE

S-3046

1 Amend amendment S-3026 to Senate File 91 as
 2 follows:
 3 1. Page 1, line 31, by striking the word "hours"
 4 and inserting the following: "days".

LARRY MURPHY

S-3047

- 1 Amend Senate File 98 as follows:
- 2 1. Page 1, by striking lines 4 and 5 and
- 3 inserting the following: "boards of directors of all
- 4 school corporations. The certificates shall indicate
- 5 commendation of demonstration of excellence in
- 6 management and administration. Certificates shall
- 7 also indicate if all directors of the school
- 8 corporation have completed eight hours of".

THOMAS A. LIND

S-3048

- 1 Amend Senate File 97 as follows:
- 2 1. Page 1, by inserting after line 6 the
- 3 following:
- 4 "Sec. 3. If 23 U.S.C. § 158 is declared
- 5 unconstitutional by the appellate court of the eighth
- 6 circuit or by the supreme court of the United States,
- 7 or if 23 U.S.C. § 158 is repealed by congress or
- 8 otherwise invalidated, section 1 of this Act is
- 9 repealed and section 123.3, subsection 33, Code 1985,
- 10 is re-enacted to read as it did prior to the effective
- 11 date of this Act."

TOM MANN, Jr.

S-3049

- 1 Amend Senate File 97 as follows:
- 2 1. Page 1, line 6, by striking the numerals
- 3 "1966" and inserting the numerals "1965".

EDGAR H. HOLDEN

S-3050

- 1 Amend the Committee amendment S-3028 to Senate
- 2 File 25 as follows:
- 3 1. By striking page 1, line 50 through page 2,
- 4 line 2 and inserting the following:
- 5 "5. Page 3, by striking lines 23 through 26."
- 6 2. Page 2, by striking lines 4 through 8.

JULIA B. GENTLEMAN

S-3051

- 1 Amend Senate File 59 as follows:
- 2 1. Page 1, line 23, by inserting after the word
- 3 "who" the following: "possesses,".
- 4 2. Title, line 1, by inserting after the word "of"
- 5 the following: "possessing,".

BILL HUTCHINS

S-3052

- 1 Amend amendment S-3037 to Senate File 91 as
- 2 follows:
- 3 1. Page 1, by inserting after line 38, the
- 4 following:
- 5 "Sec. ____ Section 273.8, subsection 2, unnumbered
- 6 paragraph 5, Code 1985, is amended to read as follows:
- 7 A candidate for election to the area education
- 8 agency board ~~may~~ shall file a statement of candidacy
- 9 with the area education agency secretary at least ten
- 10 days prior to the date of the director district
- 11 convention, on forms prescribed by the department of
- 12 public instruction. The statement of candidacy shall
- 13 include the candidate's name, address and school
- 14 district. The list of candidates shall be sent by the
- 15 secretary of the area education agency by ordinary
- 16 mail to the presidents of the boards of directors of
- 17 all school districts within the director district
- 18 immediately following the last day for filing the
- 19 statement of candidacy. The filing of a statement of
- 20 candidacy shall not be a prerequisite or eligibility
- 21 requirement for election as an area education agency
- 22 director. However, if no candidate files with the
- 23 area education agency secretary by the deadline, an
- 24 eligible elector may be nominated at the director
- 25 district convention by a participating school board or
- 26 its delegate. Delegates to director district
- 27 conventions shall not be bound by a school board or
- 28 any school board member to pledge their votes to any
- 29 candidate prior to the date of the convention."
- 30 2. By renumbering as necessary.

DOUGLAS RITSEMA

S-3053

- 1 Amend Senate File 91 as follows:
- 2 1. Page 1, by inserting after line 31, the
- 3 following:

4 "Sec. ____ . Section 273.8, subsection 2, unnumbered
 5 paragraph 5, Code 1985, is amended to read as follows:
 6 A candidate for election to the area education
 7 agency board ~~may shall~~ file a statement of candidacy
 8 with the area education agency secretary at least ten
 9 days prior to the date of the director district
 10 convention, on forms prescribed by the department of
 11 public instruction. The statement of candidacy shall
 12 include the candidate's name, address and school
 13 district. The list of candidates shall be sent by the
 14 secretary of the area education agency by ordinary
 15 mail to the presidents of the boards of directors of
 16 all school districts within the director district
 17 immediately following the last day for filing the
 18 statement of candidacy. The filing of a statement of
 19 candidacy shall not be a prerequisite or eligibility
 20 requirement for election as an area education agency
 21 director. However, if no candidate files with the
 22 area education agency secretary by the deadline, an
 23 eligible elector may be nominated at the director
 24 district convention by a participating school board or
 25 its delegate. Delegates to director district
 26 conventions shall not be bound by a school board or
 27 any school board member to pledge their votes to any
 28 candidate prior to the date of the convention."
 29 2. By renumbering as necessary.

DOUGLAS RITSEMA

S-3054

1 Amend Senate File 91 as follows:
 2 1. Page 3, by inserting after line 35 the
 3 following:
 4 "Sec. ____ . Section 275.23A, subsection 1, Code
 5 1985, is amended by striking the subsection and
 6 inserting the following:
 7 1. School districts which have directors who
 8 represent director districts as provided in section
 9 275.12, subsection 2, paragraphs "b" through "e"
 10 shall be divided into director districts on the basis
 11 of population as determined from the most recent
 12 federal decennial census. The director districts
 13 shall be as nearly equal in population as practicable,
 14 giving due consideration to voting precinct boundaries
 15 and other natural boundaries, and maintaining present
 16 director district boundaries whenever possible. The
 17 director districts shall be composed of contiguous
 18 territory as compact as practicable.
 19 Nothing in this section shall be construed to

20 establish a percent of variance to which the director
21 district populations must comply.”
22 2. By renumbering as necessary.

DOUGLAS RITSEMA

S-3055

1 Amend amendment S-3037 to Senate File 91 as
2 follows:
3 1. Page 3, by inserting after line 20 the
4 following:
5 “Sec. ____ . Section 275.23A, subsection 1, Code
6 1985, is amended by striking the subsection and
7 inserting the following:
8 1. School districts which have directors who
9 represent director districts as provided in section
10 275.12, subsection 2, paragraphs “b” through “e”
11 shall be divided into director districts on the basis
12 of population as determined from the most recent
13 federal decennial census. The director districts
14 shall be as nearly equal in population as practicable,
15 giving due consideration to voting precinct boundaries
16 and other natural boundaries, and maintaining present
17 director district boundaries whenever possible. The
18 director districts shall be composed of contiguous
19 territory as compact as practicable.
20 Nothing in this section shall be construed to
21 establish a percent of variance to which the director
22 district populations must comply.”
23 2. By renumbering as necessary.

DOUGLAS RITSEMA

S-3056

1 Amend S-3037 to Senate File 91 as follows:
2 1. By striking page 11, line 41 through page 12,
3 line 3.
4 2. Page 12, by striking lines 10 and 11 and
5 inserting the following: “four years each, the
6 following adjustments in”.
7 3. Page 12, by striking lines 45 through 48.
8 4. By renumbering as necessary.

ALVIN MILLER

S-3057

1 Amend Senate File 19 as follows:

2 1. Page 1, by striking everything after the
3 enacting clause and inserting the following:

4 "Section 1. Section 321.200, Code 1985, is amended
5 to read as follows:

6 321.200 CONVICTION AND ACCIDENT FILE.

7 The department shall also file all accident reports
8 and abstracts of court records of convictions received
9 by it under the laws of this state and in connection
10 ~~therewith~~ with them shall maintain convenient records
11 or make suitable notations in order that an individual
12 record of each licensee showing the convictions of
13 ~~such~~ the licensee and the traffic accidents in which
14 the licensee has been involved shall be readily
15 ascertainable and available for the consideration of
16 the department upon any application for renewal of
17 license and at other suitable times. However, the
18 abstract of court records shall not include
19 convictions of speeding violations of ten miles per
20 hour or less over the legal speed limit in speed zones
21 having a legal limit greater than twenty-five miles
22 per hour or five miles per hour or less over the legal
23 speed limit in speed zones having a legal limit of
24 twenty-five miles per hour or less, occurring on or
25 after July 1, 1985.

26 Sec. 2. Section 321.207, Code 1985, is amended to
27 read as follows:

28 321.207 RECORD FORWARDED.

29 Every court having jurisdiction over offenses
30 committed under this chapter, or any other law of this
31 state or any city or county traffic ordinances, other
32 than parking regulations, regulating the operation of
33 motor vehicles on highways, shall forward to the
34 department a record of the conviction of any person in
35 the court for a violation of any of the laws, and may
36 recommend the suspension of the operator's or
37 chauffeur's license of the person convicted, and the
38 department shall consider and act upon the
39 recommendation. However, a record of conviction for a
40 speeding violation of ten miles per hour or less over
41 the legal speed limit in speed zones having a legal
42 limit greater than twenty-five miles per hour or five
43 miles per hour or less over the legal speed limit in
44 speed zones having a legal limit of twenty-five miles
45 per hour or less shall not be forwarded to the
46 department, except as required under section 321.513.

47 Sec. 3. Section 321.210, Code 1985, is amended by
48 adding the following new unnumbered paragraph:

49 NEW UNNUMBERED PARAGRAPH. The department shall not
50 consider or assess any points for speeding violations

Page 2

1 of ten miles per hour or less over the legal speed
2 limit in speed zones having a legal speed limit
3 greater than twenty-five miles per hour or five miles
4 per hour or less over the legal speed limit in speed
5 zones having a legal speed limit of twenty-five miles
6 per hour or less in determining a license suspension
7 under this section.

8 Sec. 4. Section 321.491, unnumbered paragraph 2,
9 Code 1985, is amended to read as follows:

10 Within ten days after the conviction or forfeiture
11 of bail of a person upon a charge of violating any
12 provision of this chapter or other law regulating the
13 operation of vehicles on highways every ~~said~~
14 magistrate of the court or clerk of the court of
15 record in which such conviction was had or bail was
16 forfeited shall prepare and immediately forward to the
17 department an abstract of the record of ~~said~~ the court
18 covering the case in which ~~said~~ the person was so
19 convicted or forfeited bail, which abstract must be
20 certified by the person so required to prepare the
21 same to be true and correct. However, an abstract of
22 the record shall not be forwarded for convictions of
23 speeding violations of ten miles per hour or less over
24 the legal speed limit in speed zones having a legal
25 limit greater than twenty-five miles per hour or five
26 miles per hour or less in speed zones having a legal
27 limit of twenty-five miles per hour or less, except as
28 required under section 321.513.

29 Sec. 5. Section 312A.3, Code 1985, is amended by
30 adding the following new subsection immediately
31 following subsection 2:

32 NEW SUBSECTION. The abstract provided under this
33 section shall not include records of convictions for
34 speeding violations of ten miles per hour or less over
35 the legal speed limit in speed zones having a legal
36 limit greater than twenty-five miles per hour or five
37 miles per hour or less over the legal speed limit in
38 speed zones having a legal limit of twenty-five miles
39 per hour or less, occurring on or after July 1, 1985."

40 2. Title page, by striking line 2 and inserting
41 the following: "certain violations over the legal".

BILL HUTCHINS

S-3058

- 1 Amend Senate File 57 as follows:
- 2 1. Page 6, line 28, by striking the word "four"
- 3 and inserting the following: "two".

WILLIAM W. DIELEMAN

S-3059

- 1 Amend Senate File 57 as follows:
- 2 1. Page 16, line 2, by striking the figure "1988"
- 3 and inserting the following: "1990".

NORMAN G. RODGERS

S-3060

- 1 Amend Senate File 57 as follows:
- 2 1. Page 4, line 6, by inserting after the word
- 3 "awarded." the following: "In no event shall a prize
- 4 be awarded in excess of five hundred thousand dollars
- 5 unless the prize is in the form of an annuity in which
- 6 case the maximum amount that shall be spent on
- 7 purchasing the annuity is five hundred thousand
- 8 dollars."

RAY TAYLOR

S-3061

- 1 Amend Senate File 57 as follows:
- 2 1. Page 15, by inserting after line 14 the
- 3 following:
- 4 "Sec. __. Section 422.43, subsection 3, Code
- 5 1985, is amended to read as follows:
- 6 3. The tax thus imposed shall cover all receipts
- 7 from the operation of games of skill, games of chance,
- 8 raffles and bingo games as defined in chapter 99B,
- 9 lottery games conducted under chapter 99E, and musical
- 10 devices, weighing machines, shooting galleries,
- 11 billiard and pool tables, bowling alleys, pinball
- 12 machines, slot-operated devices selling merchandise
- 13 not subject to the general sales taxes and on all
- 14 receipts from devices or systems where prizes are in
- 15 any manner awarded to patrons and upon the receipts
- 16 from fees charged for participation in any game or
- 17 other form of amusement, and generally upon the gross
- 18 receipts from any source of amusement operated for
- 19 profit not specified herein, and upon the gross

20 receipts from which no tax is collected for tickets or
 21 admission, but no tax shall be imposed upon any
 22 activity exempt from sales tax under the provision of
 23 section 422.45, subsection 4. Every person receiving
 24 gross receipts from the sources as defined in this
 25 section shall be subject to all provisions of this
 26 division relating to retail sales tax and such other
 27 provisions of this chapter as may be applicable.”
 28 2. Renumber as necessary.

RAY TAYLOR

S-3062

1 Amend Senate File 57 as follows:
 2 1. Page 4, by striking lines 31 and 32 and
 3 inserting the words “shall not be sold in
 4 establishments that serve, for consumption on the
 5 premises, any alcoholic beverages or beer as defined
 6 in section 123.3, subsections 8 and 9.”
 7 2. Page 5, line 1, by inserting after the word
 8 “ticket.” the following: “The odds shall be printed
 9 clearly, conspicuously, and in easily readable print.”
 10 3. Page 6, line 14, by inserting after the word
 11 “advance.” the following: “When required, the odds
 12 shall be printed clearly, conspicuously, and in easily
 13 readable print.”
 14 4. Page 6, line 23, by inserting after the word
 15 “tickets.” the following: “Savings resulting from the
 16 purchase of an annuity for the payment of a prize
 17 shall be used for payment of prizes to comply with
 18 this subsection.”
 19 5. Page 8, by striking line 13 and inserting the
 20 following: “director, an employee of the lottery, a
 21 licensee, or an employee of a licensee shall not
 22 directly or”.
 23 6. Page 8, by striking line 20, and inserting the
 24 following: “director, an employee of the lottery, a
 25 licensee, an employee of a licensee, or a member of
 26 their”.
 27 7. Page 8, line 26, by inserting after the word
 28 “licensee” the following: “or from a member of their
 29 immediate family”.
 30 8. Page 8, line 30, by striking the words “or a
 31 licensee” and inserting the following: “a licensee or
 32 a member of their immediate family”.
 33 9. Page 8, line 32, by inserting after the word
 34 “lottery,” the following: “a licensee, an employee of
 35 a licensee.”
 36 10. Page 9, line 3, by inserting after the word

37 "position." the following: "The license of a licensee
38 that violates this section shall be revoked."
39 11. Page 9, line 9, by inserting after the words
40 "residence of the" the following: "licensee, employee
41 of the licensee, the applicant for a license, the
42 person contracting or seeking a contract, the".
43 12. Page 10, line 6, by striking the word
44 "profits" and inserting the following: "gross
45 receipts".
46 13. Page 10, line 7, by striking the word
47 "profits" and inserting the following: "gross
48 receipts".
49 14. Page 12, line 28, by inserting after the word
50 "tickets." the following: "A licensee shall not

Page 2

1 permit a person who has not yet reached eighteen years
2 of age to sell a lottery ticket."
3 15. Page 13, line 2, by inserting after the word
4 "misdemeanor." the following: "In addition, the
5 license of a licensee shall be suspended."
6 16. Page 13, line 8, by striking the word
7 "lottery" and inserting the following: "lottery, a
8 licensee, or an employee of a licensee".
9 17. Page 16, by inserting after line 5 the
10 following:
11 "Sec. ____ . Notwithstanding section 99E.6,
12 subsection 1, lottery expenses for marketing,
13 educational, and informational material shall not
14 exceed two percent of the gross lottery revenue until
15 the initial appropriation is repaid to the state
16 general fund pursuant to section 99E.6, subsection 2."
17 18. Renumber as necessary.

EDGAR H. HOLDEN

S-3063

1 Amend Senate File 57 as follows:
2 1. Page 6, line 30, by inserting after the word
3 "basis" the following: "except as provided in
4 subsection 2".
5 2. Page 7, by inserting after line 1 the
6 following:
7 "2. At the time of each quarterly transfer
8 pursuant to subsection 1, an amount equal to half of
9 one percent of the gross lottery revenue for the
10 preceding quarter shall be deposited in a gamblers
11 assistance fund which is created in the office of the

12 treasurer of state. The fund shall be administered by
13 the commissioner of human services and used to provide
14 assistance and counseling to individuals and families
15 experiencing difficulty as a result of gambling losses
16 and to promote awareness of gamblers anonymous and
17 similar assistance programs.”
18 3. Renumber as necessary.

WILLIAM W. DIELEMAN
JOE BROWN

S-3064

1 Amend Senate File 57 as follows:
2 1. Page 6, line 28, by inserting after the word
3 “the” the following: “gross”.

WILLIAM W. DIELEMAN

S-3065

1 Amend Senate File 57 as follows:
2 1. Page 5, line 15, by inserting after the word
3 “considerations.” the following: “However, the rules
4 shall prohibit any additional compensation to a
5 licensee who sells the winning ticket in a lottery
6 game. In addition, the licensee or an employee of the
7 licensee shall not accept a gift, gratuity or anything
8 of value from the holder of the winning ticket.”
9 2. Page 11, line 5, by inserting after the word
10 “board” the following: “and consistent with section
11 99E.5, subsection 3, paragraph “k””.

WILLIAM W. DIELEMAN

S-3066

1 Amend Senate File 57 as follows:
2 1. Page 6, line 23, by inserting after the word
3 “tickets.” the following: “However, if the prize is
4 paid through the purchase of an annuity, the savings
5 that would result from the purchase of the annuity
6 rather than a direct payment shall accrue to the
7 state. The total payments under the annuity to the
8 holder of the winning ticket shall be used to compute
9 forty-five percent of annual lottery revenue to be
10 used for payment of prizes.”

WILLIAM W. DIELEMAN

S-3067

1 Amend Senate File 57 as follows:

DIVISION S—3067A

- 2 1. Page 3, line 23, by striking the word
3 “consecutive”.
4 2. Page 3, line 24, by inserting after the word
5 “and” the following: “for each game utilizing instant
6 tickets”.

DIVISION S—3067B

- 7 3. Page 4, line 30, by striking the word
8 “Tickets”.
9 4. Page 4, by striking lines 31 and 32.

DIVISION S—3067A (cont'd.)

- 10 5. By striking page 4, line 33 through page 5,
11 line 1 and inserting the following:
12 “i. The method to be used in printing and selling
13 tickets or shares. An elected official's name shall
14 not be printed on the tickets or shares. The overall
15 estimated odds of winning a prize in any preprinted
16 ticket or share game shall be printed on each ticket or
17 share. The lottery shall maintain and make available
18 for public inspection, at its offices during regular
19 business hours a detailed listing of the estimated
20 number of prizes of each particular denomination that
21 are expected to be awarded in any game that is on sale
22 or the estimated odds of winning such prizes and, after
23 the end of the claim period, shall maintain and make
24 available a listing of the total number of tickets or
25 shares sold in a game and the number of prizes of each
26 denomination which were awarded.”

DIVISION S—3067D

- 27 6. Page 5, by striking lines 17 through 26 and
28 inserting the following: “educational material to be
29 permitted.”

DIVISION S—3067A (cont'd.)

- 30 7. Page 8, by striking lines 8 and 9 and inserting
31 the following: “players.”

DIVISION S—3067C

32 8. Page 8, by striking lines 20 through 26 and
 33 inserting the following: "director, an employee of the
 34 lottery, or a member of their immediate family shall
 35 not ask for, offer to accept, or receive a gift,
 36 gratuity, or other thing of more than fifty dollars in
 37 value from a person contracting or seeking to contract
 38 with the state to supply gaming equipment or materials
 39 for use in the operation of a lottery or from an
 40 applicant for a license to sell tickets or shares in
 41 the lottery or from a licensee."
 42 9. Page 8, by striking line 33 and inserting the
 43 following: "family a gift, gratuity, or other thing of
 44 more than fifty dollars in value."
 45 10. Page 9, by inserting after line 10 the
 46 following:
 47 "____. In addition to the prohibitions of this
 48 section, the prohibitions of section 722.1 and 722.2
 49 are applicable."

DIVISION S—3067A (cont'd.)

50 11. Page 16, by inserting after line 5 the

Page 2

DIVISION S—3067A (cont'd.)

1 following:
 2 "Sec. ____ . This Act, being deemed of immediate
 3 importance, takes effect from and after its publication
 4 in The Cascade Pioneer-Advertiser, a newspaper
 5 published in Cascade, Iowa, and in the Muscatine
 6 Journal, a newspaper published in Muscatine, Iowa."

COMMITTEE ON
 STATE GOVERNMENT
 ROBERT CARR, Chair

S—3068

1 Amend Senate File 57 as follows:
 2 1. By striking page 15, line 35 through page 16,
 3 line 5.

MICHAEL E. GRONSTAL

S-3069

1 Amend Senate File 57 as follows:

DIVISION S-3069A

2 1. Page 1, line 11, by striking the word "racing"
3 and inserting the following: "gaming".
4 2. Page 1, line 16, by striking the word "racing"
5 and inserting the following: "gaming".
6 3. Page 1, line 20, by striking the word "racing"
7 and inserting the following: "gaming".
8 4. Page 15, by inserting after line 14 the
9 following:
10 "Sec. ___. Section 12.10, Code 1985, is amended to
11 read as follows:
12 12.10 DEPOSITS BY STATE OFFICERS.
13 Except as otherwise provided, all elective and
14 appointive state officers, boards, commissions, and
15 departments shall, within ten days succeeding the
16 collection, deposit with the treasurer of state, or to
17 the credit of the treasurer of state in any depository
18 designated by the treasurer of state, ninety percent
19 of all fees, commissions, and moneys collected or
20 received. The balance actually collected in cash,
21 remaining in the hands of any officer, board, or
22 department shall not exceed the sum of five thousand
23 dollars and money collected shall not be held more
24 than thirty days. This section does not apply to the
25 state fair board, the state board of regents, the Iowa
26 state commerce commission, the commissioner of the
27 department of human services, the Iowa housing finance
28 authority or to the funds received by the state ~~rac~~
29 ~~ing~~ gaming commission under sections 99D.7 and 99D.14."

DIVISION S-3069B

30 5. Page 15, by inserting after line 14 the
31 following:
32 "Sec. ___. Section 99B.1, subsection 16, Code
33 1985, is amended to read as follows:
34 16. "Department" means the ~~department of revenue~~
35 the state gaming commission."

DIVISION S-3069A (cont'd.)

36 6. Page 15, by inserting after line 14 the
37 following:
38 "Sec. ___. Section 99D.2, subsection 3, Code 1985,
39 is amended to read as follows:

40 3. "Commission" means the state ~~racing gaming~~
 41 commission created under section 99D.5.

42 Sec. ____ . Section 99D.5, subsection 1, Code 1985,
 43 is amended to read as follows:

44 1. There is created a state ~~racing gaming~~
 45 commission consisting of five members who shall be
 46 appointed by the governor subject to confirmation by
 47 the senate, and who shall serve not to exceed a three-
 48 year term at the pleasure of the governor. The term
 49 of each member shall begin and end as provided in
 50 section 69.19."

Page 2

DIVISION S-3069A (cont'd.)

1 7. Page 15, by inserting after line 24 the
 2 following:

3 "Sec. ____ . Section 692.2, subsection 1, paragraph
 4 d, Code 1985, is amended to read as follows:

5 d. The state ~~racing gaming~~ commission for the
 6 purposes of section 99D.8A."

7 8. Title page, line 2, by inserting after the
 8 word "commission" the following: "and changing the
 9 name of the state racing commission to the state
 10 gaming commission".

DIVISION S-3069B

11 9. Title page, line 9, by inserting after the
 12 word "fund," the following: "providing that games of
 13 skill or chance shall be regulated by the state gaming
 14 commission,".

15 10. Renumber as necessary.

DAVID M. READINGER
 GEORGE R. KINLEY
 EDGAR H. HOLDEN
 JOHN SOORHOLTZ
 WILLIAM D. PALMER
 BERL E. PRIEBE
 JULIA GENTLEMAN
 THOMAS A. LIND
 JOE BROWN
 RICHARD F. DRAKE
 ARNE WALDSTEIN
 MILO COLTON
 DONALD V. DOYLE

S-3070

- 1 Amend Senate File 112 as follows:
- 2 1. Page 1, line 18, by inserting after the word
- 3 "public." the following: "If a member has a financial
- 4 interest in, or is a proprietor or instructor at a
- 5 licensed school, that member shall not participate in
- 6 the composition of the board's written examinations,
- 7 or in the practical examination of any applicant from
- 8 the member's school."

WILLIAM W. DIELEMAN
RICHARD F. DRAKE
FORREST V. SCHWENGELS

S-3071

- 1 Amend Senate File 57 as follows:
- 2 1. Page 6, by striking lines 3 and 4.

RAY TAYLOR

S-3072

- 1 Amend Senate File 57 as follows:
- 2 1. Page 6, line 28, by striking the word "four"
- 3 and inserting the following: "one".

RAY TAYLOR

S-3073

- 1 Amend Senate File 57 as follows:
- 2 1. Page 13, line 19, by striking the words
- 3 "PRIZES OF MINORS--".

GEORGE R. KINLEY

S-3074

- 1 Amend Senate File 57 as follows:
- 2 1. Page 2, by striking lines 19 through 22.
- 3 2. Page 6, line 26, by inserting after the word
- 4 "lottery" the following: "including the salaries of
- 5 employees and expenses of the commission attributable
- 6 to the lottery".
- 7 3. Page 12, line 14, by striking the words "The

8 hearing board" and inserting the following: "Subject
9 to the approval of the commission, the director".

GEORGE KINLEY

S-3075

1 Amend Senate File 57 as follows:
2 1. Page 6, by inserting after line 14 the
3 following:
4 "____. The board and the director may enter into
5 written agreements or compacts with another state or
6 states for the operation, marketing, and promotion of
7 a joint lottery or joint lottery games."

LOWELL L. JUNKINS

S-3076

1 Amend Senate File 57 as follows:
2 1. Page 6, by inserting after line 14 the
3 following:
4 "____. The commission and the director may enter
5 into written agreements or compacts with another state
6 or states for the operation, marketing, and promotion
7 of a joint lottery or joint lottery games."

LOWELL L. JUNKINS

S-3077

1 Amend Senate File 57 as follows:
2 1. Page 3, line 20, by inserting after the word
3 "conducted." the following: "The commission shall not
4 authorize video lottery games."

WILLIAM W. DIELEMAN

S-3078

1 Amend Senate amendment S-3069 to Senate File 57 as
2 follows:

DIVISION S-3078A

3 1. Page 1, line 3, by striking the word "gaming"
4 and inserting the following: "gambling".
5 2. Page 1, line 5, by striking the word "gaming"
6 and inserting the following: "gambling".
7 3. Page 1, line 7, by striking the word "gaming"

8 and inserting the following: "gambling".
9 4. Page 1, line 29, by striking the word "gaming"
10 and inserting the following: "gambling".

DIVISION S-3078B

11 5. Page 1, line 35, by striking the word "gaming"
12 and inserting the following: "gambling".

DIVISION S-3078A (cont'd.)

13 6. Page 1, line 40, by striking the word "gaming"
14 and inserting the following: "gambling".
15 7. Page 1, line 44, by striking the word "gaming"
16 and inserting the following: "gambling".
17 8. Page 2, line 5, by striking the word "gaming"
18 and inserting the following: "gambling".
19 9. Page 2, line 10, by striking the word "gaming"
20 and inserting the following: "gambling".

RAY TAYLOR

S-3079

1 Amend Senate File 57 as follows:
2 1. Page 1, by striking lines 23 and 24 and
3 inserting the following: "the lottery is the
4 secretary. The commission shall appoint the director.
5 The".
6 2. Page 2, by striking lines 18 through 22 and
7 inserting the following: "implement this chapter and
8 shall comply with chapter 692."
9 3. Page 3, by striking lines 1 through 6 and
10 inserting the following: "the lottery."
11 4. Page 3, by striking lines 7 and 8 and
12 inserting in lieu thereof the following:
13 "3. The commission shall make rules pursuant to
14 chapter 17A".
15 5. Page 5, line 10, by inserting after the word
16 "chapter" the following: "or a rule adopted pursuant
17 to this chapter".
18 6. Page 6, line 26, by inserting after the word
19 "lottery" the following: "including the salaries of
20 employees and expenses of the commission attributable
21 to the lottery".
22 7. Page 9, by striking lines 31 through 33 and
23 inserting the following: "At a hearing ordered by the
24 director, the".
25 8. Page 12, line 14, by striking the words
26 "hearing board" and inserting the following:

27 "commission".

28 9. Page 12, by striking lines 19 through 22.

LOWELL L. JUNKINS

S-3080

1 Amend Senate File 57 as follows:

DIVISION S-3080B

2 1. Page 2, by striking lines 18 through 22 and
3 inserting the following: "implement this chapter and
4 shall comply with chapter 692."

DIVISION S-3080A

5 2. Page 3, by striking lines 1 through 6 and
6 inserting the following: "the lottery."
7 3. Page 3, by striking lines 7 and 8 and
8 inserting in lieu thereof the following:
9 "3. The lottery agency shall make rules pursuant
10 to chapter 17A".

DIVISION S-3080B (cont'd.)

11 4. Page 5, line 10, by inserting after the word
12 "chapter" the following: "or a rule adopted pursuant
13 to this chapter".
14 5. Page 6, line 26, by inserting after the word
15 "lottery" the following: "including the salaries of
16 employees and expenses of the lottery agency
17 attributable to the lottery".
18 6. Page 12, line 14, by striking the words
19 "hearing board" and inserting the following: "lottery
20 agency".

LOWELL L. JUNKINS

S-3081

1 Amend Senate amendment S-3062 to Senate File 57 as
2 follows:
3 1. Page 2, by inserting after line 8 the
4 following:
5 "___, Page 13, line 12, by striking the word
6 "director" and inserting the following: "director,

7 licensee.””

8 2. Renumber as necessary.

EDGAR H. HOLDEN

S-3082

1 Amend Senate File 57 as follows:

2 1. Page 1, by inserting after line 5 the
3 following:

4 “_. “Board” means the Iowa lottery board created
5 in section 99E.101.”

6 2. Page 1, by striking line 11.

7 3. Page 1, by striking lines 16 and 17.

8 4. Page 1, by striking lines 20 through 26 and
9 inserting the following:

10 “1. A state agency is established to be known as
11 the Iowa lottery agency. Except as provided in
12 sections 99E.11 and 99E.13, subsection 4, the Iowa
13 lottery agency is subject to chapter 17A. It is a
14 separate agency of state government whose head is the
15 director.”

16 5. Page 1, line 28, by inserting after the word
17 “lottery.” the following: “The director shall be
18 appointed by the governor within thirty days after the
19 effective date of this Act subject to confirmation by
20 the senate, and shall serve at the pleasure of the
21 governor. A vacancy occurring in the office of the
22 director shall be filled in the same manner as the
23 original appointment. Section 2.32 applies to the
24 appointment of the director.”

25 6. Page 1, line 32, by striking the word
26 “commission” and inserting the following: “governor”.

27 7. Page 2, line 28, by striking the word
28 “COMMISSION” and inserting the following: “BOARD”.

29 8. Page 2, line 30, by striking the word
30 “commission” and inserting the following: “board”.

31 9. Page 2, line 34, by striking the word
32 “commission” and inserting the following: “board”.

33 10. Page 3, line 6, by striking the word
34 “commission” and inserting the following: “board”.

35 11. Page 3, line 8, by striking the word
36 “commission” and inserting the following: “board”.

37 12. Page 8, by striking line 12 and inserting the
38 following:

39 “1. A member of the board, the”.

40 13. Page 8, by striking line 19 and inserting the
41 following:

42 “2. A member of the board, the”.

43 14. Page 8, by striking line 31 and inserting the

44 following: "offer a member of the board, the
45 director".
46 15. Page 8, by striking line 34 and inserting the
47 following:
48 "4. A member of the board, the".
49 16. Page 9, line 10, by striking the word
50 "commission" and inserting the following: "board".

Page 2

1 17. Page 9, by striking line 13 and inserting the
2 following:
3 "1. The Iowa lottery agency has three divisions:".
4 18. Page 12, line 10, by striking the word
5 "commission" and inserting the following: "board".
6 19. Page 12, line 26, by striking the word
7 "commission" and inserting the following: "board".
8 20. Page 13, line 7, by striking the words
9 "commission, the secretary" and inserting the
10 following: "board".
11 21. Page 13, by striking line 12 and inserting
12 the following: "member of the board, the director
13 or".
14 22. Page 13, line 29, by striking the word
15 "commissioner" and inserting the following:
16 "director".
17 23. Page 14, line 18, by striking the word
18 "commission" and inserting the following: "board".
19 24. Page 15, by striking line 6 and inserting the
20 following:
21 "The board and the director shall".
22 25. Page 15, by inserting after line 14 the
23 following:
24 "Sec. __. NEW SECTION. 99E.101 LOTTERY BOARD.
25 An Iowa lottery board is created to consist of five
26 members, not more than three of whom shall be from the
27 same political party, and who shall be appointed by
28 the governor subject to confirmation by the senate.
29 The governor shall appoint the board members within
30 sixty days of the effective date of this Act. The
31 term of each member shall begin and end as provided in
32 section 69.19. A vacancy on the board shall be filled
33 in the same manner as regular appointments are made
34 and the term shall be for the unexpired portion of the
35 regular term.
36 Sec. __. NEW SECTION. 99E.102 BOARD
37 QUALIFICATIONS.
38 Board members shall be residents of this state. At
39 least one member of the board shall be a person who
40 has been a law enforcement officer for not less than

41 five years, one member shall be an attorney admitted
 42 to the practice of law in Iowa for not less than five
 43 years, and one member shall be a certified public
 44 accountant who has practiced accountancy in Iowa for
 45 not less than five years.

46 Sec. ___. NEW SECTION. 99E.103 BOARD MEETINGS.

47 The board shall hold at least one meeting each
 48 month and as often as necessary. The board shall
 49 select a chairperson from its membership at the first
 50 regular meeting of the board and shall thereafter

Page 3

1 select a chairperson at the first regular meeting of
 2 each fiscal year. Written notice of the time and
 3 place of each meeting shall be given to each member of
 4 the board. A majority of the board constitutes a
 5 quorum.

6 Sec. ___. NEW SECTION. 99E.104 EXPENSES --
 7 SALARY.

8 Members of the board shall be compensated at a rate
 9 of forty dollars per diem while on official business
 10 of the board. Members shall also be allowed the
 11 actual and necessary expenses incurred in the
 12 performance of their duties. The expenses incurred by
 13 members of the board and the salaries paid to members
 14 of the board are part of the necessary expenses of the
 15 lottery agency."

16 26. Page 15, line 33, by striking the word
 17 "commission" and inserting the following: "board".

18 27. Renumber as necessary.

JOE WELSH
 WALLY HORN

S-3083

1 Amend Senate File 57 as follows:

2 1. Page 6, line 28, by inserting after the word
 3 "the" the following: "projected".

JOE J. WELSH

S-3084

1 Amend Senate amendment S-3082 to Senate File 57 as
 2 follows:

3 1. Page 1, by striking lines 11 and 12 and
 4 inserting the following: "the Iowa lottery agency.
 5 The".

- 6 2. Page 2, by inserting after line 3 the
7 following:
8 “___ Page 9, by striking lines 31 through 33 and
9 inserting the following: “At a hearing ordered by the
10 director, the”.”
11 3. Page 2, by inserting after line 5 the
12 following:
13 “___ Page 12, by striking lines 19 through 22.”
14 4. Renumber as necessary.

LOWELL L. JUNKINS

S-3085

- 1 Amend Senate File 57 as follows:
2 1. Page 6, by inserting before line 15 the
3 following:
4 “___ In purchasing materials, supplies, entering
5 into contracts, purchasing annuities or prizes or
6 other services and materials in connection with the
7 lottery, the lottery agency shall strive to give
8 special consideration in purchasing from Iowa
9 businesses.”

BEVERLY A. HANNON

S-3086

- 1 Amend Senate File 57 as follows:
2 1. Page 6, by inserting before line 15 the
3 following:
4 “___ In purchasing materials, supplies, entering
5 into contracts, purchasing annuities or prizes or
6 other services and materials in connection with the
7 lottery, the commission shall strive to give special
8 consideration in purchasing from Iowa businesses.”

BEVERLY A. HANNON

S-3087

- 1 Amend Senate File 57 as follows:
2 1. Page 6, line 19, by striking the word “forty-
3 five” and inserting the following: “sixty”.

ARNE WALDSTEIN

S-3088

- 1 Amend Senate File 57 as follows:
- 2 1. By striking page 15, line 35 through page 16,
- 3 line 5.
- 4 2. Title page, line 7, by inserting after the
- 5 word "penalties," the following: "and".
- 6 3. Title page, by striking line 9 and inserting
- 7 the following: "fund."

MICHAEL E. GRONSTAL

S-3089

- 1 Amend Senate amendment S-3067 to Senate File 57 as
- 2 follows:

DIVISION S—3089B

- 3 1. Page 1, by striking lines 7 through 9 and
- 4 inserting the following:
- 5 "_. Page 4, by striking lines 31 and 32 and
- 6 inserting the words "shall not be sold in
- 7 establishments that serve, for consumption on the
- 8 premises, any alcoholic beverages or beer as defined
- 9 in section 123.3, subsections 8 and 9." "

DIVISION S—3089A

- 10 2. Page 1, line 16 by inserting after the word
- 11 "printed" the following: "clearly, conspicuously, and
- 12 in easily readable print".
- 13 3. Page 1, by inserting after line 29 the
- 14 following:
- 15 "_. Page 6, line 14, by inserting after the
- 16 word "advance." the following: "When required, the
- 17 odds shall be printed clearly, conspicuously, and in
- 18 easily readable print." "

DIVISION S—3089C

- 19 4. Page 1, by inserting after line 31 the
- 20 following:
- 21 "_. Page 8, by striking line 13 and inserting
- 22 the following: "director, an employee of the lottery,
- 23 a licensee, or an employee of licensee shall not
- 24 directly or".
- 25 5. Page 1, by striking line 34 and inserting the
- 26 following: "lottery, a licensee, an employee of a
- 27 licensee, or a member of their immediate family

28 shall".

29 6. Page 1, line 41, by inserting after the word
30 "licensee" the following: "or from a member of their
31 immediate family".

32 7. Page 1, by inserting after line 41 the
33 following:

34 "____. Page 8, line 30, by striking the words "or
35 a licensee" and inserting the following: "a licensee
36 or a member of their immediate family".

37 ____ Page 8, line 32, by inserting after the word
38 "lottery," the following: "a licensee, an employee of
39 a licensee,."

40 8. Page 1, by inserting after line 44 the
41 following:

42 "____. Page 9, line 3, by inserting after the word
43 "position." the following: "The license of a licensee
44 that violates this section shall be revoked."

45 ____ Page 9, line 9, by inserting after the words
46 "residence of the" the following: "licensee, employee
47 of the licensee, the applicant for a license, the
48 person contracting or seeking a contract, the,."

49 9. Renumber as necessary.

EDGAR H. HOLDEN

S-3090

1 Amend the amendment S-3069 to Senate File 57 as
2 follows:

3 1. Page 2, line 13, by striking the word
4 "gaming" and inserting the following: "gambling".

RAY TAYLOR

S-3091

1 Amend Senate File 57 as follows:

2 1. Page 15, by inserting after line 14 the
3 following:

4 "Sec. ____ Section 99D.5, subsection 4, Code 1985,
5 is amended to read as follows:

6 4. Commission members shall each receive an annual
7 salary of ~~six~~ twelve thousand dollars. Members shall
8 also be reimbursed for necessary travel and expenses
9 incurred in the performance of their duties to a
10 maximum of six thousand dollars per year for the
11 commission. Each member shall post a bond in the
12 amount of ten thousand dollars, with sureties to be
13 approved by the governor, to guarantee the proper
14 handling and accounting of moneys and other properties

15 required in the administration of this chapter. The
16 premiums on the bonds shall be paid as other expenses
17 of the commission."

RICHARD F. DRAKE

S-3092

1 Amend Senate File 57 as follows:
2 1. Page 6, line 28, by inserting after the word
3 "revenue." the following: "An economic development
4 fund is created in the office of the treasurer of
5 state."
6 2. Page 6, line 30, by striking the word
7 "general" and inserting the following: "economic
8 development".
9 3. Page 6, line 31, by striking the word
10 "general" and inserting the following: "economic
11 development".
12 4. Page 7, line 6, by inserting after the word
13 "estimates." the following: "Moneys in the economic
14 development fund shall not revert to the general fund
15 and shall not be considered to be a part of the Iowa
16 economic emergency fund."
17 5. Page 14, line 31, by striking the word
18 "general" and inserting the following: "economic
19 development".

JOE WELSH

S-3093

1 Amend Senate File 65 as follows:
2 1. Page 1, line 14, by striking the word "regular"
3 and inserting the following: "certified".
4 2. Page 1, line 19, by striking the word "regular"
5 and inserting the following: "certified".

CHARLES P. MILLER

S-3094

1 Amend Senate File 57 as follows:
2 1. Page 6, line 28, by inserting after the word
3 "revenue." the following: "An economic development
4 fund is created in the office of the treasurer of
5 state."
6 2. Page 6, line 30, by striking the word
7 "general" and inserting the following: "economic
8 development".

- 9 3. Page 6, line 31, by striking the word
 10 "general" and inserting the following: "economic
 11 development".
- 12 4. Page 7, line 6, by inserting after the word
 13 "estimates." the following: "Moneys in the economic
 14 development fund shall not revert to the general fund
 15 and shall not be considered to be a part of the Iowa
 16 economic emergency fund."
- 17 5. Page 14, line 31, by striking the word
 18 "general" and inserting the following: "economic
 19 development".
- 20 6. Title page, line 8, by striking the words "the
 21 general" and inserting the following: "a specially
 22 created economic development".

JOE WELSH

S-3095

- 1 Amend Senate File 57 as follows:
- 2 1. Page 1, by inserting after line 5 the
 3 following:
 4 "_. "Board" means the Iowa lottery board created
 5 in section 99E.101."
- 6 2. Page 1, by striking line 11 and inserting the
 7 following:
 8 "_. "Commission" means the state gaming
 9 commission created in section 99E.105."
- 10 3. Page 1, by striking lines 16 and 17.
- 11 4. Page 1, by striking lines 20 through 26 and
 12 inserting the following:
 13 "1. A state agency is established to be known as
 14 the Iowa lottery agency. Except as provided in
 15 sections 99E.11 and 99E.13, subsection 4, the Iowa
 16 lottery agency is subject to chapter 17A. It is a
 17 separate agency of state government whose head is the
 18 director."
- 19 5. Page 1, line 28, by inserting after the word
 20 "lottery." the following: "The director shall be
 21 appointed by the governor within thirty days after the
 22 effective date of this Act subject to confirmation by
 23 the senate, and shall serve at the pleasure of the
 24 governor. A vacancy occurring in the office of the
 25 director shall be filled in the same manner as the
 26 original appointment. Section 2.32 applies to the
 27 appointment of the director."
- 28 6. Page 1, line 32, by striking the word
 29 "commission" and inserting the following: "governor".
- 30 7. Page 2, line 28, by striking the word
 31 "COMMISSION" and inserting the following: "BOARD".

- 32 8. Page 2, line 30, by striking the word
33 "commission" and inserting the following: "board".
34 9. Page 2, line 34, by striking the word
35 "commission" and inserting the following: "board".
36 10. Page 3, line 6, by striking the word
37 "commission" and inserting the following: "board".
38 11. Page 3, line 8, by striking the word
39 "commission" and inserting the following: "board".
40 12. Page 8, by striking line 12 and inserting the
41 following:
42 "1. A member of the board, the".
43 13. Page 8, by striking line 19 and inserting the
44 following:
45 "2. A member of the board, the".
46 14. Page 8, by striking line 31 and inserting the
47 following: "offer a member of the board, the
48 director".
49 15. Page 8, by striking line 34 and inserting the
50 following:

Page 2

- 1 "4. A member of the board, the".
2 16. Page 9, line 10, by striking the word
3 "commission" and inserting the following: "board".
4 17. Page 9, by striking line 13 and inserting the
5 following:
6 "1. The Iowa lottery agency has three divisions:".
7 18. Page 12, line 10, by striking the word
8 "commission" and inserting the following: "board".
9 19. Page 12, line 26, by striking the word
10 "commission" and inserting the following: "board".
11 20. Page 13, line 7, by striking the words
12 "commission, the secretary" and inserting the
13 following: "board".
14 21. Page 13, by striking line 12 and inserting
15 the following: "member of the board, the director
16 or".
17 22. Page 13, line 29, by striking the word
18 "commissioner" and inserting the following:
19 "director".
20 23. Page 14, line 18, by striking the word
21 "commission" and inserting the following: "board".
22 24. Page 15, by striking line 6 and inserting the
23 following:
24 "The board and the director shall".
25 25. Page 15, by inserting after line 14 the
26 following:
27 "Sec. 101. NEW SECTION. 99E.101 LOTTERY BOARD.
28 An Iowa lottery board is created to consist of five

29 members, not more than three of whom shall be from the
30 same political party, and who shall be appointed by
31 the governor subject to confirmation by the senate.
32 The governor shall appoint the board members within
33 sixty days of the effective date of this Act. The
34 term of each member shall begin as provided in section
35 69.19 and shall continue until June 30, 1987. A
36 vacancy on the board shall be filled in the same
37 manner as regular appointments are made and the term
38 shall be for the unexpired portion of the regular
39 term.

DIVISION S—3095A

40 Sec. 102. NEW SECTION. 99E.102 BOARD 41 QUALIFICATIONS.

42 Board members shall be residents of this state. At
43 least one member of the board shall be a person who
44 has been a law enforcement officer for not less than
45 five years, one member shall be an attorney admitted
46 to the practice of law in Iowa for not less than five
47 years, and one member shall be a certified public
48 accountant who has practiced accountancy in Iowa for
49 not less than five years.

50 Sec. 103. NEW SECTION. 99E.103 BOARD MEETINGS.

Page 3

1 The board shall hold at least one meeting each
2 month and as often as necessary. The board shall
3 select a chairperson from its membership at the first
4 regular meeting of the board and shall thereafter
5 select a chairperson at the first regular meeting of
6 each fiscal year. Written notice of the time and
7 place of each meeting shall be given to each member of
8 the board. A majority of the board constitutes a
9 quorum.

10 Sec. 104. NEW SECTION. 99E.104 EXPENSES -- 11 SALARY.

12 Members of the board shall be paid an annual salary
13 of six thousand dollars. Members shall also be
14 allowed the actual and necessary expenses incurred in
15 the performance of their duties. The expenses
16 incurred by members of the board and the salaries paid
17 to members of the board are part of the necessary
18 expenses of the lottery agency.

19 Sec. 105. NEW SECTION. 99E.105. STATE GAMING 20 COMMISSION -- MEMBERS -- TERM -- SALARY -- PURPOSE.

21 1. An Iowa state gaming commission is created to
22 consist of five members, not more than three of whom

23 shall be from the same political party, and who shall
 24 be appointed by the governor subject to confirmation
 25 by the senate. The members shall be residents of the
 26 state. Members shall serve not to exceed a three-year
 27 term at the pleasure of the governor. The term of
 28 each member shall begin and end as provided in section
 29 69.19. A vacancy on the commission shall be filled in
 30 the same manner as regular appointments are made and
 31 the term shall be for the unexpired portion of the
 32 regular term.

33 2. Commission members shall each receive an annual
 34 salary of twelve thousand dollars. In addition,
 35 members shall be reimbursed for necessary travel and
 36 expenses incurred in the performance of their duties.

37 3. The commission members shall elect in July of
 38 each year one of its members chairperson for the
 39 succeeding year.

40 4. The primary purpose of the commission is to
 41 supervise and coordinate the various gaming activities
 42 conducted or permitted by the state.

43 Sec. 106. NEW SECTION. 99E.106. COMMISSIONER AND
 44 OTHER EMPLOYEES -- DUTIES -- BOND.

45 The commission shall employ a commissioner to
 46 supervise the daily operations of the commission and
 47 other assistants and employees as necessary to carry
 48 out its duties. Some or all of the information
 49 required of applicants in section 99D.8A, subsections
 50 1 and 2, may also be required of employees of the

Page 4

1 commission if the commission deems it necessary. The
 2 commissioner shall keep a record of the proceedings of
 3 the commission, preserve the books, records, and
 4 documents entrusted to the commissioner's care, and
 5 perform other duties as the commission prescribes.
 6 The commission shall require the commissioner to post
 7 a bond in a sum it may fix, conditioned upon the
 8 faithful performance of the commissioner's duties.
 9 Subject to the approval of the governor, the
 10 commission shall fix the compensation of its
 11 commissioner within salary range five as set by the
 12 general assembly. The commission shall also fix the
 13 compensation of its other employees, subject to the
 14 approval of the governor. The commission shall have
 15 its headquarters in the city of Des Moines, and shall
 16 meet in July of each year and at other times and
 17 places as it finds necessary for the discharge of its
 18 duties.

19 Sec. 107. Effective July 1, 1987 the following

20 reorganization of state agencies shall result:

21 1. The operations of the state racing commission,
22 the Iowa lottery agency, and those portions of the
23 department of revenue which regulate the conducting of
24 games of skill, chance and raffles shall be
25 transferred to the state gaming commission.

26 2. All employees of the state racing commission
27 and the Iowa lottery agency shall be transferred to
28 the state gaming commission. Any employee of the
29 department of revenue whose duty assignment will be
30 terminated because of this Act may be reassigned to
31 other duties or may be transferred to the state gaming
32 commission.

33 3. All rules, forms, orders, and directives
34 adopted by and in effect for the state racing
35 commission on July 1, 1987 shall continue to be valid
36 and enforceable as rules, forms, orders, and
37 directives of the state gaming commission until
38 amended, supplemented, or repealed by affirmative
39 action of the state gaming commission.

40 4. All rules, forms, orders, and directives
41 adopted by and in effect for the Iowa lottery agency
42 on July 1, 1987 shall continue to be valid and
43 enforceable as rules, forms, orders, and directives of
44 the state gaming commission until amended,
45 supplemented, or repealed by affirmative action of the
46 state gaming commission.

47 5. All rules, forms, orders, and directives
48 adopted by and in effect for the department of revenue
49 on July 1, 1987 relating to the regulation of games of
50 skill, chance, and raffles shall continue to be valid

Page 5

1 and enforceable as rules, forms, orders, and
2 directives of the state gaming commission until
3 amended, supplemented, or repealed by affirmative
4 action of the state gaming commission.

5 Sec. 108. Effective July 1, 1987 all references in
6 the Code to the state racing commission, the Iowa
7 lottery agency, and the department of revenue in
8 relation to regulation of games of skill, chance and
9 raffles shall mean the state gaming commission.

10 Sec. 109. Notwithstanding section 105 of this Act,
11 the governor shall appoint initial members of the
12 commission established under that section to staggered
13 terms, two to end the year following appointment, two
14 to end two years following appointment, and one to end
15 three years following appointment. The initial
16 members shall be appointed from the members serving on

17 the state racing commission and the Iowa lottery board
 18 on June 30, 1987. The governor shall appoint initial
 19 members in the same manner as vacancies, subject to
 20 section 2.32.

21 Sec. 110. Effective July 1, 1987, sections 99D.5,
 22 99D.6, 99E.101, 99E.102, 99E.103, and 99E.104, Code
 23 1985, are repealed."

24 26. Page 15, line 35, by inserting after the word
 25 "that" the following: "sections 1 through 19 of".

26 27. Page 16, by striking line 1 and inserting the
 27 following: "this Act shall have temporary effect
 28 only, that those portions of chapter 99E establishing
 29 a state lottery are".

30 28. Page 16, line 3, by striking the word
 31 "board".

32 29. Title page, by striking lines 1 and 2 and
 33 inserting the following: "An Act relating to gaming
 34 by creating a state gaming commission, a state lottery
 35 agency, establishing a state lottery, providing for
 36 the reorganization of gaming regulation, providing for
 37 a lottery".

38 30. Title page, line 9, by inserting after the
 39 word "repeal" the following: "of portions".

40 31. Renumber as necessary.

LOWELL JUNKINS
 ARTHUR A. SMALL, Jr.
 BILL HUTCHINS
 JOHN W. JENSEN
 MICHAEL E. GRONSTAL
 FORREST SCHWENGELS

S-3096

1 Amend Senate File 57 as follows:

2 1. Page 6, by inserting before line 15 the
 3 following:

4 "_____. The lottery agency shall consult with the
 5 state racing commission to facilitate the
 6 implementation of this chapter."

ARTHUR A. SMALL, Jr.

S-3097

1 Amend Senate File 57 as follows:

2 1. Page 3, line 20, by inserting after the word

3 "conducted." the following: "The lottery agency shall
4 not authorize video lottery games."

WILLIAM W. DIELEMAN
JULIA B. GENTLEMAN

S-3098

1 Amend the amendment S-3095 to Senate File 57 as
2 follows:
3 1. Page 2, by striking lines 40 through 49.

LOWELL L. JUNKINS
CALVIN HULTMAN

S-3099

1 Amend amendment S-3057 to Senate File 19 as
2 follows:
3 1. By striking page 1, line 4 through page 2,
4 line 39, and inserting the following:
5 "Section 1. Section 321.178, subsection 2,
6 paragraph b, Code 1985, is amended to read as follows:
7 b. The department may suspend a restricted license
8 issued under this section upon receiving a record of
9 the person's conviction for one violation and shall
10 revoke the license upon receiving a record of
11 conviction for two or more violations of a law of this
12 state or a city ordinance regulating the operation of
13 motor vehicles on highways, other than parking
14 violations as defined in section 321.210. A violation
15 of ten miles per hour or less over the legal speed
16 limit shall be treated as one-half of a violation for
17 purposes of considering the violation in relation to
18 the suspension or revocation of a restricted license
19 under this paragraph, but this treatment shall only be
20 afforded for up to two violations within a twelve-
21 month period. After revoking a license under this
22 section the department shall not grant an application
23 for a new license or permit until the expiration of
24 one year or until the person attains the age of
25 eighteen whichever is the longer period.
26 Sec. 2. Section 321.189, subsection 2, paragraph
27 b, Code 1985, is amended to read as follows:
28 b. A motorized bicycle license shall be canceled
29 upon a conviction for a moving traffic violation and
30 reapplication may be made thirty days after the date
31 of cancellation. A violation of ten miles per hour or
32 less over the legal speed limit shall be treated as
33 one-half of a violation for purposes of considering

34 the violation in relation to the cancellation of a
35 motorized bicycle license under this paragraph, but
36 this treatment shall only be afforded for up to two
37 violations within a twelve-month period. The
38 cancellation of the license upon conviction for a
39 moving traffic violation shall not result in requiring
40 the applicant to maintain proof of financial
41 responsibility under section 321A.17, unless the
42 conviction would otherwise result in a suspension or
43 revocation of a person's operator's license.
44 Sec. 3. Section 321.194, unnumbered paragraph 3,
45 Code 1985, is amended to read as follows:
46 A school license issued under this section is
47 subject to suspension or revocation in like manner as
48 any other license or permit issued under a law of this
49 state. The department may also suspend a school
50 license upon receiving satisfactory evidence that the

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1 licensee has violated the restrictions of the license
2 or has been involved in one or more accidents
3 chargeable to the licensee. The department may
4 suspend a school license ~~issued under this section~~
5 upon receiving a record of the licensee's conviction
6 for one violation and shall revoke the school license
7 upon receiving a record of conviction for two or more
8 violations of a law of this state or a city ordinance
9 regulating the operation of motor vehicles on highways
10 other than parking violations as defined in section
11 321.210. A violation of ten miles per hour or less
12 over the legal speed limit shall be treated as one-
13 half of a violation for purposes of considering the
14 violation in relation to the suspension or revocation
15 of a school license under this section, but this
16 treatment shall only be afforded for up to two
17 violations within a twelve-month period. After
18 revoking a school license under this section the
19 department shall not grant an application for a new
20 license or permit until the expiration of one year or
21 until the licensee's sixteenth birthday whichever is
22 the longer period.
23 Sec. 4. Section 321.210, Code 1985, is amended by
24 adding the following new unnumbered paragraph:
25 **NEW UNNUMBERED PARAGRAPH.** A violation of ten miles
26 per hour or less over the legal speed limit shall be
27 treated as one-half of a violation for purposes of
28 considering the violation in relation to a motor
29 vehicle license suspension under this section, but
30 this treatment shall only be afforded for up to two

31 violations within a twelve-month period.

32 Sec. 5. Section 321.215, subsection 3, Code 1985,
33 is amended to read as follows:

34 3. A temporary restricted permit is valid only if
35 the department is in receipt of records required by
36 this section. The permit shall be canceled upon
37 conviction of a moving traffic violation or upon a
38 violation of a term of the permit. A violation of ten
39 miles per hour or less over the legal speed limit
40 shall be treated as one-half of a violation for
41 purposes of considering the violation in relation to
42 the cancellation of a temporary restricted permit
43 under this subsection, but this treatment shall only
44 be afforded for up to two violations within a twelve-
45 month period. A "moving traffic violation" does not
46 include a parking violation as defined in section
47 321.210.

48 Sec. 6. Section 321.283, subsection 13, Code 1985,
49 is amended to read as follows:

50 13. FEE FOR TEMPORARY DRIVING PERMIT -- POSSESSION

Page 3

1 REQUIRED. The fee for a temporary driving permit
2 under subsection 6 is three dollars. The temporary
3 driving permit must be in the permittee's immediate
4 possession while operating a motor vehicle and becomes
5 invalid when the permittee is issued a drivers
6 license. The temporary driving permit shall be
7 canceled upon conviction for a moving traffic
8 violation. A violation of ten miles per hour or less
9 over the legal speed limit shall be treated as one-
10 half of a violation for purposes of considering the
11 violation in relation to the cancellation of a
12 temporary driving permit under this subsection, but
13 this treatment shall only be afforded for up to two
14 violations within a twelve-month period. A "moving
15 traffic violation" does not include a parking
16 violation as defined in section 321.210."

17 2. Page 2, by striking lines 40 and 41 and
18 inserting the following:

19 " . Amend the title, by striking lines 1
20 through 3 and inserting the following: "An Act which
21 treats, in certain instances, a speeding violation of
22 ten miles per hour or less over the legal speed limit
23 as one-half of a violation in relation to certain
24 motor vehicle license suspensions, revocations, and
25 cancellations." "

RICHARD F. DRAKE

S-3100

- 1 Amend Senate amendment S-3059 to Senate File 57 as
- 2 follows:
- 3 1. Page 1, line 3, by striking the figure "1990"
- 4 and inserting the following: "2085".

MICHAEL E. GRONSTAL

S-3101

- 1 Amend Senate File 57 as follows:
- 2 1. Page 6, line 19, by striking the word
- 3 "forty-five" and inserting the following: "fifty".

ARNE WALDSTEIN

S-3102

- 1 Amend Senate amendment S-3097 to Senate File 57 as
- 2 follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "games." the following: "As used in this paragraph,
- 5 "video lottery games" means lottery games involving a
- 6 machine designed similar to a video amusement game
- 7 except that prizes are awarded at random by the
- 8 lottery agency at the conclusion of the game."

WILLIAM W. DIELEMAN
JULIA B. GENTLEMAN

S-3103

- 1 Amend Senate amendment S-3097 to Senate File 57 as
- 2 follows:
- 3 1. Page 1, line 4, by inserting after the word
- 4 "games." the following: "As used in this paragraph,
- 5 "video lottery games" means lottery games involving a
- 6 machine designed similar to a video amusement game
- 7 except that prizes are awarded at random by the
- 8 lottery agency at the conclusion of the game."

WILLIAM W. DIELEMAN
JULIA B. GENTLEMAN

S-3104

- 1 Amend Senate File 137 as follows:
- 2 1. Page 1, line 1, by inserting after the figure
- 3 "18B.3," the word and figure "subsection 1,".

JULIA B. GENTLEMAN

S-3105

- 1 Amend Senate File 13 as follows:
- 2 1. Page 1, by inserting after line 24 the
- 3 following:
- 4 "Sec. ____ . This Act, being deemed of immediate
- 5 importance, takes effect from and after its
- 6 publication in the Ackley World-Journal, a newspaper
- 7 published in Ackley, Iowa, and in The Toledo
- 8 Chronicle, a newspaper published in Toledo, Iowa."
- 9 2. Renumber sections and correct internal
- 10 references as necessary in accordance with this
- 11 amendment.

RAY TAYLOR

S-3106

- 1 Amend Senate File 117 as follows:
- 2 1. Page 1, line 9, by striking the word "fifty".
- 3 2. Page 1, line 13, by striking the word "five"
- 4 and inserting the following: "four".
- 5 3. Page 1, line 15 by striking the word "fifty".

BERL E. PRIEBE
 BILL HUTCHINS
 JOHN SOORHOLTZ
 ARNE WALDSTEIN

S-3107

- 1 Amend Senate Joint Resolution 1 as follows:
- 2 1. By striking all after the resolving clause and
- 3 inserting the following:
- 4 "Section 1. The following amendment to the
- 5 Constitution of the State of Iowa is hereby proposed:
- 6 1. Section 3 of Article IV as amended by amendment
- 7 number 1 of the Amendments of 1972 is repealed and the
- 8 following adopted in lieu thereof:
- 9 SEC. 3. In voting for Governor, the electors shall
- 10 designate for whom they vote as Governor. The returns
- 11 of every election for Governor shall be sealed up and

12 transmitted to the seat of government of the State,
13 directed to the Speaker of the House of
14 Representatives, who shall open and publish them in
15 the presence of both Houses of the General Assembly.
16 2. Section 4 of Article IV as amended by amendment
17 number 1 of the amendments of 1952 is repealed and the
18 following adopted in lieu thereof:

19 SEC. 4. The person having the highest number of
20 votes for Governor, shall be declared duly elected;
21 but in case two or more persons shall have an equal
22 and the highest number of votes for either office, the
23 General Assembly shall, by joint vote, forthwith
24 proceed to elect one of said persons Governor.

25 If upon the completion of the canvass of votes for
26 Governor by the General Assembly, it shall appear that
27 the person who received the highest number of votes
28 for Governor has since died, resigned, is unable to
29 qualify, fails to qualify, or for any other reason is
30 unable to assume the duties of the office of Governor
31 for the ensuing term, the powers and duties of the
32 office shall devolve upon the President of the Senate
33 until the disability is removed and, upon
34 inauguration, the President of the Senate shall assume
35 the powers and duties of Governor.

36 3. Section 5 of Article IV is repealed and the
37 following adopted in lieu thereof:

38 SEC. 5. Contested elections for Governor shall be
39 determined by the General Assembly in such manner as
40 may be prescribed by law.

41 4. Section 6 of Article IV is repealed and the
42 following adopted in lieu thereof:

43 SEC. 6. No person shall be eligible to the office
44 of Governor, who shall not have been a citizen of the
45 United States, and a resident of the state, two years
46 next preceding the election, and attained the age of
47 thirty years at the time of that election.

48 5. Section 14 of Article IV is repealed and the
49 following adopted in lieu thereof:

50 SEC. 14. No persons shall, while holding any

Page 2

1 office under the authority of the United States, or
2 this State, execute the office of the Governor, except
3 as hereinafter expressly provided.

4 6. Section 15 of Article IV as amended by
5 amendment number 1 of the Amendments of 1972 is
6 repealed and the following adopted in lieu thereof:

7 SEC. 15. The official term of the Governor, shall
8 commence on the second Monday of January next after

9 the election, and continue until the successor is
10 elected and qualified.

11 7. Section 17 of Article IV is repealed and the
12 following adopted in lieu thereof:

13 SEC. 17. In case of the death, impeachment,
14 resignation, removal from office, or other disability
15 of the Governor, the powers and duties of the office
16 for the residue of the term, or until the Governor
17 shall be acquitted, or the disability removed, shall
18 devolve upon the President of the Senate.

19 8. Section 18 of Article IV is repealed.

20 9. Section 19 of Article IV as amended by
21 amendment number 2 of the Amendments of 1952 is
22 repealed and the following adopted in lieu thereof:

23 SEC. 19. If there is a vacancy in the office of
24 Governor, the President of the Senate shall act as
25 Governor until the vacancy is filled or the disability
26 removed; and if the President of the Senate, for any
27 of the above causes, shall be incapable of performing
28 the duties pertaining to the office of Governor the
29 same shall devolve upon the Speaker of the House of
30 Representatives; and if the Speaker of the House of
31 Representatives, for any of the above causes, shall be
32 incapable of performing the duties of the office of
33 Governor, the Justices of the Supreme Court shall
34 convene the General Assembly by proclamation and the
35 General Assembly shall organize by the election of a
36 President by the Senate and a Speaker by the House of
37 Representatives. The General Assembly shall thereupon
38 immediately proceed to the election of a Governor and
39 Lieutenant Governor in joint convention.

40 Sec. 2. The foregoing proposed amendment to the
41 Constitution of the State of Iowa is referred to the
42 General Assembly to be chosen at the next general
43 election for members of the General Assembly and the
44 Secretary of State is directed to cause it to be
45 published for three consecutive months before the date
46 of that election as provided by law."

47 2. Title page, by striking lines 1 through 3 and
48 inserting the following: "A Joint Resolution
49 proposing an amendment to the Constitution of the
50 State of Iowa to eliminate the office of lieutenant

Page 3

1 governor."

EDGAR H. HOLDEN

S-3108

1 Amend Senate File 129 as follows:

2 1. Page 1, line 10, by inserting after the word
3 "age" the following: "licensed by the department of
4 human services as a juvenile detention home or a
5 juvenile shelter care home or licensed by the
6 department of substance abuse."

7 2. Title page, line 2, by inserting after the
8 word "inpatient" the following: "or residential".

MILO COLTON

S-3109

1 Amend Senate Resolution 3 as follows:

2 1. Page 12, by inserting after line 3 the
3 following:

4 "Rule 44

5 Admission to Senate Chamber and Prohibition of
6 Lobbying

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

JAMES D. WELLS
WILLIAM W. DIELEMAN

DON E. GETTINGS
 ARNE WALDSTEIN
 HURLEY W. HALL
 RAY TAYLOR
 JOHN W. JENSEN
 JACK W. HESTER
 CHARLES P. MILLER
 JOE BROWN
 LEE HOLT
 EDGAR H. HOLDEN
 MILO COLTON
 RICHARD VANDE HOEF
 CHARLES BRUNER

S-3110

1 Amend amendment S-3109 to Senate Resolution 3 as
 2 follows:
 3 1. Page 1, line 31, by inserting after the word
 4 "chamber" the words ", including the seats assigned
 5 for the press.".
 6 2. Page 1, line 32, by inserting after the word
 7 "area" the words "along the north, east and west
 8 walls".

DON E. GETTINGS

S-3111

1 Amend the Committee amendment, S-3043, to Senate
 2 File 24 as follows:
 3 1. Page 1, by striking lines 2 through 26 and
 4 inserting the following:
 5 " . Page 1, line 18, by inserting after the
 6 word "director." the following: "For purposes of
 7 computing the items of tax preference, the gain or
 8 loss from the transfer of property to a creditor in
 9 cancellation of a debt or from the sale or exchange of
 10 property under threat of foreclosure shall not be
 11 taken into account in computing net capital gain if,
 12 immediately before such sale or exchange, the taxpayer
 13 is insolvent as defined in section 108(d)(3) of the
 14 Internal Revenue Code of 1954."
 15 . Page 3, by striking lines 11 and 12 and
 16 inserting the following:
 17 "Sec. 4. In computing the items of tax preference
 18 for purposes of the Iowa minimum tax for tax years
 19 beginning in the 1983 and 1984 calendar years, the
 20 gain or loss from the transfer of property to a
 21 creditor in cancellation of a debt or from the sale or
 22 exchange of property under threat of foreclosure shall

23 not be taken into account in computing net capital
24 gain if, immediately before such sale or exchange, the
25 taxpayer is insolvent as defined in section 108(d)(3)
26 of the Internal Revenue Code of 1954. A taxpayer who
27 has filed a state return for such tax years may file
28 an amended state return for such tax years with the
29 state minimum tax calculated on the basis of what the
30 federal minimum tax would have been if such items had
31 not been included in the federal minimum tax
32 calculation of net capital gain.

33 Sec. 5. Except for section 4, this Act is
34 retroactive to January 1, 1985 for tax years beginning
35 on or after that date. Section 4 of this Act is
36 retroactive to January 1, 1983 for tax years beginning
37 on or after January 1, 1983 and beginning before
38 January 1, 1985."

CHARLES BRUNER
JACK RIFE

S-3112

1 Amend Senate File 170 as follows:
2 1. Page 2, line 16 by inserting after the word
3 " "Advertise" " the following: "which".
4 2. Page 2, line 19 by inserting after the word
5 "description" " the following: "which".
6 3. Page 2, line 21 by inserting after the word
7 "institution" " the following: "which".
8 4. Page 12, line 3 by striking the word
9 "therapist" and inserting the following:
10 "therapists".

JOE BROWN

S-3113

1 Amend Senate File 129 as follows:
2 1. Page 1, line 10, by inserting after the word
3 "age" the following: "licensed by the department of
4 human services as a juvenile detention home or a
5 juvenile shelter care home, licensed by the department
6 of substance abuse, or a program within a hospital
7 accredited by the joint commission on accreditation of
8 hospitals,".
9 2. Title page, line 2, by inserting after the
10 word "inpatient" the following: "or residential".

MILO COLTON

S-3114

1 Amend Senate File 129 as follows:

- 2 1. Page 1, line 10, by inserting after the word
3 "age" the following: "approved or licensed by the
4 department of human services as a juvenile detention
5 home or a juvenile shelter care home, licensed by the
6 department of substance abuse, or a program within a
7 hospital accredited by the joint commission on
8 accreditation of hospitals."
9 2. Title page, line 2, by inserting after the
10 word "inpatient" the following: "or residential".

MILO COLTON

S-3115

1 Amend Senate File 112 as follows:

- 2 1. Page 1, by inserting after line 27 the
3 following:
4 "Sec. 4. Section 157.11, Code 1985, is amended by
5 adding the following new unnumbered paragraphs:
6 NEW UNNUMBERED PARAGRAPHS. An owner or operator
7 for profit of a school of cosmetology licensed by the
8 state to train students in the profession of
9 cosmetology shall not own or operate a business or
10 other enterprise engaging in the profession for which
11 the students are trained. This section does not
12 prohibit a school from serving the general public on
13 the premises of the school as an incident to the
14 supervised practical instruction of its students.
15 An owner or operator for profit of a school of
16 cosmetology licensed by the state to provide training
17 for the profession of cosmetology who, immediately
18 prior to the effective date of this Act, owned or
19 operated a business or other enterprise engaging in
20 the profession for which the students are trained in
21 violation of the Act shall, within one year from the
22 effective date of this Act, discontinue the ownership
23 or operation of the business or other enterprise
24 engaging in the profession of cosmetology. Violation
25 of this section is a simple misdemeanor and is a
26 ground for suspension of the school's license to
27 operate."

WILLIAM W. DIELEMAN
MILO COLTON
JACK RIFE

S-3116

- 1 Amend Senate File 24 as follows:
- 2 1. Page 1, line 6 by striking the word "eight"
- 3 and inserting the following "six".

RICHARD VANDE HOEF
JACK W. HESTER
JOHN N. NYSTROM

S-3117

- 1 Amend Senate File 24 as follows:
- 2 1. Page 2, line 15, by striking the word "state"
- 3 and inserting the following "total".

RICHARD VANDE HOEF

S-3118

- 1 Amend Senate File 44 as follows:
- 2 1. Page 1, line 13, by striking the figure "1986"
- 3 and inserting the following: "1987".

EDGAR H. HOLDEN

S-3119

- 1 Amend Senate File 103 as follows:
- 2 1. Page 1, by striking line 5 and inserting the
- 3 following: "or sell or lease a county hospital for
- 4 use as a".
- 5 2. Page 1, by striking line 11 and inserting the
- 6 following: "public hospital for use as a".
- 7 3. Amend the title, lines 1 and 2, by striking
- 8 the words "sell, lease, or convert a county hospital
- 9 to" and inserting the words "sell or lease a county
- 10 hospital for use as".

COMMITTEE ON
LOCAL GOVERNMENT
ALVIN V. MILLER, Chair

S-3120

- 1 Amend Senate File 121 as follows:
- 2 1. Page 17, line 7, by inserting after the word
- 3 "in" the word "this".

4 2. Page 17, line 8, by striking the figure
5 "324.3".

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3121

1 Amend Senate File 189 as follows:
2 1. Page 1, by striking lines 3 through 9 and
3 inserting the following:
4 "NEW LETTERED PARAGRAPH. While the general
5 assembly is in session a candidate's committee of a
6 state officeholder shall file a letter report with the
7 commission if the committee receives contributions
8 aggregating more than two hundred dollars from
9 political committees or from lobbyists registered
10 under the rules adopted by either house of the general
11 assembly which have not been reported in a previous
12 letter report. The letter report shall be filed
13 within fourteen days of the two hundred dollars of
14 contributions being received and shall notify the
15 commission of the following:"

CHARLES BRUNER
RICHARD DRAKE

S-3122

1 Amend Senate File 55 as follows:
2 1. Page 1, line 13, by inserting after the word
3 "coyote" the words "or groundhog".
4 2. Page 1, by striking lines 17 through 23 and
5 inserting the following:
6 "Sec. 2. Section 110.5, Code 1985, is amended to
7 read as follows:
8 110.5 FUR HARVESTER LICENSE.
9 A fur harvester license is required to hunt ~~all~~
10 ~~furbearers, except coyote and groundhog~~ and to trap
11 any fur-bearing animal. A hunting license is not
12 required when hunting ~~furbearers, except coyote and~~
13 ~~groundhog~~, with a fur harvester license. However,
14 coyote and groundhog may be hunted with either a
15 hunting or a fur harvester license."
16 3. Page 1, by inserting after line 31 the
17 following:
18 "Sec. 4. This Act, being deemed of immediate
19 importance, takes effect from and after its
20 publication in the Clayton County Press-Journal, a

21 newspaper published in Strawberry Point, Iowa, and in
 22 The Chariton Leader, a newspaper published in
 23 Chariton, Iowa.”
 24 4. Title page, by striking lines 1 and 2, by
 25 inserting the following: “An Act relating to fur
 26 harvester and hunting licenses and providing an
 27 effective date by publication”.

COMMITTEE ON
 NATURAL RESOURCES
 HURLEY HALL, Chair

S-3123

1 Amend Senate File 113 as follows:
 2 1. Page 1, by striking lines 3 through 9 and
 3 inserting the following:
 4 “NEW LETTERED PARAGRAPH. h. The commissioner of
 5 insurance and the commissioner of public health
 6 require the collection of physicians billing
 7 information from third-party payers as specified by
 8 the health data commission by July 1, 1986.”
 9 2. Page 1, line 11, by striking the words “human
 10 services” and inserting the following: “public
 11 health”.

ROBERT M. CARR
 EDGAR H. HOLDEN
 BERL E. PRIEBE

S-3124

1 Amend Senate File 44 as follows:
 2 1. Page 1, line 13, by striking the figure “1986”
 3 and inserting the figure “1987”.
 4 2. Title page, line 1, by striking the figure
 5 “1986” and inserting the figure “1987”.

EDGAR H. HOLDEN

S-3125

1 Amend the Committee amendment, S-3043, to Senate
 2 File 24 as follows:
 3 1. Page 1, by striking lines 2 through 26 and
 4 inserting the following:
 5 “___ Page 1, line 18, by inserting after the
 6 word “director.” the following: “For purposes of
 7 computing the items of tax preference, the gain or
 8 loss from the transfer of any property to a creditor

9 in cancellation of a debt or from the sale or exchange
10 of property under threat of foreclosure shall not be
11 taken into account in computing net capital gain.”
12 ___. Page 3, by striking lines 11 and 12 and
13 inserting the following:
14 “Sec. 4. In computing the items of tax preference
15 for purposes of the Iowa minimum tax for tax years
16 beginning in the 1983, 1984, and 1985 calendar years,
17 the gain or loss from the transfer of property to a
18 creditor in cancellation of a debt or from the sale or
19 exchange of any property under threat of foreclosure
20 shall not be taken into account in computing net
21 capital gain. A taxpayer who has filed a state return
22 for such tax years may file an amended state return
23 for such tax years with the state minimum tax
24 calculated on the basis of what the federal minimum
25 tax would have been if such items had not been
26 included in the federal minimum tax calculation of net
27 capital gain.
28 Sec. 5. Except for section 4, this Act is
29 effective January 1, 1986 for tax years beginning on
30 or after that date. Section 4 of this Act is
31 retroactive to January 1, 1983 for tax years beginning
32 on or after January 1, 1983 and beginning before
33 January 1, 1986.”

BERL PRIEBE
EMIL HUSAK
LARRY MURPHY
DALE L. TIEDEN
JOHN E. SOORHOLTZ

S-3126

1 Amend the committee amendment S-3043, to Senate
2 File 24 as follows:
3 1. Page 1, by striking lines 2 through 26 and
4 inserting the following:
5 “___ Page 1, line 18, by inserting after the
6 word “director.” the following: “For purposes of
7 computing the items of tax preference, the gain or
8 loss from the transfer of property to a creditor in
9 cancellation of a debt or from the sale or exchange of
10 property as a result of actual notice of foreclosure
11 shall not be taken into account in computing net
12 capital gain if, immediately before such sale or
13 exchange, the taxpayer’s liabilities exceed the fair
14 market value of the taxpayer’s assets. For purposes
15 of this subsection, actual notice of foreclosure
16 includes, but is not limited to, bankruptcy or written

17 notice from a creditor of the creditor's intent to
18 foreclose where there is reasonable belief that the
19 creditor can force a sale of the property.

20 ____ Page 2, by inserting after line 1 the
21 following:

22 "The state alternative minimum tax of a taxpayer
23 whose items of tax preference include the gain or loss
24 from the transfer of property to a creditor in
25 cancellation of a debt or from the sale or exchange of
26 property as a result of actual notice of foreclosure
27 where the fair market value of the taxpayer's assets
28 exceeds the taxpayer's liabilities immediately before
29 such sale or exchange shall not be greater than such
30 excess."

31 ____ Page 3, by striking lines 11 and 12 and
32 inserting the following:

33 "Sec. 4. In computing the items of tax preference
34 for purposes of the Iowa minimum tax for tax years
35 beginning in the 1983, 1984, and 1985 calendar years,
36 the gain or loss from the transfer of property to a
37 creditor in cancellation of a debt or from the sale or
38 exchange of property as a result of actual notice of
39 foreclosure shall not be taken into account in
40 computing net capital gain if, immediately before such
41 sale or exchange, the taxpayer's liabilities exceed
42 the the fair market value of the taxpayer's assets.
43 For purposes of this section, actual notice of
44 foreclosure includes, but is not limited to,
45 bankruptcy or written notice from a creditor of the
46 creditor's intent to foreclose where there is
47 reasonable belief that the creditor can force a sale
48 of the property. In computing the Iowa minimum tax
49 for tax years beginning in the 1983, 1984, and 1985
50 calendar years, the Iowa minimum tax of a taxpayer

Page 2

1 whose items of tax preference include the gain or loss
2 from the transfer of property to a creditor in
3 cancellation of a debt or from the sale or exchange of
4 property as a result of actual notice of foreclosure
5 where the fair market value of the taxpayer's assets
6 exceeds the taxpayer's liabilities immediately before
7 such sale or exchange shall not be greater than such
8 excess. A taxpayer who has filed a state return for
9 such tax years may file an amended state return for
10 such tax years with the state minimum tax calculated
11 on the basis of what the federal minimum tax would
12 have been if such items had not been included in the
13 federal minimum tax calculation of net capital gain or

14 with the state minimum tax calculated on the basis of
15 such limitation on the amount of state minimum tax.
16 Sec. 5. Except for section 4, this Act is
17 effective January 1, 1986 for tax years beginning on
18 or after that date. Section 4 of this Act is
19 retroactive to January 1, 1983 for tax years beginning
20 on or after January 1, 1983 and beginning before
21 January 1, 1986.”

CHARLES BRUNER
MICHAEL E. GRONSTAL
WILLIAM W. DIELEMAN

S-3127

- 1 Amend Senate File 170 as follows:
- 2 1. Page 12, line 7 by striking the word
- 3 “counselor” and inserting the following: “counselor,
- 4 a correctional counselor”.

JOE BROWN

S-3128

- 1 Amend Senate File 35 as follows:
- 2 1. Page 2, line 17, by striking the word “seventy”
- 3 and inserting the following: “fifty”.

ARNE WALDSTEIN
JOHN E. SOORHOLTZ

HOUSE AMENDMENT TO
SENATE FILE 163

S-3129

- 1 Amend Senate File 163 as passed by the Senate as
- 2 follows:
- 3 1. Page 3, by inserting after line 2 the
- 4 following: “455B.265 PERMITS FOR DIVERSION, STORAGE
- 5 AND WITHDRAWAL.”
- 6 2. Page 4, line 16, by striking the figure “3”
- 7 and inserting the figure “4”.

HOUSE AMENDMENT TO
SENATE FILE 25

S-3130

- 1 Amend Senate File 25 as amended, passed and
2 reprinted by the Senate, as follows:
- 3 1. Page 1, by striking lines 1 through 4 and
4 inserting the following:
5 "Section 1. POLICY STATEMENT. The".
- 6 2. Page 1, after line 26, by inserting the
7 following:
8 "Sec. 2. NEW SECTION. 144A.1 SHORT TITLE.
9 This chapter may be cited as the "Life-Sustaining
10 Procedures Act." "
- 11 3. Page 4, line 19, by inserting after the word
12 "procedures." the following: "However, the provisions
13 of this subsection do not impair any existing rights
14 or responsibilities that any person may have in regard
15 to the withholding or withdrawal of life-sustaining
16 procedures."
- 17 4. Page 4, by striking lines 23 through 26 and
18 inserting the following: "from a patient who is in a
19 terminal condition and who is".
- 20 5. Page 5, by inserting after line 19 the
21 following:
22 "3. Subsections 1 and 2 shall not be in effect for
23 a patient who is known to the attending physician to
24 be pregnant with a fetus that could develop to the
25 point of live birth with continued application of
26 life-sustaining procedures. However, the provisions
27 of this subsection do not impair any existing rights
28 or responsibilities that any person may have in regard
29 to the withholding or withdrawal of life-sustaining
30 procedures."
- 31 6. Page 5, line 24, by inserting after the word
32 "or" the words "who is unwilling to comply with".
- 33 7. Page 5, line 26, by striking the word
34 "declarant" and inserting the word "patient".
- 35 8. Page 5, line 29, by inserting after the word
36 "or" the words "preclude compliance with".
- 37 9. By renumbering, relettering, or redesignating
38 and correcting internal references as necessary.

S-3131

- 1 Amend Senate File 229 as follows:
2 1. Page 1, by striking lines 33 through 34.
3 2. By relettering as necessary to conform to this
4 amendment.

S-3132

- 1 Amend Senate Resolution 6 as follows:
- 2 1. Page 1, line 28, by striking the word
- 3 "legislator" and inserting the following: "legislator
- 4 senator".
- 5 2. Page 1, line 30, by striking the word
- 6 "legislator" and inserting the following: "legislator
- 7 senator".
- 8 3. Page 2, line 2, by striking the word
- 9 "legislator" and inserting the following: "legislator
- 10 senator".
- 11 4. Page 2, line 3, by striking the word
- 12 "legislator's" and inserting the following:
- 13 "~~legislator's~~ senator's".
- 14 5. Page 2, line 5, by striking the word
- 15 "legislator" and inserting the following: "legislator
- 16 senator".
- 17 6. Page 2, line 10, by striking the word
- 18 "legislator" and inserting the following: "legislator
- 19 senator".
- 20 7. Page 2, line 12, by striking the word
- 21 "legislator" and inserting the following: "legislator
- 22 senator".
- 23 8. Page 2, line 13, by striking the word
- 24 "legislator's" and inserting the following:
- 25 "~~legislator's~~ senator's".
- 26 9. Page 2, line 16, by striking the word
- 27 "legislator" and inserting the following: "legislator
- 28 senator".
- 29 10. Page 2, line 18, by striking the word
- 30 "legislator" and inserting the following: "legislator
- 31 senator".
- 32 11. Page 2, line 21, by striking the word
- 33 "legislator" and inserting the following: "legislator
- 34 senator".
- 35 12. Page 2, line 22, by striking the word
- 36 "legislator" and inserting the following: "legislator
- 37 senator".
- 38 13. Page 2, line 24, by striking the word
- 39 "legislator" and inserting the following: "legislator
- 40 senator".
- 41 14. Page 2, line 25, by striking the word
- 42 "legislator's" and inserting the following:
- 43 "~~legislator's~~ senator's".
- 44 15. Page 2, line 26, by striking the word
- 45 "legislator's" and inserting the following
- 46 "~~legislator's~~ senator's".
- 47 16. Page 2, line 29, by striking the word
- 48 "legislator" and inserting the following: "legislator

49 senator".

50 17. Page 3, line 1, by striking the word

Page 2

1 "legislator's" and inserting the following

2 "~~legislator's~~ senator's".

3 18. Page 3, line 3, by striking the word

4 "legislator's" and inserting the following

5 "~~legislator's~~ senator's".

6 19. Page 3, line 7, by striking the word

7 "legislator's" and inserting the following

8 "~~legislator's~~ senator's".

9 20. Page 3, line 9, by striking the word

10 "legislator's" and inserting the following

11 "~~legislator's~~ senator's".

12 21. Page 3, line 11, by striking the word

13 "legislator's" and inserting the following

14 "~~legislator's~~ senator's".

15 22. Page 3, line 14, by striking the word

16 "legislator's" and inserting the following

17 "~~legislator's~~ senator's".

18 23. Page 3, line 18, by striking the word

19 "legislator" and inserting the following "legislator

20 senator".

21 24. Page 3, line 20, by striking the word

22 "legislator" and inserting the following "legislator

23 senator".

24 25. Page 3, line 21, by striking the word

25 "legislator" and inserting the following: "legislator

26 senator".

27 26. Page 3, line 29, by striking the word

28 "legislator" and inserting the following: "legislator

29 senator".

30 27. Page 3, line 30, by striking the word

31 "legislator" and inserting the following: "legislator

32 senator".

33 28. Page 4, line 1, by striking the word

34 "legislator's" and inserting the following:

35 "~~legislator's~~ senator's".

36 29. Page 4, line 2, by striking the word

37 "legislator" and inserting the following: "legislator

38 senator".

39 30. Page 4, line 15, by striking the words

40 "legislator, the legislator's" and inserting the

41 following: "legislator, the legislator's senator, the

42 senator's".

43 31. Page 4, line 20, by striking the word

44 "legislator" and inserting the following: "legislator

45 senator".

46 32. Page 5, line 15, by striking the word
 47 "Legislators" and inserting the following:
 48 "~~Legislators~~ Senators".
 49 33. Page 5, line 18, by striking the word
 50 "legislator" and inserting the following: "~~legislator~~

Page 3

1 senator".
 2 34. Page 5, line 25, by striking the word
 3 "legislator" and inserting the following: "~~legislator~~
 4 senator".
 5 35. Page 5, by striking lines 27 through 29 and
 6 inserting the following: "filed with the ethics
 7 committee of the house in which the legislator is a
 8 member or of the house in which the lobbyist operates.
 9 If the ethics committee".
 10 36. Page 6, line 8, by striking the words
 11 "appropriate house" and inserting the following:
 12 "~~appropriate house~~ senate".

JULIA B. GENTLEMAN

S-3133

1 Amend Senate Resolution 6 as follows:
 2 1. Page 3, line 24, by striking the word "each"
 3 and inserting the following: "the second".

JULIA B. GENTLEMAN

S-3134

1 Amend Senate File 189 as follows:
 2 1. Page 1, line 11, by striking the word "the"
 3 and inserting the word "each".
 4 2. Page 1, line 12, by striking the word "the"
 5 and inserting the word "a".
 6 3. Page 1, line 13, by striking the word "the"
 7 and inserting the word "each".
 8 4. Page 1, line 14, by striking the word "the"
 9 and inserting the word "each".
 10 5. Page 1, line 15, by striking the word "the"
 11 and inserting the word "any".

CHARLES H. BRUNER

HOUSE AMENDMENT TO
SENATE FILE 77

S-3135

- 1 Amend Senate File 77 as passed by the Senate as
2 follows:
- 3 1. Page 1, by inserting after line 11, the
4 following:
- 5 "Sec. ____ Section 279.10, Code 1985, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 4. The state board of public
8 instruction may grant a request made by a board of
9 directors of a school district stating its desire to
10 commence classes for regularly established elementary
11 and secondary schools before the first day of
12 September. Such request shall be based upon the
13 determination that a starting date on or after the
14 first day of September would have a significant
15 negative educational impact."
- 16 2. Page 1, line 18, by striking the word "with"
17 and inserting the following: "with no sooner than".
- 18 3. Page 1, by inserting before line 22, the
19 following:
- 20 "Sec. ____ This Act takes effect July 1, 1986."
- 21 4. Title page, line 2, by inserting after the
22 word "conditions" the following: "and providing an
23 effective date".
- 24 5. By renumbering as necessary.

S-3136

- 1 Amend Senate File 228 as follows:
- 2 1. Page 1, by striking line 1 and inserting the
3 following:
- 4 "Section 1. Section 358A.7, Code 1985, is amended
5 to read as follows:
6 358A.7 CHANGES AND AMENDMENTS.
7 Such The regulations, restrictions, and boundaries
8 may; from time to time, be amended, supplemented,
9 changed, modified, or repealed. Notwithstanding
10 section 358A.4, as a part of an ordinance changing
11 land from one zoning district to another zoning
12 district or an ordinance approving a site development
13 plan, a board of supervisors may impose conditions on
14 a property owner which are in addition to existing
15 regulations if the additional conditions have been
16 agreed to in writing by the property owner before the
17 public hearing required under this section or any
18 adjournment of the hearing. The conditions must be

19 reasonable and imposed to satisfy public needs which
 20 are directly caused by the requested change. In case,
 21 however, of a protest against such the change signed
 22 by the owners of twenty percent or more either of the
 23 area included in such the proposed change, or of the
 24 area immediately adjacent ~~thereto~~ to the proposed
 25 change and within five hundred feet of the boundaries
 26 ~~thereof of the proposed change, such the~~ amendment
 27 shall not become effective except by the favorable
 28 vote of at least sixty percent of all of the members
 29 of the board of supervisors. The provisions of
 30 section 358A.6 relative to public hearings and
 31 official notice shall apply equally to all changes or
 32 amendments.

33 Sec. 2. Section 414.5, Code 1985, is amended to
 34 read as".

35 2. Amend the title, line 1, by inserting after
 36 the word "city" the following: "or a county".

HURLEY HALL

S-3137

1 Amend Senate File 189 as follows:

2 1. Page 1, line 11, by striking the word "the"
 3 and inserting the word "each".

4 2. Page 1, line 12, by striking the word "the"
 5 and inserting the word "a".

6 3. Page 1, line 13, by striking the word "the"
 7 and inserting the word "each".

8 4. Page 1, line 14, by striking the word "the"
 9 and inserting the word "each".

10 5. Page 1, line 15, by striking the words "the
 11 contribution" and inserting the words "any
 12 contribution".

CHARLES H. BRUNER

S-3138

1 Amend Senate File 252 as follows:

2 1. Page 1, by striking lines 5 and 6 and
 3 inserting the following: "Except for motor trucks
 4 designed to carry a load in excess of five hundred
 5 pounds, motor homes, multipurpose vehicles,
 6 ambulances,".

7 2. Page 2, by striking lines 9 through 11 and
 8 inserting the following: "The Except for motor trucks
 9 designed to carry a load not in excess of five hundred
 10 pounds and special trucks, the annual registration fee

11 for motor trucks, truck tractors; and road tractors;
12 and motor".
13 3. Page 2, line 13, by striking the word "All"
14 and inserting the following: "~~All~~ The motor".

THOMAS A. LIND

S-3139

1 Amend Senate File 252 as follows:
2 1. Page 1, by striking lines 5 and 6 and
3 inserting the following: "Except for motor trucks
4 designed to carry a load in excess of five hundred
5 pounds, motor homes, multipurpose vehicles,
6 ambulances,".
7 2. Page 2, by striking lines 9 through 11 and
8 inserting the following: "~~The~~ Except for motor trucks
9 designed to carry a load not in excess of five hundred
10 pounds and special trucks, the annual registration fee
11 for motor trucks, truck tractors; and road tractors;
12 and motor".
13 3. Page 2, line 13, by striking the word "All"
14 and inserting the following: "~~All~~ The motor".
15 4. Title page, lines 1 and 2, by striking the
16 words "with a combined gross weight of less than three
17 tons" and inserting the words "designed to carry a
18 load not in excess of five hundred pounds".

THOMAS A. LIND

S-3140

1 Amend Senate File 60 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 Section 1. Section 422.7, subsection 19, Code
5 1985, is amended to read as follows:
6 19. a. If the adjusted gross income includes
7 railroad retirement benefits, those benefits shall be
8 subtracted. If the adjusted gross income includes
9 social security benefits, those benefits shall be
10 recomputed for purposes of determining net income by
11 treating the term "modified adjusted gross income" as
12 defined in section 86 of the Internal Revenue Code of
13 1954 as not including income which is exempt from
14 federal income taxation. The net income of the
15 taxpayer includes this recomputed amount to the extent
16 this amount exceeds the base amount in section 86 for
17 the taxpayer.
18 b. Married taxpayers, who file a joint federal

19 income tax return and who elect to file separate
 20 returns or who elect separate filing on a combined
 21 return for state income tax purposes, shall ~~include in~~
 22 ~~net income any social security benefits or tier 1~~
 23 ~~railroad retirement benefits received to the same~~
 24 ~~extent as those benefits are taxable on the taxpayer's~~
 25 ~~joint federal return for that year under section 86 of~~
 26 ~~the Internal Revenue Code of 1954. The benefits~~
 27 ~~included in net income must be allocated allocate the~~
 28 ~~recomputed amount from paragraph "a" between the~~
 29 spouses in the ratio of the social security benefits
 30 ~~or tier 1 railroad retirement benefits~~ received by
 31 each spouse to the total of these benefits received by
 32 both spouses.
 33 Sec. 2. This Act is retroactive to January 1, 1985
 34 for tax years beginning on or after that date."

EDGAR H. HOLDEN

S-3141

1 Amend Senate File 229 as follows:
 2 1. Page 2, by striking lines 2 through 19, and
 3 inserting the following:
 4 "2. The parent or parents of an unemancipated
 5 minor child under the age of eighteen years are liable
 6 for any judgment awarded against the child pursuant to
 7 subsection 1 in accordance with, and subject to the
 8 limits established in, section 613.16."

WALLY HORN

S-3142

1 Amend Senate Resolution 7 as follows:
 2 1. Page 6, line 24, by striking the figure "3"
 3 and inserting the following: "2".

JOHN W. JENSEN

S-3143

1 Amend Senate File 100 as follows:
 2 1. Page 6, line 14, by striking the words "state
 3 or" and inserting the following: "state and".

CHARLES BRUNER
 MICHAEL GRONSTAL

S-3144

1 Amend the Committee amendment, S-3043, to Senate
2 File 24 as follows:

3 1. Page 1, by striking lines 2 through 26 and
4 inserting the following:
5 “_. Page 1, line 18, by inserting after the
6 word “director.” the following: “For purposes of
7 computing the items of tax preference, the gain or
8 loss from the transfer of property to a creditor in
9 cancellation of a debt or from the sale or exchange of
10 property as a result of actual notice of foreclosure
11 shall not be taken into account in computing net
12 capital gain if, immediately before such sale or
13 exchange, the taxpayer’s liabilities exceed the fair
14 market value of the taxpayer’s assets and the taxpayer
15 is unable to pay liabilities as they come due. For
16 purposes of this subsection, actual notice of
17 foreclosure includes, but is not limited to,
18 bankruptcy or written notice from a creditor of the
19 creditor’s intent to foreclose where there is
20 reasonable belief that the creditor can force a sale
21 of the property.

22 _. Page 2, by inserting after line 1 the
23 following:

24 “The state alternative minimum tax of a taxpayer
25 whose items of tax preference include the gain or loss
26 from the transfer of property to a creditor in
27 cancellation of a debt or from the sale or exchange of
28 property as a result of actual notice of foreclosure
29 where the fair market value of the taxpayer’s assets
30 exceeds the taxpayer’s liabilities immediately before
31 such sale or exchange shall not be greater than such
32 excess.”

33 _. Page 2, by inserting after line 21 the
34 following:

35 “For tax years beginning on or after January 1,
36 1984, if a taxpayer would be required to sell his or
37 her primary residence in order to pay the state
38 alternative minimum tax, the tax shall be deferred and
39 a lien shall be placed against the property for the
40 amount of the tax. The taxpayer and spouse shall be
41 allowed to reside in the residence until death or
42 unless other circumstances besides the state
43 alternative minimum tax require them to leave. Upon
44 death of the taxpayer and spouse or the sale or
45 transfer of the residence, the tax shall be due and
46 payable. To receive the deferral of the state
47 alternative minimum tax, immediately before such
48 deferral, the taxpayer’s liabilities must exceed the

49 fair market value of the taxpayer's assets and the
50 taxpayer must be unable to pay liabilities as they

Page 2

1 come due."

2 ____ Page 3, by striking lines 11 and 12 and
3 inserting the following:

4 "Sec. 4. In computing the items of tax preference
5 for purposes of the Iowa minimum tax for tax years
6 beginning in the 1983, 1984, and 1985 calendar years,
7 the gain or loss from the transfer of property to a
8 creditor in cancellation of a debt or from the sale or
9 exchange of property as a result of actual notice of
10 foreclosure shall not be taken into account in
11 computing net capital gain if, immediately before such
12 sale or exchange, the taxpayer's liabilities exceed
13 the fair market value of the taxpayer's assets and
14 the taxpayer is unable to pay liabilities as
15 they come due. For purposes of this section, actual
16 notice of foreclosure includes, but is not limited to,
17 bankruptcy or written notice from a creditor of the
18 creditor's intent to foreclose where there is
19 reasonable belief that the creditor can force a sale
20 of the property. In computing the Iowa minimum tax
21 for tax years beginning in the 1983, 1984, and 1985
22 calendar years, the Iowa minimum tax of a taxpayer
23 whose items of tax preference include the gain or loss
24 from the transfer of property to a creditor in
25 cancellation of a debt or from the sale or exchange of
26 property as a result of actual notice of foreclosure
27 where the fair market value of the taxpayer's assets
28 exceeds the taxpayer's liabilities immediately before
29 such sale or exchange shall not be greater than such
30 excess. A taxpayer who has filed a state return for
31 such tax years may file an amended state return for
32 such tax years with the state minimum tax calculated
33 on the basis of what the federal minimum tax would
34 have been if such items had not been included in the
35 federal minimum tax calculation of net capital gain or
36 with the state minimum tax calculated on the basis of
37 such limitation on the amount of state minimum tax.

38 Sec. 5. Except for section 4 and the provision
39 relating to the sale of a primary residence to pay the
40 minimum tax, this Act is effective January 1, 1986 for
41 tax years beginning on or after that date. Section 4
42 of this Act is retroactive to January 1, 1983 for tax
43 years beginning on or after January 1, 1983 and
44 beginning before January 1, 1986. The provision of
45 section 422.5, subsection 15 relating to the sale of a

46 primary residence in order to pay the state
 47 alternative minimum tax is retroactive to January 1,
 48 1984 for tax years beginning on or after that date.”

CHARLES BRUNER
 BERL E. PRIEBE
 MICHAEL E. GRONSTAL
 LARRY MURPHY
 DAVID M. READINGER

S-3145

1 Amend Senate File 194 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. Section 135D.24, subsection 3, Code
 5 1985, is amended to read as follows:
 6 3. Each mobile home park licensee shall ~~keep an~~
 7 ~~accurate and complete record of the number of units of~~
 8 ~~mobile homes harbored in the park, listing the owner’s~~
 9 ~~name, year and make of the unit, and report this~~
 10 ~~information on or before the tenth day of March and~~
 11 ~~September with supplemental monthly reports listing~~
 12 ~~arrivals and departures of mobile homes for which a~~
 13 ~~tax clearance statement was not issued to notify the~~
 14 county treasurer concerning any mobile home or
 15 manufactured home arriving in or departing from the
 16 park. The records of the licensee shall be open to
 17 inspection by a duly authorized representative of any
 18 law enforcement agency. Any property owner, manager
 19 or tenant shall report to the county treasurer mobile
 20 homes parked upon any property owned, managed, or
 21 rented by that person.”
 22 2. Title page, by striking lines 1 and 2 and
 23 inserting the following: “An Act striking the
 24 semiannual reporting requirement by mobile home park
 25 licensees.”

COMMITTEE ON
 LOCAL GOVERNMENT
 ALVIN MILLER, Chair

S-3146

1 Amend Senate File 156 as follows:
 2 1. Page 1, by striking lines 1 through 15.
 3 2. Page 2, by striking lines 32 and 33 and
 4 inserting the following:
 5 “1. Be a citizen of the United States and a

6 resident of this state.”

7 3. By renumbering sections as necessary. .

COMMITTEE ON EDUCATION
JOE BROWN, Chair

S-3147

1 Amend House File 87 as amended, passed, and
2 reprinted by the House, as follows:

3 1. By striking everything after the enacting
4 clause and inserting the following:

5 “Section 1. Section 442.7, subsection 7, paragraph
6 i, Code 1985, is amended by striking the paragraph.

7 Sec. 2. Section 442.9, subsection 1, paragraph b,
8 Code 1985, is amended to read as follows:

9 b. The district cost for the budget year is equal
10 to the district cost per pupil for the budget year
11 multiplied by the weighted enrollment, plus commencing
12 with the budget year beginning July 1, 1985 additional
13 district cost added for moneys received by a school
14 district under section 302.3, Code 1981, as provided
15 in section 442.21, and plus the additional district
16 cost allocated to the district under section 442.27 to
17 fund media services and educational services provided
18 through the area education agency. A school district
19 may not increase its district cost for the budget year
20 except to the extent that an excess tax levy is
21 authorized by the school budget review committee as
22 provided in section 442.13.

23 Sec. 3. NEW SECTION. 442.21 TEMPORARY SCHOOL
24 FUND.

25 If the board of directors of a school district
26 certified an amount to the state comptroller to be
27 added to basic allowable growth per pupil for the
28 budget year beginning July 1, 1984 under section
29 442.7, subsection 7, paragraph “i”, Code Supplement
30 1983, the amount certified shall be added to the
31 district cost of the school district commencing with
32 the budget year beginning July 1, 1985.

33 Sec. 4. Procedures used and property tax levies
34 calculated by the state comptroller for the budget
35 year beginning July 1, 1984 under section 442.7,
36 subsection 7, paragraph “i”, Code Supplement 1983,
37 shall be completed for that budget year.

38 Sec. 5. This Act, being deemed of immediate importance,
39 takes effect from and after its publication in the Charles
40 City Press, a newspaper published in Charles City,
41 Iowa, and in the Fayette County Union, a newspaper published in
42 West Union, Iowa for computations required for pay-

43 ment of state aid and levying of property taxes under the state
 44 school foundation program for the school year beginning
 45 July 1, 1985. However, section 1 of this Act takes effect
 46 July 1, 1985.”
 47 2. Amend the title, line 1, by striking the word
 48 “determining” and inserting the words “adding moneys in a
 49 school district’s budget for moneys collected under
 50 section 302.3, Code 1981, and removing those moneys from”.

Page 2

1 3. Amend the title, line 3, by inserting after the
 2 figure “1985” the words “and succeeding school years”.

COMMITTEE ON EDUCATION
 JOE BROWN, Chair

S-3148

1 Amend Senate File 296 as follows:
 2 1. Page 3, line 14, by inserting after the figure
 3 “28E,” the following: “an electric power agency as
 4 defined in section 28F.2.”.

COMMITTEE ON COMMERCE
 GEORGE R. KINLEY, Chair

S-3149

1 Amend Senate File 240 as follows:
 2 1. Page 1, line 11, by striking the word “five”
 3 and inserting the following: “three”.
 4 2. Title page, line 2, by striking the word
 5 “five” and inserting the following: “three”.

COMMITTEE ON COMMERCE
 GEORGE R. KINLEY, Chair

S-3150

1 Amend Senate File 299 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. Rule of criminal procedure 20, Iowa
 5 court rules, second edition, is amended by adding the
 6 following new section:
 7 NEW SECTION. 5. USE OF PHOTOGRAPHS AS EVIDENCE IN
 8 PROSECUTIONS.
 9 A. In a prosecution for robbery, burglary, theft
 10 or fraudulent practice, the court shall receive as

11 competent evidence, a photograph of property over
12 which the accused is alleged to have exerted
13 unauthorized control or to have otherwise obtained
14 unlawfully, if the photograph:

15 1. Will serve the purpose of demonstrating the
16 nature of the property; and

17 2. Is otherwise admissible into evidence under all
18 other rules of law governing the admissibility of
19 photographs into evidence. The fact that it is
20 impractical to introduce into evidence the actual
21 property for any reason, including its size, weight,
22 or unavailability, need not be established for the
23 court to find a photograph of that property to be
24 competent evidence. If a photograph is found to be
25 competent evidence under this subsection, it is
26 admissible into evidence in place of the property and
27 to the same extent as the property itself.

28 B. A law enforcement agency that is holding as
29 evidence property over which a person is alleged to
30 have exerted unauthorized control or to have otherwise
31 obtained unlawfully, shall return that property to its
32 owner if:

33 1. The property has been photographed in a manner
34 that will serve the purpose of demonstrating the
35 nature of the property, and if these photographs are
36 filed with or retained by the law enforcement agency
37 in place of the property;

38 2. Receipt for the property is obtained from the
39 owner upon delivery by the law enforcement agency;

40 3. The prosecuting attorney who is prosecuting a
41 case that involves the property has not requested the
42 law enforcement agency to decline requests for return
43 of the property to its owners; and

44 4. The property may be lawfully possessed by the
45 owner.

46 C. Subsections a and b of this section apply only
47 to robbery, burglary, theft, or fraudulent practice of
48 tangible personal property which is displayed, held,
49 stored, or offered for sale to the public, by a person
50 or entity holding a retail sales tax permit number

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1 issued in accordance with section 422.53.

2 D. A court may, if a motion so requesting is filed
3 by defendant within fourteen days of arrest, order the
4 law enforcement agency to hold the property as
5 evidence pending the completion of trial."

6 2. Title page, by striking lines 1 through 3, and
7 inserting the following: "An Act relating to the

8 admissibility of photographs in prosecutions for
9 robbery, burglary, theft, and fraudulent practices.”

DOUG RITSEMA

S-3151

1 Amend Senate File 269 as follows:

2 1. Page 3, by striking lines 27 through 33 and

3 inserting the following: “purposes\$19,170,000”.

WILLIAM W. DIELEMAN

S-3152

1 Amend Senate File 200 as follows:

2 1. Page 1, by striking line 1 and inserting the
3 following:

4 “Section 1. Section 13B.4, Code 1985, is amended
5 to read as follows:

6 13B.4 DUTIES OF APPELLATE DEFENDER.

7 The appellate defender shall represent indigents on
8 appeal in criminal cases and on appeal in proceedings
9 to obtain postconviction relief when appointed to do
10 so by the district court in which the judgment or
11 order was issued, and may represent indigents in
12 proceedings instituted pursuant to chapter 908, and
13 shall not engage in the private practice of law. The
14 court may, upon the application of the indigent or the
15 indigent’s trial attorney, or on its own motion,
16 appoint the appellate defender to represent the
17 indigent on appeal or on appeal in postconviction
18 proceedings.

19 Sec. 2. 1981 Iowa Acts, Chapter 23, section 8,
20 is”.

21 2. Page 1, line 3, by striking the word “This”
22 and inserting the following: “Section 2 of this”.

23 3. Page 1, line 9, by inserting after the words
24 “provisions of” the following: “sections 2 and 3 of”.

25 4. By renumbering as necessary.

TOM MANN, Jr.

S-3153

1 Amend Senate File 269 as follows:

2 1. Page 1, line 12, by striking the figure
3 “39,000” and inserting the following: “45,727”.

4 2. Page 1, line 17, by striking the figure
5 “10,000” and inserting the following: “11,691”.

- 6 3. Page 1, line 21, by striking the figure
 7 "256,000" and inserting the following: "260,000".
 8 4. Page 1, line 26, by striking the figure
 9 "124,000" and inserting the following: "146,315".
 10 5. Page 1, line 31, by striking the figure
 11 "323,000" and inserting the following: "335,819".
 12 6. Page 2, line 1, by striking the figure
 13 "639,000" and inserting the following: "649,000".
 14 7. Page 2, line 5, by striking the figure
 15 "558,000" and inserting the following: "569,891".
 16 8. Page 2, line 10, by striking the figure
 17 "367,000" and inserting the following: "373,066".
 18 9. Page 2, line 15, by striking the figure
 19 "112,000" and inserting the following: "121,257".
 20 10. Page 2, by striking lines 16 through 24.

JULIA B. GENTLEMAN

S-3154

- 1 Amend Senate File 318 as follows:
 2 1. Page 1, line 4, by inserting after the word
 3 "warrants" the following: ", in accordance with the
 4 statutory and common law requirements for the issuance
 5 of such warrants."
 6 2. Page 1, line 7, by inserting after the word
 7 "authority" the following: ", to be executed or
 8 otherwise carried out by an officer or employee of the
 9 agency or body".
 10 3. Page 1, by inserting after line 7 the
 11 following:
 12 "Sec. 2. This Act, being deemed of immediate
 13 importance, takes effect from and after its
 14 publication in The Sioux City Journal, a newspaper
 15 published in Sioux City, Iowa, and in The New Iowa
 16 Bystander, a newspaper published in Des Moines, Iowa."

TOM MANN, Jr.

S-3155

- 1 Amend Senate File 319 as follows:
 2 1. Page 1, line 27 by striking the word "May" and
 3 inserting the following: "April".
 4 2. Page 1, line 28 by striking the word "May" and
 5 inserting the following: "April".

LEE W. HOLT

S-3156

- 1 Amend Senate File 259 as follows:
- 2 1. Page 2, line 25 by striking the words "state
- 3 ~~board governor~~" and inserting the following:
- 4 "state board".
- 5 2. Page 2, line 34 by striking the words "~~with an~~
- 6 ~~administrator's endorsement~~" and inserting the
- 7 following: "with an administrator's endorsement".
- 8 3. Title, by striking lines 4 and 5 and inserting
- 9 the following: "education."

JOY CORNING

S-3157

- 1 Amend Senate File 157 as follows:
- 2 1. Page 1, by inserting after line 8 the
- 3 following:
- 4 "Sec. 2. NEW SECTION. 534.516 LIQUIDATION IN
- 5 LIEU OF INSURANCE.
- 6 In lieu of acquiring and maintaining the account
- 7 insurance required in section 534.505, an association
- 8 may with the approval of the supervisor enter into
- 9 voluntary liquidation as provided in section 534.513."
- 10 2. Page 1, by inserting after line 8, the
- 11 following:
- 12 "Sec. 3. This Act, being deemed of immediate
- 13 importance, takes effect from and after its
- 14 publication in the Business Record, a newspaper
- 15 published in Des Moines, Iowa, and in The Toledo
- 16 Chronicle, a newspaper published in Toledo, Iowa."
- 17 3. Title page, line 3, by inserting after the
- 18 word "loans" the following: "or permitting a savings
- 19 and loan association to voluntarily liquidate in lieu
- 20 of obtaining and maintaining the insurance".

COMMITTEE ON COMMERCE
GEORGE R. KINLEY, Chair

S-3158

- 1 Amend Senate File 250 as follows:
- 2 1. Page 4, line 25, by striking the word
- 3 "DIVISIONS" and inserting the word "DEPARTMENTS".
- 4 2. Page 4, by striking line 27 and inserting the
- 5 following: "medical library department and a law
- 6 library department."
- 7 3. Page 4, line 28, by striking the word
- 8 "division" and inserting the word "department".

- 9 4. Page 4, line 32, by striking the word
 10 "division" and inserting the word "department".
 11 5. Page 5, line 5, by striking the word
 12 "division" and inserting the word "department".
 13 6. Page 5, line 9, by striking the word
 14 "division" and inserting the word "department".

JOHN NYSTROM

S-3159

- 1 Amend Senate File 120 as follows:
 2 1. Page 1, line 3, by inserting before the word
 3 "burial" the word "marked".
 4 2. Page 1, by striking lines 19 and 20 and
 5 inserting the following: "is not otherwise provided,
 6 shall preserve and protect the burial site as
 7 necessary to restore or maintain its physical
 8 integrity as a burial site. The governmental
 9 subdivision or agency may enter into an agreement with
 10 a public or private organization interested in
 11 historical preservation to delegate to the
 12 organization the responsibility for the protection and
 13 preservation of the burial site."

COMMITTEE ON JUDICIARY
 DONALD V. DOYLE, Chair

S-3160

- 1 Amend Senate File 218 as follows:
 2 1. Page 1, by striking lines 4 through 18 and
 3 inserting the following:
 4 "a. This article shall provide additional
 5 remedies, and shall be binding only as among and
 6 between those party states which specifically execute
 7 the same.
 8 b. All provisions and procedures of Articles V and
 9 VI of the Interstate Compact on Juveniles shall be
 10 construed to apply to any juvenile charged with being
 11 a delinquent by reason of a violation of any criminal
 12 law. Any juvenile, charged with being a delinquent by
 13 reason of violating any criminal law shall be returned
 14 to the requesting state upon a requisition to the
 15 state where the juvenile may be found. A petition in
 16 such case shall be filed in a court of competent
 17 jurisdiction in the requesting state where the
 18 violation of criminal law is alleged to have been
 19 committed. The petition may be filed regardless of
 20 whether the juvenile has left the state before or

21 after the filing of the petition. The requisition
22 described in Article V of the compact shall be
23 forwarded by the judge of the court in which the
24 petition has been filed."

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3161

1 Amend Senate File 32 as follows:
2 1. Page 1, line 13, by inserting after the word
3 "milk," the word "meat,".

RAY TAYLOR

S-3162

1 Amend Senate File 259 as follows:
2 1. Page 2, by striking lines 25 through 28 and
3 inserting the following:
4 "The state board shall appoint, effective July 1,
5 1979, and each four years thereafter, ~~with the~~
6 ~~approval of two thirds of the members subject to~~
7 ~~confirmation of the senate, a superintendent of public~~
8 ~~instruction commissioner of education. The state~~
9 ~~board shall have sole authority to compensate,~~
10 ~~evaluate, and dismiss the commissioner."~~
11 2. Title page, by striking lines 4 and 5 and
12 inserting the following: "education."

JOE BROWN
ARTHUR L. GRATIAS

S-3163

1 Amend the amendment, S-3145, to Senate File 194 as
2 follows:
3 1. Page 1, line 16, by inserting after the word
4 "park" the following: "without a tax clearance
5 statement".

RICHARD VANDE HOEF

S-3164

1 Amend Senate Concurrent Resolution 13 as follows:
2 1. Page 1, line 4, by striking the word "to" and
3 inserting the following: "in".
4 2. Page 2, line 13, by striking the word "to" and

- 5 inserting the following: "in".
 6 3. Page 2, line 17, by striking the word "to" and
 7 inserting the following: "in".

COMMITTEE ON EDUCATION
 JOE BROWN, Chair

S-3165

- 1 Amend Senate File 32 as follows:
 2 1. Page 2, line 10, by inserting after the word
 3 "apply" the following: ", subject to normal price
 4 differentials reflecting grades and quality,".
 5 2. Page 2, line 11, by striking the words
 6 "produced, bought," and inserting the word "bought".
 7 3. Page 2, by striking lines 12 and 13 and
 8 inserting the following: "the state which is produced
 9 by each producer up to the average farm production of
 10 the commodity."
 11 4. Page 2, by inserting after line 13 the
 12 following:
 13 "___ The secretary shall define the average farm
 14 production for each commodity for which the secretary
 15 establishes a minimum price. The definition shall be
 16 the number of units of the commodity produced by an
 17 average producer of the commodity, and shall be
 18 revised each year the minimum price is in effect."

JACK RIFE

S-3166

- 1 Amend Senate File 318 as follows:
 2 1. Page 1, by striking line 5 and inserting the
 3 following: "bodies expressly or impliedly provided
 4 with statutory or constitutional home rule authority
 5 for inspections".

TOM MANN, JR.

S-3167

- 1 Amend the Senate amendment S-3145, to Senate File
 2 194 as follows:
 3 1. Page 1, by striking line 21 and inserting the
 4 following: "rented by that person."
 5 Sec. 2. NEW SECTION. 135D.27 CIVIL PENALTY.
 6 The owner of a mobile home who moves the mobile
 7 home without having obtained a tax clearance
 8 statement as provided in section 135D.24 shall pay a

9 civil penalty of one hundred dollars. The penalty
10 money shall be credited to the general fund of the
11 county.””
12 2. Page 1, by striking line 25 and inserting the
13 following: “licensees, and providing a civil
14 penalty.””

RICHARD VANDE HOEF

S-3168

1 Amend Senate File 329 as follows:
2 1. Page 2, by inserting after line 19 the
3 following:
4 “Sec. ____ Section 17.16, Code 1985, is amended to
5 read as follows:
6 17.16 LEGISLATIVE PROCEEDINGS.
7 The reports of the legislative proceedings shall be
8 delivered by the secretary of the senate and the chief
9 clerk of the house to the superintendent of printing
10 promptly upon completion, and the superintendent of
11 printing shall cause ~~such the~~ reports to be printed in
12 accordance with the contracts covering ~~the same them~~.
13 He The superintendent of printing shall require that
14 proof copies of the daily journal be furnished the
15 next legislative day after date and shall promptly
16 deliver them to the sergeants at arms of each house.
17 The corrections and changes made ~~therein in the~~
18 journal by the general assembly shall be made before
19 the printing of the corrected or completed journal.”
20 2. Page 15, by inserting after line 19 the
21 following:
22 “Sec. ____ Section 384.6, unnumbered paragraph 1,
23 Code 1985, is amended to read as follows:
24 A city may establish ~~a trust and agency fund funds~~
25 for the following purposes:”
26 3. By numbering and renumbering as necessary.

DONALD V. DOYLE

S-3169

1 Amend Senate File 245 as follows:
2 1. Page 3, by inserting after line 24 the
3 following:
4 “11. “Term of service” means the period of time a
5 juror is requested to serve.
6 12. “Master list” means the list of names taken
7 from the source lists for possible jury service.”
8 2. Page 4, line 25, by striking the word “must”

- 9 and inserting the words "may be required to".
- 10 3. Page 4, line 28, by inserting after the word
 11 "finding" the following: "that such service would
 12 threaten the person's economic, physical, or emotional
 13 well-being, or the well-being of another person who is
 14 dependent upon the person, or other similar findings".
- 15 4. Page 5, by striking line 2 and inserting the
 16 following: "to select the person as a juror for a
 17 particular case, commits contempt."
- 18 5. Page 5, line 8, by inserting after the number
 19 "79.9" the words and number "or section 602.1509".
- 20 6. Page 5, by striking lines 28 through 30 and
 21 inserting the following: "draw up the master list for
 22 the two years beginning January 1 after the election.
 23 The names for the master list shall be taken from the
 24 source lists. If all of the source lists are not used
 25 to draw up the master list, then the names drawn must
 26 be selected in a random manner."
- 27 7. Page 7, line 5, by striking the word
 28 "COMMISSION" and inserting the word "COMMISSIONS".
- 29 8. Page 7, by striking lines 26 and 27 and
 30 inserting the following: "this chapter for the
 31 county. The jury manager shall update the master list
 32 from the source lists at least once every two years
 33 beginning January 1 after the general election is
 34 held."
- 35 9. Page 7, line 29, by inserting after the word
 36 "The" the word "appointive".
- 37 10. Page 8, line 7, by inserting after the word
 38 "The" the word "appointive".
- 39 11. Page 8, line 14, by inserting after the word
 40 "the" the word "appointive".
- 41 12. Page 8, line 18, by inserting after the word
 42 "the" the word "appointive".
- 43 13. Page 8, line 31, by inserting after the words
 44 "by the" the word "appointive".
- 45 14. Page 9, line 6, by striking the word
 46 "commissioners" and inserting the words "appointive
 47 jury commission".
- 48 15. Page 9, line 8, by inserting after the word
 49 "clerk" the words "or jury manager".
- 50 16. Page 9, line 18, by striking the word

Page 2

- 1 "commissioner's" and inserting the words "appointive
 2 jury commission's".
- 3 17. Page 9, line 19, by inserting after the word
 4 "clerk" the words "or jury manager".
- 5 18. Page 9, line 20, by striking the word "jury"

- 6 and inserting the word "master".
- 7 19. Page 9, by striking line 23 and inserting the
8 following: "of the clerk or jury manager, the clerk
9 or jury manager shall do either of the following:".
- 10 20. Page 9, by striking lines 29 through 31 and
11 inserting the following:
12 "2. Use electronic data processing equipment for
13 the storage of names of the grand and petit jurors.
14 The numerical".
- 15 21. Page 10, line 1, by striking the word "a" and
16 inserting the words "an ex officio".
- 17 22. Page 10, line 7, by inserting after the words
18 "with the clerk" the following: "or jury manager".
- 19 23. Page 10, by striking lines 9 and 10, and
20 inserting the following: "names of the grand and
21 petit jurors shall be stored electronically or
22 manually processed by the jury manager and shall be
23 accessible to only the manager or the".
- 24 24. Page 10, line 21, by striking the word "a"
25 and inserting the words "an ex officio".
- 26 25. Page 10, line 29, by inserting after the
27 words "by the" the words "ex officio".
- 28 26. Page 10, line 31, by striking the word
29 "panel" and inserting the word "pool".
- 30 27. Page 10, line 35, by inserting after the word
31 "using" the words "ex officio".
- 32 28. Page 11, line 5, by striking the word "a" and
33 inserting the words "an ex officio".
- 34 29. Page 11, line 10, by striking the word "a"
35 and inserting the words "an ex officio".
- 36 30. Page 11, by striking lines 21 through 24, and
37 inserting the following:
38 "2. In counties using a jury manager, a
39 computerized program for the random selection and
40 printing of the names may be used to draw the required
41 number of jurors needed."
- 42 31. Page 11, line 26, by striking the word "a"
43 and inserting the words "an ex officio".
- 44 32. Page 12, line 1, by striking the word "order"
45 and inserting the word "request".
- 46 33. Page 12, line 5, by striking the word
47 "COMTEMPT" and inserting the word "CONTEMPT".
- 48 34. Page 12, line 7, by striking the word
49 "sending" and inserting the word "providing".
- 50 35. Page 12, line 17, by striking the word

Page 3

- 1 "precept" and inserting the word "order".
- 2 36. Page 12, line 20, by inserting after the

- 3 words "case, the" the words "ex officio".
- 4 37. Page 12, by striking line 31, and inserting
5 the following: "pool or panel as the court deems".
- 6 38. Page 13, line 5, by striking the word
7 "commissioners" and inserting the words "ex officio
8 commission".
- 9 39. Page 13, line 6, by inserting after the word
10 "original" the words "pool or".
- 11 40. Page 13, by striking lines 8 through 11, and
12 inserting the following:
13 "The names of prospective jurors who have been
14 drawn and are eligible to serve on the petit or grand
15 jury and who do not serve shall be omitted from the
16 respective ballot box or selection program."
- 17 41. Page 13, line 12, by inserting after the word
18 "court" the words ", the jury manager,".
- 19 42. Page 13, line 15, by striking the word "jury"
20 and inserting the words "an ex officio jury
21 commission".
- 22 43. Page 13, line 16, by striking the word
23 "commissions".
- 24 44. Page 13, line 28, by inserting after the
25 words "order the" the words "ex officio".
- 26 45. Page 13, line 32, by inserting after the word
27 "TO" the words "EX OFFICIO".
- 28 46. Page 13, line 33, by striking the word
29 "COMMISSIONERS" and inserting the word "COMMISSION".
- 30 47. Page 14, line 24, by striking the word
31 "corruptly" and inserting the words "with willful
32 malfeasance".

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3170

- 1 Amend Senate File 32 as follows:
- 2 1. Page 7, by inserting after line 6 the following:
- 3 "Sec. 10. It is the intent of the general assembly
4 that this Act shall remain in effect for five years,
5 and that chapter 185D is repealed July 1, 1990, unless
6 upon that date a sufficient number of states, which
7 produce at least sixty percent of the pervious year's
8 United States production of a commodity, have also
9 established a minimum price for the same commodity."

RAY TAYLOR

S-3171

1 Amend the Senate amendment S-3145, to Senate File
2 194 as follows:
3 1. Page 1, by striking line 21 and inserting the
4 following: "rented by that person."
5 Sec. 2. NEW SECTION. 135D.27 CIVIL PENALTY.
6 The owner of a mobile home who moves the mobile
7 home without having obtained a tax clearance statement
8 as provided in section 135D.24 shall pay a civil
9 penalty of one hundred dollars. The penalty money
10 shall be credited to the general fund of the county."
11 2. Page 1, by striking line 25 and inserting the
12 following: "licensees, and providing a civil
13 penalty."

RICHARD VANDE HOEF

S-3172

1 Amend Senate File 293 as follows:
2 1. Page 3, by striking lines 1 through 3 and
3 inserting the following: "the advisory committee."

CHARLES P. MILLER

S-3173

1 Amend Senate File 9 as follows:
2 1. Page 1, line 5, by striking the word "four"
3 and inserting the word "more".
4 2. Page 1, line 6, by inserting after the word
5 "use." the following: "All-terrain vehicles do not
6 include farm tractors, implements of husbandry, or any
7 vehicles designed primarily for use in construction,
8 forestry, or lawn or grounds maintenance."
9 3. Page 1 line 19, by inserting after the word
10 "purposes." the following: "Section 321.440,
11 subsections 3 and 4, do not apply to the tires of all-
12 terrain vehicles while operating in accordance with
13 this section."
14 4. Page 1, by striking lines 25 and 26, and
15 inserting the following: "or highway."

COMMITTEE ON
TRANSPORTATION
C. JOSEPH COLEMAN, Chair

S-3174

1 Amend Senate File 332 as follows:
 2 1. Page 5, by inserting after line 11 the
 3 following:
 4 "Sec. ____ Section 422.45, Code 1985, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. The gross receipts from the sale
 7 of a commercial vehicle as defined in and subject to
 8 chapter 326."
 9 2. Title page, line 1, by inserting after the
 10 word "incentives" the following: ", including the
 11 exempting of the sale of a commercial vehicle from the
 12 sales, services, and use tax,".

THOMAS A. LIND
 RICHARD VANDE HOEF

S-3175

1 Amend Senate File 332 as follows:
 2 1. Page 2, line 34, by inserting after the word
 3 "industry." the following: "The exemption for the
 4 first year is equal to one hundred percent of the
 5 value of the property, for the second year it's equal
 6 to eighty-five percent, for the third year seventy
 7 percent, for the fourth year fifty-five percent, for
 8 the fifth year forty percent, for the sixth year
 9 twenty-five percent, for the seventh year ten percent,
 10 and beginning with the eighth year the property shall
 11 be fully taxed."
 12 2. Page 3, line 2, by inserting after the word
 13 "certificates." the following: "The exemption for the
 14 first year is equal to one hundred percent of the
 15 value of the property, for the second year it's equal
 16 to eighty-five percent, for the third year seventy
 17 percent, for the fourth year fifty-five percent, for
 18 the fifth year forty percent, for the sixth year
 19 twenty-five percent, for the seventh year ten percent,
 20 and beginning with the eighth year the property shall
 21 be fully taxed."

RICHARD F. DRAKE

S-3176

1 Amend Senate File 332 as follows:
 2 1. Page 5, by inserting after line 11 the
 3 following:
 4 "Sec. ____ Section 422.45, Code 1985, is amended

5 by adding the following new subsection:

6 NEW SUBSECTION. The gross receipts from the sale
7 or rental, on or after July 1, 1987, of industrial
8 machinery, equipment and computers, including
9 replacement parts which are depreciable for state and
10 federal income tax purposes, if the following
11 conditions are met:

12 a. The industrial machinery, equipment and
13 computers shall be directly and primarily used in the
14 manner described in section 428.20 in processing
15 tangible personal property or in research and
16 development of new products or processes of
17 manufacturing, refining, purifying, combining of
18 different materials or packing of meats to be used for
19 the purpose of adding value to products, or in
20 processing or storage of data or information by an
21 insurance company, financial institution or commercial
22 enterprise. As used in this paragraph:

23 (1) "Insurance company" means an insurer organized
24 under chapters 508, 515, 518, 519, 520 or authorized
25 to do business in Iowa as an insurer and having 50 or
26 more persons employed in this state excluding licensed
27 insurance agents.

28 (2) "Financial institutions" means as defined in
29 section 527.2(4).

30 (3) "Commercial enterprise" includes businesses
31 and manufacturers conducted for profit and includes
32 centers for data processing services to insurance
33 companies, financial institutions, businesses and
34 manufacturers but excludes professions and occupations
35 and nonprofit organizations.

36 b. The industrial machinery, equipment and
37 computers must be real property within the scope of
38 section 427A.1, subsection 1, paragraphs "e" or "j",
39 and must be subject to taxation as real property.

40 However, the provisions of chapters 404 and 427B
41 which result in the exemption from taxation of
42 property for property tax purposes do not preclude the
43 property from receiving this exemption if the property
44 otherwise qualifies.

45 The gross receipts from the sale or rental of hand
46 tools are not exempt. The gross receipts from the
47 sale or rental of pollution control equipment
48 qualifying under paragraph "a" shall be exempt.

49 The gross receipts from the sale or rental of
50 industrial machinery, equipment, and computers,

Page 2

1 including pollution control equipment, within the
2 scope of section 427A.1, subsection 1, paragraphs "h"
3 and "i", shall not be exempt."

4 2. Page 6, by inserting after line 3 the
5 following:

6 "Sec. ____ Chapter 422, division IV, Code 1985, is
7 amended by adding the following new section:

8 NEW SECTION. 422.47A

9 1. Sales, services, and use taxes paid on the
10 purchase or rental of industrial machinery, equipment
11 and computers, including replacement parts which are
12 depreciable for state and federal income tax purposes,
13 shall be refunded to the purchaser provided all of the
14 following conditions are met:

15 a. The purchase or rental was made during the
16 period beginning July 1, 1985 and ending June 30,
17 1987.

18 b. The tax must have been collected and timely
19 paid by the retailer or timely paid to the department
20 by the user if section 423.14, is applicable.

21 c. The claim is filed on forms provided by the
22 department and is filed prior to October 1, 1987.

23 d. The industrial machinery and equipment and
24 computers shall be directly and primarily used in the
25 manner described in section 428.20 in processing
26 tangible personal property or in research and
27 development of new products or processes of
28 manufacturing, refining, purifying, combining of
29 different materials or packing of meats to be used for
30 the purpose of adding value to products, or in
31 processing or storage of data or information by an
32 insurance company, financial institution or commercial
33 enterprise.

34 As used in this paragraph:

35 (1) "Insurance company" means an insurer organized
36 under chapters 508, 515, 518, 519, 520 or authorized
37 to do business in Iowa as an insurer and having 50 or
38 more persons employed in this state excluding licensed
39 insurance agents.

40 (2) "Financial institutions" means as defined in
41 section 527.2(4).

42 (3) "Commercial enterprise" includes businesses
43 and manufacturers conducted for profit and includes
44 centers for data processing services to insurance
45 companies, financial institutions, businesses and
46 manufacturers but excludes professions and occupations
47 and nonprofit organizations.

48 e. The industrial machinery, equipment or any

49 computer must be real property within the scope of
50 section 427A.1, subsection one, paragraph "e" or "j",

Page 3

1 and must be subject to taxation as real property.

2 However, the provisions of chapters 404 and 427B
3 which result in the exemption from taxation of
4 property for property tax purposes shall not preclude
5 the property from receiving this refund if the
6 property otherwise qualifies.

7 Any tax paid on hand tools shall not be eligible
8 for a refund. Any tax paid on pollution control
9 equipment qualifying under paragraphs "a" through "d"
10 of this subsection shall be eligible for a refund.

11 Any tax paid on industrial machinery, equipment or
12 computers, including pollution control equipment,
13 within the scope of section 427A.1, subsection 1,
14 paragraphs "h" and "i", shall not be eligible for
15 refund.

16 2. A claim for refund timely filed under
17 subsection 1 shall be paid by the department between
18 July 1, 1987 and October 1, 1987 or within ninety days
19 after receipt of the claim whichever date is the
20 later. A claimant who makes an erroneous application
21 for refund shall be liable for payment of any refund
22 paid plus interest at the rate in effect under section
23 421.7. In addition, a claimant who willfully makes a
24 false application for refund is guilty of a simple
25 misdemeanor and is liable for a penalty equal to fifty
26 percent of the refund claimed. Refunds, penalties,
27 and interest due under this section may be enforced
28 and collected in the same manner as the tax imposed by
29 this division.

30 Sec. 20. Section 427.1, subsection 32, unnumbered
31 paragraphs 1 and 2, Code 1985, are amended to read as
32 follows:

33 Pollution-control property as defined in this
34 subsection shall be exempt from taxation ~~for the~~
35 ~~periods and~~ to the extent provided in this subsection,
36 upon compliance with the provisions of this
37 subsection.

38 This exemption shall apply to new installations of
39 pollution-control property ~~for a period of ten years~~
40 beginning on January 1 after the construction or
41 installation of the property is completed. This
42 exemption shall apply ~~for a period of ten years~~
43 beginning on January 1, 1975, to existing pollution-
44 control property if its construction or installation
45 was completed after September 23, 1970. ~~This~~

46 exemption shall apply with respect to each of the ten
 47 annual assessments within the ten-year exemption
 48 period and the property taxes payable on the basis of
 49 each of such ten annual assessments. This exemption
 50 for existing pollution-control property shall begin

Page 4

1 with respect to the assessment as of January 1, 1975,
 2 and the taxes payable on the basis of this assessment
 3 during the fiscal year beginning July 1, 1976.”
 4 3. Page 6, by inserting after line 10 the
 5 following:
 6 “Sec. ____ . Section 20 of this Act is retroactive
 7 to January 1, 1984.
 8 Sec. ____ . This Act, except for section 20, being
 9 deemed of immediate importance takes effect from and
 10 after its publication in the Business Record, a
 11 newspaper published in Des Moines, Iowa, and in The
 12 Red Oak Express, a newspaper published in Red Oak,
 13 Iowa.”
 14 4. Title page, line 2, by inserting after the
 15 word “state” the following: “, to the exemption from
 16 the sales, services and use taxes of and the refunding
 17 of the sales, services and use taxes paid on the gross
 18 receipts from the sale or rental of certain industrial
 19 machinery, equipment and computers and to providing a
 20 permanent exemption from property taxation for
 21 pollution control property and providing effective
 22 dates”.

WILLIAM D. PALMER
 LOWELL L. JUNKINS
 CALVIN O. HULTMAN
 EMIL HUSAK
 BILL HUTCHINS
 EDGAR H. HOLDEN
 JOHN W. JENSEN
 RICHARD F. DRAKE
 ARNE WALDSTEIN
 NORMAN G. RODGERS

S-3177

1 Amend House File 183 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, line 33, by striking the word “social”
 4 and inserting the word “human”.
 5 2. Page 2, by striking lines 21 through 29 and

6 inserting the following: "section, the person may
 7 sign a written authority to enter a plea of guilty
 8 provided on the notice and pay a fine of twenty
 9 dollars and provide the authority and the fine to the
 10 clerk of the district court prior to the time
 11 designated for appearance. If the authority and fine
 12 are so provided, court costs and the criminal penalty
 13 surcharge under section 911.2 shall not be imposed.
 14 The clerk of the district court shall accept the fine
 15 of anyone admitting the violation and paying the fine
 16 before the time and date provided on the notice."
 17 3. Page 2, line 30, by striking the word
 18 "Failure" and inserting the word "Willful failure".
 19 4. Page 3, by inserting after line 23 the
 20 following:
 21 "10. A person who is first charged for a violation
 22 of this section and who has not acquired a user permit
 23 shall not be convicted if the person produces in
 24 court, within a reasonable time, proof that the person
 25 has acquired a calendar year permit."
 26 5. Page 3, by striking lines 24 through 29.

COMMITTEE ON
 NATURAL RESOURCES
 HURLEY W. HALL, Chair

S-3178

1 Amend Senate File 30 as follows:
 2 1. Page 1, lines 4 and 5, by striking the words
 3 "or deer".
 4 2. Page 1, line 13, by striking the words "deer
 5 and".
 6 3. Title page, line 2, by striking the words
 7 "deer and".

COMMITTEE ON
 NATURAL RESOURCES
 HURLEY W. HALL, Chair

S-3179

1 Amend Senate File 209 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 815.10, subsection 2, Code
 5 1985, is amended to read as follows:
 6 2. If a court finds that a person ~~desires~~ needs
 7 legal assistance and is not indigent, but refuses to
 8 employ an attorney, the court shall appoint a public

9 defender or another attorney to represent the person
 10 at public expense. ~~If an attorney other than a public~~
 11 ~~defender is appointed, the~~ The fee paid to the
 12 attorney or the costs incurred by the public defender
 13 shall be taxed as a court cost against the person."

COMMITTEE ON JUDICIARY
 DONALD V. DOYLE, Chair

S-3180

1 Amend Senate File 274 as follows:
 2 1. Page 1, by striking lines 3 through 5 and
 3 inserting the following: "that the basketball used
 4 for girls' interscholastic".
 5 2. Page 1, line 6, by striking the word
 6 "competitions" and inserting the following:
 7 "competition".

JOE BROWN

S-3181

1 Amend Senate amendment S-3161 to Senate File 32 as
 2 follows:
 3 1. Page 1, line 3, by striking the word "meat"
 4 and inserting the word "meats".

ROBERT M. CARR
 RAY TAYLOR

S-3182

1 Amend Senate File 32 as follows:
 2 1. Page 2, line 16, by striking the following:
 3 "the commodity" and inserting the following: "that
 4 commodity".
 5 2. Page 2, line 17, by striking the following:
 6 "the commodity" and inserting the following: "that
 7 commodity".

ROBERT M. CARR

S-3183

1 Amend Senate File 270 as follows:
 2 1. Page 1, line 4, by striking the word "license

3 or" and inserting the following: "license, at an
4 established fur auction, or at".

CHARLES P. MILLER

S-3184

1 Amend Senate File 329 as follows:

2 1. Page 18, by inserting after line 28 the fol-
3 lowing:

4 "Section 1. Section 628.28, Code 1985, is amended
5 to read as follows:

6 628.28 REDEMPTION OF PROPERTY NOT USED FOR
7 RESIDENTIAL OR AGRICULTURAL PURPOSES.

8 If real property is not used for agricultural
9 purposes, as defined in section 535.13, and is not the
10 residence of the ~~mortgagor or the owner debtor~~, or if
11 it is the residence of the ~~mortgagor or the owner~~
12 ~~debtor~~ but not a single-family or two-family dwelling,
13 then the period of redemption after foreclosure is one
14 hundred eighty days; or if, ~~For the first ninety days~~
15 after the sale the right of redemption is exclusive to
16 the debtor and the time periods provided in sections
17 628.5, 628.15 and 628.16 are reduced to one hundred
18 thirty-five days. If a deficiency judgment has been
19 waived the period of redemption is reduced to ninety
20 days; and, ~~For the first thirty days after the sale~~
21 the redemption is exclusively the right of the
22 mortgagor or owner debtor and the time periods
23 provided in sections 628.5, 628.15 and 628.16 are
24 reduced to sixty days.

25 If real property is not used for agricultural
26 purposes, as defined in section 535.13, and is a
27 single-family or two-family dwelling which is the
28 residence of the ~~mortgagor or the owner debtor~~ at the
29 time of foreclosure but the court finds that after
30 foreclosure the dwelling has ceased to be the
31 residence of the ~~mortgagor or the owner debtor~~ and if
32 there are no junior creditors, the court shall order
33 the period of redemption reduced to thirty days from
34 the date of the court order and redemption is
35 exclusively the right of the mortgagor or the owner
36 during the thirty day period. If there is a junior
37 creditor, the court shall order the redemption period
38 reduced to sixty days. For the first thirty days
39 redemption is the exclusive right of the debtor and

40 the time periods provided in sections 628.5, 628.15
 41 and 628.16 are reduced to forty-five days."

WILLIAM W. DIELEMAN
 DONALD V. DOYLE

S-3185

- 1 Amend Senate File 337 as follows:
 2 1. Page 1, lines 34 and 35, by striking the words
 3 "fifteen members, eleven" and inserting the following:
 4 "nine members, five".
 5 2. Page 2, line 2, by striking the words
 6 "president of the senate" and inserting the following:
 7 "majority leader of the senate. Not more than five
 8 members shall be of the same political party."

TOM MANN, JR.

S-3186

- 1 Amend Senate File 186 as follows:
 2 1. Page 1, line 8, by inserting after the word
 3 "state" the following: "or any railroad right of
 4 way".

RICHARD VANDE HOEF

S-3187

- 1 Amend Senate File 32 as follows:
 2 1. Page 5, by striking lines 30 through 34.

RAY TAYLOR

S-3188

- 1 Amend amendment S-3177 to House File 183 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 1, by striking lines 5 through 18 and
 4 inserting the following:
 5 "____. Page 2, by striking line 7 through page 3,
 6 line 5 and inserting the following:
 7 "8. a. An officer of the commission who observes
 8 a motor vehicle parked in violation of this section
 9 shall take the vehicle's registration number and may
 10 take other information displayed on the vehicle which
 11 may identify its user and deliver to the driver or
 12 conspicuously affix to the vehicle a notice of
 13 violation in writing on a form provided by the

14 commission. A person who receives the notice or knows
 15 that a notice has been affixed to the motor vehicle
 16 owned or controlled by the person may pay a civil
 17 penalty of twenty dollars to the commission within
 18 twenty days. If the civil penalty is not timely paid,
 19 the commission may cause a complaint to be filed
 20 against the owner or operator of the motor vehicle
 21 before a magistrate for the violation of this section
 22 in the manner provided in section 804.1. Timely
 23 payment of the civil penalty shall be a bar to any
 24 prosecution for that violation of this section. All
 25 civil penalties collected under this subsection shall
 26 be deposited in the general fund of the state.

27 b. If a citation is issued for a violation of this
 28 section and a plea of guilty is entered on or before
 29 the time and date set for appearance, the fines shall
 30 be thirty dollars and court costs and the criminal
 31 penalty surcharge of section 911.2 shall not be
 32 imposed.

33 c. The commission shall provide to its officers
 34 sets of triplicate notices each identified by separate
 35 serial numbers on each copy of notice. One copy shall
 36 be used as a notice of violation and delivered to the
 37 person charged or affixed to the vehicle illegally
 38 parked, one copy shall be sworn to by the officer as a
 39 complaint and may be filed with the clerk of the court
 40 of the county if the civil penalty is not timely paid
 41 to the commission and one copy shall be retained by
 42 the commission for record purposes.”

43 2. Page 1, by striking lines 21 through 25 and
 44 inserting the following:

45 ““10. A person who receives a notice of violation
 46 under this section may, in lieu of paying the civil
 47 penalty, produce proof that the person has acquired a
 48 current calendar year permit. The proof shall be
 49 submitted to the commission in the same manner as the
 50 civil penalty.””

Page 2

1 3. Page 1, by striking line 26.

DONALD V. DOYLE

S-3189

1 Amend Senate File 32 as follows:

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

4 “1A. “Production supplies” means the inputs

5 necessary for the production of agricultural
6 commodities, and includes but is not limited to seed,
7 insecticide, herbicide, and fertilizer.”

8 2. Page 3, by inserting after line 19 the
9 following:

10 “Sec. . NEW SECTION. 185D.2A MAXIMUM PRICE --
11 PRODUCTION SUPPLIES.

12 1. The secretary shall establish the maximum
13 prices of production supplies necessary for the
14 production of each commodity. The maximum price shall
15 assure a fair margin of profit to producers. The
16 secretary shall establish a ratio between the parity
17 price for each commodity and the average cost for
18 production supplies for that commodity over the past
19 twenty-five years, and shall apply the ratio to the
20 minimum price of that commodity established in section
21 185D.2 to determine the maximum price of the
22 production supplies. However, the secretary may
23 establish a price lower than the price determined by
24 the application of the ratio if the secretary deems a
25 lower price necessary to assure a fair margin of
26 profit to producers.

27 2. The secretary shall establish the maximum
28 prices within ten days after the effective date of
29 this Act, based on the parity prices in effect on or
30 before February 1 of the year of enactment, and on or
31 before February 1 of each year thereafter.

32 3. The secretary shall publish notice of the
33 establishment of the maximum prices in the Iowa
34 administrative bulletin. The maximum prices
35 established by the secretary are not subject to
36 chapter 17A.

37 4. The maximum price for production supplies
38 established for each commodity pursuant to this
39 section shall be effective when a minimum price is in
40 effect for that commodity.”

41 3. Page 5, line 11, by inserting after the word
42 “commodity” the words “and production supply”.

43 4. Page 5, line 25, by inserting after the word
44 “case,” the following: “or payment of a penalty in an
45 amount not less than the higher price and the
46 established maximum price for production supplies.”

47 5. Page 6, line 3, by inserting after the word
48 “secretary.” the following: “A person shall not sell
49 to another and a person shall not purchase from
50 another production supplies for more than the maximum

Page 2

1 price most recently set by the secretary.”
2 6. Title page, by striking line 1 and inserting
3 the following: “An Act relating to agricultural
4 production by establishing maximum prices for
5 production supplies and minimum prices for certain
6 agricultural”.

ARNE WALDSTEIN

S-3190

1 Amend Senate File 365 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:
4 “Section 1. 1984 Iowa Acts, chapter 1314, section
5 1, subsection 1, unnumbered paragraph 1, is amended to
6 read as follows:

7 “Comparable worth pay grade” means the pay grade as
8 determined by the factor determined score for the job
9 title as finally determined after completion of the
10 review process as outlined in this Act, and the
11 appropriate pay grade position for that factor
12 determined score on the following scale, except that a
13 job classification shall not be placed at a pay grade
14 lower than its assignment on January 1, 1985:

15 Sec. 2. 1984 Iowa Acts, chapter 1314, section 3,
16 unnumbered paragraph 1 and subsection 2, are amended
17 to read as follows:

18 For ~~noncontractual~~ employees under the state merit
19 system, the following implementation schedule applies
20 for the initial phase of comparable worth adjustments:

21 2. In implementing the first phase of comparable
22 worth adjustments, employees whose pay grades will be
23 increased shall ~~retain their merit step positions when~~
24 ~~those adjustments are made:~~ have their pay adjusted as
25 follows:

26 a. Employees who are paid on a step within a
27 salary range shall be placed one step below their
28 current step in the new range, except that an employee
29 shall not be placed below the minimum salary for the
30 new range.

31 b. Employees who are not paid on a step within a
32 salary range shall have their pay adjusted in a manner
33 consistent with employees whose adjustments for
34 comparable worth were calculated in accordance with
35 paragraph “a”.

36 Sec. 3. 1984 Iowa Acts, chapter 1314, section 4,
37 unnumbered paragraph 1, is amended by striking the

38 unnumbered paragraph.

39 Sec. 4. 1984 Iowa Acts, chapter 1314, section 8,

40 is amended to read as follows:

41 SEC. 8 AGENCY COMPARABLE WORTH REPORTS. Agencies

42 with positions which are exempt or partially exempt

43 from the state merit system shall report to the

44 governor and the legislative council by December 15,

45 1984, on the degree to which the salary plans covering

46 positions substantially equivalent to those in the

47 state merit system comply with the provisions of 1983

48 Iowa Acts, chapter 170. The reports shall include a

49 plan for implementation in fiscal year 1986 of

50 comparable worth salary adjustments, if necessary, and

Page 2

1 the amount of appropriations necessary to implement
 2 those adjustments. However, plans developed pursuant
 3 to this section may be implemented in the fiscal year
 4 1985 if funds are available. Implementation of this
 5 section shall be consistent in principle with other
 6 sections of chapter 1314. Notwithstanding sections
 7 602.1204, 602.1208, 602.1209, and 602.1401 of the Iowa
 8 Code, the provisions of this section of this Act shall
 9 be applicable to the judicial department.

10 Sec. 5. This Act, being deemed of immediate
 11 importance, takes effect from and after its
 12 publication in the Telegraph Herald, a newspaper
 13 published in Dubuque, Iowa, and in the Ames Daily
 14 Tribune, a newspaper published in Ames, Iowa."

COMMITTEE ON
 APPROPRIATIONS
 JOE WELSH, Chair

S-3191

1 Amend House File 41 as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Title page, line 1, by striking the words "to
 4 make a provision".

5 2. Title page, line 2, by striking the words and
 6 numbers "retroactive to January 1, 1984".

COMMITTEE ON COMMERCE
 GEORGE KINLEY, Chair

S-3192

- 1 Amend Senate File 13 as follows:
- 2 1. Page 1, by inserting after line 24 the
- 3 following:
- 4 "Sec. ___. This Act, being deemed of immediate
- 5 importance, takes effect from and after its
- 6 publication in the Ackley World-Journal, a newspaper
- 7 published in Ackley, Iowa, and in The Toledo
- 8 Chronicle, a newspaper published in Toledo, Iowa."
- 9 2. Renumber sections and correct internal
- 10 references as necessary in accordance with this
- 11 amendment.

COMMITTEE ON
WAYS AND MEANS
WILLIAM D. PALMER, Chair

S-3193

- 1 Amend Senate File 104 as follows:
- 2 1. Page 1, line 23, by striking the words "over
- 3 sixty-five years or age."

COMMITTEE ON
WAYS AND MEANS
WILLIAM D. PALMER, Chair

S-3194

- 1 Amend the Committee amendment, S-3190, to Senate
- 2 File 365 as follows:
- 3 1. Page 2, by inserting after line 9 the
- 4 following:
- 5 "Sec. ___. 1984 Iowa Acts, chapter 1314, is
- 6 amended by adding the following new section:
- 7 SEC. ___. In carrying out the implementation of
- 8 comparable worth pay adjustments under chapter 1314,
- 9 an employee in a job title whose pay grade as of
- 10 January 1, 1985 is above its comparable worth pay
- 11 grade shall be frozen at the pay rate received as of
- 12 January 1, 1985 until job titles with the same point
- 13 value receive the same pay. New employees hired to a
- 14 job title that is frozen under this section shall be
- 15 hired at the comparable worth pay grade rate for that
- 16 job title."

JULIA B. GENTLEMAN

S-3195

1 Amend Senate File 9 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 321.1, subsection 16, Code
5 1985, is amended by adding the following new lettered
6 paragraph:

7 NEW LETTERED PARAGRAPH. d. All-terrain vehicles.

8 Sec. 2. Section 321.1, Code 1985, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. "All-terrain vehicle" means a
11 motor vehicle designed to travel on three or more
12 wheels and designed primarily for off-road use but not
13 including farm tractors, construction equipment,
14 forestry vehicles or lawn and grounds maintenance
15 vehicles.

16 Sec. 3. NEW SECTION. 321.234A ALL-TERRAIN
17 VEHICLES.

18 All-terrain vehicles shall be operated on a highway
19 only between sunrise and sunset and only when the
20 operation on the highway is incidental to the
21 vehicle's use for agricultural purposes. A person
22 operating an all-terrain vehicle on a highway shall
23 have a valid operator's license and the vehicle shall
24 be operated at speeds of less than thirty miles per
25 hour. When operated on a highway, an all-terrain
26 vehicle shall have a bicycle safety flag which extends
27 not less than five feet above the ground attached to
28 the rear of the vehicle. The bicycle safety flag
29 shall be triangular in shape with an area of not less
30 than thirty square inches, be day-glow in color, and
31 shall be in lieu of the reflective equipment required
32 by section 321.383."

COMMITTEE ON
TRANSPORTATION
C. JOSEPH COLEMAN, Chair

S-3196

1 Amend the Committee on Appropriations amendment, S-
2 3190, to Senate File 365 as follows:

3 1. By striking page 1, line 4 through page 2,
4 line 14, and inserting in lieu thereof the following:

5 "Section 1. 1984 Iowa Acts, chapter 1314, section
6 1, subsection 1, unnumbered paragraphs 1 and 3, are
7 amended to read as follows:

8 "Comparable worth pay grade" means the pay grade as
9 determined by the factor determined score for the job

10 title as finally determined after completion of the
11 review process as outlined in this Act, and the
12 appropriate pay grade position for that factor
13 determined score on the following scale, except that a
14 job classification shall not be placed at a pay grade
15 lower than its assignment on January 1, 1985:

16 However, if there is a change in the total of all
17 factor determined scores for all job titles of more
18 than two percent as a result of decisions following
19 reviews, the maximum factor determined score for each
20 pay grade shall be adjusted by a percentage change
21 equal to the percentage change in the total of all
22 factor determined scores for all job titles prior and
23 subsequent to the review process, rounded to the
24 nearest whole number.

25 Sec. 2. 1984 Iowa Acts, chapter 1314, section 3,
26 unnumbered paragraph 1, and subsections 1 and 2, are
27 amended to read as follows:

28 For ~~noncontractual~~ employees under the state merit
29 system, the following implementation schedule applies
30 for the initial phase of comparable worth adjustments:

31 1. In implementing the first phase of comparable
32 worth adjustments, employees in job titles whose
33 current pay grade is below the comparable worth pay
34 grade shall be adjusted upward to their comparable
35 worth pay grade. However, no job titles shall be
36 raised above pay grade thirty-two under the initial
37 implementation process. ~~This implementation shall~~
38 ~~only be done after completion of the review process.~~

39 2. In implementing the first phase of comparable
40 worth adjustments, employees whose pay grades will be
41 increased shall retain their merit step positions when
42 those adjustments are made. have their pay adjusted as
43 follows:

44 a. Employees who are paid on a step within a
45 salary range shall be placed one step below their
46 current step in the new range, except that an employee
47 shall not be placed below the minimum salary for the
48 new range.

49 b. Employees who are not paid on a step within a
50 salary range shall have their pay adjusted in a manner

Page 2

1 consistent with employees whose adjustments for
2 comparable worth were calculated in accordance with
3 paragraph "a".

4 Sec. 3. 1984 Iowa Acts, chapter 1314, section 4,
5 unnumbered paragraph 1, is amended by striking the
6 unnumbered paragraph.

7 Sec. 4. 1984 Iowa Acts, chapter 1314, section 5,
8 is amended to read as follows:

9 SEC. 5. DISTRIBUTION OF FUNDS. ~~Upon completion of~~
10 ~~the review process as established in section 2 of this~~
11 ~~Act, the~~ The state comptroller's office, in
12 consultation with the legislative fiscal bureau, shall
13 determine the total biweekly salary costs for
14 implementing the first phase of comparable worth
15 adjustments, if the adjustments for all employees,
16 both contractual and noncontractual, under the merit
17 system were to be made in accordance with section 3,
18 subsections 1 and 2 of this Act, and shall determine
19 the net effect on the general fund for these
20 adjustments.

21 Sec. 5. 1984 Iowa Acts, chapter 1314, section 8,
22 is amended to read as follows:

23 SEC. 8. AGENCY COMPARABLE WORTH REPORTS. Agencies
24 with positions which are exempt or partially exempt
25 from the state merit system shall report to the
26 governor and the legislative council by December 15,
27 1984, on the degree to which the salary plans covering
28 positions substantially equivalent to those in the
29 state merit system comply with the provisions of 1983
30 Iowa Acts, chapter 170. The reports shall include a
31 plan for implementation in fiscal year 1986 of
32 comparable worth salary adjustments, if necessary, and
33 the amount of appropriations necessary to implement
34 those adjustments. However, plans developed pursuant
35 to this section may be implemented in the fiscal year
36 1985 if funds are available. Implementation of this
37 section shall be consistent in principle with other
38 sections of chapter 1314. Notwithstanding sections
39 602.1204, 602.1208, 602.1209, and 602.1401 of the Iowa
40 Code, the provisions of this section of this Act shall
41 be applicable to the judicial department.

42 Sec. 6. This Act, being deemed of immediate
43 importance, takes effect from and after its
44 publication in the Telegraph Herald, a newspaper
45 published in Dubuque, Iowa, and in the Ames Daily
46 Tribune, a newspaper published in Ames, Iowa."

CALVIN O. HULTMAN

S-3197

- 1 Amend Senate File 365 as follows:
- 2 1. Page 2, line 24, by striking the words

- 3 "under the merit system" and inserting in lieu
- 4 thereof the words "~~under the merit system~~".

CHARLES BRUNER

S-3198

- 1 Amend Senate File 377 as follows:
- 2 1. Page 1, line 19, by striking the words
- 3 "beneficiary or" and inserting the words "beneficiary,
- 4 an".
- 5 2. Page 1, line 20, by inserting after the word
- 6 "party" the words ", or if otherwise provided by the
- 7 governing instrument".

LEE W. HOLT

S-3199

- 1 Amend Senate File 239 as follows:
- 2 1. Page 1, line 11, by striking the words "or
- 3 other stressful circumstances".

RICHARD F. DRAKE

S-3200

- 1 Amend Senate Study Bill 147 as follows:
- 2 1. Page 2, by striking lines 4 through 8 and
- 3 inserting the following:
- 4 "1. The public employer and employee organization
- 5 shall meet at reasonable times, including meeting
- 6 reasonably in advance of the employer's budget-making
- 7 process, to negotiate in good faith on proposals
- 8 reasonably related to wages; a salary schedule; shift
- 9 differentials; overtime compensation, including credit
- 10 for compensatory time; supplemental pay and benefits;
- 11 allowances and reimbursements for necessary costs
- 12 incurred in employment; secondary employment; break or
- 13 preparation time; insurance; job classifications and
- 14 job descriptions; bargaining unit work; physical
- 15 examination and fitness standards for an employee's
- 16 continued employment and job assignment; early
- 17 retirement programs and individual retirement
- 18 benefits; training and education benefits; evaluation
- 19 procedures and remediation; promotion procedures;
- 20 transfers; procedures and criteria for staff reduction
- 21 and recall; discipline and discharge; vacations;
- 22 holidays; leaves of absence; seniority; health and
- 23 safety matters including minimum equipment and

24 staffing; hours; grievance procedures; and separate
25 grievance files.”

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

1 Amend House File 183 as amended, passed and
2 reprinted by the House as follows:

DIVISION S-3201A

3 1. Page 1, by inserting after line 21 the
4 following:
5 “e. A vehicle displaying a handicapped
6 identification device issued under chapter 601E.”

DIVISION S-3201B

7 2. Page 1, line 33, by inserting after the word
8 “services” the following: “or to individuals who show
9 proof of age of sixty-five years or older”.

LOWELL L. JUNKINS
JOE J. WELSH
BILL HUTCHINS
LEONARD L. BOSWELL
LARRY MURPHY
NORMAN G. RODGERS
EMIL J. HUSAK
JOHN J. 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

1 Amend Senate File 383 as follows:
2 1. Page 2, by striking lines 4 through 10 and
3 inserting the following:
4 "3. The department shall use the employer's
5 average annual payroll to compute the employer's
6 percentage of excess, shall compute the employer's
7 percentage of excess rank by ranking the employer's
8 percentage of excess relative to all other employers'
9 percentages of excess, shall recompute the employer's
10 percentage of excess by using the employer's reduced
11 average annual payroll, and shall assign the employer
12 the contribution rate in the rate table which
13 corresponds to the employer's reduced percentage of
14 excess rank without adjusting the total taxable wages
15 in each rank and without reranking employers in the
16 rate table."
17 2. Title page, by striking lines 1 and 2 and
18 inserting the following: "An Act relating to the
19 establishment of a special unemployment compensation
20 contribution rate for certain expanding employers."

CALVIN O. HULTMAN
GEORGE R. KINLEY

S-3203

1 Amend Senate File 364 as follows:
2 1. Page 2, line 25, by inserting after the word
3 "agreement." the following: "Section 20.7 does not
4 apply to the subjects of bargaining contained in
5 subsections 1 and 2. The bargaining subjects listed
6 under subsections 1 and 2 shall be given their
7 ordinary meaning."

TOM MANN, JR.

S-3204

1 Amend Senate File 364 as follows:
2 1. Page 3, by inserting after line 7 the
3 following:
4 "Sec. 5. Section 20.10, subsection 2, paragraph f,
5 Code 1985, is amended by striking the paragraph.
6 Sec. 6. Section 20.14, subsection 1, Code 1985, is
7 amended to read as follows:
8 1. Board certification of an employee organization
9 as ~~the exclusive~~ a bargaining representative of a
10 bargaining unit shall be upon a petition filed with

11 the board by a public employer, public employee, or an
 12 employee organization ~~and an election conducted~~
 13 ~~pursuant to section 20.15.~~

14 Sec. 7. Section 20.14, subsection 5, unnumbered
 15 paragraph 1, Code 1985, is amended to read as follows:

16 The board shall investigate the allegations of any
 17 petition and shall give reasonable notice of the
 18 receipt of ~~such a~~ the petition to all public
 19 employees, employee organizations and public employers
 20 named or described in ~~such petitions~~ the petition or
 21 interested in the representation questioned. The
 22 board shall ~~thereafter call an election under section~~
 23 ~~20.15,~~ certify the employee organization as a
 24 bargaining representative unless:

25 Sec. 8. Section 20.16, Code 1985, is amended to
 26 read as follows:

27 20.16 DUTY TO BARGAIN.

28 Upon the receipt by a public employer of a request
 29 from an employee organization to bargain on behalf of
 30 public employees, the duty to engage in collective
 31 bargaining shall arise if the employee organization
 32 has been certified by the board as ~~the exclusive a~~
 33 certified bargaining representative agent for the
 34 public employees in that bargaining unit.

35 Sec. 9. Section 20.17, subsection 1, Code 1985, is
 36 amended by striking the subsection and inserting in
 37 lieu thereof the following:

38 1. It is the public policy of this state that a
 39 provision of a contract or agreement between the state
 40 or a political subdivision of the state and a public
 41 employee organization which provides that the public
 42 employee organization represents a public employee who
 43 is not a voluntary member of the employee organization
 44 is void.

45 Sec. 10. Section 20.18, unnumbered paragraph 1,
 46 Code 1985, is amended to read as follows:

47 An agreement with an employee organization which is
 48 ~~the exclusive a certified bargaining~~ representative of
 49 public employees in an appropriate unit may provide
 50 procedures for the consideration of public employee

Page 2

1 grievances and of disputes over the interpretation and
 2 application of agreements. Negotiated procedures may
 3 provide for binding arbitration of public employee
 4 grievances and of disputes over the interpretation and
 5 application of existing agreements. An arbitrator's
 6 decision on a grievance may not change or amend the
 7 terms, conditions or applications of the collective

8 bargaining agreement. ~~Such~~ The procedures shall
9 provide for the invoking of arbitration only with the
10 approval of the employee organization, and in the case
11 of an employee grievance, only with the approval of
12 the public employee. The costs of arbitration shall
13 be shared equally by the parties.

14 Sec. 11. Section 602.1401, subsection 3,
15 unnumbered paragraph 2, Code 1985, is amended to read
16 as follows:

17 For purposes of chapter 20, certifications of
18 employee organizations, which on July 1, 1983
19 represent employees who become court employees as a
20 result of this Act, shall remain in effect when the
21 employees become court employees and thereafter,
22 unless a public employee files a petition under
23 section 20.14, subsection 3; ~~and the employee~~
24 ~~organization is decertified in an election held under~~
25 ~~section 20.15.~~ However, collective bargaining
26 negotiations shall be conducted by judicial district
27 and the certified employee organizations which engage
28 in bargaining shall negotiate by judicial district.
29 The public employment relations board shall adopt
30 rules pursuant to chapter 17A to implement this
31 subsection.

32 Sec. 12. Section 20.15, Code 1985, is repealed."

33 2. Renumber as necessary.

RAY TAYLOR

S-3205

1 Amend the amendment S-3200 to Senate File 364 as
2 follows:

3 1. Page 1, lines 13 and 14, by striking the words
4 "and job descriptions; bargaining unit work".

5 2. Page 1, by striking line 17 and inserting in
6 lieu thereof the following: "retirement incentive
7 programs; life and health insurance premiums for
8 present employees when retired;".

9 3. Page 1, line 18, by striking the word
10 "benefits;".

ARTHUR A. SMALL, JR.

S-3206

1 Amend Senate File 364 as follows:

2 1. Page 2, by striking lines 4 through 19 and
3 inserting the following:

4 "The public employer and the employee organization

5 shall meet at reasonable times, including meetings
6 reasonably in advance of the public employer's budget-
7 making process, to negotiate in good faith with
8 respect to wages, hours, vacations, insurance,
9 holidays, leaves of absence, shift differentials,
10 overtime compensation, supplemental pay, seniority,
11 transfer procedures, job classifications, health and
12 safety matters, evaluation procedures, procedures for
13 staff reduction, in-service training, salary
14 schedules, breaks and preparation time, early
15 retirement programs, physical examinations and other
16 matters mutually agreed upon. Negotiations shall also
17 include terms authorizing dues checkoff for members of
18 the employee organization and grievance procedures for
19 resolving any questions arising under the agreement,
20 which shall be embodied in a written agreement and
21 signed by the parties. If an agreement provides for
22 dues checkoff, a member's dues may be checked off only
23 upon the member's written request and the member may
24 terminate the dues checkoff at any time by giving
25 thirty days' written notice. Such obligation to
26 negotiate in good faith does not compel either party
27 to agree to a proposal or make a concession."
28 2. Title page, lines 2 through 4 by striking the
29 words ", membership in a bargaining unit, and the
30 remedial powers of the public employment relations
31 board".
32 3. By renumber as necessary.

ARTHUR L. GRATIAS

S-3207

1 Amend Senate File 104 as follows:
2 1. Page 1, by inserting after line 31 the
3 following:
4 "Sec. ____ . Section 445.36, subsection 2, Code 1985
5 is amended to read as follows:
6 2. No demand of taxes shall be necessary, but it
7 shall be the duty of every person subject to taxation
8 to attend at the office of the treasurer, at some time
9 between the first Monday in August and September 1
10 following, and pay the person's taxes in full, or one-
11 half ~~thereof of the person's taxes~~ before September 1
12 succeeding the levy, and the remaining half before
13 March 1 following except as otherwise provided in
14 section 445.5.
15 Sec. ____ . Section 445.37, Code 1985, is amended to
16 read as follows:
17 445.37 WHEN DELINQUENT.

18 In all cases where the 1. Except as provided in
19 subsection 3, when half of any taxes has not been paid
20 before October 1 succeeding the levy, the amount
21 thereof of the taxes shall become delinquent from
22 October 1 after due; and in case the second
23 installment is not paid before April 1 succeeding its
24 maturity, it shall become delinquent from April 1
25 after due.

26 2. However, except as provided in subsection 3 if
27 there is a delay of the certification of the tax list
28 to the county treasurer, the amount due shall become
29 delinquent thirty days after such date of
30 certification or October 1, whichever date occurs
31 later. However, such delay shall not affect the due
32 and delinquent dates for special assessments specified
33 by section 384.65.

34 3. If a partial payment of a semi-annual
35 installment is made before October 1, the remaining
36 part of the first semi-annual installment becomes
37 delinquent from January 1 after due and if a partial
38 payment of the second half of the semi-annual
39 installment is made before April 1, the remaining part
40 of the second semi-annual installment becomes
41 delinquent from July 1 after due.”

RAY TAYLOR
JAMES D. WELLS
BERL E. PRIEBE

S-3208

1 Amend Senate File 296 as follows:

2 1. Page 1, by striking lines 1 through 31.

3 2. Page 2, lines 1 through 3, by striking the
4 words “local government investment funds approved
5 pursuant to section 453.21 or one or more”.

6 3. Page 3, line 8, by inserting after the word
7 “subdivision” the following: “or instrumentality”.

8 4. By striking page 4, line 14 through page 6,
9 line 29.

10 5. Page 6, by striking lines 33 and 34 and
11 inserting the following: “collateral securities in
12 restricted accounts of the treasurer of state,
13 including but not limited to pledge-custody accounts,
14 at a federal reserve bank, the United States central”.

15 6. Page 7, line 17, by inserting after the word
16 “chapter” the following: “and other rules as may be
17 necessary to accomplish the purposes of this chapter”.

18 7. Page 7, line 25, by inserting after the word

19 "insured" the following: "or fully guaranteed".

20 8. Page 7, by striking lines 29 through 31 and
21 inserting the following:

22 "b. Public bonds or obligations of this state or a
23 political subdivision of this state.

24 c. Public bonds or obligations of another state or
25 a political subdivision of another state whose bonds
26 are rated within the two highest classifications of
27 prime as established by at least one of the standard
28 rating services approved by the superintendent of
29 banking pursuant to chapter 17A."

30 9. Page 8, by inserting after line 12 the
31 following:

32 "5. The superintendent of banking shall adopt
33 rules for uniform methods, documentation and forms for
34 pledging required collateral securities by banks under
35 this chapter.

36 6. The treasurer of state shall adopt rules to
37 insure the security of public funds invested pursuant
38 to section 452.10 that are not deposited in a
39 depository or invested in obligations of or guaranteed
40 by the United States or any of its agencies or
41 instrumentalities. The methods of protection adopted
42 by the treasurer may include, but are not limited to,
43 sinking or reserve funds, collateralization and other
44 forms of security. However, the methods of protection
45 chosen by the treasurer shall provide the same amount
46 of protection from loss of the public funds and
47 interest on the public funds, as the methods of
48 protection provided for deposits in depositories under
49 this chapter."

50 10. Page 14, by striking lines 25 through 29.

Page 2

1 11. Renumber as necessary.

PATRICK J. DELUHERY
EDGAR H. HOLDEN

S-3209

1 Amend the amendment S-3204 to Senate File 364 as
2 follows:

3 1. Page 1, by inserting after line 34, the
4 following:

5 "2. Page 3, by inserting after line 7, the
6 following:".

RAY TAYLOR

S-3210

1 Amend Senate File 364 as follows:

DIVISION S-3210B

2 1. Page 1, by inserting after line 7 the
3 following:

4 "Sec. 2. Section 20.3, Code 1985, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 13. "Certified employee" means
7 all certificated employees of a school corporation
8 including nurses, principals, and assistant
9 principals."

10 2. By striking page 2, line 4 through page 3,
11 line 7 and inserting the following:

12 "1. For the purpose of negotiations between a
13 public employer and a certificated employee
14 organization:
15 a. The public employer and the employee
16 organization shall meet at reasonable times, including
17 meetings reasonably in advance of the public
18 employer's budget-making process, to negotiate in good
19 faith with respect to wages, hours, vacations,
20 insurance, holidays, leaves of absence, shift
21 differentials, overtime compensation, supplemental
22 pay, seniority, transfer procedures, job
23 classifications, health and safety matters, evaluation
24 procedures, procedures for staff reduction, in-service
25 training, salary schedules, breaks and preparation
26 time, early retirement programs, physical
27 examinations, and other matters mutually agreed upon.
28 Negotiations shall also include terms authorizing dues
29 checkoff for members of the employee organization and
30 grievance procedures for resolving any questions
31 arising under the agreement, which shall be embodied
32 in a written agreement and signed by the parties. If
33 an agreement provides for dues checkoff, a member's
34 dues may be checked off only upon the member's written
35 request and the member may terminate the dues checkoff
36 at any time by giving thirty days' written notice.
37 Such obligation to negotiate in good faith does not
38 compel either party to agree to a proposal or make a
39 concession.

40 b. Proposals in conflict with state-mandated
41 retirement systems are excluded from the scope of
42 negotiations.

43 c. Discharged certificated employees shall follow
44 either the grievance procedures provided in their
45 collective bargaining agreement or the procedures

46 under chapter 279.

47 2. For the purpose of negotiations between a
48 public employer and public employee organizations
49 other than certificated employee organizations:
50 a. The public employer and employee organization

Page 2

DIVISION S-3210B (cont'd.)

1 shall meet at reasonable times, including meeting
2 reasonably in advance of the employer's budget-making
3 process, to negotiate in good faith on proposals
4 reasonably related to wages; a salary schedule; shift
5 differentials; overtime compensation, including credit
6 for compensatory time; supplemental pay and benefits;
7 allowances and reimbursements for necessary costs
8 incurred in employment; secondary employment; break or
9 preparation time; insurance; physical examination and
10 fitness standards for an employee's continued
11 employment and job assignment; early retirement
12 incentive programs; life and health insurance premiums
13 for present employees when retired; training and
14 education benefits; evaluation procedures and
15 remediation; promotion procedures; transfers;
16 procedures and criteria for staff reduction and
17 recall; discipline and discharge; vacations; holidays;
18 leaves of absence; seniority; health and safety
19 matters including minimum equipment and staffing;
20 hours; grievance procedures; and separate grievance
21 files.

22 b. Negotiations shall also include terms
23 authorizing dues checkoff and payroll deductions for
24 members of the employee organization. If an agreement
25 provides for dues checkoff or payroll deduction, a
26 member's dues may only be checked off or a deduction
27 made upon the member's written request and the member
28 may terminate the dues checkoff or deduction at any
29 time by giving thirty days' written notice. An
30 agreement reached under this section shall be embodied
31 in writing and signed by the parties. The obligation
32 to negotiate in good faith does not compel either
33 party to agree to a proposal or make a concession.

34 c. The employee organization and the public
35 employer may mutually agree to negotiate on items
36 which are not listed in this section. Existing
37 provisions of a collective bargaining agreement which
38 is the subject of negotiation shall not be eliminated
39 from a subsequent agreement without the mutual consent
40 of the parties to the agreement.

41 d. This section does not diminish the authority
42 and power of the Iowa merit employment department,
43 state board of regents' merit system, educational
44 radio and television facility board's merit system, or
45 any civil service commission established by
46 constitutional provision, statute, charter or special
47 act to recruit employees, prepare, conduct and grade
48 examinations, rate candidates in order of their
49 relative scores for certification for appointment or
50 promotion or for other matters of classification,

Page 3

DIVISION S-3210B (cont'd.)

1 reclassification or appeal rights in the classified
2 service of the public employer served.”

DIVISION S-3210A

3 3. Page 3, by inserting after line 7 the
4 following:
5 “Sec. 6. Section 20.17, Code 1985, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. A collective bargaining agreement
8 between a school corporation and an employee
9 organization shall be effective for a period of two
10 consecutive school years. The negotiations for a
11 proposed collective bargaining agreement between the
12 representatives of a school corporation and a
13 certificated employee organization shall commence in
14 even-numbered years. The negotiations for a proposed
15 collective bargaining agreement between the
16 representatives of a school corporation and all other
17 employee organizations shall commence in odd-numbered
18 years. The employee organization shall present its
19 opening bargaining position at the first bargaining
20 session to be held no sooner than fourteen days before
21 the final school day. The school corporation shall
22 present its opening bargaining position at the second
23 bargaining session which shall be held no later than
24 seven days following the first session. If
25 negotiations have not produced an agreement within
26 fourteen days following the second bargaining session,
27 either party may declare an impasse and seek mediation
28 or fact-finding either according to the parties' own
29 agreement or according to this chapter. If the
30 impasse persists, the board shall arrange for
31 arbitration under section 20.22 not later than August
32 1. The determination by the panel of arbitrators

33 shall be announced not later than September 1.
 34 Sec. 7. Section 442.7, subsections 1 through 5,
 35 Code 1985, are amended by striking the subsections and
 36 inserting in lieu thereof the following:
 37 1. Prior to May 1 of each year the general
 38 assembly shall establish the state percent of growth
 39 for the budget year beginning on July 1 of the next
 40 calendar year."
 41 4. Renumber as necessary.

JOE WELSH
 JOE BROWN

S-3211

1 Amend the amendment S-3204 to Senate File 364 as
 2 follows:
 3 1. Page 1, by striking lines 4 through 34.
 4 2. By striking page 1, line 45 through page 2,
 5 line 32.

RAY TAYLOR

S-3212

1 Amend the amendment S-3210 to Senate File 364 as
 2 follows:
 3 1. Page 2, line 40, by inserting after the word
 4 "agreement." the following: "Section 20.7 does not
 5 apply to the subjects of bargaining contained in
 6 subsections 1 and 2. The bargaining subjects listed
 7 under subsections 1 and 2 shall be given their
 8 ordinary meaning."

TOM MANN, JR.

S-3213

1 Amend Senate File 237 as follows:
 2 1. By striking everything after line 15 and
 3 inserting the following:
 4 "Sec. 2. Section 123.96, Code 1985, is amended by
 5 striking the section and inserting the following:
 6 123.96 TAX ON INDIVIDUAL SALES -- REPORT AND
 7 RETURN OF TAX -- PENALTY.
 8 There is imposed on every person licensed to sell
 9 alcoholic beverages for consumption on the premises
 10 where sold, an occupational tax.
 11 This tax shall be an amount equivalent to ten
 12 percent upon the gross receipts of a licensee from

13 sales of alcoholic beverages in the state of Iowa.
14 This occupational tax on gross receipts is in lieu of
15 sales tax on the same gross receipts.
16 On or before the fifteenth day of the month
17 following the effective date of this Act and each
18 subsequent month every person licensed to sell
19 alcoholic beverages for consumption on the premises
20 where sold, shall render to the department a report.
21 The report shall be sworn to by an officer or agent in
22 the case of an individual licensee. The report shall
23 show the amount of receipts from sales of such
24 alcoholic beverages in the state of Iowa during the
25 preceding calendar month and other information the
26 department requires. The reports shall be on forms to
27 be provided by the department and shall be accompanied
28 by payment of ten percent of the gross receipts
29 received during the calendar month covered by the
30 report.
31 A penalty of five percent per month of the amount
32 of the tax shall be added if the report is not filed
33 and the tax paid to the department by the fifteenth
34 day of the calendar month.
35 For purposes of this Act, "gross receipts" means
36 the amount received in money, credits or other
37 property in consideration of sales of alcoholic
38 beverages as provided in this section, with no
39 deduction on account of the cost of the property sold,
40 the cost of the materials used, the cost of labor or
41 services, purchases, amounts paid for interest or
42 discount, or any other expenses. No deductions shall
43 be allowed for losses of any nature.
44 Sec. 3. Section 422.45, Code 1985, is amended by
45 adding the following new subsection:
46 NEW SUBSECTION. The gross receipts of a liquor
47 control licensee from sales of alcoholic beverages in
48 the state of Iowa, on which the occupational tax is
49 paid as provided in section 123.96.
50 Sec. 4. This Act takes effect January first

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1 following its enactment."
2 2. Title page, line 2, by inserting after the
3 word "licensees" the following: ", to impose in lieu
4 thereof an occupational tax on the gross receipts of
5 liquor licensees on sales of alcoholic beverages, and
6 providing a penalty".

EDGAR H. HOLDEN

S-3214

- 1 Amend Senate File 364 as follows:
- 2 1. Page 1, by striking lines 18 and 19, and
- 3 inserting the following: "All school superintendents,
- 4 assistant superintendents, principals and assistant
- 5 principals shall be deemed to be".

CALVIN O. HULTMAN

S-3215

- 1 Amend House File 183 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 32, by striking the words "or
- 4 food stamp".
- 5 2. Page 1, line 33, by inserting after the word
- 6 "services" the words "or to individuals who declare
- 7 themselves in writing to be current food stamp
- 8 recipients and who sign a release allowing the
- 9 department of human services to confirm or deny their
- 10 eligibility status upon request of the county recorder
- 11 or the conservation commission".

HURLEY HALL

S-3216

- 1 Amend Senate amendment S-3210 to Senate File 364 as
- 2 follows:
- 3 1. Page 1, line 27, by inserting after the word
- 4 "examinations," the words "pay for unused sick leave
- 5 upon separation,".
- 6 2. Page 2, line 20, by inserting after the word
- 7 "procedures;" the words "pay for unused sick leave
- 8 upon separation;".

LARRY MURPHY
ARTHUR A. SMALL, Jr.

S-3217

- 1 Amend Senate amendment S-3200 to Senate File 364 as
- 2 follows:
- 3 1. Page 1, line 24, by inserting after the word
- 4 "procedures;" the following: "pay for unused sick
- 5 leave upon separation;".

LARRY MURPHY
ARTHUR A. SMALL, Jr.

S-3218

1 Amend Senate File 383 as follows:

DIVISION S-3218A

2 1. Page 1, line 8, by inserting after the letter
3 "b" the following: "and if the increase in the
4 employer's average annual payroll is not totally
5 disregarded under subsection 2 due to an increase in
6 taxable wages under section 96.19, subsection 20 or
7 due to the fact that the employer is a successor
8 employer".

9 2. Page 1, line 31, by inserting after the figure
10 "20," the following: "or due to the fact that the
11 employer is a successor employer".

DIVISION S-3218B

12 3. Page 2, by striking lines 4 through 10 and
13 inserting the following:

14 "3. The department shall use the employer's
15 average annual payroll to compute the employer's
16 percentage of excess, shall compute the employer's
17 percentage of excess rank by ranking the employer's
18 percentage of excess relative to all other employers'
19 percentages of excess, shall recompute the employer's
20 percentage of excess by using the employer's reduced
21 average annual payroll, and shall assign the employer
22 the contribution rate in the rate table which
23 corresponds to the employer's reduced percentage of
24 excess rank without adjusting the total taxable wages
25 in each rank and without reranking employers in the
26 rate table."

DIVISION S-3218A (cont.d)

27 4. Page 2, line 13, by inserting after the word
28 "positive." the following: "However, this Act is null
29 and void from its effective date if the final decision
30 of the United States Department of Labor holds that
31 this Act places Iowa's unemployment compensation law
32 out of conformity with federal law."

DIVISION S-3218B (cont'd.)

33 5. Title page, by striking lines 1 and 2 and
34 inserting the following:
35 "An Act relating to the establishment of a special

36 unemployment compensation contribution rate for
37 certain expanding employers.”

TOM MANN, Jr.

S-3219

1 Amend Senate File 395 as follows:
2 1. Page 39, line 12, by striking the words “If
3 the”.
4 2. Page 39, by striking lines 13 through 19.
5 3. Page 40, lines 6 and 7, by striking the words
6 “or a local sales and services tax”.
7 4. Page 40, lines 9 and 10, by striking the words
8 “or a local sales and services tax”.
9 5. Page 40, by striking lines 29 and 30 and
10 inserting the following: “classes that will be
11 exempt. The ballot”.
12 6. Page 41, by striking lines 3 and 4 and
13 inserting the following: “impose the tax. The rate
14 of an additional real property”.
15 7. Page 41, by striking lines 15 through 21 and
16 inserting the following: “unlimited period. The
17 local option tax may be”.
18 8. Page 41, by striking lines 29 through 33.
19 9. Page 42, lines 9 and 10, by striking the words
20 “a local sales and services tax.”.
21 10. Page 42, by striking lines 19 and 20 and
22 inserting the following: “vehicle tax.”
23 11. By striking page 46, line 21 through page 50,
24 line 15.
25 12. By renumbering and correcting internal
26 references.

JACK RIFE

S-3220

1 Amend Senate File 395 as follows:
2 1. Page 8, line 34, by inserting after the word
3 “beer” the following: “and wine”.
4 2. Page 9, line 9, by inserting after the word
5 “beer” the words “and wine”.
6 3. Page 9, by striking lines 16 and 17 and
7 inserting the following: “for consumption on and off
8 the premises. only, however, beer may also be sold

9 for consumption off the premises. The license
10 issued”.

NORMAN G. RODGERS
C. JOSEPH COLEMAN

S-3221

1 Amend Senate File 395 as follows:
2 1. Page 8, line 34, by inserting after the word
3 “beer” the following: “and wine”.
4 2. Page 9, line 9, by inserting after the word
5 “beer” the words “and wine”.
6 3. Page 9, by striking lines 16 and 17 and
7 inserting the following: “for consumption on and off
8 the premises ~~only, however, beer may also be sold for~~
9 consumption off the premises. The license issued”.

NORMAN G. RODGERS
C. JOSEPH COLEMAN

S-3222

1 Amend Senate File 395 as follows:
2 1. Page 22, line 19, by inserting after the words
3 “two a.m.” the following: “on Sunday”.
4 2. Page 40, line 32, by inserting after the word
5 “relief” the following: “and shall contain a
6 statement as to the specific purpose or purposes for
7 which the revenues shall otherwise be expended”.
8 3. Page 50, line 22, by striking the word “and”
9 and inserting the following: “to be paid during the
10 fiscal year beginning July 1 following the favorable
11 election and the tax shall be continued”.

LOWELL L. JUNKINS
WILLIAM D. PALMER

S-3223

1 Amend Senate File 395 as follows:
2 1. Page 15, lines 18 and 19, by striking the
3 words “deposited in the county mental health and
4 institutions fund” and inserting the following: “used
5 for the purposes authorized in section 331.424,
6 subsection 1, paragraphs “a”, “b”, “c”, “d”, “e”, “f”,
7 “g”, and “h””.

LARRY MURPHY

S-3224

- 1 Amend Senate File 395 as follows:
- 2 1. Page 54, line 9, by inserting after the word
- 3 "department." the following: "The department may
- 4 continue to replenish its wine inventory up to October
- 5 1, 1985."

RICHARD F. DRAKE

S-3225

- 1 Amend Senate File 395 as follows:
- 2 1. Page 39, line 19, by inserting after the word
- 3 "area" the following: "and the tax would be imposed
- 4 in each of those contiguous cities only if the
- 5 majority of those voting in the total area covered by
- 6 the contiguous cities favor its imposition".
- 7 2. Page 41, line 21, by inserting after the word
- 8 "area" the following: "and the tax would be imposed
- 9 in each of those contiguous cities only if the
- 10 majority of those voting in the total area covered by
- 11 the contiguous cities favor its imposition".
- 12 3. Page 46, line 34, by inserting after the word
- 13 "area" the following: "and the tax would be imposed
- 14 in each of those contiguous cities only if the
- 15 majority of those voting in the total area covered by
- 16 the contiguous cities favor its imposition".
- 17 4. Page 50, line 12, by inserting after the word
- 18 "census." the following: "The method of distribution
- 19 of the tax under this subsection to any city shall be
- 20 the same regardless if the city is contiguous to
- 21 another city or not."

MICHAEL E. GRONSTAL

S-3226

- 1 Amend Senate File 307 as follows:
- 2 1. Page 1, by striking lines 31 through 35.
- 3 2. Title, lines 1 and 2 by striking the words
- 4 "and providing an effective date".

BILL HUTCHINS

S-3227

- 1 Amend Senate File 395 as follows:
- 2 1. Page 47, line 10, by inserting after the word
- 3 "equipment," the words "including replacement parts,".

4 2. Page 47, line 11, by inserting after the word
5 "equipment" the words ", including replacement
6 parts,".

7 3. Page 47, line 13, by inserting after the word
8 "equipment" the words ", including replacement
9 parts,".

DALE TIEDEN

S-3228

1 Amend Senate File 395 as follows:

2 1. Page 38, by inserting after line 15 the
3 following:

4 "Sec. ____ Section 422.45, subsection 12, Code
5 1985, is amended to read as follows:

6 12. Gross receipts from the sale of all foods for
7 human consumption which are eligible for purchase with
8 food coupons issued by the United States department of
9 agriculture pursuant to regulations in effect on July
10 1, 1974, regardless of whether the retailer from which
11 the foods are purchased is participating in the food
12 stamp program. However, as used in this subsection,
13 "foods" does not include meals prepared for immediate
14 consumption on or off the premises of the retailer,
15 ~~and does not include~~ foods sold through vending
16 machines, or beverages as defined in section 455C.1,
17 subsection 1."

18 2. Title page, line 6, by inserting after the
19 word "from" the following: "and subjecting certain
20 beverages to".

WILLIAM W. DIELEMAN

S-3229

1 Amend Senate File 395 as follows:

DIVISION S-3229A

2 1. By striking page 1, line 1 through page 37,
3 line 29.

DIVISION S-3229B

4 2. Page 37, by inserting after line 29 the
5 following:

6 "Section 101. Section 98.6, subsection 2, Code
7 1985, is amended to read as follows:

8 2. Notwithstanding subsection 1, there is imposed

9 beginning ~~July 1, 1981~~ October 1, 1985 and shall be
10 collected and paid to the department a tax on all
11 cigarettes used or otherwise disposed of in this state
12 for any purpose at the rate of ~~nine~~ thirteen mills on
13 each cigarette."

DIVISION S-3229C

14 3. Page 38, line 22, by inserting after the word
15 "equipment," the following: "including replacement
16 parts,".

17 4. Page 38, by inserting after line 28 the
18 following:

19 "c. In the case of replacement parts, the part
20 costs one hundred dollars or more or the total cost of
21 all parts for a single repair job for a single
22 implement is two hundred fifty dollars or more."

23 5. Page 47, line 10, by inserting after the word
24 "equipment," the following: "including replacement
25 parts,".

26 6. Page 47, by inserting after line 15 the
27 following:

28 "(3) In the case of replacement parts, the part
29 costs one hundred dollars or more or the total cost of
30 all parts for a single repair job for a single
31 implement is two hundred fifty dollars or more."

DIVISION S-3229A (cont'd.)

32 7. By striking page 53, line 16 through page 54,
33 line 13.

DIVISION S-3229B (cont'd.)

34 8. Page 54, by inserting after line 15 the
35 following:

36 "Sec. ____.

37 1. All persons required to be licensed under
38 section 98.13 as distributors having in their
39 possession prior to delivery for resale as of the
40 close of business on September 30, 1985 cigarettes or
41 little cigars upon which the tax under section 98.6 or
42 98.43 has been paid, unused cigarette tax stamps which
43 have been paid for under section 98.8, or unused
44 metered imprints which have been paid for under
45 section 98.12 shall be subject to an inventory tax on
46 such items as provided in this section.

47 2. Persons subject to the inventory tax imposed
48 under this section shall take an inventory as of the

49 close of business on September 30, 1985 of those items
50 subject to the inventory tax for the purpose of

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DIVISION S-3229B (cont'd.)

1 determining the tax due. These persons shall report
2 the tax on forms provided by the department of revenue
3 and remit the tax due with the forms by October 31,
4 1985. The department of revenue shall adopt rules as
5 are necessary to carry out this section.

6 3. The rate of the inventory tax on each item
7 subject to the tax as specified in subsection 1 is
8 equal to the difference between the amount paid on
9 each item under section 98.6, 98.8, 98.12, or 98.43
10 prior to October 1, 1985 and the amount that is to be
11 paid on each similar item under section 98.6, 98.8,
12 98.12, or 98.43 on or after October 1, 1985 except
13 that in computing the rate of the inventory tax any
14 discount allowed or allowable under section 98.8 shall
15 not be considered.

16 Sec. __. Section 101 of this Act is effective
17 October 1, 1985."

18 9. Title page, by striking lines 2 through 4 and
19 inserting the following: "an increase in the tax on
20 cigarettes and little cigars, imposing an inventory
21 tax on cigarettes, little cigars, unused tax stamps
22 and metered imprints, allowing cities and".

DIVISION S—3229C (cont'd.)

23 10. Title page, line 6, by inserting after the
24 word "equipment" the following: ", including
25 replacement parts,".

RAY TAYLOR
WILLIAM W. DIELEMAN

S-3230

1 Amend Senate File 395 as follows:

2 1. Page 42, line 16, by inserting after the word
3 "tax" the words "property tax with a maximum rate of
4 fifty cents per one thousand dollars".

JOHN N. NYSTROM
HURLEY W. HALL

S-3231

- 1 Amend Senate File 395 as follows:
- 2 1. Page 42, line 14, by inserting after the word
- 3 "tax" the following: "with a limit of two dollars
- 4 per axle".

JOHN N. NYSTROM
HURLEY W. HALL

S-3232

- 1 Amend Senate File 319 as follows:
- 2 1. Page 1, line 27, by striking the word "May"
- 3 and inserting the following: "April".
- 4 2. Page 1, line 28, by striking the word "May"
- 5 and inserting the following: "April".

COMMITTEE ON EDUCATION
JOE BROWN, Chair

S-3233

- 1 Amend Senate File 395 as follows:
- 2 1. Page 43, line 18, by striking the word
- 3 "including" and inserting the following: "excluding".
- 4 2. Page 43, line 31, by inserting after the word
- 5 and figure "section 312.6." the following: "Any
- 6 penalties collected shall be credited to the county
- 7 general fund to be used to defray the cost to the
- 8 county of administering the local vehicle tax."

DAVID M. READINGER

S-3234

- 1 Amend Senate File 395 as follows:
- 2 1. Page 37, line 35, by inserting after the word
- 3 "due" the following: "in that county".
- 4 2. Page 38, line 8, by striking the word "wheel"
- 5 and inserting the following: "local vehicle".
- 6 3. Page 41, line 2, by striking the words
- 7 "twenty-five cents per axle" and inserting the
- 8 following: "one dollar per vehicle".
- 9 4. Page 42, line 13, by striking the words
- 10 "twenty-five cents per axle" and inserting the
- 11 following: "one dollar per vehicle".
- 12 5. Page 42, line 22, by striking the word "axle"
- 13 and inserting the following: "vehicle".
- 14 6. Page 42, line 26, by inserting after the word

- 15 "of" the following: "the renewal of the".
16 7. Page 42, line 27, by inserting after the word
17 "vehicle." the following: "The local vehicle tax
18 shall be imposed only on the renewals of registrations
19 and shall be payable during the registration renewal
20 periods provided under section 321.40."
21 8. By striking page 42, line 35 through page 43,
22 line 3 and inserting the following: "321.18, and
23 which is registered with the county treasurer."
24 9. Page 43, line 34, by inserting after the word
25 "for" the following: "the renewal of the".
26 10. Page 44, line 1, by inserting after the word
27 "for" the following: "the renewal of the".
28 11. Page 44, by striking line 3 and inserting the
29 following: "shall not renew a registration
30 certificate".
31 12. Page 44, by striking lines 9 through 12 and
32 inserting the following: "the type of notation. A
33 local vehicle tax shall not be".
34 13. Page 44, by striking line 14.
35 14. Page 44, line 15, by striking the words
36 "which they are due."

RICHARD DRAKE

S-3235

- 1 Amend Senate File 395 as follows:
2 1. By striking page 49, line 32 through page 50,
3 line 15 and inserting the following:
4 "1. The treasurer of state shall credit the local
5 sales and services tax receipts and interest and
6 penalties from a county to the county's account in the
7 local sales and services tax fund.
8 2. The treasurer of state, pursuant to rules of
9 the director of revenue, shall remit at least
10 quarterly to the board of supervisors and each city
11 where the tax was imposed its share of the county's
12 account in the local sales and services tax fund as
13 computed under subsections 3 and 4.
14 3. Fifty percent of each county's account shall be
15 remitted on the basis of the county's population
16 residing in the unincorporated area and those
17 incorporated areas where the tax is imposed as
18 follows:
19 a. To the board of supervisors a pro rata share
20 based upon the percentage of the above population of
21 the county residing in the unincorporated area of the
22 county according to the most recent certified federal
23 census.

24 b. To each city in the county where the tax was
 25 imposed a pro rata share based upon the percentage of
 26 the city's population residing in the county to the
 27 above population of the county according to the most
 28 recent certified federal census.

29 4. Fifty percent of each county's account shall be
 30 remitted based on the sum of property tax dollars
 31 levied by the board of supervisors and each city in
 32 the county where the tax was imposed during the three-
 33 year period beginning July 1, 1983 and ending June 30,
 34 1985 as follows:

35 a. To the board of supervisors a pro rata share
 36 based upon the percentage of property tax dollars
 37 levied by the board of supervisors during the above
 38 three-year period of the total property tax dollars
 39 levied by the board of supervisors and each city where
 40 the tax was imposed during the above three-year
 41 period.

42 b. To each city council where the tax was imposed
 43 a pro rata share based upon the percentage of property
 44 tax dollars levied by the city during the above three-
 45 year period of the total property tax dollars levied
 46 by the board of supervisors and each city where the
 47 tax was imposed during the above three-year period.

48 5. Local sales and services tax moneys received by
 49 a city or county may be expended for any lawful
 50 purpose of the city or county. However, if the tax is

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1 not imposed in the unincorporated area of the county,
 2 the moneys received by the board of supervisors shall
 3 be deposited in the county general fund under section
 4 331.427."

LARRY MURPHY

S-3236

1 Amend Senate File 184 as follows:

2 1. Page 1, by striking lines 1 through 7 and
 3 inserting the following:

4 "Section 1. NEW SECTION. 331.217 DEFINITION.

5 As used in this part, unless the context otherwise
 6 requires, "commission" means a charter commission
 7 created under section 331.219."

8 2. Amend the title, by striking lines 1 and 2 and

9 inserting the following: "An Act authorizing a county
10 to establish a county".

COMMITTEE ON
LOCAL GOVERNMENT
ALVIN V. MILLER, Chair

S-3237

1 Amend Senate File 395 as follows:
2 1. Page 38, line 28, by inserting after the word
3 "implements" the following "or the farm machinery or
4 equipment is a grain dryer".
5 2. Page 47, line 15, by inserting after the word
6 "implements" the following "or the farm machinery or
7 equipment is a grain dryer".

BERL E. PRIEBE

S-3238

1 Amend the Drake amendment, S-3234, to Senate File
2 395 as follows:
3 1. Page 1, by inserting after line 8 the
4 following:
5 "___ . Page 41, line 3, by inserting after the
6 words "the tax" the following: "but not in excess of
7 ten dollars per vehicle."
8 2. Page 1, line 11, by inserting after the word
9 "vehicle" the following: " , not to exceed ten dollars
10 per vehicle."
11 3. Page 1, by inserting after line 13 the
12 following:
13 "___ . Page 42, line 23, by inserting after the
14 word "proposition" the following: "which rate may not
15 be greater than ten dollars per vehicle"."

RICHARD F. DRAKE

S-3239

1 Amend Senate File 395 as follows:
2 1. Page 50, by inserting after line 24, the
3 following:
4 "Sec. ___ . Section 7B.4, Code 1985, is amended by
5 adding the following new subsection:
6 8. The state shall retrain for a job of
7 comparable value, without effecting further layoffs,

8 any state employee displaced as a result of either
9 the private wholesale or retail sale of wine."

JOE J. WELSH

S-3240

1 Amend Senate File 395 as follows:
2 1. Page 39, lines 6 and 7, by striking the words
3 "a local earnings tax or".
4 2. Page 39, lines 23 and 24, by striking the
5 words "a local earnings tax or" and inserting the
6 following: "an".
7 3. Page 39, lines 33 and 34, by striking the
8 words "a local earnings tax or" and inserting the
9 following: "an".
10 4. Page 40, by striking lines 33 through 35.
11 5. Page 41, line 1, by striking the word "tax."
12 6. Page 42, line 9, by striking the words "a
13 local earnings tax,".
14 7. Page 42, by striking line 12.
15 8. Page 42, line 13, by striking the words
16 "earnings tax,".
17 9. Page 42, line 17, by striking the words
18 "earnings tax or".
19 10. By striking page 44, line 20 through page 46,
20 line 20.
21 11. By renumbering and correcting internal
22 references as necessary.

RAY TAYLOR

S-3241

1 Amend Senate File 395 as follows:
2 1. Page 39, line 11, by inserting after the word
3 "tax" the following: "or a local mineral severance
4 tax".
5 2. Page 40, line 6, by inserting after the word
6 "tax" the following: ", a local mineral severance
7 tax,".
8 3. Page 40, line 8, by inserting after the word
9 "upon" the following: "its own motion in the case of
10 a local mineral severance tax or upon".
11 4. Page 40, line 9, by inserting after the word
12 "tax" the following: ", a local mineral severance
13 tax,".
14 5. Page 41, line 7, by inserting after the word
15 "tax." the following: "The rate of a local mineral
16 severance tax is five cents per ton mined."

17 6. Page 42, line 10, by inserting after the words
18 "services tax," the following: "a local mineral
19 severance tax,".

20 7. Page 42, line 20, by inserting after the word
21 "percent." the following: "The rate of a local *
22 mineral severance tax is five cents per ton mined."

23 8. Page 50, by inserting after line 24 the
24 following:
25 "Sec. . NEW SECTION. 422B.12 LOCAL MINERAL
26 SEVERANCE TAX.
27 A local mineral severance tax may be imposed on
28 each ton of class "B" and class "C" gravel, as defined
29 in section 4120 of the standard specifications for
30 highway and bridge construction of the department of
31 transportation, mined in a county each year by each
32 mine located within the county. The amount of the tax
33 shall be five cents per ton mined. The county shall
34 require that the owner of any mine in the county
35 obtain a permit from the county to extract minerals
36 subject to the severance tax under this section. As a
37 condition of issuing the permit, the board of
38 supervisors shall require that the owner of the mine
39 file with the county recorder at no cost to the owner
40 a monthly report of all minerals subject to the
41 severance tax extracted from each mine in the county
42 operated by the owner. The reports shall be recorded
43 alphabetically by the name of the owner.
44 The recorder shall calculate the amount of the
45 taxes to be collected from each mine owner, and
46 certify monthly a list of mineral severance taxes to
47 be collected to the county treasurer who, within ten
48 working days after receipt of the certified list from
49 the recorder, shall send a tax statement to the owner.
50 Payment of the severance tax is due within thirty days

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1 of receipt of the tax statement from the treasurer.
2 Taxes not paid by the owner within ninety days of re-
3 ceipt of the tax statement from the county treasurer
4 become a lien on the property from which the minerals
5 are extracted. If any severance tax due from one
6 owner is delinquent for more than one year, the
7 property to which the lien attached may be sold by the
8 county under the procedures provided for tax de-
9 linquent sales of real property.
10 The proceeds from the mineral severance tax shall
11 be credited to the general fund of the county in which
12 the minerals subject to the tax are mined and shall be
13 used to maintain public property affected by the

14 mineral mining process and transportation of the
 15 mineral, most particularly secondary roads damaged by
 16 vehicles hauling the mineral.
 17 An owner failing to comply with the conditions of
 18 the permit required by the county or to file the
 19 appropriate reports is guilty of a simple misdemeanor.
 20 A subsequent offense under this section by the same
 21 owner is a class "D" felony."

RICHARD VANDE HOEF

S-3242

1 Amend Senate File 395 as follows:
 2 1. Page 7, line 9, by inserting after the word
 3 2. Page 7, by striking lines 10 through 16, and
 4 inserting the following: "necessary for retail or
 5 consumer protection."
 6 3. Page 8, by striking lines 5 through 7 and
 7 inserting the following: "imported ~~therein~~, except
 8 beer and wine, and except as otherwise".
 9 4. Page 8, by inserting after line 8 the
 10 following:
 11 "Sec. 16. Section 123.23, Code 1985, is amended to
 12 read as follows:
 13 123.23 STATE LIQUOR STORES.
 14 The department shall establish and maintain in any
 15 city which the director deems advisable, a state
 16 liquor store or stores for storage and sale of
 17 alcoholic liquor and wine in accordance with this
 18 chapter. The department may, from time to time, as
 19 determined by the director, fix the prices of the
 20 different classes, varieties, or brands of alcoholic
 21 liquor to be sold. Prior to a decision to establish,
 22 relocate or discontinue a state liquor store, the
 23 director shall appoint a designee to conduct a public
 24 hearing on the decision within the city affected."
 25 5. Page 8, lines 23 and 24, by striking the
 26 following: "wine from class "A" wine permittees."
 27 6. Page 8, lines 30 and 31, by striking the
 28 following: "wine from class "A" wine permittees."
 29 7. Page 9, line 6, by striking the following:
 30 "wine from class "A" wine permittees."
 31 8. Page 9, by striking line 14 and inserting the
 32 following: "~~from the department~~ only, and to".
 33 9. Page 21, by striking lines 12 through 19, and
 34 inserting the following:
 35 "d. Keep on premises covered by a liquor control
 36 license any alcoholic liquor or wine in any container
 37 except the original package purchased from the

38 department or from a native wine manufacturer
39 container in which purchased, except still wines
40 placed in dispensing or serving containers for
41 temporary storage wine and beer served on the premises
42 for immediate consumption, and except mixed drinks or
43 cocktails mixed on the premises for immediate
44 consumption. This prohibition does not apply to
45 common carriers holding a class "D" liquor control
46 license."

47 10. Page 29, by striking lines 10 through 32, and
48 inserting the following:

49 "Sec. 5. Section 123.96, Code 1985, is amended to
50 read as follows:

Page 2

1 123.96 TAX ON BEVERAGES SOLD FOR CONSUMPTION ON
2 THE PREMISES.

3 1. ~~Except as provided by section 123.56,~~
4 ~~subsection 4, there~~ There is imposed on every person
5 licensed to sell alcoholic beverages for consumption
6 on the premises where sold, a special tax equivalent
7 to fifteen percent of the price established by the
8 department on all alcoholic beverages for general sale
9 to the public. The tax shall be paid by all licensees
10 at the point of purchase from the state on all
11 alcoholic beverages intended or used for resale for
12 consumption on the premises of retail establishments.
13 The tax is in lieu of any other sales tax applied at
14 the state store and shall be shown as a separate item
15 on special sales slips provided by the department for
16 purchases by licensees.

17 2. Wine sold by the department to the holder of a
18 liquor control license or wine permit for resale shall
19 include a surcharge equal to or exceeding the amount
20 which would be imposed by the wine gallonage tax under
21 section 123.183. This surcharge is in lieu of any
22 other sales tax applied at the state store.

23 ~~2 3.~~ Except as allowed under section 123.95 and,
24 ~~except as allowed under section 123.56, subsection 4,~~
25 a licensee shall not knowingly keep on the licensed
26 premises nor use for resale purposes any alcoholic
27 liquor on which the special tax has not been paid to
28 the state. The conviction of a violation of this
29 section shall cause the license held to automatically
30 be revoked and the license shall immediately be
31 surrendered by the holder, and the bond of the license
32 holder shall be forfeited to the department.

33 ~~3 4.~~ Each bottle of alcoholic liquor or wine
34 purchased by a licensee shall bear an identification

- 35 marker applied at the place of purchase.”
 36 11. Page 54, by striking lines 2 through 13.
 37 12. By renumbering as required by this amendment.

GEORGE R. KINLEY
 WALLY HORN
 JOHN SOORHOLTZ

S-3243

- 1 Amend Senate File 395 as follows:
 2 1. Page 39, by striking lines 11 and 12.
 3 2. Page 39, line 13, by striking the words “tax
 4 is” and inserting the following: “vehicle tax or”.
 5 3. Page 39, line 16, by striking the word “For”.
 6 4. Page 39, by striking lines 17 through 19.
 7 5. Page 41, line 15, by inserting after the word
 8 “of” the following: “a local vehicle tax or”.
 9 6. Page 41, by striking lines 19 through 21 and
 10 inserting the following: “imposition. The local
 11 option tax may be”.
 12 7. Page 41, line 29, by inserting after the word
 13 “of” the following: “a local vehicle tax or”.
 14 8. Page 42, line 26, by inserting after the word
 15 “within” the following: “an area of”.
 16 9. Page 43, line 23, by inserting after the word
 17 “county” the following: “where the tax is imposed”.
 18 10. Page 46, line 32, by striking the word “All”.
 19 11. Page 46, by striking lines 33 and 34.

EDGAR HOLDEN

S-3244

- 1 Amend Senate File 395 as follows:
 2 1. Page 39, line 12, by striking the words “If
 3 the”.
 4 2. Page 39, by striking lines 13 through 19.
 5 3. Page 40, lines 6 and 7, by striking the words
 6 “or a local sales and services tax”.
 7 4. Page 40, lines 9 and 10, by striking the words
 8 “or a local sales and services tax”.
 9 5. Page 40, by striking lines 29 and 30 and
 10 inserting the following: “classes that will be
 11 exempt. The ballot”.
 12 6. Page 41, by striking lines 3 and 4 and
 13 inserting the following: “impose the tax. The rate
 14 of an additional real property”.
 15 7. Page 41, by striking lines 15 through 21 and
 16 inserting the following: “unlimited period. The

- 17 local option tax may be”.
- 18 8. Page 41, by striking lines 29 through 33.
- 19 9. Page 42, lines 9 and 10, by striking the words
- 20 “a local sales and services tax,”.
- 21 10. Page 42, by striking lines 19 and 20 and
- 22 inserting the following: “vehicle tax.”
- 23 11. By striking page 46, line 23 through page 47,
- 24 line 5 and inserting the following: “Notwithstanding
- 25 anything in this chapter, the following”.
- 26 12. By striking page 48, line 25 through page 50,
- 27 line 15.
- 28 13. By renumbering and correcting internal
- 29 references.

JACK RIFE

S-3245

- 1 Amend Senate File 395 as follows:
- 2 1. Page 31, line 23, by inserting after the word
- 3 “Iowa” the following: “and that a majority of the
- 4 shares of the corporation are owned by citizens of the
- 5 state of Iowa”.

JULIA GENTLEMAN

S-3246

- 1 Amend Senate File 133 as follows:
- 2 1. Page 1, by striking line 1, and inserting the
- 3 following:
- 4 “Section 1. Section 461.2, Code 1985, is amended
- 5 by adding the following new unnumbered paragraph:
- 6 NEW UNNUMBERED PARAGRAPH. However, the board of
- 7 supervisors may install a temporary portable pumping
- 8 station to remove flood waters in an emergency. For
- 9 the purpose of this paragraph an emergency occurs when
- 10 ponded or standing water does not freely flow to the
- 11 outlet ditch and the capacity of the outlet ditch is
- 12 not fully used.”

COMMITTEE ON
AGRICULTURE
BERL E. PRIEBE, Chair

S-3247

1 Amend Senate File 293 as follows:
 2 1. Page 1, line 4, by striking the word "STAFF".
 3 2. Page 1, by striking line 12 and inserting the
 4 following: "improving fire education".
 5 3. Page 1, line 13, by striking the word
 6 "services".
 7 4. Page 1, by striking lines 16 through 18 and
 8 inserting the following: "programs may include
 9 persons engaged with a unit of".
 10 5. Page 1, line 30, by inserting after the word
 11 "standards" the following: "or any fire service
 12 education may be conducted pursuant to chapter 28E
 13 agreements".
 14 6. Page 2, line 2, by striking the word "will"
 15 and inserting the following: "may".
 16 7. Page 2, by striking lines 32 and 33 and
 17 inserting the following: "be composed of two members
 18 from the following organizations chosen from a list of
 19 names, submitted by each of the following
 20 organizations: Iowa firemens association, Iowa paid
 21 fire chiefs, Iowa fire chiefs association, Iowa
 22 association of professional firefighters, Iowa society
 23 of fire service instructors, Iowa hawkeye fire service
 24 inspectors, and Iowa chapter of arson investigators.
 25 The advisory committee shall be appointed by".
 26 8. Page 3, by striking lines 1 through 3 and
 27 inserting the following: "the advisory committee."
 28 9. Page 3, line 15, by inserting after the word
 29 "process" the following: ", and the funding request
 30 shall be a separate line item in the board's
 31 appropriations request".

CHARLES P. MILLER

S-3248

1 Amend House File 183 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 2, line 12, by striking the word "fine"
 4 and inserting the following: "violation".

BERL E. PRIEBE

S-3249

1 Amend House File 183 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 3, line 18, by striking the words

4 "forests, and recreation areas" and inserting the
5 following: "and not more than five percent of the
6 fund may be used for its administration."

BERL E. PRIEBE

S-3250

1 Amend House File 183 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 16, by inserting after the word
4 "requirement." the following: "The commission shall
5 provide for temporary devices to identify the vehicles
6 of such guests."

BERL E. PRIEBE

S-3251

1 Amend House File 183 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, by striking lines 3 and 4 and
4 inserting the following: "under section 110.12 for
5 licenses. A purchaser of a user permit may purchase
6 an additional user permit for a fee of one dollar
7 which shall be permanently affixed to the purchaser's
8 vehicle and not removed until the user permit expires
9 or the ownership of the vehicle changes."

BERL E. PRIEBE

S-3252

1 Amend House File 183 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, line 5, by striking the words "is not
4 transferable between vehicles and".

BERL E. PRIEBE

S-3253

1 Amend Senate File 336 as follows:
2 1. By striking page 6, line 34 through page 7,
3 line 1 and inserting the following: "a person of the
4 same sex as the inmate."
5 2. Page 18, by striking line 6 and inserting the
6 following:
7 "6. Keep a ~~matron~~ on the jail".

8 3. Page 20, by striking lines 13 through 15 and
9 inserting the following: "the defendant."

JULIA GENTLEMEN
JOY CORNING

S-3254

1 Amend Senate File 199 as follows:
2 1. Page 1, line 6, by inserting after the word
3 "a" the word "contested".
4 2. Page 1, lines 7 and 8, by striking the words
5 "this thirty-day period" and inserting the words "the
6 day following that election".
7 3. Page 1, by inserting after line 10 the
8 following:
9 "This section does not apply to employees of the
10 federal government or to a public employee whose
11 position is financed by federal funds if the
12 application of this section would be contrary to
13 federal law or result in the loss of the federal
14 funds."

COMMITTEE ON
STATE GOVERNMENT
ROBERT M. CARR, Chair

S-3255

1 Amend House File 183 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, by inserting after line 33 the
4 following:
5 "6. User permits shall be issued without the
6 permit fee by the county recorder to persons who
7 present a biweekly unemployment insurance claim form
8 issued by the Iowa department of job service."
9 2. By renumbering to conform with this amendment.

LARRY MURPHY

S-3256

1 Amend House File 183 as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 3, by inserting after line 29 the
4 following:
5 "Sec. 3. NEW SECTION. DEFINITIONS. As used in
6 this Act, unless the context otherwise requires:
7 1. "Commission" means the state conservation

8 commission.

9 2. "Park custodian" means an officer or other
10 employee of the state conservation commission who is
11 responsible for the management of a public park or
12 preserve under the jurisdiction of the state
13 conservation commission.

14 3. "Advisory committee" means a state park
15 advisory committee.

16 4. "State park" means a public park or preserve
17 under the jurisdiction of the state conservation
18 commission.

19 Sec. 4. NEW SECTION. ADVISORY COMMITTEES CREATED.

20 The state conservation commission shall adopt rules
21 for the creation of state park advisory committees to
22 advise the commission on matters relating to the
23 development and management of state parks, for the
24 election of members to the advisory committees, and
25 for the conducting of advisory committee meetings.
26 The commission shall determine the number of advisory
27 committees needed to carry out the provisions of
28 sections 3 through 8 of this Act, except that not more
29 than one state park having an area of three hundred
30 acres or more shall be assigned to the same advisory
31 committee. Each advisory committee shall have between
32 seven and thirteen members. Members of an advisory
33 committee shall serve terms of three years. The
34 commission shall determine other matters relating to
35 the operating procedures of the advisory committees.
36 In determining the number of advisory committees and
37 the number of members of each advisory committee, the
38 commission shall consider the number and the size of
39 state parks, the proximity of the state parks which
40 are assigned to the same advisory committee, the type
41 of recreational facilities available at the state
42 parks, the degree to which the state parks are
43 developed, and the number of persons visiting or using
44 a state park annually.

45 Sec. 5. NEW SECTION. ELECTION OF MEMBERSHIP.

46 The commission shall provide for the nomination and
47 election of the members of each advisory committee at
48 two separate public meetings held at least ten days
49 apart. The commission shall give at least a ten-day
50 public notice of the date, location, and time of each

Page 2

1 public meeting, the first meeting to be conducted for
2 the purpose of receiving nominations for membership
3 and the second meeting to be conducted for the purpose
4 of receiving additional nominations and electing the

5 advisory committee membership. Any elector of the
6 state, except a commission employee, is eligible for
7 membership on an advisory committee.

8 The commission shall determine, by rule, the
9 procedures for the nomination and election of the
10 members to the advisory committees. The commission
11 shall base its rules for the nomination and election
12 of advisory committee members and the conduct of
13 public meetings under this Act on Robert's Rules of
14 Order.

15 Sec. 6. NEW SECTION. DUTIES OF ADVISORY
16 COMMITTEES.

17 An advisory committee shall:

18 1. Organize itself, meet at least twice a year,
19 and conduct its meetings according to uniform
20 procedures adopted by the commission.

21 2. Evaluate periodically the development and
22 management of each state park assigned to it.

23 3. Assist the commission in long-range planning
24 for each state park assigned to it.

25 4. Recommend improvements to each state park
26 assigned to it.

27 5. Recommend priorities for budgetary
28 expenditures.

29 6. Establish a system of communication between the
30 commission and the users of a state park.

31 7. Assist the commission in obtaining funds from
32 private sources for the maintenance or development of
33 a state park.

34 8. Transmit reports of its recommendations to the
35 commission and to the park custodian for each state
36 park assigned to it.

37 Sec. 7. NEW SECTION. DUTIES OF PARK CUSTODIAN. A
38 park custodian or other designee of the commission
39 shall attend each advisory committee meeting. The
40 park custodian shall post a list of the names and
41 addresses of the advisory committee at the park.

42 Sec. 8. NEW SECTION. COMPENSATION. A member of
43 an advisory committee shall not receive compensation
44 or expense reimbursement for services under sections 3
45 through 8 of this Act."

JOE WELSH

S-3257

1 Amend House File 183 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 3, by inserting after line 29 the
4 following:

5 "Sec. 3. Notwithstanding section 1 of this Act,
6 the requirement of having a user permit shall not
7 apply to a vehicle which is registered in the same
8 county as the county in which it is parked for a
9 period of one year after the effective date of this
10 Act."

JOE WELSH

S-3258

1 Amend Senate File 336 as follows:

- 2 1. Page 4, line 27, by striking the figures "2,
3 5," and inserting the following: "5".
- 4 2. Page 4, by striking line 30.
- 5 3. By striking page 6, line 34 through page 7,
6 line 1 and inserting the following: "a person of the
7 same sex as the inmate."
- 8 4. Page 7, line 11, by striking the words "such
9 penalties as are provided by law" and inserting the
10 following: "the penalties prescribed in the
11 disciplinary rules".
- 12 5. Page 7, line 30, by striking the word "any".
- 13 6. Page 7, line 33, by striking the word "shall"
14 and inserting the following: "shall, in case an
15 inmate resists the officer's or assistant's lawful
16 authority, or refuses to obey the officer's or
17 assistant's lawful command,".
- 18 7. Page 7, line 35, by striking the word "only".
- 19 8. Page 8, line 4, by striking the words "human
20 life" and inserting the following: "the life or
21 safety of a person".
- 22 9. Page 9, lines 22 and 23, by striking the words
23 "the inmate's written designation or policies
24 prescribed by the board" and inserting the following:
25 "law".
- 26 10. Page 11, line 13, by striking the words
27 "forensic psychiatric hospital" and inserting the
28 following: "medical unit".
- 29 11. Page 11, line 30, by striking the words
30 "forensic psychiatric hospital" and inserting the
31 following: "medical unit".
- 32 12. Page 13, line 20, by inserting after the word
33 "facility" the following: "for men".
- 34 13. Page 13, line 23, by inserting before the
35 word "The" the following: "1."
- 36 14. Page 13, line 24, by inserting after the word
37 "facility" the following: "for men".
- 38 15. Page 13, line 25, by striking the words "of
39 adult correctional institutions".

- 40 16. Page 13, by inserting after line 30 the
 41 following:
 42 "2. The director shall coordinate with the
 43 division of mental health of the department of human
 44 services and the state psychiatric hospital at Iowa
 45 City in the creation, staffing and operation of a
 46 research and treatment program directed at the class
 47 of disorders described in subsection 1, which program
 48 shall be operated at the correctional facility at
 49 Mount Pleasant."
 50 17. Page 13, line 34, by inserting after the word

Page 2

- 1 "secure" the following: "men's".
 2 18. Page 15, by striking lines 11 through 23.
 3 19. By striking page 15, line 33 through page 16,
 4 line 25.
 5 20. Page 16, line 28, by inserting after the word
 6 "or" the following: "a judicial".
 7 21. Page 18, line 2, by striking the word
 8 "prisoners".
 9 22. Page 18, by striking lines 6 through 10 and
 10 inserting the following:
 11 "6. Keep a ~~matron~~ on the jail premises at all
 12 times during the incarceration of one or more ~~female~~
 13 prisoners; ~~keep either a jailer or matron on the~~
 14 ~~premises at all times during the incarceration of one~~
 15 ~~or more male prisoners of the same sex as the~~".
 16 23. Page 20, by striking lines 7 through 15 and
 17 inserting the following: "where a person was
 18 convicted to pay the cost of temporarily confining the
 19 person and of transporting the person to the state
 20 institution where the person is to be confined in
 21 execution of the judgment. The order shall require
 22 that a person transported to a state institution
 23 pursuant to this section shall be accompanied by a
 24 person of the same sex."
 25 24. Title page, line 4, by striking the words
 26 "both minor and".
 27 25. Title page, by striking lines 5 through 7 and
 28 inserting the following: "fying statutes relating to
 29 inmate work and work release,".
 30 26. Title page, line 8, by inserting after the
 31 word "and" the following: "to".
 32 27. By renumbering as necessary.

S-3259

- 1 Amend Senate File 159 as follows:
2 1. Page 1, line 9, by striking the words
3 "assigned to another person" and inserting the
4 following: "cancelled".

RICHARD VANDE HOEF

S-3260

- 1 Amend House File 186 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 9, line 22, by striking the word "law"
4 and inserting the following: "the inmate's written
5 designation or policies prescribed by the board".
6 2. Page 11, line 12, by striking the words
7 "medical unit" and inserting the following: "forensic
8 psychiatric hospital".
9 3. Page 11, by striking lines 21 through 25 and
10 inserting the following:
11 "2. The superintendent of the center shall secure
12 the".
13 4. Page 11, line 29, by striking the words
14 "medical unit" and inserting the following: "forensic
15 psychiatric hospital".
16 5. Page 12, line 17, by striking the word
17 "center" and inserting the following: "forensic
18 psychiatric hospital".
19 6. Page 13, line 8, by striking the word "center"
20 and inserting the following: "forensic psychiatric
21 hospital".
22 7. Page 13, line 9, by striking the word "center"
23 and inserting the following: "forensic psychiatric
24 hospital".
25 8. Page 13, line 12, by striking the word
26 "center" and inserting the following: "forensic
27 psychiatric hospital".
28 9. Page 13, line 21, by striking the figure "1."
29 10. Page 13, by striking lines 29 through 35.
30 11. Page 15, by inserting after line 15 the
31 following:
32 "Sec. ____ . Section 242.4, Code 1985, is amended to
33 read as follows:
34 242.4 INSTRUCTION AND EMPLOYMENT.
35 The state director shall cause the children in the
36 state training school to be instructed on the
37 Constitutions of the United States and of this state
38 as is required in the common schools, and in such
39 branches of useful knowledge as are adapted to their

40 age and capacity, including the effect of alcoholic
 41 liquors, stimulants, and narcotics on the human
 42 system, and in some regular course of labor, either
 43 mechanical, agricultural, or manufactural, as is best
 44 suited to their age, strength, ~~disposition~~, capacity,
 45 reformation, and well-being.”
 46 12. Page 15, by inserting after line 24 the
 47 following:
 48 “Sec. __. Section 244.3, subsection 1, Code 1985,
 49 is amended by striking the subsection.”
 50 13. Page 17, line 1, by inserting after the word

Page 2

1 “women” the following: “prisoners”.
 2 14. Page 17, by striking lines 3 through 12.
 3 15. Title page, line 4, by inserting after the
 4 word “with” the following: “both minor and”.
 5 16. Title page, line 5, by striking the words
 6 “inmate work and work release” and inserting the
 7 following: “allowances paid to inmates for work,
 8 absconding from work release, temporary confinement of
 9 work release violators”.
 10 17. By renumbering as necessary.

RICHARD F. DRAKE

S-3261

1 Amend House File 183 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, line 25, by inserting after the word
 4 “rule.” the words “However, the requirement of a user
 5 permit shall not apply on any land acquired by gift if
 6 a condition of the gift was the free, public use of
 7 the land.”

BERL E. PRIEBE

S-3262

1 Amend Senate File 268 as follows:
 2 1. Page 3, by inserting after line 17, the
 3 following:
 4 “ __. One person from the Iowa Commerce
 5 Commission.”
 6 2. Page 3, line 18, by striking the word “Twelve”
 7 and inserting the following: “Ten”.
 8 3. Page 4, by striking line 2.
 9 4. Page 6, lines 13 and 14, by striking the words

10 and figures "fifty thousand (50,000)" and inserting
11 the following: "twenty-five thousand (25,000)".

LARRY MURPHY
WALLY HORN
DALE TIEDEN

S-3263

1 Amend the amendment S-3257 to House File 183 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, by striking lines 8 through 10 and
4 inserting the following: "county as the county in
5 which it is parked."

MILO COLTON

S-3264

1 Amend Senate File 293 as follows:
2 1. Page 3, line 15, by inserting after the word
3 "process" the following: ", and the funding request
4 shall be a separate line item in the board's
5 appropriations request".

COMMITTEE ON
STATE GOVERNMENT
BOB CARR, Chair

S-3265

1 Amend Senate File 363 as follows:
2 1. Page 1, by inserting after line 4 the
3 following:
4 "Sec. ___ . Section 199.3, Code 1985, is amended
5 by adding the following new subsection:
6 NEW SUBSECTION. 7. The label or a tag attached to
7 the container for seed corn shall prominently indicate
8 the price for one full bushel."

BERL PRIEBE
RICHARD VANDE HOEF
LEONARD L. BOSWELL
ARNE WALDSTEIN

S-3266

- 1 Amend Senate File 363 as follows:
- 2 1. Page 1, line 4, by striking the word "sowing"
- 3 and inserting the following: "planting".

C. JOSEPH COLEMAN

S-3267

- 1 Amend Senate File 268 as follows:

DIVISION S-3267A

- 2 1. Page 3, by inserting after line 17, the
- 3 following:
- 4 "___ One person from the Iowa Commerce
- 5 Commission."

DIVISION S-3267B

- 6 2. Page 3, line 18, by striking the word "Twelve"
- 7 and inserting the following: "Ten".
- 8 3. Page 4, by striking line 2.

DIVISION S-3267A (cont'd.)

- 9 4. Page 6, lines 13 and 14, by striking the words
- 10 and figures "fifty thousand (50,000)" and inserting
- 11 the following: "twenty-five thousand (25,000)".

COMMITTEE ON
 APPROPRIATIONS
 JOE WELSH, Chair

S-3268

- 1 Amend Senate File 104 as follows:
- 2 1. Page 1, by striking lines 22 through 26 and
- 3 inserting the following: "is at least fifty dollars
- 4 and the taxpayer making payment requests a receipt.
- 5 Partial payments of a semi-annual installment".

DOUGLAS RITSEMA

S-3269

1 Amend Senate File 385 as follows:

- 2 1. Page 1, line 17, by striking the word "twenty"
3 and inserting the following: "one hundred".

JULIA B. GENTLEMAN

S-3270

1 Amend Senate File 244 as follows:

- 2 1. Page 1, line 16, by striking the words "An
3 exemplified" and inserting the following: ~~An~~
4 ~~exemplified~~ A certified".
- 5 2. Page 1, by striking lines 19 through 23 and
6 inserting the following: "records of ~~such~~ the court
7 in ~~such the~~ proceeding. ~~The court shall place the~~
8 ~~respondent on probation on such terms and conditions~~
9 ~~as the court may deem proper or necessary to assure~~
10 ~~faithful compliance by the respondent with such order.~~
11 ~~The court shall also have power to require the~~".
- 12 3. Page 2, by striking lines 28 and 29, and
13 inserting the following: "support obligation and,
14 except for trusts governed by the federal Retirement
15 Equity Act of 1984, Pub. L. No. 98-397, requiring the
16 payment of such sums to the clerk of the district,
17 court. For trusts governed by the federal Retirement
18 Equity Act of 1984, Pub. L. No. 98-397, the assignment
19 of income shall require the payment of such sums to
20 the alternate payee. The assignment of income is
21 binding on".
- 22 4. Page 3, by striking lines 2 through 7 and
23 inserting the following: "support recovery unit may
24 modify or revoke the order upon the request of the
25 child support recovery unit and may modify or revoke
26 the order at any other time the assignment of income
27 on the full payment of the delinquency or revoke the
28 wage assignment upon the termination of parental
29 rights, emancipation, death or majority of the child,
30 or upon a change of custody."
- 31 5. Page 3, lines 14 and 15, by striking the words
32 "determines; ~~after providing an opportunity for a~~
33 ~~hearing,~~" and inserting the following: "determines,
34 after providing an opportunity for a hearing,".
- 35 6. Page 5, line 7, by striking the words
36 "personal and".
- 37 7. Page 5, lines 8 and 9, by striking the words
38 "personal and".
- 39 8. Page 5, by inserting after line 15 the
40 following:

41 "Sec. ____ Section 624.24, Code 1985, is amended
 42 to read as follows:
 43 624.24 WHEN JUDGMENT LIEN ATTACHES.
 44 ~~When~~ If the real estate lies in the county ~~wherein~~
 45 in which the judgment of the district court of this
 46 state or of the circuit or district courts of the
 47 United States was entered in the judgment docket and
 48 lien index kept by the clerk of the district court
 49 having jurisdiction, the lien ~~shall attach~~ attaches
 50 from the date of ~~such the~~ entry of judgment; ~~but,~~

Page 2

1 Except in cases of support, if in another it will the
 2 judgment and real estate are in different counties,
 3 the lien does not attach until an attested copy of the
 4 judgment is filed in the office of the clerk of the
 5 district court of the county in which the real estate
 6 lies. In cases of support, the lien attaches from the
 7 entry of the judgment. An index of support lien shall
 8 be maintained by the clerk of the district court and
 9 the child support recovery unit shall maintain an
 10 index of those support liens held by the child support
 11 recovery unit."

COMMITTEE ON JUDICIARY
 DONALD V. DOYLE, Chair

S-3271

1 Amend Senate File 42 as follows:
 2 1. Page 1, by inserting after line 26 the
 3 following:
 4 "Sec. ____ This Act takes effect from and after
 5 the date federal legislation modifying 23 U.S.C. § 154
 6 by approving speed limits of at least sixty-five miles
 7 per hour applicable to fully controlled-access,
 8 divided, multilaned highways becomes law."
 9 2. Title page, line 3, by inserting after the
 10 word "system" the words "and providing a conditional
 11 effective date".

EDGAR H. HOLDEN

S-3272

1 Amend Senate File 385 as follows:
 2 1. Page 1, line 15, by striking the words
 3 "and decorating".

- 4 2. Page 1, line 16, by inserting after the word
5 "type" the following: ", excluding works of art,".

JULIA GENTLEMAN

S-3273

- 1 Amend the amendment, S-3270 to Senate File 244 as
2 follows:
3 1. Page 1, by striking lines 27 through 28, and
4 inserting the following: "on the full payment of the
5 delinquency or in an instance where the amount being
6 withheld exceeds the amount specified in 15 U.S.C. §
7 1673B, or may revoke the assignment of income upon the
8 termination of parental".

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3274

- 1 Amend Senate File 343 as follows:
2 1. Page 1, by striking lines 16 and 17 and
3 inserting the word "city".

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3275

- 1 Amend Senate File 381 as follows:
2 1. Page 1, line 4, by striking the word "child".
3 2. Page 1, line 5, by striking the word "child"
4 and inserting the word "minor".
5 3. Page 1, line 6, by striking the word "child"
6 and inserting the word "minor".
7 4. Page 1, line 7, by striking the word "child"
8 and inserting the word "minor".

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3276

- 1 Amend Senate File 381 as follows:
2 1. Page 1, line 3, by striking the words
3 "forcibly or".

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3277

- 1 Amend the amendment S-3265 to Senate File 363 as
- 2 follows:
- 3 1. Page 1, by striking lines 6 and 7, and
- 4 inserting the following:
- 5 "NEW SUBSECTION. 7. The current price list of seed
- 6 corn shall prominently indicate".

JOHN W. JENSEN

S-3278

- 1 Amend Senate File 363 as follows:
- 2 1. Page 1, by striking lines 5 through 9.

JOHN W. JENSEN

S-3279

- 1 Amend Senate File 385 as follows:
- 2 1. Page 1, line 7, by striking the words ", and
- 3 the state board of regents".

DOUGLAS RITSEMA

S-3280

- 1 Amend Senate File 363 as follows:
- 2 1. Page 1, by striking lines 5 through 9 and
- 3 inserting the following:
- 4 "Sec. 2. Section 199.3, Code 1985, is amended by
- 5 adding the following new subsection:
- 6 NEW SUBSECTION. 7. The label or a tag attached to
- 7 a container of seed corn shall prominently indicate
- 8 the price for one full bushel."

BERL E. PRIEBE
RICHARD VANDE HOEF
LEONARD L. BOSWELL
ARNE WALDSTEIN

S-3281

- 1 Amend Senate File 385 as follows:
- 2 1. Page 2, line 11, by striking the word "two"
- 3 and inserting the following: "four hundred ninety-
- 4 nine".

- 5 2. Page 2, line 12, by striking the word "two" and
- 6 inserting the following: "four hundred ninety-nine".

JULIA B. GENTLEMAN

S-3282

- 1 Amend the amendment S-3280 to Senate File 363 as
- 2 follows:
- 3 1. Page 1, by striking lines 6 and 7, and
- 4 inserting the following:
- 5 "NEW SUBSECTION. 7. The current price list of seed
- 6 corn shall prominently indicate".

JOHN W. JENSEN

S-3283

- 1 Amend Senate File 18 as follows:
- 2 1. Page 1, line 4, by inserting after the word
- 3 "private" the following: "or public".
- 4 2. Title page, line 1, by inserting after the
- 5 word "private" the following: "or public".

COMMITTEE ON
HUMAN RESOURCES
JAMES D. WELLS, Chair

S-3284

- 1 Amend Senate File 125 as follows:
- 2 1. Page 1, line 18, by striking the word "cent"
- 3 and inserting in lieu thereof the following: "~~cent~~
- 4 and one-half cents".

JOHN A. NEIGHBOUR

S-3285

- 1 Amend Senate File 385 as follows:
- 2 1. Page 1, line 18, by inserting after the word
- 3 "party." the following: "'Contract for a public
- 4 improvement" does not mean fine arts projects as
- 5 defined in section 304A.8."

ARTHUR A. SMALL, JR.
JULIA GENTLEMAN

S-3286

1 Amend Senate File 385 as follows:

DIVISION S-3286A

2 1. Page 2, lines 19 and 20, by striking the words
3 "not less often than once a week and".

DIVISION S—3286B

4 2. Page 5, line 16, by striking the word "twenty"
5 and inserting the following: "thirty".

ARNE WALDSTEIN

S-3287

1 Amend Senate File 424 as follows:

- 2 1. Page 1, by striking lines 17 and 18 and
3 inserting the following: "registered group home or a
4 family day care home registered pursuant to section
5 237A.3, subsection 1, ~~with direct~~".
6 2. Page 1, line 21, by inserting after the words
7 "or a" the following: "registered".
8 3. Page 1, line 29, by inserting after the word
9 "a" the following: "registered".
10 4. Page 2, line 1, by inserting after the words
11 "checks for" the following: "registered".
12 5. Page 2, line 7, by inserting after the word
13 "a" the following: "registered".
14 6. Page 2, line 15, by inserting before the word
15 "family" the following: "registered".
16 7. Page 2, by striking lines 17 through 26.

DOUGLAS RITSEMA

S-3288

1 Amend Senate File 385 as follows:

- 2 1. By striking page 5, line 10 through page 8,
3 line 21 and inserting the following:
4 "Sec. 6. NEW SECTION. WAGE DETERMINATION.
5 In establishing and determining prevailing wages,
6 the labor commissioner shall, in the interest of
7 equity and fairness, survey at least fifty percent of
8 all construction projects within the affected area."

CALVIN O. HULTMAN

S-3289

- 1 Amend Senate File 385 as follows:
- 2 1. By striking page 5, line 10 through page 8,
- 3 line 21 and inserting the following:
- 4 "Sec. 6. NEW SECTION. WAGE DETERMINATION.
- 5 In establishing and determining prevailing wages,
- 6 the merit system provisions of chapter 19A shall be
- 7 observed."

CALVIN O. HULTMAN

S-3290

- 1 Amend Senate File 385 as follows:
- 2 1. By striking page 5, line 10 through page 8,
- 3 line 21 and inserting the following:
- 4 "Sec. 6. NEW SECTION. WAGE DETERMINATIONS.
- 5 In determining the wage rates applicable in each
- 6 subdivision the rules and provisions of section 79.17,
- 7 subsection 1 shall be observed."

CALVIN O. HULTMAN

S-3291

- 1 Amend Senate File 385 as follows:
- 2 1. Page 4, by inserting after line 17 the
- 3 following:
- 4 "9. Following the letting of a contract for public
- 5 improvements under the provisions of this Act, shall
- 6 cause to be printed in two papers of general
- 7 circulation, within the geographic area of the
- 8 contracting entity of government, the increased cost
- 9 to the specific project as a result of the imposition
- 10 of the prevailing wage standard."

CALVIN O. HULTMAN

S-3292

- 1 Amend Senate File 385 as follows:
- 2 1. Page 7, by inserting after line 25 the
- 3 following:
- 4 "10. The labor commissioner shall cause to be
- 5 published at least annually, in a paper with statewide
- 6 circulation, and in at least three regional
- 7 newspapers, an itemization of the additional cost on
- 8 each project impacted by the imposition of this Act.
- 9 Such a list shall also be maintained in the

10 commissioner's office for public inspection and shall
 11 be transmitted to the county auditors' office in all
 12 counties of this state, and the city clerks' offices
 13 in all the cities of this state, and in each case
 14 shall be available for public inspection."

CALVIN O. HULTMAN

S-3293

1 Amend Senate File 385 as follows:
 2 1. Page 1, by striking lines 17 and 18 and
 3 inserting the following: "all political subdivisions
 4 of the state and all special taxing districts and
 5 governmental units created by law."

CALVIN O. HULTMAN

S-3294

1 Amend Senate File 385 as follows:
 2 1. Page 2, line 11, by striking the word "two"
 3 and inserting the words "four hundred and ninety-
 4 nine".
 5 2. Page 2, line 12, by striking the word "two"
 6 and inserting the words "four hundred and ninety-
 7 nine".

CALVIN O. HULTMAN

S-3295

1 Amend Senate File 385 as follows:
 2 1. Page 1, line 17, by striking the word
 3 "twenty" and inserting the following: "thirty".
 4 2. Page 2, lines 19 and 20, by striking the words
 5 "not less often than once a week and".
 6 3. Page 5, line 16, by striking the word "twenty"
 7 and inserting in lieu thereof the word "thirty".

ARNE WALDSTEIN

S-3296

1 Amend Senate File 401 as follows:

DIVISION S-3296A

2 1. Page 1, by striking lines 14 through 16 and
 3 inserting the words "a criminal act."

DIVISION S-3296B

4 2. Page 1, by inserting after line 26 the
5 following:
6 "Sec. 3. NEW SECTION. 624.38 AWARD OF DAMAGES --
7 STATEMENT OF POLICY.
8 It is the policy of this state that the award of
9 damages in a civil action shall be for a specific
10 purpose. Compensatory damages shall be awarded to
11 make the claimant whole, restoring the claimant as
12 nearly as possible to status which existed prior to
13 the cause of action.
14 Punitive damages are to be awarded only when the
15 defendant's conduct is so contrary to societal norms
16 that punishment through the civil process is both
17 warranted and necessary. Punitive damages are not a
18 replacement for criminal sanctions, however, and
19 enforcement of criminal law is best accomplished by
20 the due process of criminal prosecution, not civil
21 litigation.
22 Because punitive damages are awarded solely to
23 punish, it is the policy of this state that they shall
24 not be used to reward a plaintiff for bringing a civil
25 action.
26 Sec. 4. NEW SECTION. 624.39 PUNITIVE DAMAGES.
27 If punitive damages are awarded in a civil action,
28 the punitive damages shall be paid to the clerk of
29 district court and distributed as follows:
30 1. An amount as determined by the court not to
31 exceed five percent of the total punitive damages
32 awarded to cover the preparation and litigation costs
33 directly incurred in the claim for punitive damages
34 shall be distributed to the claimant.
35 2. The remainder shall be remitted to the state
36 treasurer and shall be deposited in the general fund
37 of the state."

DOUGLAS RITSEMA

S-3297

1 Amend Senate File 405 as follows:
2 1. Page 1, line 4, by striking the words "
3 maintenance or improvement" and inserting the words
4 "or maintenance".

HURLEY W. HALL

S-3298

- 1 Amend Senate File 116 as follows:
- 2 1. Page 1, by striking lines 21 through 23 and
- 3 inserting the following: "require that each sanitary
- 4 disposal project has a sufficient number of water
- 5 wells to adequately monitor the quality of ground
- 6 water adjacent to the sanitary disposal project".
- 7 2. Page 1, line 24, by striking the word
- 8 "landfill".

COMMITTEE ON ENERGY
AND ENVIRONMENT
CHARLES H. BRUNER, Chair

S-3299

- 1 Amend Senate File 385 as follows:
- 2 1. Page 6, line 17, by striking the words "name,
- 3 address and social security number" and inserting the
- 4 following: "name and address".

JULIA B. GENTLEMAN

S-3300

- 1 Amend Senate File 385 as follows:
- 2 1. Page 8, line 25, by striking the word
- 3 "serious" and inserting the word "simple".

JULIA B. GENTLEMAN

S-3301

- 1 Amend Senate File 385 as follows:
- 2 1. Page 6, by striking lines 8 through 12.
- 3 2. By renumbering sections as required.

JULIA B. GENTLEMAN

S-3302

- 1 Amend Senate File 401 as follows:
- 2 1. Page 1, line 6, by striking the words "or
- 3 local ordinance".

ARTHUR A. SMALL, JR.

S-3303

- 1 Amend Senate File 403 as follows:
2 1. Page 1, line 2, by striking the word "subsec-
3 tions" and inserting the word "subsection".
4 2. Page 1, by striking lines 7 and 8 and in-
5 serting the following: "school district shall allow
6 that pupil to enroll on a tuition".
7 3. Page 1, by striking lines 28 through 35.

RAY TAYLOR
BEVERLY A. HANNON

S-3304

- 1 Amend House File 231, as amended and passed by the
2 House as follows:
3 1. Title, line 2, by inserting after the word
4 "districts" the following: "and providing an
5 effective date".

CALVIN O. HULTMAN

S-3305

- 1 Amend Senate File 133 as follows:
2 1. Page 1, by inserting before line 1, the
3 following:
4 "Section 1. Section 461.1, Code 1985, is amended
5 to read as follows:
6 461.1 AUTHORIZATION.
7 The board of supervisors or board of trustees of
8 any county or counties in which a drainage or levee
9 district has been organized as by law provided, may
10 establish and maintain a pumping station or stations,
11 when and where the same may be necessary to secure a
12 proper outlet for the drainage of the land comprising
13 the district or any portion thereof, and the cost of
14 construction and maintenance of said pumping station
15 or stations shall be levied upon and collected from
16 the lands in the district benefited by such pumping
17 station or stations, in the same manner as provided
18 for in the construction and maintenance of said
19 districts."
20 2. Page 1, by inserting after line 1, the
21 following:
22 "Sec. 3. This Act, being deemed of immediate
23 importance, takes effect from and after its
24 publication in The Hamburg Reporter, a newspaper

25 published in Hamburg, Iowa, and in the Muscatine
26 Journal, a newspaper published in Muscatine, Iowa.”

CALVIN O. HULTMAN

S-3306

- 1 Amend Senate File 403 as follows:
- 2 1. Page 1, line 4, by striking the figure “1985”
- 3 and inserting the figure “1986”.
- 4 2. Page 1, line 29, by striking the figure “1985”
- 5 and inserting the figure “1986”.
- 6 3. Page 2, by striking lines 5 through 9.
- 7 4. Amend the title, line 4, by striking the
- 8 figure “1985” and inserting the figure “1986”.

BEVERLY A. HANNON

S-3307

- 1 Amend the amendment S-3290 to Senate File 385 as
- 2 follows:
- 3 1. Page 1, lines 6 and 7, by striking the figure
- 4 and words “79.17, subsection 1” and inserting the
- 5 following: “79.18”.

CALVIN O. HULTMAN

S-3308

- 1 Amend Senate File 295 as follows:
- 2 1. Page 1, by striking lines 5 through 9 and
- 3 inserting the following: “record of the gross
- 4 receipts of the holder’s business. ~~Each bottle~~
- 5 ~~emptied, except beer bottles, shall be broken~~
- 6 ~~immediately by the licensee or the licensee’s agent~~
- 7 ~~into a container provided for that purpose. The~~
- 8 records”.

COMMITTEE ON
STATE GOVERNMENT
BOB CARR, Chair

S-3309

- 1 Amend Senate File 435 as follows:
- 2 1. Page 1, by striking line 7 and inserting the

3 following: "statistics which the department
4 determines are of interest to the public."

PATRICK J. DELUHERY

S-3310

1 Amend Senate File 409 as follows:
2 1. Page 1, line 13, by inserting after the word
3 "year," the words "The legislative council shall refer
4 the budgets to the committees on appropriations which
5 after referral to the appropriate subcommittee shall
6 make its recommendations to the legislative council."

COMMITTEE ON
STATE GOVERNMENT
BOB CARR, Chair

S-3311

1 Amend Senate File 266 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. Section 70.1, Code 1985, is amended to
5 read as follows:
6 70.1 APPOINTMENTS AND PROMOTIONS.
7 1. In every public department and upon all public
8 works in the state, and of the counties, cities, and
9 school corporations thereof, honorably discharged
10 persons from the military or naval forces of the
11 United States in any war in which the United States
12 ~~was or is now~~ has been engaged, including the
13 ~~Philippine Insurrection, China Relief Expedition, and~~
14 the Korean Conflict at any time between June 25, 1950
15 and January 31, 1955, both dates inclusive, and the
16 Vietnam Conflict beginning August 5, 1964, and ending
17 ~~on the date the armed forces of the United States are~~
18 ~~directed by formal order of the government of the~~
19 ~~United States to cease hostilities~~ May 7, 1975, both
20 dates inclusive, who are citizens and residents of
21 this state ~~shall be~~ are entitled to preference in
22 appointment; ~~and~~ employment; ~~and~~ promotion over other
23 applicants of no greater qualifications. The
24 preference in appointment and employment for employees
25 of cities under a municipal civil service is the same
26 as provided in section 400.10. For the purposes of
27 this section service in World War II shall mean
28 service in the armed forces of the United States
29 between December 7, 1941, and December 31, 1946, both
30 dates inclusive.

31 2. In all jobs of the state and its political
 32 subdivisions, an application form shall be completed.
 33 The application form shall contain an inquiry into the
 34 applicant's military service during the wars or armed
 35 conflicts as specified in subsection 1.

36 3. In all jobs of political subdivisions of the
 37 state which are to be filled by competitive
 38 examination or by appointment, public notice of the
 39 application deadline to fill a job shall be posted at
 40 least ten days before the deadline in the same manner
 41 as notices of meetings are posted under section 21.4.

42 4. For jobs in political subdivisions of the state
 43 that are filled through a point-rated qualifying
 44 examination, the preference afforded to veterans shall
 45 be equivalent to that provided for municipal civil
 46 service systems in section 400.10.

47 Sec. 2. Section 400.10, unnumbered paragraph 1,
 48 Code 1985, is amended to read as follows:

49 In all examinations and appointments under ~~the~~
 50 ~~provisions~~ of this chapter, other than promotions and

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1 appointments of chief of the police department and
 2 chief of the fire department, honorably discharged
 3 ~~individuals~~ veterans from the military or naval forces
 4 of the United States in any war in which the United
 5 States ~~was or is now~~ has been engaged, including the
 6 Philippine Insurrection, China Relief Expedition and
 7 the Korean Conflict at any time between June 25, 1950
 8 and January 31, 1955, both dates inclusive, and the
 9 Vietnam Conflict beginning August 5, 1964, and ending
 10 ~~on the date the armed forces of the United States are~~
 11 ~~directed by formal order of the government of the~~
 12 ~~United States to cease hostilities~~ May 7, 1975, both
 13 dates inclusive, and who are citizens and residents of
 14 this state, shall be ~~given the preference; if~~
 15 ~~otherwise qualified~~ have five points added to the
 16 veteran's grade or score attained in qualifying
 17 examinations for appointment to positions and five
 18 additional points added to the grade or score if the
 19 veteran has a service-connected disability or is
 20 receiving compensation, disability benefits or pension
 21 under laws administered by the veterans
 22 administration. An honorably discharged veteran who
 23 has been awarded the Purple Heart for disabilities
 24 incurred in action shall be considered to have a
 25 service-connected disability. However, the points

- 26 shall be given only upon passing the exam and shall
27 not be the determining factor in passing."

COMMITTEE ON
STATE GOVERNMENT
BOB CARR, Chair

S-3312

- 1 Amend Senate File 385 as follows:
2 1. Page 5, by striking lines 30 through 33, and
3 inserting the following: "relevant information
4 concerning wages. The labor commissioner shall, in
5 the interest of equity and fairness, survey at least
6 fifty percent of all construction projects within
7 the affected counties."

CALVIN O. HULTMAN

S-3313

- 1 Amend Senate File 385 as follows:
2 1. Page 8, line 1, by inserting after the word
3 "party." the following: "A contracting party who
4 inadvertently pays more than the prevailing wage rate
5 to a mechanic or a skilled or unskilled laborer may
6 maintain an action in the district court to recover
7 the difference between the applicable prevailing wage
8 rates and the wages the worker received from the
9 contracting party."

JOHN W. JENSEN

S-3314

- 1 Amend Senate File 303 as follows:
2 1. Page 3, by inserting after line 2 the
3 following:
4 "d. If the total cost of leasing real and personal
5 properties or facilities for use as or in connection
6 with any energy conservation measure will exceed one
7 million dollars, the project shall be submitted for
8 approval of the general assembly."

WILLIAM D. PALMER

S-3315

- 1 Amend Senate File 398 as follows:
2 1. Page 1, by inserting before line 1 the

3 following:

- 4 "Section 1. Section 275.12, Code 1985, is amended
 5 by adding the following new subsection:
 6 NEW SUBSECTION. 6. The area education agency
 7 board in reviewing such petition as provided in
 8 section 275.15 and 275.16 may amend the petition to
 9 remove the levy to pay the interest and principal of
 10 bonds from property that is severed from the political
 11 subdivision and will not become a part of the new
 12 school district if the districts are reorganized.
 13 However, if this amendment to the petition does not
 14 maintain security for outstanding obligations of each
 15 affected district, the obligation for payment of
 16 interest and principal shall be decided pursuant to
 17 sections 275.28 to 275.31."
 18 2. By striking page 1, line 31, through page 2,
 19 line 1.
 20 3. Page 2, line 30, by striking the words "of the
 21 year".
 22 4. Page 3, line 22, by striking the word "ninety"
 23 and inserting the following: "one hundred twenty".

LARRY MURPHY

S-3316

- 1 Amend Senate File 207 as follows:
 2 1. Page 2, line 12, by striking the words "area
 3 and" and inserting the following: "area."
 4 2. Page 2, by striking lines 13 through 18.

WILLIAM W. DIELEMAN

S-3317

- 1 Amend Senate File 322 as follows:
 2 1. Page 3, line 23, by inserting after the word
 3 "transfer." the following: "If a temporary transfer
 4 from terminal work is not practicable, the employer
 5 shall provide the operator with a protective lead
 6 apron to be worn during terminal work."
 7 2. Page 4, line 6, by inserting after the word
 8 "quest." the following: "However, operators may not
 9 request more than one eye examination per year."
 10 3. Page 5, line 21, by striking the word
 11 "commission" and inserting the following: "bureau of
 12 labor".
 13 4. Page 5, line 22, by striking the words and

14 figures "sections 88.6 through 88.11" and inserting
15 the following: "chapter 91".

CHARLES BRUNER

S-3318

1 Amend amendment S-3267 to Senate File 268 as
2 follows:
3 1. Page 1, by striking lines 6 through 8 and
4 inserting the following:
5 "____. Page 4, by striking line 2 and inserting
6 the following:
7 "f. Two persons who are qualified by education or
8 employment experience to evaluate alternative
9 financing methods.""

PATRICK J. DELUHERY

S-3319

1 Amend Senate File 447 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. Section 147.1, subsections 2 and 3,
5 Code 1985, are amended to read as follows:
6 2. "Licensed" or "certified" when applied to a
7 physician and surgeon, podiatrist, osteopath,
8 osteopathic physician and surgeon, psychologist or
9 associate psychologist, chiropractor, nurse, dentist,
10 dental hygienist, optometrist, speech pathologist,
11 audiologist, pharmacist, physical therapist,
12 occupational therapist, radiologic technologist,
13 practitioner of cosmetology, practitioner of
14 barbering, funeral director or social worker means a
15 person licensed under this title.
16 3. "Profession" means medicine and surgery,
17 podiatry, osteopathy, osteopathic medicine and
18 surgery, psychology, chiropractic, nursing, dentistry,
19 dental hygiene, optometry, speech pathology,
20 audiology, pharmacy, physical therapy, occupational
21 therapy, radiology, cosmetology, barbering, mortuary
22 science or social work.
23 Sec. 2. Section 147.2, Code 1985, is amended to
24 read as follows:
25 147.2 LICENSE REQUIRED.
26 No person shall engage in the practice of medicine
27 and surgery, podiatry, osteopathy, osteopathic
28 medicine and surgery, psychology, chiropractic,
29 physical therapy, nursing, dentistry, dental hygiene,

30 optometry, speech pathology, audiology, occupational
31 therapy, pharmacy, cosmetology, radiology, barbering
32 or mortuary science as defined in the following
33 chapters of this title, unless the person has obtained
34 from the state department of health a license for that
35 purpose.

36 Sec. 3. Section 147.3, Code 1985, is amended to
37 read as follows:

38 147.3 QUALIFICATIONS.

39 An applicant for a license to practice a profession
40 under this title is not ineligible because of age,
41 citizenship, sex, race, religion, marital status or
42 national origin, although the application form may
43 require citizenship information. Any board may
44 consider the past felony record of an applicant only
45 if the felony conviction relates directly to the
46 practice of medicine, podiatry, osteopathy, osteopathy
47 and surgery, chiropractic, nursing, psychology,
48 optometry, speech pathology, audiology, pharmacy,
49 physical therapy, occupational therapy, radiology,
50 cosmetology, barbering, mortuary science or social

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1 work for which the applicant requests to be licensed.
2 Character references may be required, but shall not be
3 obtained from licensed members of the profession.

4 Sec. 4. Section 147.13, Code 1985, is amended to
5 read as follows:

6 147.13 DESIGNATION OF BOARDS.

7 The examining boards provided in section 147.12
8 shall be designated as follows: For medicine and
9 surgery, and osteopathy, and osteopathic medicine and
10 surgery, medical examiners; for psychology, psychology
11 examiners; for podiatry, podiatry examiners; for
12 chiropractic, chiropractic examiners; for physical
13 therapists and occupational therapists, physical and
14 occupational therapy examiners; for nursing, board of
15 nursing; for dentistry and dental hygiene, dental
16 examiners; for optometry, optometry examiners; for
17 speech pathology and audiology, speech pathology and
18 audiology examiners; for radiology, radiologic
19 technology examiners; for cosmetology, cosmetology
20 examiners; for barbering, barber examiners; for
21 pharmacy, pharmacy examiners; for mortuary science,
22 mortuary science examiners; for social workers, social
23 work examiners.

24 Sec. 5. Section 147.14, Code 1985, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 11. For radiologic technology

27 examiners, five members licensed as radiologic
28 technologists and two members who are not licensed to
29 practice radiology and who shall represent the general
30 public. A majority of the members of the board
31 constitutes a quorum.

32 Sec. 6. Section 147.25, unnumbered paragraph 4,
33 Code 1985, is amended to read as follows:

34 In addition to any other fee provided by law, a fee
35 may be set by the respective examining boards for each
36 license and renewal of a license to practice medicine,
37 surgery, podiatry, osteopathy, osteopathic medicine
38 and surgery, chiropractic, nursing, dentistry, dental
39 hygiene, optometry, pharmacy, physical therapy,
40 occupational therapy, radiology, social work, and
41 veterinary medicine, which fee shall be based on the
42 annual cost of collecting information for use by the
43 department of health in the administration of the
44 system of health personnel statistics established by
45 this section. The fee shall be collected, transmitted
46 to the treasurer of state and deposited in the general
47 fund of the state in the manner in which license and
48 renewal fees of the respective professions are
49 collected, transmitted, and deposited in the general
50 fund.

Page 3

1 Sec. 7. Section 147.74, Code 1985, is amended by
2 adding the following new unnumbered paragraphs:

3 NEW UNNUMBERED PARAGRAPH. A radiographer licensed
4 under chapter 154D and this chapter may use the words
5 "licensed radiographer" after the person's name or
6 signify the title by the use of the letters "L.R."
7 after the person's name.

8 NEW UNNUMBERED PARAGRAPH. A radiation therapy
9 technologist licensed under chapter 154D and this
10 chapter may use the words "licensed radiation therapy
11 technologist" after the person's name or signify the
12 title by the use of the letters "L.R.T.T." after the
13 person's name.

14 NEW UNNUMBERED PARAGRAPH. A nuclear medicine
15 technologist licensed under chapter 154D and this
16 chapter may use the words "licensed nuclear medicine
17 technologist" after the person's name or signify the
18 title by the use of the letters "L.N.M.T." after the
19 person's name.

20 NEW UNNUMBERED PARAGRAPH. A limited radiographer
21 licensed under chapter 154D and this chapter may use
22 the words "licensed limited radiographer" after the
23 person's name or signify the same by the use of the

24 letters "L.L.R." after the person's name.

25 Sec. 8. Section 147.76, Code 1985, is amended to
26 read as follows:

27 **147.76 RULES PROMULGATED.**

28 The examining boards for the various professions
29 shall ~~promulgate~~ **adopt** all necessary and proper rules
30 to implement and interpret the provisions of this
31 chapter and chapters 148, 148A, 148C, 149, 150, 150A,
32 151, 152, 153, 154, 154A, 154B, 154D, 155 and 156.

33 Sec. 9. Section 147.80, Code 1985, is amended by
34 adding the following new subsection:

35 **NEW SUBSECTION. 18A.** License to practice
36 radiology as defined in section 154D.1, subsection 17,
37 issued on the basis of an examination by the board of
38 radiologic technology examiners, or license to
39 practice radiology issued under a reciprocal
40 agreement, or renewal of a license to practice
41 radiology.

42 Sec. 10. **NEW SECTION. 154D.1 PURPOSE.**

43 The legislature finds that the citizens of the
44 state of Iowa are entitled to the maximum protection
45 practicable from the harmful effects of excessive and
46 improper exposure to ionizing radiation; that the
47 protection can be increased by requiring appropriate
48 education and training of persons operating medical
49 equipment emitting ionizing radiation; and that it is
50 therefore necessary to establish standards of

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1 education, training, and experience for these
2 operators and to provide for their appropriate
3 examination and licensure.

4 Sec. 11. **NEW SECTION. 154D.2 DEFINITIONS.**

5 1. "Board" means the radiologic technology board
6 of examiners created by section 147.13.

7 2. "License" means a certificate issued by the
8 board authorizing the licensee to use equipment
9 emitting ionizing radiation on humans for diagnostic
10 or therapeutic purposes in accordance with this
11 chapter.

12 3. "Radiologist" means a physician who has been
13 educated and is skilled in the diagnostic and
14 therapeutic use of X rays and other forms of radiant
15 energy.

16 4. "Radiologic technologist" means a person who is
17 a radiographer, a limited radiographer, a radiation
18 therapy technologist, or a nuclear medicine tech-
19 nologist licensed pursuant to this chapter.

20 5. "Radiologic technology" means the use of

21 equipment or substances emitting ionizing radiation on
22 humans for diagnostic or therapeutic purposes.

23 6. "Radiographer" means a person, other than a
24 licensed professional, whose application of radiation
25 to humans is for diagnostic purposes.

26 7. "Limited radiographer" means a person, other
27 than a licensed professional, whose application of
28 radiation to humans for diagnostic purposes is limited
29 to only the regions of the toes to mid-femur, the
30 fingers to mid-humerus and the chest area.

31 8. "Nuclear medicine technologist" means a person,
32 other than a licensed professional, whose application
33 of radiopharmaceutical agents is for diagnostic
34 purposes.

35 9. "Radiation therapy technologist" means a
36 person, other than a licensed professional, whose
37 application of radiation to humans is for therapeutic
38 purposes.

39 10. "Practice of radiology" means engaging in any
40 of the professions licensed under this chapter.

41 Sec. 12. NEW SECTION. 154D.3 EXEMPTIONS AND
42 PERMITTED PRACTICES.

43 1. A person holding a license as provided by this
44 chapter shall use medical equipment or substances
45 emitting ionizing radiation on humans for diagnostic
46 or therapeutic purposes only on a case-by-case basis
47 at the direction of a licensed professional, and only
48 if the application of the equipment or substance is
49 limited in the manner specified.

50 2. This chapter does not apply to licensed

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1 professionals.

2 3. The requirement of a license does not apply to
3 a hospital resident specializing in radiology who is
4 not a licensed professional in the state of Iowa, or
5 to a student enrolled in and attending a school or
6 college of medicine, osteopathy, chiropractic,
7 podiatry, or radiologic technology who applies
8 radiation while under the supervision of a licensed
9 professional.

10 4. Professions covered by this chapter are exempt
11 from the requirements of section 136C.3, subsection 2.

12 Sec. 13. NEW SECTION. 154D.4 LICENSE
13 REQUIREMENTS.

14 1. The board shall admit to examination for
15 licensing, any applicant who pays to the department a
16 nonrefundable fee established by rule of the board and
17 submits satisfactory evidence, verified by oath or

18 affirmation, that the applicant:

19 a. At the time of application is at least eighteen
20 years of age.

21 b. Has successfully completed a course of study in
22 a secondary school approved by the state board of
23 education, or passed an approved equivalency test.

24 2. In addition to the requirements of subsection
25 1, a person seeking to obtain a license in a specific
26 area of radiologic technology must comply with the
27 following requirements:

28 a. An applicant for a license as a radiographer or
29 limited radiographer must have satisfactorily
30 completed a course of study in radiography approved by
31 the board, or its equivalent as determined by the
32 board.

33 b. An applicant for a license as a radiation
34 therapy technologist must have satisfactorily
35 completed a course of study in radiation therapy
36 technology approved by the board or its equivalent as
37 determined by the board.

38 c. The program of nuclear medicine technology
39 shall be a course of study approved by the board or
40 its equivalent as determined by the board, in addition
41 to education required for entrance to a nuclear
42 medicine educational program.

43 The essentials and curriculum for the courses
44 prescribed under paragraphs "a", "b" and "c" may
45 follow the committee on allied health education and
46 accreditation (CAHEA) standards provided that the
47 standards are not in conflict with board policies.

48 3. The board shall establish criteria and
49 standards for programs of study for radiography,
50 limited radiography, radiation therapy technology, or

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1 nuclear medicine technology and approve these programs
2 upon a finding that the standards and criteria have
3 been met.

4 4. An approved program of radiologic technology
5 may be offered by a medical or educational institution
6 or other public or private agency or institution, and,
7 for the purpose of providing the requisite clinical
8 experience, shall be affiliated with one or more
9 hospitals that, in the opinion of the board, are
10 equipped to provide the requisite experience.

11 **Sec. 14. NEW SECTION. 154D.5 EMPLOYMENT OF**
12 **UNLICENSED RADIATION TECHNOLOGIST PROHIBITED.**

13 A person shall not knowingly employ as a radiologic
14 technologist, a person who requires and does not

15 possess a valid license to engage in the practice of
 16 radiologic technology.
 17 Sec. 15. The board shall admit to examination for
 18 licensing, for two years after the effective date of
 19 this Act, any person meeting the requirements of
 20 subsection 1 of section 13 of this Act who has been
 21 actively employed as a radiographer, limited radio-
 22 grapher, radiation therapy technologist, or nuclear
 23 medicine technologist for a minimum of three of the
 24 last five years.”

ROBERT M. CARR

S-3320

1 Amend Senate File 381 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 “Section 1. Section 92.2, unnumbered paragraph 1,
 5 Code 1985, is amended to read as follows:
 6 ~~No A~~ person between ten and sixteen years of age
 7 shall not be employed or permitted to work with or
 8 without compensation in connection with any of the
 9 occupations mentioned in section 92.1 unless the
 10 worker complies with all the requirements for the
 11 issuance of work permits. Upon compliance with the
 12 requirements of this chapter, ~~such a person shall be~~
 13 is entitled to receive from the officer authorized to
 14 issue work permits, a work permit which shall
 15 authorize ~~such the~~ person to engage in the ~~occupations~~
 16 ~~set forth in section 92.1, work as a migratory laborer~~
 17 ~~at such a time or times specified in the work permit,~~
 18 ~~between five seven o'clock a.m. and seven-thirty~~
 19 ~~o'clock p.m., except nine o'clock p.m. June 1 through~~
 20 ~~Labor Day; provided that,~~
 21 **PARAGRAPH DIVIDED.** ~~nothing in However,~~ this
 22 chapter ~~shall be construed to does not~~ prohibit or
 23 restrict ~~such persons from~~ being employed or permitted
 24 to work without ~~such a~~ work permit in or in connection
 25 with the street occupations in cities of less than ten
 26 thousand population and in areas outside the corporate
 27 limits of any city; ~~in any.~~ In a city of ten thousand
 28 or more ~~inhabitants such persons,~~ a person shall
 29 comply with the requirements for the issuance of work
 30 permits as described in this chapter except the filing
 31 of an employer's agreement, but the school record so
 32 required shall certify only that the person is
 33 regularly attending school and that the work in which
 34 the person wishes to engage will not interfere with
 35 the person's progress at school. Upon compliance with

36 these requirements ~~such a person shall be~~ is entitled
 37 to receive from the officer authorized to issue work
 38 permits a street-occupation permit or badge which
 39 shall authorize ~~such the~~ the person to engage in the
 40 street occupations at ~~such a~~ a time or times specified
 41 in the work permit between ~~four seven~~ seven o'clock a.m. and
 42 seven-thirty o'clock p.m. each day during the hours
 43 that the public schools of the city or district where
 44 ~~such the~~ the person resides are not in session, except
 45 that during the summer school vacation, ~~such the~~ the
 46 person may engage in ~~such the~~ the occupation until the
 47 hour of ~~eight-thirty nine~~ nine o'clock p.m.
 48 Sec. 2. Section 92.7, Code 1985, is amended to
 49 read as follows:
 50 92.7 UNDER SIXTEEN -- HOURS PERMITTED.

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1 ~~No A~~ A person under sixteen years of age shall not be
 2 employed with or without compensation ~~except as~~
 3 ~~provided in section 92.3~~ before the hour of seven
 4 o'clock a.m. or after ~~seven seven-thirty~~ seven-thirty o'clock p.m.,
 5 except during the period from June 1 through Labor Day
 6 when the hours may be extended to nine o'clock p.m.
 7 If ~~such a~~ a person is employed for a period of five
 8 hours or more each day, an intermission of not less
 9 than thirty minutes shall be given. ~~No such A~~ A person
 10 under sixteen years of age shall not be employed for
 11 more than eight hours in one day, exclusive of
 12 intermission, nor ~~shall such person be employed~~ for
 13 more than forty hours in one week. ~~The However, the~~
 14 hours of work of persons under sixteen years of age
 15 employed outside school hours shall not exceed four in
 16 one day or twenty-eight in one week while school is in
 17 session."
 18 2. By renumbering sections as necessary.

EDGAR H.HOLDEN.

S-3321

1 Amend the amendment, S-3311, to Senate File 266 as
 2 follows:
 3 1. Page 1, line 30, by inserting after the word
 4 "inclusive." the following: "This same preference
 5 shall be extended to spouses and children of veterans
 6 who lost their lives as a result of their military
 7 service during the times specified in this section."

BEVERLY A. HANNON

S-3322

1 Amend House File 225 as amended, passed and
2 reprinted by the House as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 "Section 1. NEW SECTION. 99E.1 TITLE.
6 This chapter may be cited as the "Iowa Lottery
7 Act".
8 Sec. 2. NEW SECTION. 99E.2 DEFINITIONS.
9 As used in this chapter, unless the context
10 otherwise requires:
11 1. "Board" means the Iowa lottery board created in
12 section 99E.18.
13 2. "Director" means the director of the lottery.
14 3. "Division chief" means the head of each of the
15 three divisions of the lottery agency operating under
16 the director.
17 4. "Lottery" means the lottery created and
18 operated under this chapter.
19 5. "Commission" means the state gaming commission
20 created in section 99E.21.
21 6. "Licensee" means the person issued a license by
22 the director to sell lottery tickets. The licensee is
23 responsible for the licensee's employees' conduct
24 which is within the scope of this chapter.
25 Sec. 3. NEW SECTION. 99E.3 ESTABLISHMENT OF
26 LOTTERY --APPOINTMENT OF DIRECTOR -- OTHER EMPLOYEES.
27 1. A state agency is established to be known as
28 the Iowa lottery agency. Except as provided in
29 sections 99E.11 and 99E.13, subsection 4, the Iowa
30 lottery agency is subject to chapter 17A. It is a
31 separate agency of state government whose head is the
32 director.
33 2. The director shall be qualified by training and
34 experience to direct the lottery. The director shall
35 be appointed by the governor within thirty days after
36 the effective date of this Act subject to confirmation
37 by the senate, and shall serve at the pleasure of the
38 governor. A vacancy occurring in the office of the
39 director shall be filled in the same manner as the
40 original appointment. Section 2.32 applies to the
41 appointment of the director. The director shall
42 devote time and attention solely to the duties of the
43 office and shall not be engaged in any other
44 profession or occupation. The director shall receive
45 a salary determined by the governor within salary
46 range five as set by the general assembly.
47 3. The director may employ clerks, stenographers,
48 inspectors, agents, and other employees pursuant to

49 chapter 19A as necessary to carry out this chapter.

50 Sec. 4. NEW SECTION. 99E.4 DIRECTOR'S OATH --

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1 BOND --EMPLOYEES -- BONDING OF EMPLOYEES.

2 1. Before taking office, the director shall take
3 an oath to faithfully execute the duties of the office
4 according to the laws of the state, and shall give
5 bond with sufficient surety to be approved by the
6 governor in the sum of not less than twenty-five
7 thousand dollars, conditioned upon faithful execution
8 and performance of the duties of the office. The bond
9 when fully executed and approved shall be filed in the
10 office of the secretary of state. When in the
11 governor's opinion the bond has become or is likely to
12 become invalid or insufficient, the governor shall
13 require the director to renew the bond in an amount
14 approved by the governor but not less than twenty-five
15 thousand dollars. The cost of a bond given shall be
16 part of the necessary expenses of the lottery.

17 2. The director shall employ personnel necessary
18 to implement this chapter and shall comply with
19 chapter 692.

20 3. The director shall require lottery employees to
21 give bond in an amount the director determines. Each
22 bond when fully executed and approved shall be filed
23 in the office of the secretary of state. The cost of
24 each bond given shall be part of the necessary
25 expenses of the lottery.

26 Sec. 5. NEW SECTION. 99E.5 DUTIES OF THE BOARD -
27 - RULES --DIRECTOR.

28 1. The board and the director shall supervise the
29 lottery in order to produce the maximum amount of net
30 revenues for the state in a manner which maintains the
31 dignity of the state and the general welfare of the
32 people.

33 2. Subject to the approval of the board, the
34 director may enter into contracts for the operation
35 and marketing of the lottery, including contracts with
36 individuals or business organizations experienced in
37 the design and operation of state administered
38 lotteries of other states. A contract awarded or
39 entered into by the director shall not be assigned by
40 the contract holder except upon the written approval
41 of the board.

42 3. The director shall make rules which are subject
43 to the approval of the board and in accordance with
44 chapter 17A for implementing and preventing violations
45 of this chapter. The rules shall include but are not

46 limited to the following subject matters:
47 a. The fees charged for a license to sell lottery
48 tickets. The director shall determine the cost
49 incurred in processing applications for a license and
50 set the license fee to cover that cost except a

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1 license fee shall not be less than fifty dollars per
2 year. Revenue received by the lottery from license
3 fees shall be transferred to the lottery fund
4 immediately after the cost of processing license
5 applications is deducted.

6 b. The types of lottery games to be conducted. In
7 any other type of game utilizing instant tickets or
8 other tangible evidence of participation, each ticket
9 in the game shall bear a unique serial number
10 distinguishing it from every other ticket in the game,
11 and for each game utilizing instant tickets each
12 lottery number or symbol shall be accompanied by a
13 confirming caption consisting of a repetition of a
14 symbol or a description of the symbol in words.

15 c. The price of tickets in the lottery, including
16 but not limited to authorization of sales of tickets
17 at a discount for marketing purposes.

18 d. The number and size of the prizes on the
19 winning tickets, including but not limited to prizes
20 of free tickets in lottery games conducted by the
21 lottery and merchandise prizes. The lottery agency
22 shall maintain and make available for public
23 inspection at its offices during regular business
24 hours a detailed listing of the estimated number of
25 prizes of each particular denomination that are
26 expected to be awarded in any game that is on sale
27 and, after the end of the claim period, shall maintain
28 and make available a listing of the total number of
29 tickets sold in a game and the number of prizes of
30 each denomination which were awarded.

31 e. The method of selecting the winning tickets and
32 the manner of payment of prizes to the holders of
33 winning tickets. The rules may provide for payment by
34 the purchase of annuities in the case of prizes
35 payable in installments. Lottery employees shall
36 examine claims and shall not pay any prize for
37 altered, stolen, or counterfeit tickets nor tickets
38 which fail to meet validation rules established for a
39 lottery game. A prize shall not be paid more than
40 once. If the director determines that more than one
41 person is entitled to a prize, the sole remedy of the
42 claimants is to receive an equal share in the single

43 prize. The rules may provide for payment of prizes up
44 to five hundred dollars directly by the licensee.
45 f. The frequency of selection of winning tickets.
46 Drawings shall be held in public, and the actual
47 selection of winning tickets shall not be performed by
48 an employee of the lottery agency. Drawings shall be
49 witnessed by an independent certified public
50 accountant. Equipment used to select winning tickets

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1 or participants for prizes shall be examined by
2 lottery agency employees and an independent certified
3 public accountant prior to and after each public
4 drawing.

5 g. Requirements for eligibility for participation
6 in runoff drawings, including but not limited to
7 requirements for submission of evidence of
8 eligibility.

9 h. The locations at which tickets may be sold.

10 i. The method to be used in printing and selling
11 tickets or shares. An elected official's name shall
12 not be printed on the tickets or shares. The overall
13 estimated odds of winning a prize in any preprinted
14 ticket or share game shall be printed clearly,
15 conspicuously, and in easily readable print on each
16 ticket or share. The lottery shall maintain and make
17 available for public inspection, at its offices during
18 regular business hours a detailed listing of the
19 estimated number of prizes of each particular
20 denomination that are expected to be awarded in any
21 game that is on sale or the estimated odds of winning
22 such prizes and, after the end of the claim period,
23 shall maintain and make available a listing of the
24 total number of tickets or shares sold in a game and
25 the number of prizes of each denomination which were
26 awarded.

27 j. The issuing of licenses to sell tickets or
28 shares. In addition to any other rules made regarding
29 the qualifications of an applicant for a license, a
30 person shall not be issued a license if one or more of
31 the following applies:

32 (1) The person is under the age of eighteen.

33 (2) The person has been convicted of fraud or a
34 felony.

35 (3) The person has not been a licensee and has
36 been convicted or found to have committed a violation
37 of this chapter or a rule adopted pursuant to this
38 chapter.

39 (4) The person has previously been issued a

40 license under this chapter and the license was
41 revoked.

42 k. The compensation to be paid licensees including
43 but not limited to provision for variable compensation
44 based on sales volume or incentive considerations.

45 l. The form and type of marketing, informational,
46 and educational material to be permitted.

47 m. Subject to section 99E.6, the apportionment of
48 the annual revenues accruing from the sale of lottery
49 tickets and from other sources for the payment of
50 prizes to the holders of winning tickets and for the

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1 following:

2 (1) The payment of costs incurred in the operation
3 and administration of the lottery, including the
4 expenses of the lottery and the cost resulting from
5 contracts entered into for consulting or operational
6 services, or for marketing.

7 (2) Independent audits which shall be performed
8 annually in addition to the audits required by section
9 99E.16, subsection 3.

10 (3) Incentive programs for lottery licensees and
11 lottery employees.

12 (4) Payment of compensation to licensees necessary
13 to provide for the adequate availability of tickets or
14 services to prospective buyers and for the convenience
15 of the public.

16 (5) The purchase or lease of lottery equipment,
17 tickets, and materials.

18 n. Requirements that the odds of winning each
19 lottery prize shall be prominently displayed in all
20 marketing, educational, and informational material
21 associated with each lottery game unless by the nature
22 of the game the odds of winning cannot be determined
23 in advance. When required, the odds shall be printed
24 clearly, conspicuously, and in easily readable print.

25 o. In purchasing materials, supplies, entering
26 into contracts, purchasing annuities or prizes or
27 other services and materials in connection with the
28 lottery, the lottery agency shall strive to give
29 special consideration in purchasing from Iowa
30 businesses.

31 p. The board and the director may enter into
32 written agreements or compacts with another state or
33 states for the operation, marketing, and promotion of
34 a joint lottery or joint lottery games.

35 q. The lottery agency shall consult with the state
36 racing commission to facilitate the implementation of

37 this chapter.

38 Sec. 6. NEW SECTION. 99E.6 ALLOCATION AND
39 APPROPRIATION OF FUNDS GENERATED.

40 1. Upon receipt of any revenue, the director shall
41 deposit the moneys in the lottery fund created
42 pursuant to section 99E.16. As nearly as is
43 practicable, fifty percent of the annual revenue
44 computed on a year-round average basis for each type
45 of lottery game accruing from the sale of tickets is
46 appropriated for payment of prizes to the holders of
47 winning tickets. The prizes shall not be paid out in
48 a particular lottery game in excess of the total
49 revenues from sales of that game. After the payment
50 of prizes, the expenses of conducting the lottery

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1 including the salaries of employees and expenses of
2 the lottery agency attributable to the lottery shall
3 be determined. In addition, an amount equal to four
4 percent of the gross revenue from the sale of tickets
5 of shares shall be deducted as the sales tax on the
6 sale of those items, remitted to the treasurer of
7 state and deposited in the state general fund.
8 Lottery expenses for marketing, educational, and
9 informational material shall not exceed four percent
10 of the projected gross lottery revenue. An economic
11 development fund is created in the office of the
12 treasurer of state. Revenue remaining after expenses
13 are determined shall be transferred to the economic
14 development fund on a quarterly basis except as
15 provided in subsection 2. Prior to the quarterly
16 transfer to the economic development fund, the
17 director shall direct that lottery revenue be
18 deposited in interest bearing accounts designated by
19 the treasurer of state in the financial institutions
20 of this state. Interest paid on the deposits is
21 considered lottery revenue and shall be transferred to
22 the general fund in the same manner as other lottery
23 revenue.

24 2. At the time of each quarterly transfer pursuant
25 to subsection 1, an amount equal to half of one
26 percent of the gross lottery revenue for the preceding
27 quarter shall be deposited in a gamblers assistance
28 fund which is created in the office of the treasurer
29 of state. The fund shall be administered by the
30 commissioner of human services and used to provide
31 assistance and counseling to individuals and families
32 experiencing difficulty as a result of gambling losses
33 and to promote awareness of gamblers anonymous and

34 similar assistance programs.

35 3. Funds equal to any initial appropriation from
36 the general fund to the lottery shall be returned to
37 the general fund from the receipts of the sale of
38 tickets not later than July 1, 1986. The comptroller
39 shall not include lottery revenues in the
40 comptroller's fiscal year revenue estimates. Moneys
41 in the economic development fund shall not revert to
42 the general fund and shall not be considered to be a
43 part of the Iowa economic emergency fund.

44 Sec. 7. NEW SECTION. 99E.7 REPORTS.

45 1. The director shall report quarterly to the
46 governor and the treasurer of state. The quarterly
47 report shall include the total lottery revenue, prize
48 disbursements, and other expenses for the preceding
49 quarter. The fourth quarter report shall be included
50 in the annual report made pursuant to subsection 2.

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1 2. The director also shall report annually to the
2 governor, the treasurer of state, and the general
3 assembly. The annual report shall include a complete
4 statement of lottery revenues, prize disbursements,
5 and other expenses, and recommendations for changes in
6 the law which the director deems necessary or
7 desirable. The annual report shall be submitted
8 within ninety days after the close of a fiscal year.

9 3. The director shall report immediately to the
10 governor, the treasurer of state, and the general
11 assembly any matters that require immediate changes in
12 the law in order to prevent abuses or evasions of this
13 chapter or rules adopted or to rectify undesirable
14 conditions in connection with the administration or
15 operation of the lottery.

16 Sec. 8. NEW SECTION. 99E.8 STUDIES.

17 1. The director shall make a continuous study of
18 the lottery to ascertain any defects of this chapter
19 or in the rules which could result in abuses in the
20 administration and operation of the lottery or in any
21 evasion of this chapter or the rules of the director
22 and make recommendations for improvement in this
23 chapter.

24 2. The director shall make a continuous study of
25 the operation and the administration of similar laws
26 which may be in effect in other states, any written
27 material on the subject which is published or
28 available, any federal laws which may affect the
29 operation of the lottery, and the reaction of citizens
30 to existing and potential features of the lottery in

31 order to recommend changes that will serve the
32 purposes of this chapter.

33 3. The director shall make a demographic study of
34 lottery players.

35 Sec. 9. NEW SECTION. 99E.9 CONFLICT OF INTEREST
36 --PENALTY.

37 1. A member of the board, the director, or an
38 employee of the lottery shall not directly or
39 indirectly, individually, or as a member of a
40 partnership or other association, or as a shareholder,
41 director, or officer of a corporation have an interest
42 in dealing in a lottery or in the ownership or leasing
43 of property used by or for a lottery.

44 2. A member of the board, the director, an
45 employee of the lottery, or a member of their
46 immediate family shall not ask for, offer to accept,
47 or receive a gift, gratuity, or other thing of more
48 than fifty dollars in value from a person contracting
49 or seeking to contract with the state to supply gaming
50 equipment or materials for use in the operation of a

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1 lottery or from an applicant for a license to sell
2 tickets or shares in the lottery or from a licensee.
3 3. A person contracting or seeking to contract
4 with the state to supply gaming equipment or materials
5 for use in the operation of a lottery, an applicant
6 for a license to sell tickets or shares in the
7 lottery, or a licensee shall not offer a member of the
8 board, the director, an employee of the lottery, or a
9 member of their immediate family a gift, gratuity, or
10 other thing of more than fifty dollars in value.

11 4. A member of the board, the director, or an
12 employee of the lottery who violates a provision of
13 this section, or if a member of their immediate family
14 violates a provision of this section, shall be
15 immediately removed from the office or position.

16 5. A violation of this section is a serious
17 misdemeanor.

18 6. As used in this section, "member of their
19 immediate family" means a spouse, child, stepchild,
20 brother, brother-in-law, stepbrother, sister, sister-
21 in-law, stepsister, parent, parent-in-law, or
22 stepparent residing as a member of the same household
23 in the principal residence of the member of the board,
24 the secretary, the director, or an employee.

25 7. In addition to the prohibitions of this
26 section, the prohibitions of section 722.1 and 722.2
27 are applicable.

28 Sec. 10. NEW SECTION. 99E.10 LOTTERY DIVISIONS -
29 - DIVISION CHIEFS.

- 30 1. The Iowa lottery agency has three divisions:
31 a. A security and licensing division.
32 b. A personnel, data processing, and accounting
33 division.
34 c. A marketing, education, and information
35 division.
36 2. Each division shall be under the supervision of
37 a division chief appointed by the director and each
38 division chief shall have expertise in the functions
39 of the division. The director shall designate one of
40 the division heads to serve as acting director during
41 the director's absence.
42 3. Departments, boards, commissions, or other
43 agencies of this state at their discretion may provide
44 assistance to the lottery upon the request of the
45 director.

46 Sec. 11. NEW SECTION. 99E.11 POWER TO ADMINISTER
47 OATHS AND TAKE TESTIMONY -- SUBPOENA.

48 The director or the director's designee authorized
49 to conduct an inquiry, investigation, or hearing under
50 this chapter may administer oaths and take testimony

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1 under oath relative to the matter of inquiry,
2 investigation, or hearing. An inquiry, investigation
3 or hearing under this section is not a contested case
4 under the Iowa administrative procedure Act, chapter
5 17A. At a hearing ordered by the director, the
6 director or the designee may subpoena witnesses and
7 require the production of records, papers, and
8 documents pertinent to the hearing.

9 Sec. 12. NEW SECTION. 99E.12 LICENSING -- BONDS.

10 1. The director shall license persons to sell
11 lottery tickets to best serve public convenience. A
12 licensee shall not engage in business exclusively to
13 sell lottery tickets. A licensee's profits from the
14 sale of lottery tickets shall not exceed ten percent
15 of the profits of the licensee's overall business
16 operations. Before issuing a license the director
17 shall consider the financial responsibility and
18 security of the applicant, the applicant's business or
19 activity, the accessibility of the applicant's place
20 of business or activity to the public, the sufficiency
21 of existing licensees to serve the public convenience,
22 and the volume of expected sales. A licensee shall
23 cooperate with the lottery by using point-of-purchase
24 materials, posters, and other educational,

25 informational, and marketing materials when requested
26 to do so by the lottery. Lack of cooperation is
27 sufficient cause for revocation of a person's license.
28 2. A licensee shall sell tickets only on the
29 premises stated in the license. A licensee shall
30 display the license or a copy of the license together
31 with the lottery rules wherever tickets are sold. A
32 license is not assignable or transferable. The
33 director may issue a temporary license when deemed
34 necessary.

35 3. The director shall require a bond from a
36 licensee in an amount as provided in the rules
37 graduated according to the volume of expected sales of
38 lottery tickets by the licensee, or may require a
39 licensee to furnish evidence of financial
40 responsibility.

41 4. A bond shall not be canceled by a surety on
42 less than thirty days' notice in writing to the
43 director. If a bond is canceled and the licensee
44 fails to file a new bond with the director in the
45 required amount on or before the effective date of
46 cancellation, the licensee's license shall be
47 automatically suspended. A suspended license shall be
48 revoked if the requirements of this subsection are not
49 met within thirty days of the license suspension. The
50 total and aggregate liability of the surety on the

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1 bond is limited to the amount specified in the bond.

2 5. Subject to the approval of the board, the
3 director may authorize compensation to licensees in
4 the manner and amounts and subject to the limitations
5 the director determines if the director finds that
6 compensation is necessary to assure adequate
7 availability of lottery tickets.

8 6. A license shall not be granted to an applicant
9 if there is substantial evidence of any of the
10 following:

11 a. A license of the applicant to sell lottery
12 tickets has been suspended or revoked in another
13 jurisdiction by the authority regulating a lottery or
14 by a court of that jurisdiction.

15 b. The applicant has not demonstrated financial
16 responsibility sufficient to adequately meet the
17 requirements of the proposed enterprise.

18 c. The applicant is not the true owner of the
19 proposed lottery business.

20 d. The applicant is not the sole owner, and other
21 persons have ownership in the proposed lottery

22 business, which fact has not been disclosed.

23 e. The applicant has knowingly made a false
24 statement of material fact to the director.

25 7. The director shall revoke the license of a
26 licensee who violates any condition listed in this
27 section.

28 Sec. 13. NEW SECTION. 99E.13 SUSPENSION OR
29 REVOCATION OF LICENSE -- HEARINGS -- HEARING BOARD.

30 1. The director may suspend or revoke the license
31 of a licensee who violates a provision of this chapter
32 or a rule adopted pursuant to this chapter. If the
33 director suspends or revokes a license, or refuses to
34 grant a license, the aggrieved party is entitled to a
35 hearing by filing a written request with the director.
36 Upon receipt of the request for hearing, the director
37 shall set a hearing date within thirty days of receipt
38 of the request, and shall notify the aggrieved party,
39 in writing, at least seven days in advance of the
40 hearing date. The director may stay the revocation or
41 suspension of a license pending the outcome of the
42 hearing, when a stay is requested with the request for
43 hearing.

44 2. A three-member hearing board for the purpose of
45 conducting hearings relating to controversies
46 concerning the issuance, suspension, or revocation of
47 licenses is created. One member shall be a designee
48 of the board, one member shall be the treasurer of
49 state or a designee of the treasurer of state, and one
50 member shall be the commissioner of public safety or a

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1 designee of the commissioner of public safety. The
2 lottery agency shall adopt rules and procedures for
3 conducting the hearings.

4 3. A license shall not be suspended for less than
5 one hundred twenty days. A former licensee whose
6 license is revoked is not eligible to receive another
7 license.

8 4. Section 17A.18 does not apply to a revocation
9 or suspension under this section and a hearing held
10 under this section is not a contested case under the
11 Iowa administrative procedure Act, chapter 17A.

12 Sec. 14. NEW SECTION. 99E.14 PROHIBITED SALES OF
13 TICKETS -- FORGERY OF TICKET -- PENALTIES.

14 1. A ticket shall not be sold at a price greater
15 than that fixed by the board and the director and a
16 sale shall not be made other than by a licensee or an
17 employee of the licensee who is authorized by the
18 licensee to sell tickets. A person who violates a

19 provision of this subsection is guilty of a simple
20 misdemeanor.

21 2. A ticket shall not be sold to a person who has
22 not reached eighteen years of age. This does not
23 prohibit the lawful purchase of a ticket for the
24 purpose of making a gift to a person who has not yet
25 reached eighteen years of age. A licensee or a
26 licensee's employee who knowingly sells or offers to
27 sell a lottery ticket to a person who has not reached
28 eighteen years of age is guilty of a simple
29 misdemeanor. A prize won by a person who has not
30 reached eighteen years of age but who purchases a
31 winning ticket in violation of this subsection shall
32 be forfeited.

33 3. A ticket shall not be purchased by and a prize
34 shall not be paid to a member of the board, the
35 director of the lottery or to a spouse, child,
36 stepchild, brother, brother-in-law, stepbrother,
37 sister, sister-in-law, stepsister, parent, parent-in-
38 law, or stepparent residing as a member of the same
39 household in the principal residence of a member of
40 the board, the director or employee. A ticket
41 purchased in violation of this subsection is void.

42 4. A person who, with intent to defraud, falsely
43 makes, alters, forges, utters, passes, or counterfeits
44 a lottery ticket is guilty of a class D felony.

45 Sec. 15. NEW SECTION. 99E.15 DISTRIBUTION OF
46 PRIZES --UNCLAIMED PRIZES -- NONASSIGNABILITY OF PRIZE
47 RIGHT.

48 1. The director shall award the designated prize
49 to the ticket holder upon presentation of the winning
50 ticket.

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1 All cash prizes awarded are Iowa earned income.
2 Before a prize of six hundred dollars or more is
3 awarded the director or the director's designee shall
4 deduct an amount equal to that amount necessary to pay
5 the estimated state and the federal taxes on the
6 prize. An amount deducted from the prize for payment
7 of a federal tax shall be transferred by the director
8 to the federal department of revenue on behalf of the
9 prize winner. An amount deducted from the prize for
10 payment of a state tax shall be transferred by the
11 director to the state department of revenue on behalf
12 of the prize winner. Unclaimed prize money for the
13 prize on a winning ticket shall be retained by the
14 director for ninety days after the drawing in which
15 the prize was won in the case of a drawing prize and

16 for ninety days after the announced end of the game in
 17 the case of a prize determined in a manner other than
 18 by drawing. If a valid claim is not made for the
 19 money within the applicable period, the prize money
 20 shall be added to future prize pools and given to
 21 holders of winning tickets in addition to amounts
 22 already allocated.

23 2. The right of a person to a prize drawn is not
 24 assignable, except that payment of a prize may be made
 25 to the estate of a deceased prize winner or to another
 26 person pursuant to an appropriate judicial order. The
 27 director shall be discharged of all further liability
 28 upon payment of a prize pursuant to this subsection.
 29 This section does not prohibit the making of a gift of
 30 a lottery ticket to a person if the gift is made
 31 before it is determined whether a prize has been won
 32 with the ticket.

33 Sec. 16. NEW SECTION. 99E.16 DEPOSIT OF RECEIPTS
 34 FROM TICKET SALES -- LOTTERY FUND -- QUARTERLY AUDITS.

35 1. Subject to the approval of the board, the
 36 director may require licensees to deposit to the
 37 credit of the lottery agency in financial institutions
 38 designated by the director, money received by
 39 licensees from sale of tickets, less the amount of
 40 compensation, if any, authorized under section 99E.12,
 41 subsection 5, and to file with the director reports of
 42 receipts and transactions in the sale of tickets, in
 43 the form and containing the information the director
 44 requires.

45 2. A lottery fund is created. The fund consists
 46 of all revenues received from the sale of lottery
 47 tickets and all other moneys lawfully credited or
 48 transferred to the fund. The director shall certify
 49 quarterly that portion of the fund that is transferred
 50 to the general fund under section 99E.6 and shall

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1 cause that portion to be transferred to the economic
 2 development fund of the state.

3 3. The auditor of state or a certified public
 4 accounting firm appointed by the auditor shall conduct
 5 quarterly audits of all accounts and transactions of
 6 the lottery and other special audits as the auditor of
 7 state, the general assembly, or the governor deems
 8 necessary. The auditor or a designee conducting an
 9 audit under this chapter shall have access and
 10 authority to examine any and all records of licensees.

11 Sec. 17. NEW SECTION. 99E.17 LIABILITY AND
 12 FUNDING.

13 The board and the director shall operate the
 14 lottery so that after the initial state appropriation,
 15 it shall be self-sustaining and self-funded. A claim
 16 for the payment of an expense of the lottery and the
 17 payment of a lottery prize shall not be made unless it
 18 is against the lottery fund or money collected from
 19 the sale of lottery tickets. Except for the initial
 20 appropriation to the lottery, funds of the state shall
 21 not be used or obligated to pay the expenses of the
 22 lottery or prizes of the lottery.

23 Sec. 18. NEW SECTION. 99E.18 LOTTERY BOARD.

24 An Iowa lottery board is created to consist of five
 25 members, not more than three of whom shall be from the
 26 same political party, and who shall be appointed by
 27 the governor subject to confirmation by the senate.
 28 The governor shall appoint the board members within
 29 sixty days of the effective date of this Act. The
 30 term of each member shall begin as provided in section
 31 69.19 and shall continue until June 30, 1987. A
 32 vacancy on the board shall be filled in the same
 33 manner as regular appointments are made and the term
 34 shall be for the unexpired portion of the regular
 35 term.

36 Sec. 19. NEW SECTION. 99E.19 BOARD MEETINGS.

37 The board shall hold at least one meeting each
 38 month and as often as necessary. The board shall
 39 select a chairperson from its membership at the first
 40 regular meeting of the board and shall thereafter
 41 select a chairperson at the first regular meeting of
 42 each fiscal year. Written notice of the time and
 43 place of each meeting shall be given to each member of
 44 the board. A majority of the board constitutes a
 45 quorum.

46 Sec. 20. NEW SECTION. 99E.20 EXPENSES -- SALARY.

47 Members of the board shall be paid an annual salary
 48 of six thousand dollars. Members shall also be
 49 allowed the actual and necessary expenses incurred in
 50 the performance of their duties. The expenses

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1 incurred by members of the board and the salaries paid
 2 to members of the board are part of the necessary
 3 expenses of the lottery agency.

4 Sec. 21. NEW SECTION. 99E.21. STATE GAMING
 5 COMMISSION -- MEMBERS -- TERM -- SALARY -- PURPOSE.

6 1. An Iowa state gaming commission is created to
 7 consist of five members, not more than three of whom
 8 shall be from the same political party, and who shall
 9 be appointed by the governor subject to confirmation

10 by the senate. The members shall be residents of the
11 state. Members shall serve not to exceed a three-year
12 term at the pleasure of the governor. The term of
13 each member shall begin and end as provided in section
14 69.19. A vacancy on the commission shall be filled in
15 the same manner as regular appointments are made and
16 the term shall be for the unexpired portion of the
17 regular term.

18 2. Commission members shall each receive an annual
19 salary of twelve thousand dollars. In addition,
20 members shall be reimbursed for necessary travel and
21 expenses incurred in the performance of their duties.

22 3. The commission members shall elect in July of
23 each year one of its members chairperson for the
24 succeeding year.

25 4. The primary purpose of the commission is to
26 supervise and coordinate the various gaming activities
27 conducted or permitted by the state.

28 Sec. 22. NEW SECTION. 99E.22. COMMISSIONER AND
29 OTHER EMPLOYEES -- DUTIES -- BOND.

30 The commission shall employ a commissioner to
31 supervise the daily operations of the commission and
32 other assistants and employees as necessary to carry
33 out its duties. Some or all of the information
34 required of applicants in section 99D.8A, subsections
35 1 and 2, may also be required of employees of the
36 commission if the commission deems it necessary. The
37 commissioner shall keep a record of the proceedings of
38 the commission, preserve the books, records, and
39 documents entrusted to the commissioner's care, and
40 perform other duties as the commission prescribes.
41 The commission shall require the commissioner to post
42 a bond in a sum it may fix, conditioned upon the
43 faithful performance of the commissioner's duties.
44 Subject to the approval of the governor, the
45 commission shall fix the compensation of its
46 commissioner within salary range five as set by the
47 general assembly. The commission shall also fix the
48 compensation of its other employees, subject to the
49 approval of the governor. The commission shall have
50 its headquarters in the city of Des Moines, and shall

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1 meet in July of each year and at other times and
2 places as it finds necessary for the discharge of its
3 duties.

4 Sec. 23. Effective July 1, 1987 the following
5 reorganization of state agencies shall result:

6 1. The operations of the state racing commission,

7 the Iowa lottery agency, and those portions of the
8 department of revenue which regulate the conducting of
9 games of skill, chance and raffles shall be
10 transferred to the state gaming commission.

11 2. All employees of the state racing commission
12 and the Iowa lottery agency shall be transferred to
13 the state gaming commission. Any employee of the
14 department of revenue whose duty assignment will be
15 terminated because of this Act may be reassigned to
16 other duties or may be transferred to the state gaming
17 commission.

18 3. All rules, forms, orders, and directives
19 adopted by and in effect for the state racing
20 commission on July 1, 1987 shall continue to be valid
21 and enforceable as rules, forms, orders, and
22 directives of the state gaming commission until
23 amended, supplemented, or repealed by affirmative
24 action of the state gaming commission.

25 4. All rules, forms, orders, and directives
26 adopted by and in effect for the Iowa lottery agency
27 on July 1, 1987 shall continue to be valid and
28 enforceable as rules, forms, orders, and directives of
29 the state gaming commission until amended,
30 supplemented, or repealed by affirmative action of the
31 state gaming commission.

32 5. All rules, forms, orders, and directives
33 adopted by and in effect for the department of revenue
34 on July 1, 1987 relating to the regulation of games of
35 skill, chance, and raffles shall continue to be valid
36 and enforceable as rules, forms, orders, and
37 directives of the state gaming commission until
38 amended, supplemented, or repealed by affirmative
39 action of the state gaming commission.

40 Sec. 24. Effective July 1, 1987 all references in
41 the Code to the state racing commission, the Iowa
42 lottery agency, and the department of revenue in
43 relation to regulation of games of skill, chance and
44 raffles shall mean the state gaming commission.

45 Sec. 25. Notwithstanding section 21 of this Act,
46 the governor shall appoint initial members of the
47 commission established under that section to staggered
48 terms, two to end the year following appointment, two
49 to end two years following appointment, and one to end
50 three years following appointment. The initial

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1 members shall be appointed from the members serving on
2 the state racing commission and the Iowa lottery board
3 on June 30, 1987. The governor shall appoint initial
4 members in the same manner as vacancies, subject to
5 section 2.32.

6 Sec. 26. Effective July 1, 1987, sections 99D.5,
7 99D.6, 99E.18, 99E.19, and 99E.20, Code 1985, are
8 repealed.

9 Sec. 27. Section 422.43, subsection 2, Code 1985,
10 is amended to read as follows:

11 2. There is imposed a tax of four percent upon the
12 gross receipts derived from the operation of all forms
13 of amusement devices and games of skill, games of
14 chance, raffles and bingo games as defined in chapter
15 99B, operated or conducted within the state of Iowa,
16 the tax to be collected from the operator in the same
17 manner as is provided for the collection of taxes upon
18 the gross receipts of tickets or admission as provided
19 in this section. The tax shall also be imposed upon
20 the gross receipts derived from the sale of lottery
21 tickets or shares pursuant to chapter 99E. The tax on
22 the lottery tickets or shares shall be included in the
23 sales price and distributed to the general fund as
24 provided in section 99E.10.

25 Sec. 28. Section 537A.4, unnumbered paragraph 2,
26 Code 1985, is amended to read as follows:

27 This section does not apply to a contract for the
28 operation of or for the sale or rental of equipment
29 for games of skill or games of chance, if both the
30 contract and the games are in compliance with chapter
31 99B. This section does not apply to wagering under
32 the pari-mutuel method of wagering authorized by
33 chapter 99D. This section does not apply to the sale,
34 purchase or redemption of a ticket in the state
35 lottery in compliance with chapter 99E.

36 Sec. 29. Section 725.15, Code 1985, is amended to
37 read as follows:

38 725.15 EXCEPTIONS FOR LEGAL GAMBLING.

39 Sections 725.5 to 725.10 and ~~section 725.12 shall~~
40 ~~do not apply to any a~~ game, activity or device when
41 lawfully possessed, used, conducted or participated in
42 pursuant to chapter 99B or chapter 99E.

43 Sec. 30. It is the intent of the general assembly
44 that subject to the approval of the commission, the
45 director shall initiate and operate a lottery at the
46 earliest possible time.

47 Sec. 31. It is the intent of the general assembly
48 that sections 1 through 29 of this Act shall have

49 temporary effect only, that those portions of chapter
50 99E establishing a state lottery are repealed on July

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1 1, 1990 other than to implement the winding down of
2 the operations of the Iowa lottery. The amendments to
3 sections 537A.4 and 725.15 made in this Act shall be
4 stricken when chapter 99E is repealed.
5 Sec. 32. This Act, being deemed of immediate
6 importance, takes effect from and after its
7 publication in The Cascade Pioneer-Advertiser, a
8 newspaper published in Cascade, Iowa, and in the
9 Muscatine Journal, a newspaper published in Muscatine,
10 Iowa.”
11 2. Title page, by striking lines 1 through 25 and
12 inserting the following: “An Act relating to gaming
13 by creating a state gaming commission, a state lottery
14 agency, establishing a state lottery, providing for
15 the reorganization of gaming regulation, providing for
16 a lottery director, a state lottery fund for the
17 deposit of receipts and for the payment of prizes and
18 expenses, licensing of lottery ticket sales agents,
19 administrative procedures necessary in carrying out
20 the intent of the Act, imposing the sales tax on the
21 gross lottery revenues from sale of lottery tickets or
22 shares making certain acts illegal, providing
23 penalties, providing that revenue generated shall be
24 distributed to a specially created economic
25 development fund, and providing for repeal of portions
26 of the Act.”

COMMITTEE ON
WAYS AND MEANS
WILLIAM D. PALMER, Chair

HOUSE AMENDMENT TO
SENATE FILE 150

S-3323

1 Amend Senate File 150 as passed by the Senate as
2 follows:
3 1. Page 1, line 3, by striking the word “July”
4 and inserting the following: “July or”.
5 2. Page 1, line 13, by striking the word
6 “August,” and inserting the following: “July or
7 August of”.

HOUSE AMENDMENT TO
SENATE FILE 269

S-3324

1 Amend Senate File 269 as passed by the Senate as
2 follows:
3 1. Page 2, by inserting after line 24 the
4 following: "The licensing boards for which general
5 fund appropriations have been provided for in
6 subsections 1, 2, 4, 6, 7, 8 and 9 may expend
7 additional funds, if those additional expenditures are
8 directly the cause of actual examination expenses
9 exceeding funds budgeted for examinations. Before a
10 licensing board included in subsection 1, 2, 4, 6, 7,
11 8 or 9 expends or encumbers an amount in excess of the
12 funds budgeted for examinations, the state comptroller
13 shall approve the expenditure or encumbrance. Before
14 approval is given, the state comptroller shall
15 determine that the examination expenses exceed the
16 funds budgeted by the general assembly to the board
17 and the board does not have other funds from which
18 examination expenses can be paid. Upon approval of
19 the state comptroller the licensing board may expend
20 and encumber funds for excess examination expenses.
21 The amounts necessary to fund the excess examination
22 expenses shall be collected as fees from additional
23 examination applicants and shall be treated as
24 repayment receipts as defined in section 8.2,
25 subsection 5."

S-3325

1 Amend Senate File 407 as follows:
2 1. Page 1, by striking line 28.

C. JOSEPH COLEMAN

S-3326

1 Amend House File 377 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 16, line 28, by inserting after the word
4 "tax." the following: "A local vehicle tax shall only
5 be imposed by a county and shall apply to all
6 incorporated and unincorporated areas of the county."
7 2. Page 18, lines 9 and 10, by striking the words
8 "twenty-five cents per axle" and inserting the
9 following: "one dollar per vehicle".
10 3. Page 19, line 4, by striking the word "axle"

- 11 and inserting the following: "vehicle".
- 12 4. Page 19, line 5, by striking the words "city
13 or".
- 14 5. Page 19, line 8, by striking the words "city
15 or".
- 16 6. Page 19, line 9, by inserting after the word
17 "vehicle." the following: "The local vehicle tax
18 shall be imposed only on the renewals of registrations
19 and shall be payable during the registration renewal
20 periods provided under sections 321.26 and 321.40."
- 21 7. Page 19, line 10, by striking the words "city
22 or".
- 23 8. Page 19, by striking lines 17 through 20 and
24 inserting the following: "321.18 and which is
25 registered with the county treasurer."
- 26 9. Page 19, line 35, by striking the word
27 "including" and inserting the following: "excluding".
- 28 10. Page 20, line 2, by inserting after the word
29 "treasurer." the following: "The assistance provided
30 by the director shall include but not be limited to
31 the enhancing of the state's motor vehicle computer in
32 the areas of collection and reporting of local vehicle
33 taxes."
- 34 11. Page 20, line 5, by striking the words "as a
35 result of its tax" and inserting the following: "from
36 residents of the city".
- 37 12. Page 20, line 7, by striking the words "as a
38 result of its tax" and inserting the following: "from
39 residents of the unincorporated area".
- 40 13. Page 20, line 11, by inserting after the word
41 "county." the following: "Any penalties collected
42 shall be credited to the county general fund to be
43 used to defray the cost to the county of administering
44 the local vehicle tax."
- 45 14. Page 20, line 14, by inserting after the word
46 "for" the following: "the renewal of the".
- 47 15. Page 20, line 16, by inserting after the word
48 "for" the following: "the renewal of the".
- 49 16. Page 20, by striking line 18 and inserting
50 the following: "shall not renew a registration

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- 1 certificate".
- 2 17. Page 20, by striking lines 24 through 27 and
3 inserting the following: "the type of notation. A
4 local vehicle tax shall not be".
- 5 18. Page 24, by striking lines 31 and 32 and
6 inserting the following: "failed to pay any local
7 vehicle taxes due in that county on that vehicle".

8 19. Page 25, line 4, by striking the word "wheel"
9 and inserting the following: "local vehicle".

RICHARD F. DRAKE

S-3327

1 Amend Senate File 439 as follows:
2 1. Page 1, line 12, by inserting after the word
3 "product." the following: "The selection shall be
4 made after the pharmacist meets with the patient or
5 patient's adult representative personally."

THOMAS A. LIND

S-3328

1 Amend Senate File 439 as follows:
2 1. Page 1, line 12, by inserting after the word
3 "product" the following: "if the same manufacturer
4 manufactures both the prescribed drug product and the
5 identical drug product".

THOMAS A. LIND

S-3329

1 Amend Senate File 439 as follows:
2 1. Page 1, line 20, by striking the word "person"
3 and inserting the following: "patient or patient's
4 adult representative".

THOMAS A. LIND

S-3330

1 Amend Senate File 439 as follows:
2 1. Page 1, line 18, by striking the word
3 "prescriber" and inserting the following: "physician,
4 dentist, podiatrist or veterinarian".

THOMAS A. LIND

S-3331

1 Amend Senate File 439 as follows:
2 1. Page 1, by inserting after line 34, the
3 following:
4 "The pharmacist shall post a visual sign in a
5 conspicuous place at the pharmacist's place of

6 business indicating that the pharmacist is allowed to
7 select an identical drug product under conditions and
8 specifications of this Act.”

THOMAS A. LIND

S-3332

1 Amend Senate File 439 as follows:
2 1. Page 1, line 10, by striking the word
3 “essentially”.

THOMAS A. LIND

S-3333

1 Amend Senate File 459 as follows:
2 1. Page 5, by inserting after line 2 the
3 following:
4 “Sec. ____ This Act, being deemed of immediate
5 importance, takes effect from and after its
6 publication in The Belle Plaine Union, a newspaper
7 published in Belle Plaine, Iowa, and in The Schleswig
8 Leader, a newspaper published in Schelswig, Iowa.”

BILL HUTCHINS
EMIL J. HUSAK

S-3334

1 Amend Senate File 116 as follows:
2 1. Title, by striking lines 1 and 2 and inserting
3 the following: “An Act to require a sufficient
4 number of wells at each sanitary disposal project to
5 adequately monitor ground water quality.”

CHARLES BRUNER

S-3335

1 Amend Senate File 356 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 “Section 1. NEW SECTION. 135D.27 CONVERSION TO
5 MOBILE HOME.
6 1. A mobile home converted to real estate under
7 section 135D.26 may be reconverted to a mobile home as
8 provided in this section.
9 2. If the vehicular frame of the former mobile
10 home can be modified to return it to the status of a

11 mobile home, the owner may apply to the county
12 treasurer as provided in section 321.20 for a
13 certificate of title for the mobile home. If a
14 mortgage exists on the real estate including the
15 former mobile home, a security interest in the mobile
16 home shall be given to the secured party and noted on
17 the certificate of title with the same priority or a
18 higher priority than the secured party's mortgage
19 interest or the owner shall obtain the written consent
20 of the secured party to the conversion.

21 3. After complying with subsection 2 and receipt
22 of the title, the owner shall notify the assessor of
23 the reconversion. The assessor shall remove the
24 assessed valuation of the mobile home from assessment
25 rolls as of the succeeding January 1 when the mobile
26 home becomes subject to taxation as provided under
27 section 135D.24.

28 Sec. 2. Section 135D.26, subsection 1, paragraph
29 b, Code 1985, is amended by striking the paragraph and
30 inserting in lieu thereof the following:

31 b. Modification of the vehicular frame for
32 placement on a permanent foundation.

33 Sec. 3. Section 321.30, Code 1985, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 11. In the case of a mobile home
36 converted from real estate, real estate taxes which
37 are delinquent."

38 2. Amend the title, by striking lines 1 and 2 and
39 inserting the following: "An Act authorizing the
40 issuance of a certificate of title for a reconverted
41 mobile home or a vehicle when the previous title".

DONALD V. DOYLE

S-3336

1 Amend Senate File 398 as follows:

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

4 "Section 1. Section 275.12, Code 1985, is amended
5 by adding the following new subsection:

6 NEW SUBSECTION. 6. The area education agency
7 board in reviewing such petition as provided in
8 section 275.15 and 275.16 may amend the petition to
9 remove the levy to pay the interest and principal of
10 bonds from property that is severed from the political
11 subdivision and will not become a part of the new
12 school district if the districts are reorganized.

13 However, if this amendment to the petition does not
14 maintain security for outstanding obligations of each

- 15 affected district, the obligation for payment of
 16 interest and principal shall be decided pursuant to
 17 sections 275.28 to 275.31.”
 18 2. By striking page 1, line 31, through page 2,
 19 line 1.
 20 3. Page 2, line 30, by striking the words “of the
 21 year”.
 22 4. Page 3, line 22, by striking the word “ninety”
 23 and inserting the following: “one hundred twenty”.

COMMITTEE ON EDUCATION
 JOE BROWN, Chair

S-3337

- 1 Amend Senate File 461 as follows:
 2 1. Page 4, line 35, by striking the word
 3 “functioning” and inserting the following:
 4 “functioning, and which are provided pursuant to a
 5 written treatment plan”.

CHARLES BRUNER

S-3338

- 1 Amend Senate File 451 as follows:
 2 1. Page 9, by inserting after line 32 the
 3 following:
 4 “f. The financial incentive payment may be used in
 5 combination with other public funds.”

COMMITTEE ON
 APPROPRIATIONS
 JOE WELSH, Chair

S-3339

- 1 Amend Senate File 403 as follows:
 2 1. Page 1, line 18, by striking the words
 3 “district the” and inserting the following: “district
 4 an amount not to exceed sixty-five percent of the”.

RAY TAYLOR
 BEVERLY A. HANNON

S-3340

1 Amend Senate File 293 as follows:
2 1. Page 1, line 4, by striking the word "STAFF"
3 and inserting the following: "STATE".
4 2. Page 1, by striking line 12 and inserting the
5 following: "improving fire education".
6 3. Page 1, line 13, by striking the word
7 "services".
8 4. Page 1, by striking lines 16 through 18 and
9 inserting the following: "programs may include
10 persons engaged with a unit of".
11 5. Page 1, line 30, by inserting after the word
12 "standards" the following: "or any fire service
13 education may be conducted pursuant to chapter 28E
14 agreements".
15 6. Page 2, line 2, by striking the word "will"
16 and inserting the following: "may".
17 7. Page 2, by striking lines 32 and 33 and
18 inserting the following: "be composed of two members
19 from each of the following organizations chosen from a
20 list of names, submitted by each of the following
21 organizations: Iowa firemen's association, Iowa fire
22 chiefs' association, Iowa association of professional
23 firefighters, Iowa association of professional fire
24 chiefs, Iowa society of fire service instructors,
25 hawkeye state fire safety association, and Iowa
26 chapter of the international association of arson
27 investigators. The advisory committee shall be
28 appointed by".
29 8. Page 3, by striking lines 1 through 3 and
30 inserting the following: "the advisory committee."
31 9. Page 3, line 15, by inserting after the word
32 "process" the following: ", and the funding request
33 shall be a separate line item in the board's
34 appropriations request".

CHARLES P. MILLER

S-3341

1 Amend Senate File 445 as follows:
2 1. Page 1, by striking lines 4 and 5 and
3 inserting in lieu thereof the following:
4 "administrative head of the division of product
5 management, the administrative head of the division of
6 store management, and occasional and part-time
7 employees of".

RICHARD DRAKE

S-3342

- 1 Amend Senate File 453 as follows:
- 2 1. Page 14, by striking lines 20 through 24.

ROBERT M. CARR

S-3343

- 1 Amend Senate File 343 as follows:
- 2 1. Page 1, line 16, by striking the words
- 3 "twenty-five" and inserting the following: "thirty-
- 4 five".

C. JOSEPH COLEMAN

S-3344

- 1 Amend Senate File 456 as follows:
- 2 1. Page 1, line 21, by striking the words "AND
- 3 INSURANCE".
- 4 2. Page 1, lines 22 and 23, by striking the words
- 5 and figure "unless:
- 6 1. The" and inserting the following: "unless
- 7 the".
- 8 3. Page 2, by striking lines 5 through 24.
- 9 4. Page 2, by inserting before line 25 the
- 10 following:
- 11 "Sec. 4. Section 80A.12, subsection 7, Code 1985,
- 12 is amended by striking the subsection."
- 13 5. By renumbering as necessary.

DONALD V. DOYLE

S-3345

- 1 Amend Senate File 395 as follows:
- 2 1. Page 50, by inserting before line 25 the
- 3 following:
- 4 "Sec. ____ . Section 422.45, Code 1985, is amended
- 5 by adding the following new subsection:
- 6 NEW SUBSECTION. The gross receipts from the sales
- 7 of fuel consumed or used in the operation of ships,
- 8 barges, or waterborne vessels which are used primarily
- 9 in or for the transportation of property or cargo, or
- 10 the conveyance of persons for hire on rivers bordering
- 11 on the state if the fuel is delivered by the seller to

12 the purchaser's barge, ship, or waterborne vessel
13 while it is afloat upon such a river."

NORMAN GOODWIN

S-3346

1 Amend amendment S-3322 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 3, line 6, by inserting after the word
4 "conducted." the following: "The board shall not
5 authorize video lottery games. As used in this
6 paragraph, "video lottery games" means lottery games
7 involving a machine designed similar to a video
8 amusement game except that prizes are awarded at
9 random by the lottery agency at the conclusion of the
10 game."

WILLIAM W. DIELEMAN

S-3347

1 Amend House File 225 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 5, line 26, by inserting after the word
4 "prize." the following: "The board shall not
5 authorize video lottery games. As used in this
6 paragraph, "video lottery games" means lottery games
7 involving a machine designed similar to a video
8 amusement game except that prizes are awarded at
9 random by the lottery agency at the conclusion of the
10 game."

WILLIAM W. DIELEMAN

S-3348

1 Amend House File 225 as amended, passed and
2 reprinted by the House as follows:
3 1. By striking page 20, line 31 through page 51,
4 line 27 and inserting the following:
5 "DIVISION II
6 Sec. 201.
7 1. The treasurer of state shall, for the fiscal
8 year beginning July 1, 1985 and ending June 30, 1986,
9 make allotments of the moneys within the Iowa plan
10 fund for economic development created in section
11 99E.10 to separate accounts within that fund as
12 follows:
13 "a. The first sixteen million eight hundred sixty-

14 two thousand dollars to the "Jobs Now Capitals"
15 account.

16 b. After the allotment in paragraph "a", ten
17 million dollars to the "Community Economic Betterment"
18 account, eight million dollars to the "Jobs Now"
19 account, and twelve million five hundred thousand
20 dollars to the "Education and Agriculture Research and
21 Development" account.

22 c. After the allotments have been made under
23 paragraphs "a" and "b", the excess to the "Surplus"
24 account.

25 d. Before the treasurer makes the allotments under
26 paragraphs "a", "b", and "c", the treasurer shall
27 repay to the general fund the loan for start-up
28 purposes of the Iowa lottery.

29 2. There is appropriated from the allotment made
30 to the community economic betterment account under
31 subsection 1 for the fiscal year beginning July 1,
32 1985 and ending June 30, 1986 to the Iowa development
33 commission the amount in that account, or so much
34 thereof as may be necessary, to be used for the
35 following purposes:

36 a. Principal buy-down program to reduce the
37 principal of a business loan.

38 b. Interest buy-down program to reduce the
39 interest on a business loan.

40 c. Grants and loans to aid in economic
41 development.

42 d. Site development or infrastructure costs
43 directly related to a project resulting in new
44 employment.

45 e. Road construction projects.

46 Except for paragraph "e", only a political
47 subdivision of the state may apply to receive funds
48 for any of the above purposes. The political
49 subdivision shall make application to the commission
50 specifying the purpose for which the funds will be

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1 used. In ranking applications for funds, the
2 commission shall consider the proportion of political
3 subdivision match to be provided, the proportion of
4 private contributions to be provided, the total number
5 of jobs to be created, the recapture, if any, of these
6 funds by the political subdivision that will occur,
7 level of need in the political subdivision, and impact
8 of proposed project on the economy of the political
9 subdivision.

10 An eligible road construction project is one

11 involving highway improvements which support and
12 assist economic development and contribute to one or
13 more of the following objectives:

14 (1) Improve highway access to specific development
15 sites, including but not limited to existing and
16 future industrial locations.

17 (2) Improve highway access between urban centers
18 or between urban centers and the interstate road
19 system as defined in section 306.3.

20 (3) Improve highway access to enhance economic
21 vitality.

22 (4) Improve highway access to points of shipment
23 or processing of agricultural products.

24 (5) Improve highway access to trucking terminals
25 and places of embarkation or shipment by other
26 transportation modes.

27 The commission shall take applications from state,
28 city, or county government entities for road
29 construction projects. The commission shall
30 prioritize the projects and determine which projects
31 shall be funded. However, the approval of the
32 department of transportation is necessary for
33 planning, design, construction and maintenance and
34 other activities as provided in section 307.24. The
35 department of transportation shall have the right to
36 reject a project for which a match of primary road
37 funds are required. If the department of
38 transportation rejects a project the reasons for
39 rejection shall be supplied to the applicant and the
40 commission. The commission shall make the final
41 selection of which projects will be funded. Matching
42 funds on a dollar-for-dollar basis for each project
43 funded shall be required. The source of the matching
44 funds shall be determined by the type of project.
45 Thus a match from the primary road fund is required
46 for a project involving a primary road.

47 In prioritizing the road construction projects and
48 determining which shall be funded, the commission
49 shall consider the economic benefits of the project to
50 the local community and the state as a whole,

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1 including but not limited to the number of direct and
2 indirect jobs created.

3 3. There is appropriated from the allotment made
4 to the jobs now account under subsection 1 for the
5 fiscal year beginning July 1, 1985 and ending June 30,
6 1986 to the following funds, agencies, boards or
7 commissions the following amounts, or so much thereof

8 as may be necessary, to be used for the following
9 purposes:

10 a. To the state conservation commission the sum of
11 two million five hundred thousand (2,500,000) dollars
12 for the development of parks, recreation areas,
13 forest, fish and wildlife areas, and natural areas,
14 and for related technical services for carrying out
15 these projects. Not more than five hundred thousand
16 (500,000) dollars shall be set aside to match private
17 funds available for the acquisition of natural areas
18 with unique or unusual features. Not more than four
19 hundred thousand (400,000) dollars shall be set aside
20 for the acquisition of land for expansion or
21 development of state forests and state fish and
22 wildlife areas. Not more than seven hundred fifty
23 thousand (750,000) dollars shall be set aside for use
24 in providing grants-in-aid to county conservation
25 boards for carrying out acquisition and development
26 projects as provided in chapter 111A. Any of the
27 above funds can be matched with any available federal
28 funds or with any available federal or local funds in
29 the case of grants-in-aid to county conservation
30 boards.

31 b. To the energy policy council the sum of one
32 hundred fifty thousand (150,000) dollars to provide
33 for energy management auditing services and
34 administrative costs associated with the establishment
35 of lease-purchase conservation projects for state
36 buildings. The appropriation under this paragraph is
37 contingent upon the passage and enactment into law of
38 Senate File 303.

39 c. To the Iowa product development fund the sum of
40 two million (2,000,000) dollars for the purposes
41 provided in section 28.89.

42 d. To the office for planning and programming the
43 sum of five hundred thousand (500,000) dollars for
44 additional and supplemental funding for the child care
45 services program and the displaced homemakers program
46 in connection and coordination with the federal Job
47 Training Partnership Act of 1982 and funding for a
48 child care grants program to provide grants of up to
49 ten thousand dollars for start-up funding for before
50 and after school programs using school facilities,

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1 infant care programs, child care information and
2 referral centers, and on-site employer day care. An
3 application for a grant under the child care grants
4 program shall include a study documenting a need for

5 the service or program for which the grant is sought
6 and a plan for implementation of the service or
7 program which plan includes a listing of other sources
8 of income, the staff to be employed, and the method to
9 make the service or program self supporting within
10 three years.

11 e. To the office for planning and programming the
12 sum of two hundred fifty thousand (250,000) dollars
13 for the purposes of the cultural community grants
14 program established under 1983 Iowa Acts, chapter 207,
15 section 92.

16 f. To the Iowa development commission the sum of
17 two million six hundred thousand (2,600,000) dollars
18 for the purposes designated as follows:

19 (1) Business incubators.

20 (2) Satellite centers under division V of this
21 Act.

22 (3) Federal procurement offices.

23 (4) Tourism and marketing.

24 (5) Iowa main street program.

25 4. There is appropriated from the allotment made
26 to the education and agriculture research and
27 development account under subsection 1 for the fiscal
28 year beginning July 1, 1985 and ending June 30, 1986
29 to the following funds, agencies, boards or
30 commissions the following amounts, or so much thereof
31 as may be necessary, to be used for the following
32 purposes:

33 a. To the Iowa college aid commission the sum of
34 seven hundred fifty thousand (750,000) dollars for the
35 forgivable loan program established in division VII of
36 this Act. However, funds shall not be transferred to
37 the college aid commission until the college aid
38 commission certifies to the treasurer of state that
39 the association of private colleges and universities
40 and the board of regents will provide an equivalent
41 amount of seven hundred fifty thousand (750,000)
42 dollars for the forgivable loan program for the same
43 fiscal year.

44 b. To the Iowa development commission the sum of
45 three hundred thousand (300,000) dollars to develop
46 and administer programs to encourage foreign trade.
47 Prior to providing funds for any activity under this
48 paragraph the Iowa development commission shall seek
49 the input of public and private institutions of higher
50 education, relevant government agencies, boards and

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1 departments, and private sector businesses involved in
2 foreign trade for the purpose of coordinating trade
3 related resources already available and those created
4 pursuant to this Act in Iowa higher education
5 institutions. The commission shall also, after
6 seeking input from these entities, initiate the
7 development of trade related curricula and curricula
8 to support potential growth sectors and develop new
9 programs to provide trade assistance to small and
10 medium-sized Iowa businesses including, but not
11 limited to, those created under this paragraph. The
12 commission shall work with Iowa businesses engaged in
13 foreign trade and public and private institutions of
14 higher education to create a comprehensive plan
15 designed to promote and develop the trade of Iowa's
16 agricultural and manufactured products and services in
17 foreign markets and shall coordinate the plan with
18 other public and private foreign trade efforts
19 including those created pursuant to this Act. The
20 Iowa development commission shall require, where
21 feasible, that recipients of moneys appropriated in
22 this section certify to the Iowa development
23 commission that they will provide contributions,
24 either in-kind or financial, equal to up to fifty
25 percent of the moneys the recipient will receive under
26 this section. The programs are as follows:
27 (1) To establish internships with Iowa businesses
28 involved in foreign trade, with foreign businesses,
29 with foreign governments, and with the Iowa
30 development commission. A student who is enrolled in
31 an Iowa institution of higher education in a course of
32 study that could involve the student in foreign trade
33 is eligible to apply for an internship. College
34 credit will be given in a manner determined by the
35 institution of enrollment. Money granted for
36 internships shall be used for travel expenses and a
37 stipend for the interns.
38 (2) To establish a program in which professors
39 employed at Iowa institutions of higher education who
40 are familiar with the language and customs of foreign
41 countries are utilized as cultural advisors for the
42 Iowa development commission and for Iowa businesses
43 participating in trade missions and other foreign
44 trade activities.
45 (3) To establish a program of short courses useful
46 to assist Iowans in developing skills needed to
47 participate in foreign trade, including but not
48 limited to courses in foreign language, foreign

49 culture and business practices, and foreign trade
50 strategies. The short courses shall be developed in

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1 cooperation with Iowa institutions of higher
2 education.

3 (4) To develop a data base of information useful
4 in foreign trade.

5 (5) To establish a clearinghouse listing of state
6 residents who have political, social, or business
7 contacts in foreign countries.

8 (6) To provide assistance in foreign language
9 translation for correspondence and other purposes.

10 (7) To establish a program for conducting a
11 business risk analysis for Iowa businesses seeking
12 markets in foreign countries. Iowa businesses would
13 file requests for the risk analysis with the Iowa
14 development commission. The Iowa development
15 commission shall contract with an Iowa higher
16 education institution for an analysis of conditions in
17 a specific foreign country as requested by an Iowa
18 business, including but not limited to, rate of
19 exchange projections for the currency, political
20 climate, cultural mores relating to business
21 etiquette, market climate, and assessment of the
22 political and social status of the business' personal
23 contacts.

24 c. To the state board of regents the sum of two
25 hundred thousand (200,000) dollars to be used by the
26 agricultural experiment station at Iowa state
27 university of science and technology for value added
28 research.

29 d. To the Iowa development commission the sum of
30 ten million (10,000,000) dollars to be allocated by
31 the Iowa development commission for economic
32 development and research and development purposes at
33 an institution of higher education under the control
34 of the state board of regents or at an independent
35 college or university of the state. The institutions
36 under control of the state board of regents may
37 present proposals to the state board of regents for
38 the use of the funds. The proposals may include, but
39 are not limited to, endowing faculty chairs,
40 conducting studies and research, establishing centers,
41 purchasing equipment, and constructing facilities in
42 the areas of entrepreneurial studies, foreign language
43 translation and interpretation, management
44 development, genetics, molecular biology, laser
45 science and engineering, biotechnology, third crop

46 development, and value-added projects. The proposals
47 shall include certification from the institution,
48 college or university that it will receive from other
49 sources an amount equal to the amount requested in the
50 proposal. The state board of regents shall, for

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1 institutions under its control, determine the specific
2 proposals for which it requests funding and submit
3 them to the Iowa development commission. An
4 independent college or university shall submit
5 requests directly to the Iowa development commission.
6 The Iowa development commission shall disburse to the
7 regents' institutions or an independent college or
8 university the moneys for the various proposals
9 requested unless the Iowa development commission
10 disapproves of a specific proposal as inconsistent
11 with the plan for economic development for this state.
12 The state board of regents may submit additional
13 proposals for those not approved by the Iowa
14 development commission.
15 e. To the state board of regents the sum of two
16 hundred thousand (200,000) dollars to be used by Iowa
17 state university for the establishment of Iowa farm
18 management program. The cooperative extension service
19 shall administer the program with provisions for
20 cooperation and assistance through the department of
21 public instruction. The program may be offered in
22 conjunction with programs offered at the merged area
23 schools and at school districts. The cooperative
24 extension service may allocate moneys appropriated in
25 this section for the program to area schools and
26 school districts participating in the program. The
27 cooperative extension service may accept gifts from
28 other sources to supplement moneys appropriated in
29 this section.
30 f. To the legislative council the sum of fifty
31 thousand (50,000) dollars to be used by the
32 alternative crops and livestock study committee
33 created in this paragraph. There is established a
34 twelve-member alternative crops and livestock study
35 committee to study the feasibility of alternative
36 crops and livestock enterprises. The members shall
37 consist of three farmers, three representatives from
38 the agriculture industry, two faculty members from the
39 Iowa state university and four members of the general
40 assembly. The majority and minority leaders of the
41 senate shall each appoint two nonlegislative members
42 and one legislative member from the senate and the

43 speaker and minority leader of the house of
44 representatives shall each appoint two nonlegislative
45 members and one legislative member from the house.
46 The appointers shall consult with each other before
47 making their appointments to ensure the requirements
48 of the makeup of the committee are met.
49 Nonlegislative members shall receive a per diem of
50 forty dollars and be reimbursed for their travel and

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1 other necessary expenses actually incurred in the
2 performance of their official duties. Legislative
3 members shall receive, when the general assembly is
4 not in session, a per diem of forty dollars and their
5 travel and other expenses incurred in the performance
6 of their official duties from funds appropriated by
7 section 2.12. The committee shall submit its final
8 report along with any recommendations to the
9 legislative council by January 1, 1986.
10 g. To the Iowa college aid commission for the
11 summer institute program established pursuant to this
12 paragraph the sum of one million (1,000,000) dollars.
13 Institutions of higher education in the state may
14 submit proposals to the council for post secondary
15 education for eight week summer institute programs to
16 upgrade the skills of Iowa teachers in the subject
17 areas of math, science, foreign languages and such
18 other areas as the department of public instruction has
19 indicated a teaching shortage exists. The proposals
20 shall provide for the institutional reimbursement for
21 the costs of instruction, materials, and room and
22 board for the participants as well as for a weekly
23 stipend of one hundred fifty dollars per week for each
24 participant. The council for post secondary education
25 shall select the institutions at which the summer
26 institutes shall be conducted. The council for post
27 secondary education in consultation with the Iowa
28 college aid commission shall establish the criteria
29 for the selection of the teachers to participate in
30 the programs.
31 5. There is appropriated from the allotment made
32 to the jobs now capitals account under subsection 1
33 for the fiscal year beginning July 1, 1985 and ending
34 June 30, 1986 to the following council, office, and
35 departments the following amounts, or so much thereof
36 as may be necessary, to be used for the following
37 purposes:
38 a. To the executive council for allocation to the
39 nonprofit corporation organized to facilitate the

40 state's involvement in the Iowa world trade center
41 pursuant to division IV of this Act the sum of nine
42 million two hundred fifty thousand (9, 250,000)
43 dollars to fund the construction of the state-owned
44 portion of the Iowa world trade center as provided in
45 division IV of this Act.

46 b. To the department of public defense the sum of
47 two hundred forty-three thousand thirty-five (243,035)
48 dollars for the architect, engineering, equipment and
49 construction of the armory in Carroll.

50 c. To the department of general services the sum

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1 of one million twenty thousand (1,020,000) dollars for
2 capital building restoration and major repairs.
3 d. To the department of general services the sum
4 of five million two hundred fifty thousand (5,250,000)
5 dollars for the engineering, planning and construction
6 of a new state historical building. Funds
7 appropriated in this paragraph are provided as a state
8 match of two dollars of state match for each one
9 dollar of nonstate funds actually acquired excluding
10 the Herrick bequest. Funds appropriated in this
11 paragraph shall not be committed or expended without
12 the prior written approval of the director of the
13 department of general services. Funds appropriated in
14 this paragraph shall be in lieu of the moneys in the
15 same amount to be appropriated from the general fund
16 for the same purpose under 1984 Iowa Acts, chapter
17 1316, section 4, for the fiscal period beginning July
18 1, 1985 and ending June 30, 1989.

19 e. To the department of public instruction the sum
20 of one million (1,000,000) dollars to be allocated to
21 the merged area schools filing requests with the
22 department for the purchase of equipment. The
23 department of public instruction shall allocate moneys
24 to an area school based upon the ability of the area
25 school to provide matching contributions, either in-
26 kind or financial, and the potential for creation of
27 jobs and economic development. The maximum grant to
28 an area school shall not exceed two hundred fifty
29 thousand (250,000) dollars.

30 f. To the office of the governor the sum of one
31 hundred thousand (100,000) dollars or so much as may
32 be needed for a feasibility study of costs and
33 benefits of a joint telecommunications partnership to
34 be entered into between the state and private firms.
35 The study shall be contracted out to a private firm in
36 the state which is experienced in telecommunications

37 and which has the capability to analyze the technical
38 and economic potential and feasibility of a
39 telecommunications satellite and fiber optics system
40 with state and worldwide capability. The study shall
41 be developed to insure input from the telephone,
42 banking, insurance, television, and other business
43 sectors in the state as well as from the educational
44 community.

45 6. If the moneys to be allotted to the economic
46 betterment account, jobs now account or education and
47 agriculture research and development account are less
48 than the amount specified in subsection 1, paragraph
49 "b", the moneys appropriated to the funds, agencies,
50 boards or commissions for the purposes specified in

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1 subsection 2, 3 or 4, as applicable, shall be reduced
2 by the same percentage decrease in the appropriate
3 allotment.

4 7. The moneys appropriated in subsections 2, 3, 4
5 and 5 shall remain in the appropriate account of the
6 Iowa plan fund until such time as the agency, board,
7 commission, or overseer of the fund to which moneys
8 are appropriated has made a request to the treasurer
9 for use of moneys appropriated to it and the amount
10 needed for that use. The treasurer shall withdraw
11 this amount from the amount appropriated to that
12 entity and remit it to the entity not earlier than
13 thirty days after receipt of the request.
14 Notwithstanding section 8.33, moneys remaining of the
15 appropriations made from any of the accounts within
16 the Iowa plan fund on June 30, 1986 shall not revert
17 to any fund but shall remain in that account to be
18 used for the purposes for which they were appropriated
19 and the moneys remaining in that account shall not be
20 considered in making the allotments for the next
21 fiscal year.

22 8. The agency, board, commission, or overseer of
23 the fund to which moneys are appropriated under this
24 section shall make every effort to maximize the impact
25 of these moneys through government and private
26 matching funds.

27 Sec. 202.

28 1. The treasurer of state shall, for the fiscal
29 years beginning July 1, 1986, July 1, 1987, July 1,
30 1988, and July 1, 1989, make allotments of the moneys
31 within the Iowa plan fund for economic development
32 created in section 99E.10 to separate accounts within
33 that fund as follows:

34 a. In each of the fiscal years beginning July 1,
 35 1986 and July 1, 1987 the first ten million two
 36 hundred fifty thousand dollars, in the fiscal year
 37 beginning July 1, 1988, the first three million two
 38 hundred fifty thousand dollars and in the fiscal year
 39 beginning July 1, 1989 the first one million dollars
 40 to the jobs now capitals account.
 41 b. In each of the four fiscal years after the
 42 allotment in paragraph "a", ten million dollars to the
 43 community economic betterment account, eight million
 44 dollars to the jobs now account, and twelve million
 45 five hundred thousand dollars to the education and
 46 agriculture research and development account.
 47 d. After the allotments have been made under
 48 paragraphs "a" and "b" in each of the fiscal years,
 49 the excess to the "Surplus" account.
 50 2. There is appropriated moneys in the community

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1 economic betterment account for each of the fiscal
 2 years beginning July 1, 1986, July 1, 1987, July 1,
 3 1988, and July 1, 1989 to the Iowa development
 4 commission to be used for the following purposes in
 5 the amounts, or so much thereof as may be necessary,
 6 as provided in section 203 of this Act:
 7 a. Principal buy-down program to reduce the
 8 principal of a business loan.
 9 b. Interest buy-down program to reduce the
 10 interest on a business loan.
 11 c. Grants and loans to aid in economic
 12 development.
 13 d. Site development or infrastructure costs
 14 directly related to a project resulting in new
 15 employment.
 16 e. Road construction projects.
 17 The conditions, criteria and limitations specified
 18 in section 201, subsection 2 of this Act applies to
 19 the providing of moneys under this subsection.
 20 3. There is appropriated moneys in the jobs now
 21 account for each of the fiscal years beginning July 1,
 22 1986, July 1, 1987, July 1, 1988, and July 1, 1989 to
 23 the following funds, agencies, boards or commissions
 24 in the amounts, or so much thereof as may be
 25 necessary, as provided in section 203 of this Act to
 26 be used for the following purposes:
 27 a. To the state conservation commission for the
 28 purposes designated in section 201, subsection 3,
 29 paragraph "a" of this Act.
 30 b. To the Iowa product development fund for the

31 purposes provided in section 28.89.

32 c. To the office for planning and programming for
33 the purposes designated in section 201, subsection 3,
34 paragraphs "d" and "e" of this Act.

35 d. To the Iowa development commission for the
36 purposes designated in section 201, subsection 3,
37 paragraph "f" of this Act.

38 4. There is appropriated moneys in the education
39 and agriculture research and development account for
40 each of the fiscal years beginning July 1, 1986, July
41 1, 1987, July 1, 1988, and July 1, 1989 to the
42 following funds, agencies, boards or commissions in
43 the amounts, or so much thereof as may be necessary,
44 as provided in section 203 of this Act to be used for
45 the following purposes:

46 a. To the Iowa college aid commission for the
47 forgivable loan program established in division VII of
48 this Act.

49 b. To the Iowa development commission for the
50 purposes and under the conditions specified in section

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1 201, subsection 4, paragraphs "b" and "d" of this Act.

2 c. To the state board of regents for the purposes
3 and under the conditions specified in section 201,
4 subsection 4, paragraph "e" of this Act.

5 d. To the Iowa college aid commission for the
6 purposes and under the conditions specified in section
7 201, subsection 4, paragraph "g" of this Act.

8 5. There is appropriated from the allotment made
9 to the jobs now capitals account under subsection 1
10 for the fiscal years beginning July 1, 1986, July 1,
11 1987 and July 1, 1988 to the executive council for
12 allocation to the nonprofit corporation organized to
13 facilitate the state's involvement in the Iowa world
14 trade center pursuant to division IV of this Act the
15 sum of nine million two hundred fifty thousand
16 (9,250,000) dollars for each of the fiscal years
17 beginning July 1, 1986 and July 1, 1987 and the sum of
18 two million two hundred fifty thousand (2,250,000)
19 dollars for the fiscal year beginning July 1, 1988 to
20 fund the construction of the state-owned portion of
21 the Iowa world trade center as provided in division IV
22 of this Act.

23 6. If the moneys to be allotted in a fiscal year
24 to the community economic betterment account, jobs now
25 account or education and agriculture research and
26 development account is less than the amount specified
27 for that fiscal year in subsection 1, paragraph "b"

28 the moneys appropriated for that fiscal year to the
29 funds, agencies, boards or commissions for the
30 purposes specified in subsection 2, 3 or 4, as
31 applicable, shall be reduced by the same percentage
32 decrease in the appropriate allotment.

33 7. The moneys appropriated in subsections 2, 3, 4
34 and 5 shall remain in the appropriate account of the
35 Iowa plan fund until such time as the agency, board,
36 commission, or overseer of the fund to which moneys
37 are appropriated has made a request to the treasurer
38 for use of moneys appropriated to it and the amount
39 needed for that use. The treasurer shall withdraw
40 this amount from the amount appropriated to that
41 entity and remit it to the entity not earlier than
42 thirty days after receipt of the request.
43 Notwithstanding section 8.33, moneys remaining of the
44 appropriations made for a fiscal year from any of the
45 accounts within the Iowa plan fund on June 30 of that
46 fiscal year, shall not revert to any fund but shall
47 remain in that account to be used for the purposes for
48 which they were appropriated and the moneys remaining
49 in that account shall not be considered in making the
50 allotments for the next fiscal year.

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1 8. The agency, board, commission, or overseer of
2 the fund to which moneys are appropriated under this
3 section shall make every effort to maximize the impact
4 of these moneys through government and private
5 matching funds.

6 Sec. 203. For each of the fiscal years beginning
7 July 1, 1986, July 1, 1987, July 1, 1988, and July 1,
8 1989, the Iowa partnership for economic progress
9 advisory committee established under division III of
10 this Act shall submit to the general assembly by March
11 1 preceding the beginning of the fiscal year planned
12 expenditures from the allotment to be made for that
13 fiscal year to the community economic betterment
14 account, the jobs now account, and the education and
15 agriculture research and development account to each
16 of the funds, agencies, boards or commissions for the
17 purposes specified in subsections 2, 3, and 4 of
18 section 202 of this Act. The Iowa partnership for
19 economic progress shall include a description of
20 planned expenditures to be made of the moneys in the
21 surplus account.

22 Plans may provide for increased or decreased
23 expenditures if the allotment available for those
24 appropriations is greater than or less than the

25 allotment specified in subsection 1 of section 202 of
26 this Act. In order to enable the Iowa partnership for
27 economic progress to prepare its plans for future
28 expenditures, it has authority to review applications
29 and uses of the moneys appropriated from each
30 allotment. However, this authorized review does not
31 authorize the Iowa partnership for economic progress
32 to veto or deny any application or use and such review
33 shall not cause any delay in the approval of an
34 application or use.

35 DIVISION III

36 Sec. 301. NEW SECTION. TITLE.

37 This chapter may be cited as the "Economic
38 Development Reorganization Act".

39 Sec. 302. NEW SECTION. DEFINITIONS.

40 As used in this chapter, unless the context
41 otherwise requires:

42 1. "Commission" means the Iowa development
43 commission.

44 2. "Committee" or "advisory committee" means the
45 Iowa partnership for economic progress advisory
46 committee, established in section 305 of this Act.

47 3. "Programs and services" means economic
48 development programs, services and agencies as
49 described in section 303 of this Act.

50 Sec. 303. NEW SECTION. GOVERNOR'S REORGANIZATION

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1 PLAN.

2 By December 1, 1985, the governor shall submit to
3 the general assembly a proposal for the reorganization
4 and coordination of all state economic development
5 programs and services under one comprehensive
6 department of economic development. In the course of
7 developing the reorganization plan, the governor shall
8 consult with the advisory committee. For purposes of
9 this chapter, economic development programs and
10 services shall include, but are not limited to, those
11 which provide one or more of the following:

12 a. Community development.

13 b. Planning and management assistance.

14 c. Technical assistance.

15 d. Education and job training.

16 e. Financial assistance for programs and services
17 described in paragraphs "a" through "d" and other
18 programs and services, including those that are
19 federally funded but administered by the state, and
20 other federal and local funding programs.

21 Sec. 304. NEW SECTION. INTERIM COORDINATING

22 AGENCY.

23 Upon enactment of this chapter, and until the
 24 establishment of a central department of economic
 25 development, the Iowa development commission shall be
 26 the interim coordinating agency for federal, state and
 27 local economic development programs and services.
 28 Statewide delivery of programs and services shall be
 29 accomplished through a network of fifteen subregions
 30 which shall correspond to the merged areas as defined
 31 in section 280A.2 and which are already in existence.

32 Sec. 305. NEW SECTION. ADVISORY COMMITTEE
 33 ESTABLISHED.

34 The Iowa partnership for economic progress is
 35 established to serve as an advisory committee to the
 36 commission pending the creation of a department of
 37 economic development, at which time the committee will
 38 act as an advisory body to the new department. The
 39 commission, and ultimately the department of economic
 40 development, shall provide the committee with
 41 administrative staff personnel in accordance with
 42 chapter 19A, and shall provide other assistance as
 43 necessary.

44 Sec. 306. NEW SECTION. COMPOSITION OF ADVISORY
 45 COMMITTEE.

46 1. The committee shall consist of eleven members
 47 appointed by the governor subject to confirmation by
 48 the senate. Members shall be appointed for four-year
 49 terms beginning and ending in accordance with section
 50 69.19.

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1 2. Members shall be appointed from local
 2 government, business, labor and education as follows:
 3 a. Six members from business, including one
 4 representative from small business, one representative
 5 from insurance and one representative from
 6 agribusiness. Appointees shall be an owner,
 7 president, chief executive officer, board member or
 8 other senior officer of the firm or organization they
 9 represent. Appointments shall be made from lists of
 10 nominees submitted by business, trade or industrial
 11 associations representing at least twenty-five
 12 members.

13 b. Two members from organized labor. Appointments
 14 shall be made from lists of nominees submitted by any
 15 organizations authorized to bargain on behalf of
 16 people employed in this state.

17 c. Two members from education. Appointments shall
 18 be made from lists of nominees submitted by the board

19 of regents, the association of independent colleges
20 and universities, or the association of community
21 college trustees.
22 d. One member from local government. Appointment
23 shall be made from lists of nominees submitted by the
24 Iowa state association of counties and the league of
25 municipalities.

26 Sec. 307. NEW SECTION. ADVISORY COMMITTEE DUTIES.

27 1. The committee's duties and responsibilities
28 shall include, but are not limited to the following:
29 a. To provide assistance as needed or requested by
30 the governor in the development of the governor's
31 proposal for economic development reorganization and
32 coordination. In order to facilitate the committee's
33 assistance of the governor's office, all economic
34 development agencies and programs shall submit
35 reorganization and coordination proposals and
36 recommendations to the committee within six months of
37 the effective date of this chapter.
38 b. To submit plans to the general assembly
39 relative to the disbursement of lottery revenues
40 pursuant to division II of this Act.
41 c. To collaborate with the commission on the
42 review of all disbursements of lottery revenues.
43 d. To assist the commission in the development and
44 administration of a statewide regional delivery
45 network for programs and services.
46 e. To review, coordinate and implement other
47 economic development proposals that emerge from
48 studies now underway or recently completed.
49 f. To assist in the coordination of federal,
50 state, local and private sector programs and services.

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1 g. To analyze, at regular and frequent intervals,
2 the trends and growth opportunities in major sectors
3 of the economy, particularly those represented in the
4 Iowa economy.
5 h. To analyze, at regular and frequent intervals,
6 the general economic, demographic, state fiscal and
7 business climate indicators that define Iowa's
8 position relative to regional and national trends.
9 i. To initiate special economic development
10 studies as deemed necessary.
11 Sec. 308. NEW SECTION. ORGANIZATION OF ADVISORY
12 COMMITTEE.
13 The committee shall annually elect from its
14 membership a chairperson and shall adopt rules to
15 govern its proceedings. Election of the chairperson

16 shall be held at the committee's first meeting in each
 17 calendar year. The committee shall meet at least once
 18 a month and otherwise as often as necessary. Members
 19 shall be compensated for their actual and necessary
 20 expenses incurred in the performance of their duties
 21 in accordance with section 28.2. All per diem and
 22 expense moneys paid to the members shall be paid from
 23 funds appropriated to the commission.

24 Sec. 309. Notwithstanding the provisions of
 25 section 306 of this Act, of the initial appointees to
 26 the committee two members shall be appointed for one-
 27 year terms, three members shall be appointed for two-
 28 year terms, three members shall be appointed for
 29 three-year terms, and three members shall be appointed
 30 for four-year terms. The initial appointees'
 31 successors shall be appointed to terms of four years
 32 each except that a person chosen to fill a vacancy
 33 shall be appointed only for the unexpired term of the
 34 committee member replaced.

35 DIVISION IV

36 Sec. 401. NEW SECTION. 18C.1 DECLARATION OF
 37 POLICY AND PURPOSE FOR STATE INVOLVEMENT IN IOWA WORLD
 38 TRADE CENTER.

39 It is found and declared that there exists a need
 40 to promote, develop, maintain, and expand export and
 41 trade opportunities for agricultural, commercial, and
 42 manufactured products and services and any other
 43 products and services of the state in order to protect
 44 and advance the welfare and interests of residents of
 45 the state; that such export and trade opportunities
 46 with other nations can be promoted, developed,
 47 maintained, and expanded by the Iowa world trade
 48 center; that jobs can be maintained and created in the
 49 state as a result of increased export and trade
 50 opportunities; and that such economic results will

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1 benefit all residents of the state.

2 It is further found and declared that the
 3 promotion, development, maintenance, and expansion of
 4 exports and trade opportunities are public purposes
 5 and uses for which public moneys may be expended,
 6 advanced, loaned, or granted; that such activities
 7 serve a public purpose in improving export and trade
 8 opportunities or otherwise benefiting the people of
 9 this state; and that the state's purchase, operation
 10 and marketing of a building or facility as part of a
 11 world trade center will aid in accomplishing these
 12 purposes.

13 Sec. 402. NEW SECTION. 18C.2 CREATION OF
14 SELECTION ADVISORY COMMITTEE.

15 1. There is created an Iowa world trade center
16 selection advisory committee, hereafter referred to as
17 "the committee". The committee shall be comprised of
18 five members with one member appointed by the
19 governor, one member appointed by the speaker of the
20 house of representatives, one member appointed by the
21 minority leader of the house of representatives, one
22 member appointed by the majority leader of the senate,
23 and one member appointed by the minority leader of the
24 senate. Vacancies shall be filled in the same manner
25 as the appointment of the original members. Members
26 shall not be compensated for their services.

27 2. The committee shall elect from among its
28 members a chairperson. Meetings shall be held at the
29 call of the chairperson or whenever two committee
30 members request it. Three members shall constitute a
31 quorum and the affirmative vote of three members shall
32 be necessary for any action taken by the committee.

33 Sec. 403. NEW SECTION. 18C.3 DUTIES OF THE
34 COMMITTEE.

35 1. It shall be the duty of the Iowa world trade
36 center selection advisory committee to accept and
37 review proposals from private groups to organize,
38 construct, operate, and market the Iowa world trade
39 center. In submitting a proposal, the private group
40 shall also submit a study outlining the feasibility of
41 its proposal. A private group submitting a proposal
42 must include among its investors a significant number
43 of Iowa-based companies and individuals. The
44 committee is empowered to contract for an independent
45 analysis of a proposal submitted. The committee is
46 empowered to recommend for ratification by the
47 executive council a proposal to obligate, but not in
48 excess of thirty million dollars, the state in the
49 construction of the Iowa world trade center under the
50 recommended proposal. However, a proposal shall not

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1 be recommended unless the proposal provides that the
2 private group shall provide moneys at least equal to
3 the amount which the committee has recommended for
4 obligation by the state. The proposal recommended by
5 the committee must include an agreement from the
6 private group that construction of the Iowa world
7 trade center will begin no later than November 30,
8 1985, and that a nonprofit corporation will be created
9 by the private group pursuant to section 18C.4 to

10 facilitate the state's involvement in the
11 construction, operation, and marketing of the Iowa
12 world trade center. In approving a proposal of a
13 private group, the committee may employ other
14 selection criteria that are consistent with the above
15 standards. Once the committee has recommended a
16 contract proposal, it shall be submitted for
17 ratification to the executive council. The committee
18 shall present a proposal by August 1, 1985 for
19 ratification by the executive council.

20 2. The committee shall cease to exist upon
21 ratification of the contract submitted to the
22 executive council.

23 3. The members of the committee, upon ratification
24 of the contract by the executive council, shall
25 automatically become the state's representatives on
26 the board of directors of the nonprofit corporation
27 organized to facilitate the state's involvement in the
28 Iowa world trade center pursuant to section 18C.4.

29 Sec. 404. NEW SECTION. 18C.4 STATE PARTICIPATION
30 IN THE WORLD TRADE CENTER.

31 1. The state recognizes the nonprofit corporation
32 organized pursuant to the contract ratified by the
33 executive council as the entity that will facilitate
34 the state's involvement in the construction, operation
35 and marketing of the Iowa world trade center. The
36 board of directors of the nonprofit corporation shall
37 consist of nine members.

38 2. State representation on the nonprofit
39 corporation's board of directors shall consist of five
40 directors serving six year terms. The initial
41 directors shall be the five members appointed to the
42 committee pursuant to section 18C.2. Vacancies shall
43 be filled in the same manner as the appointment of the
44 original directors.

45 3. Private representation on the nonprofit
46 corporation's board of directors shall consist of four
47 directors chosen pursuant to the corporation's
48 articles of incorporation.

49 4. Amendments to the nonprofit corporation's
50 articles of incorporation relating to the governance

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1 of the corporation shall not be made without all of
2 the following:

3 a. A majority approval of the entire board of
4 directors.

5 b. A majority approval of the five directors
6 appointed to represent the state interests.

7 c. A majority approval by the four directors
8 appointed to represent the private interests.

9 5. The nonprofit corporation shall:

10 a. Provide for the management, operation, and
11 marketing of the state-owned portion of the Iowa world
12 trade center. A fee may be negotiated which will be
13 paid by the state for necessary services provided to
14 or for the state-owned portion. The management,
15 operation, and marketing may be done by entering into
16 a service agreement with a management firm. If such
17 an agreement is entered into, the board of directors
18 shall require periodic reports from the firm on the
19 operation, marketing, costs, and revenues of the
20 state-owned portion.

21 b. Provide for the leasing of space in the state-
22 owned portion to the extent space is available and the
23 leasing of it will fulfill the purposes of the state's
24 involvement in the Iowa world trade center.

25 c. Use, operate, and market the state-owned
26 portion for the purposes of promoting, developing,
27 maintaining, and expanding export and trade
28 opportunities for agricultural, commercial, and
29 manufactured products and services and other products
30 and services of the state in order to protect and
31 advance the welfare and interests of residents of the
32 state.

33 6. The nonprofit corporation organized pursuant to
34 the contract ratified by the executive council as the
35 entity that will facilitate the state's involvement in
36 the construction, operation, and marketing of the Iowa
37 world trade center shall not be construed to be a
38 state agency, board, commission, department, or other
39 administrative unit of the state.

40 Sec. 405. Chapter 18, Code 1985, is amended by
41 adding the following new section:

42 NEW SECTION. IOWA WORLD TRADE CENTER.

43 This chapter does not apply to the management,
44 operation, and ownership of the Iowa world trade
45 center.

46 Sec. 406. Section 422.45, Code 1985, is amended by
47 adding the following new subsection:

48 NEW SUBSECTION. The gross receipts of all sales of
49 goods, wares, or merchandise used, or from services
50 rendered, furnished or performed in the construction

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1 and equipping of the Iowa world trade center for that
2 portion of the project funded by the state of Iowa as
3 authorized in division IV of this Act. This
4 subsection is repealed November 30, 1989.

5 DIVISION V

6 Sec. 501. Section 28.7, Code 1985, is amended by
7 adding the following new subsection:
8 NEW SUBSECTION. Establish, oversee, and operate,
9 to the extent practicable, a centrally located
10 marketing center as provided in section 28.101.

11 Sec. 502. Chapter 28, Code 1985, is amended by
12 adding the following new section as a separate
13 division:

14 NEW SECTION. 28.101 PRIMARY RESEARCH AND
15 MARKETING CENTER.

16 1. The commission shall establish as soon as
17 practicable a marketing center within the commission,
18 to be known as "The Primary Research and Marketing
19 Center for Business and International Trade". The
20 purpose of this center is to provide, in a central
21 location, an inventory of the products and services of
22 Iowa businesses. This information is to provide Iowa
23 businesses with a source for locating and contacting
24 potential buyers of their products and services; to
25 aid in opening new markets for Iowa businesses; and to
26 provide a marketing center for new businesses to
27 utilize within the state. The director of the
28 commission is the executive director of the center and
29 shall coordinate activities at the satellite centers.
30 In operating and overseeing the primary research and
31 marketing center for business and international trade,
32 the duties and responsibilities of the commission
33 include the following:

34 a. Cataloging the products and services unique to
35 economic development offered by and purchased by
36 businesses located in the state.

37 b. Developing a marketing plan to include a
38 listing of target markets within the state, the United
39 States, and international communities for specific
40 products and services already available within the
41 state and products and services which could be made
42 available within the state.

43 c. Stimulating research in and development and
44 production of new products by state businesses.

45 d. Marketing management which includes keeping
46 abreast of the changing market demands, developing new
47 approaches to tap potential markets, and financing.

48 e. Assisting Iowa businesses to enter the

49 international marketplace through the development of
50 export sales strategies and the procurement of export

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1 financing, including the use of bartering
2 transactions.

3 f. Coordinating the satellite centers.

4 g. Training for and coordination of a computer
5 system to be used by this center and its satellite
6 centers. Wherever practicable the commission shall
7 work with educational institutions involved with
8 either the primary research and marketing center for
9 business and international trade or the satellite
10 centers to develop methods and programs that will
11 allow the involvement of students in the development
12 of a computer cataloging system.

13 h. Coordinating the delivery of programs and
14 services with other state, local, and federal economic
15 development programs and activities including, but not
16 limited to, those available at institutions of higher
17 learning in this state, the United States department
18 of commerce, and other appropriate agencies.

19 2. To aid in fulfilling the purpose of the primary
20 research and marketing center for business and
21 international trade, the commission may provide grants
22 to establish satellite centers throughout the state.
23 To facilitate establishment of satellite centers, the
24 state is divided up into fifteen regional economic
25 delivery areas which have the same area boundaries as
26 merged areas, as defined in section 280A.2, in
27 existence on the effective date of this section. Each
28 regional delivery area wishing to receive a grant from
29 the commission to establish a satellite center in its
30 area shall create a regional coordinating council
31 which shall develop a plan for the area to coordinate
32 all federal, state, and local economic development
33 services within the area. After developing this plan,
34 the council may seek a grant for a satellite center by
35 submitting the coordinating plan and an application
36 for a grant to the Iowa development commission. A
37 grant shall not be awarded within the regional
38 economic delivery area without the approval of the
39 regional coordinating plan by the Iowa partnership for
40 economic progress created in division III of this Act.
41 The Iowa partnership for economic progress may rescind
42 its approval of a regional coordinating plan upon
43 thirty days notice, if the Iowa partnership for
44 economic progress determines that the stated purpose
45 of the plan is not being carried out. The Iowa

46 partnership for economic progress may then accept an
47 alternative proposal for a regional coordinating plan.
48 If a regional coordinating council is awarded a grant
49 for a satellite center, it shall employ a center
50 director at the satellite center. The center

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1 director's duties and responsibilities include the
2 following:
3 a. Overseeing the center's computer system and
4 computer data input including the entry of the
5 cataloged products and services of businesses located
6 in the area.
7 b. Managing the center.
8 c. Communicating with the primary research and
9 marketing center for business and international trade.
10 d. Coordinating local marketing activities and
11 efforts of local business.
12 e. Coordinating delivery of all federal, state,
13 and local economic development programs and services
14 within the area.
15 f. Performing other duties and responsibilities
16 assigned to the center by the primary center.
17 Each satellite center's duties and responsibilities
18 involve conducting primary and secondary research or
19 assisting local colleges, universities, and businesses
20 in developing primary research programs. Primary and
21 secondary research shall be used for analyzing changes
22 in the marketplace, forecasting changes in consumer
23 wants and needs, and possible modifications of
24 products and services to meet the changes.
25 A regional coordinating council may enter into an
26 agreement under chapter 28E with other regional
27 coordinating councils for the purpose of fostering
28 tourism within their areas. Regional coordinating
29 councils shall be considered public agencies for
30 purposes of chapter 28E.
31 The regional coordinating council of each regional
32 economic delivery area shall consist of at least six
33 members who shall be selected from state and local
34 government, business, and education which are
35 representative of the region. Beginning with the
36 fiscal year beginning July 1, 1987, only applications
37 from political subdivisions located within regions
38 with an approved regional coordinating plan will be
39 accepted for moneys from the community betterment
40 account established in the Iowa plan fund for economic
41 development in division II of this Act. A political
42 subdivision shall submit a copy of the application to

43 the regional coordinating council at the same time as
 44 the application is submitted to the Iowa development
 45 commission.

46 **DIVISION VI**

47 **Sec. 601. NEW SECTION. 261.64 FORGIVABLE LOAN**
 48 **PROGRAM.**

49 There is established a forgivable student loan
 50 program to be administered by the college aid

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1 commission. An individual is eligible for the
 2 reimbursement payments plan under the program if the
 3 individual meets all of the following conditions:

4 1. Is an Iowa resident student enrolled at an
 5 accredited private institution as defined in section
 6 261.9, subsection 5 or at an institution under the
 7 control of the state board of regents.

8 2. Has filed an application for the loan with the
 9 college aid commission, using the procedures specified
 10 in section 261.16.

11 3. Meets the requirements for a tuition grant.

12 **Sec. 602. NEW SECTION. 261.65 FORGIVABLE LOAN**
 13 **ADMINISTRATION.**

14 The college aid commission shall administer the
 15 forgivable loan program in the same manner as
 16 specified in section 261.15 for the tuition grant
 17 program. The maximum loan that a student is eligible
 18 to receive is an amount equal to the maximum tuition
 19 grant awarded by the commission for the same fiscal
 20 year. A student is eligible to receive both a tuition
 21 grant and a forgivable loan. The interest rate for
 22 the forgivable loan shall be equal to the interest
 23 rate being collected by an eligible lender under the
 24 Iowa guaranteed student loan program for the year in
 25 which the forgivable loan is made.

26 **Sec. 603. NEW SECTION. 261.66 INTEREST AND**
 27 **PRINCIPAL PAYMENT.**

28 A student receiving a forgivable loan under section
 29 261.64 shall begin paying the annual cost of interest
 30 immediately following graduation on an annual basis
 31 for five years. If the student remains an Iowa
 32 resident and is employed in a teaching position in an
 33 area in which a teaching shortage exists, as
 34 determined by the commission, for five years
 35 immediately following graduation, the student is not
 36 responsible for payment of the principal amount of the
 37 loan and shall not pay interest on the loan. If the
 38 commission determines that the student does not meet
 39 the criteria for elimination of the principal and

40 interest payments, the commission shall establish by
 41 rule a plan for repayment of the principal and
 42 interest over a ten-year period. If a student who is
 43 required to make the repayment does not make the
 44 required payments, the commission shall provide for
 45 collecting the payments.

46 There is created a forgivable loan repayment fund
 47 for deposit of payments made by the recipients.
 48 Payments made by the recipients of the loans shall be
 49 credited to the fund and may be used to make
 50 additional loans under the program. Moneys in the

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1 fund shall not revert to the general fund of the state
 2 at the close of a fiscal year.

3 Sec. 604. This Act, being deemed of immediate
 4 importance, takes effect from and after its
 5 publication in The Clinton Herald, a newspaper
 6 published in Clinton, Iowa, and in The Altoona Herald-
 7 Mitchellville Index, a newspaper published in Altoona,
 8 Iowa."

9 2. Title page, line 13, by striking the word
 10 "board" and inserting the following: "selection
 11 advisory committee".

12 3. Title page, line 17, by inserting after the
 13 words "and to" the following: "become part of the
 14 nonprofit corporation formed to".

15 4. Title page, by striking line 20 and inserting
 16 the following: "a".

17 5. Title page, lines 22 and 23, by striking the
 18 words "either employed as a teacher or in the private
 19 sector" and inserting the following: "employed as a
 20 teacher".

COMMITTEE ON
 APPROPRIATIONS
 JOE J. WELSH, Chair

S-3349

1 Amend House File 225 as amended, passed and
 2 reprinted by the House as follows:

3 1. Page 2, line 17, by striking the word
 4 "chapter" and inserting the following: "chapter,
 5 except as provided in section 99E.14, subsection 2".

6 2. Page 4, by striking lines 12 through 35 and
 7 inserting the following:

8 "2. Subject to the approval of the board, the
 9 commissioner may enter into contracts for the

10 operation and marketing of the lottery, except that
11 the board may by rule designate classes of contracts
12 which do not require prior approval by the board. A
13 major procurement shall be as the result of
14 competitive bidding with the contract being awarded to
15 the responsible vendor submitting the lowest and best
16 proposal. However, before a contract for a major
17 procurement is awarded, the division of criminal
18 investigation of the department of public safety shall
19 conduct a thorough background investigation of the
20 vendor, any parent or subsidiary corporation of the
21 vendor, all shareholders of five percent or more
22 interest of the vendor or parent or subsidiary
23 corporation of the vendor, and all officers and
24 directors of the vendor or parent or subsidiary
25 corporation of the vendor to whom the contract is to
26 be awarded. The vendor shall submit to the division
27 of criminal investigation appropriate investigation
28 authorizations to facilitate this investigation. A
29 contract for a major procurement awarded or entered
30 into by the commissioner with an individual or
31 business organization to operate or market the lottery
32 shall require that individual or business organization
33 to establish a permanent office in this state. As
34 used in this subsection, "major procurement" means the
35 major procurement contract with a business
36 organization for the printing of tickets, or for
37 purchase or lease of equipment or services essential
38 to the operation of a lottery game."

39 3. Page 9, by inserting after line 3 the
40 following:

41 "c. The contractual expenses required in this
42 paragraph. The division of criminal investigation
43 shall be the primary state agency responsible for
44 investigating criminal violations of the law under
45 this chapter. The commissioner shall contract with
46 the department of public safety for investigative
47 services, including the employment of special agents
48 and support personnel, and procurement of necessary
49 equipment to carry out the responsibilities of the
50 division of criminal investigation under the terms of

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1 the agreement and this chapter."

2 4. Page 13, line 4, by inserting after the word

3 "division." the following: "The position of director
4 is exempt from the provisions of chapter 19A."

COMMITTEE ON
APPROPRIATIONS
JOE WELSH, Chair

S-3350

1 Amend Senate File 409 as follows:

DIVISION S-3350A

2 1. Page 1, line 26, by inserting after the word
3 "agency." the following: "The legislative council
4 shall refer the budgets of the legislative service
5 bureau, the legislative fiscal bureau, the citizens'
6 aide office, and the computer support bureau to the
7 committees on appropriations which after referral to
8 the appropriate subcommittee shall make its
9 recommendations to the legislative council."

DIVISION S-3350B

10 2. Page 4, by inserting after line 10 the
11 following:
12 "Sec. ____ . If this Act is enacted and becomes law
13 and the provisions of Senate File 434, section 6,
14 subsections 1 and 2, appropriating funds to the
15 legislative service bureau and the legislative fiscal
16 bureau for the fiscal year beginning July 1, 1985 and
17 ending June 30, 1986, and House File 571, section 1,
18 subsection 3, appropriating funds to the office of
19 citizens' aide for the fiscal year beginning July 1,
20 1985 and ending June 30, 1986 are enacted and become
21 law, the provisions of Senate File 434, section 6,
22 subsections 1 and 2, and House File 571, section 1,
23 subsection 3, are void and section 10 of this Act
24 shall govern budget procedures for the budgets of the
25 legislative service bureau, the legislative fiscal
26 bureau, and the citizens' aide office for the fiscal
27 year beginning July 1, 1985 and ending June 30, 1986."
28 3. Renumber sections and correct internal
29 references as are necessary in accordance with this
30 amendment.

COMMITTEE ON
APPROPRIATIONS
JOE J. WELSH, Chair

S-3351

- 1 Amend Senate File 468 as follows:
- 2 1. Page 1, line 7, by striking the word fifty
- 3 and inserting the word "sixty".

DONALD V. DOYLE

S-3352

- 1 Amend Senate Concurrent Resolution 26 as follows:
- 2 1. Page 1, line 28, by inserting after the word
- 3 "include" the following: ", to the extent possible".

RAY TAYLOR

S-3353

- 1 Amend amendment S-3348 to House File 225 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, lines 13 and 14, by striking the words
- 4 "sixteen million eight hundred sixty-two thousand" and
- 5 inserting the following: "ten million five hundred
- 6 ninety-two thousand".
- 7 2. Page 1, line 28, by inserting after the word
- 8 "lottery" the following: ", shall repay to the
- 9 general fund the sum of one million twenty thousand
- 10 dollars which was appropriated for the fiscal year
- 11 beginning July 1, 1985 from the general fund to the
- 12 department of general services for capitol building
- 13 restoration and major repairs, and shall repay to the
- 14 general fund the sum of five million two hundred fifty
- 15 thousand dollars which was appropriated for the fiscal
- 16 period beginning July 1, 1985 and ending June 30, 1989
- 17 from the general fund to the department of general
- 18 services for the engineering, planning and
- 19 construction of a new state historical building under
- 20 1984 Iowa Acts, chapter 1316, section 4".
- 21 3. By striking page 8, line 50 through page 9,
- 22 line 18.

WILLIAM W. DIELEMAN
JOE J. WELSH
ARTHUR A. SMALL, JR.

S-3354

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 2, by striking lines 12 through 26 and
 4 inserting the following: "assist economic
 5 development."
 6 2. Page 2, by striking lines 35 through 40 and
 7 inserting the following: "commission shall make the
 8 final".
 9 3. Page 2, line 46, by inserting after the word
 10 "road." the following: "The department of
 11 transportation does not have the right to reject a
 12 project for which a match of primary road funds is
 13 required. If the department of transportation
 14 disapproves of a project for which a match of primary
 15 road funds is required, the reasons shall be supplied
 16 to the applicant and commission. But the commission
 17 may still approve such project, and once approved,
 18 matching funds are to be provided."

JOE WELSH

S-3355

1 Amend House File 225 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 8, line 21, by striking the word "forty-
 4 five" and inserting the following: "fifty".
 5 2. Page 8, line 22, by striking the word
 6 "projected".

ARNE WALDSTEIN

S-3356

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 24, by inserting after line 2 the
 4 following:
 5 "DIVISION VII
 6 Sec. 701. NEW SECTION. 18.170 TITLE.
 7 Sections 18.171 through 18.175 may be cited as the
 8 "Iowa small minority business procurement Act."
 9 Sec. 702. NEW SECTION. 18.171 DEFINITIONS.
 10 When used in sections 18.170 through 18.175, unless
 11 the context otherwise requires:
 12 1. "Small business" means a business organized for
 13 profit which has its principal place of business in
 14 Iowa and which is neither dominant in its field of

15 operation nor an affiliate or subsidiary of a business
16 dominant in its field of operation.

17 2. "Dominant in its field of operation" means
18 exercising a controlling or major influence in a
19 business activity in which a number of businesses are
20 engaged. The following businesses are dominant in
21 their field of operation:

22 a. Manufacturing businesses which employ more than
23 one hundred persons and whose gross receipts for the
24 preceding three fiscal years exceeded a total of
25 fifteen million dollars.

26 b. General construction businesses which had gross
27 receipts exceeding a total of six million dollars in
28 the preceding three fiscal years.

29 c. Speciality construction businesses which had
30 gross receipts exceeding three million dollars in the
31 preceding three fiscal years.

32 d. Nonmanufacturing businesses which employ more
33 than twenty-five persons and which had gross receipts
34 exceeding three million dollars in the preceding three
35 fiscal years.

36 3. "Affiliate or subsidiary of a business dominant
37 in its field of operation" means a business which is
38 at least twenty percent owned by a business dominant
39 in that field of operation, or by partners, officers,
40 directors, majority shareholders, or their equivalent
41 of a business dominant in that field of operation.

42 4. "Socially or economically disadvantaged person"
43 means a person who has been deprived of the
44 opportunity to develop and maintain a competitive
45 position in the economy because of any of the
46 following circumstances:

47 a. Cultural, social, or economic circumstances or
48 background.

49 b. Physical location if the person resides or is
50 employed in an area declared a labor surplus area by

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1 the United States department of commerce.

2 c. Other similar cause as defined by rules adopted
3 by the director pursuant to chapter 17A.

4 Sec. 703. NEW SECTION. 18.172 PROCUREMENT FROM
5 SMALL MINORITY BUSINESSES.

6 1. SMALL MINORITY BUSINESS SET-ASIDES.

7 Notwithstanding section 18.6, the director may
8 designate and set aside for awarding to small
9 businesses owned and operated by socially or
10 economically disadvantaged persons approximately five
11 percent of the value of anticipated total state

12 procurement of goods and services, including
13 construction, but not including utility services
14 pursuant to section 18.8, each fiscal year. The
15 director may divide the procurements so designated
16 into contract award units of economically feasible
17 production runs to facilitate offers or bids from
18 these small businesses. In designating set-aside
19 procurements, the director may vary the included
20 procurements so that a variety of goods and services
21 produced by different small businesses may be set
22 aside each year.

23 2. NEGOTIATED PRICE OR BID CONTRACT. The director
24 may use either a negotiated price or bid contract
25 procedure in the awarding of a contract under this
26 set-aside program. The amount of an award shall not
27 exceed by more than five percent the director's
28 estimated price for the goods or services, if they
29 were to be purchased on the open market or under the
30 competitive bidding procedures of section 18.6, and
31 not under this set-aside program. Surety bonds
32 guaranteed by the federal small business
33 administration are acceptable security for a
34 construction award under this section.

35 3. DETERMINATION OF ABILITY TO PERFORM. Before
36 announcing a set-aside award, the director shall
37 evaluate whether the small business scheduled to
38 receive the award is able to perform the set-aside
39 contract. This determination shall include
40 consideration of production and financial capacity and
41 technical competence.

42 4. PROCUREMENT PROCEDURES. All laws and rules
43 pertaining to solicitations, bid evaluations, contract
44 awards, and other procurement matters apply to
45 procurements set aside for small businesses to the
46 extent there is no conflict. If sections 18.171
47 through 18.175 conflict with other laws or rules, then
48 sections 18.171 through 18.175 govern.

49 Sec. 704. NEW SECTION. 18.173 ROLE OF
50 DEVELOPMENT COMMISSION.

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1 The director of general services may assist the
2 director of the Iowa development commission in
3 publicizing the set-aside program, attempting to
4 locate small businesses able to perform set-aside
5 awards, and encouraging program participation. When
6 the director of general services determines that a
7 small minority business is unable to perform under a
8 set-aside contract, the director of general services

9 shall inform the director of the Iowa development
10 commission who shall assist the small business in
11 attempting to remedy the causes of the inability to
12 perform. In assisting the small business, the
13 director of the Iowa development commission in
14 cooperation with the director of general services may
15 use any management or financial assistance programs
16 available through state or governmental agencies or
17 private sources. Primary responsibility under this
18 section rests with the director of the Iowa
19 development commission.

20 **Sec. 705. NEW SECTION. 18.174 CERTIFICATION.**

21 The director shall adopt by rule standards and
22 procedures for certifying that small businesses owned
23 and operated by socially or economically disadvantaged
24 persons are eligible to participate in the set-aside
25 program. The procedure for determination of
26 eligibility may include self-certification by a
27 business, provided the director retains the ability to
28 verify a self-certification. The director of general
29 services shall maintain a current directory of small
30 businesses which have been certified under this
31 section.

32 **Sec. 706. NEW SECTION. 18.175 REPORTS.**

33 **1. DIRECTOR OF GENERAL SERVICES.** The director of
34 general services shall submit an annual report to the
35 governor and the general assembly with a copy to the
36 director of the Iowa development commission relating
37 progress towards realizing the objectives and goals of
38 sections 18.171 through 18.174 during the preceding
39 fiscal year. The report shall include the following
40 information:

41 a. The total dollar value and number of potential
42 set-aside awards identified and the percentage of
43 total state procurements this figure reflects.

44 b. The total dollar value and number of set-aside
45 contracts awarded to small businesses owned and
46 operated by economically or socially disadvantaged
47 persons with appropriate designation as to the total
48 number and value of set-aside contracts awarded to
49 each small business, and the percentages of the total
50 state procurements the figures of total dollar value

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1 and the number of set-asides reflect.

2 c. The number of contracts which were designated
3 and set aside pursuant to section 18.172, but which
4 were not awarded to a small business, the estimated
5 total dollar value of these awards, the lowest offer

6 or bid on each of these awards made by the small
 7 business and the price at which these contracts were
 8 awarded pursuant to the normal procurement procedures.
 9 **2. DIRECTOR OF THE IOWA DEVELOPMENT COMMISSION.**
 10 The director of the Iowa Development Commission shall
 11 submit an annual report to the governor and the
 12 general assembly with a copy to the director of
 13 general services. The report shall include the
 14 following information:
 15 a. The efforts undertaken to publicize the set-
 16 aside program during the preceding year.
 17 b. The efforts undertaken to identify small
 18 businesses owned and operated by socially or
 19 economically disadvantaged persons, and the efforts
 20 undertaken to encourage participation in the set-aside
 21 program.
 22 c. The efforts undertaken by the director to
 23 remedy the inability of these small businesses to
 24 perform on potential set-aside awards.
 25 d. The director's recommendations for
 26 strengthening the set-aside program and delivery of
 27 services to these small businesses.
 28 Sec. 707. Section 28.7, Code 1985, is amended by
 29 adding the following new subsection:
 30 **NEW SUBSECTION.** Aid in the set aside of
 31 procurements for small businesses owned and operated
 32 by economically or socially disadvantaged persons
 33 pursuant to sections 18.171 to 18.175."
 34 2. Page 24, by inserting after line 20 the
 35 following:
 36 "____. Title page, line 24, by inserting after the
 37 word "activities;" the following: "providing for set-
 38 asides in state procurement contracts for small
 39 minority businesses;"

TOM MANN, Jr.
 GEORGE R. KINLEY
 MILO COLTON
 JOE J. WELSH
 MICHAEL E. GRONSTAL

S-3357

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed, and reprinted by the House as
 3 follows:
 4 1. Page 8, line 34, by striking the words
 5 "council, office," and inserting the following:
 6 "councils".
 7 2. Page 9, line 30, by striking the words "office

8 of the governor" and inserting the following:
9 "legislative council".

MICHAEL E. GRONSTAL

S-3358

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 17, line 24, by inserting after the word
4 "senate." the following: "No two members shall be
5 from the same congressional district."

MICHAEL E. GRONSTAL

S-3359

1 Amend House File 460 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 5, by striking lines 29 through 31 and
4 inserting the following: "employed within this state.
5 The total amount of an association's investments under
6 this paragraph shall not exceed five percent of the
7 association's capital and surplus. An".

JACK RIFE

S-3360

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. By striking page 1, line 6 through page 13,
4 line 34 and inserting the following:
5 "Sec. 201.
6 1. The treasurer of state shall, for the fiscal
7 period beginning July 1, 1985 and ending June 30,
8 1990, credit moneys within the Iowa plan fund for
9 economic development created in section 99E.10 to a
10 special account to be known as the teacher salary
11 increase account. Moneys in this special account
12 shall be appropriated only for the purpose of paying
13 to the school districts for increasing teacher
14 salaries as provided in subsection 2.
15 2. There is appropriated to the state comptroller
16 from the teacher salary increase account for each
17 fiscal year of the fiscal period beginning July 1,
18 1985 and ending June 30, 1990 a sum sufficient to
19 allow the state comptroller to pay to each school
20 district, whose plan for increasing the salaries of
21 teachers in kindergarten through grade twelve has been

22 approved by the department of public instruction, the
23 amount of the salary increases.”

24 2. Page 24, by inserting after line 8 the
25 following:

26 “___ Title page, lines 3 and 4, by striking the
27 words “certain economic development programs and
28 activities;” and inserting the following: “paying for
29 the increase in certain teachers’ salaries;”.”

MILO COLTON

S-3361

1 Amend House File 225 as amended, passed, and
2 reprinted by the House as follows:

DIVISION S-3361A

3 1. Page 8, by striking lines 28 through 29 and
4 inserting the following:
5 “a. An amount equal to fifty thousand dollars
6 shall be deposited in a gamblers assistance”.

DIVISION S-3361B

7 2. Page 11, by striking lines 22 through 24 and
8 inserting the following:
9 “4. The commissioner shall contract with the
10 department of human services to conduct annual studies
11 of the extent to which the lottery creates a
12 compulsive gambling problem among lottery players and
13 the impact of gambling on affected families.”

JOE J. WELSH

S-3362

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:

3 1. Page 1, line 13, by striking the words
4 “sixteen million eight hundred” and inserting the
5 following: “seventeen million three hundred”.

6 2. Page 8, by inserting after line 49 the
7 following:

8 “___ To the department of public defense for the
9 purposes and in the amounts designated as follows:
10 (1) To connect the armory in Cedar Rapids to the
11 city water and sewer lines and for related architect
12 and engineering services the sum of two hundred
13 thirty-four thousand three hundred thirty-five

14 (234,335) dollars.
15 (2) For the architect, engineering, equipment and
16 construction of an addition to the armory in Cedar
17 Rapids the sum of two hundred sixty-four thousand
18 sixty-four (264,064) dollars."

WILLIAM W. DIELEMAN

S-3363

1 Amend the amendment, S-3311, to Senate File 266 as
2 follows:
3 1. Page 2, lines 6 and 7, by striking the words
4 "Philippine Insurrection, China Relief Expedition and
5 the" and inserting the following: "~~Philippine~~
6 ~~Insurrection, China Relief Expedition and the~~".

CHARLES BRUNER

S-3364

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 12, line 8, by inserting after the word
4 "5." the word "a."
5 2. Page 12, by inserting after line 22 the
6 following:
7 "b. There is appropriated from the allotment made
8 to the jobs now capitals account under subsection 1
9 for each of the four fiscal years beginning July 1,
10 1986, July 1, 1987, July 1, 1988 and July 1, 1989 to
11 the department of public instruction the sum of one
12 million (1,000,000) dollars for the purpose and under
13 the conditions specified in section 201, subsection 5,
14 paragraph "e" of this Act."

JOE WELSH

S-3365

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:

DIVISION S-3365B

3 1. Page 1, line 23, by inserting after the word
4 "excess" the following: "is allotted equally to the
5 community, economic betterment account and".
6 2. Page 1, by striking lines 45 and 46 and
7 inserting the following: "Only a political".

8 3. Page 2, line 9, by inserting after the word
 9 "subdivision." the following: "The commission shall
 10 not provide more than one million dollars for any
 11 project, unless at least two thirds of the members of
 12 the commission vote for providing more. However,
 13 after the first ten million dollars in the community
 14 economic betterment account have been provided to
 15 political subdivisions, the amount that may be
 16 provided by the commission for a project from
 17 additional moneys credited to that account is not
 18 subject to the one million dollar limitation."

DIVISION S-3365A

19 4. By striking page 2, line 10 through page 3,
 20 line 2.

DIVISION S-3365B (cont'd.)

21 5. Page 10, line 49, by inserting after the word
 22 "excess" the following: "is allotted equally to the
 23 community economic betterment account and".
 24 6. Page 11, by striking line 16.

JOE WELSH

S-3366

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 7, line 12, by striking the words "state
 4 board of regents" and inserting the following:
 5 "applicants".

ARTHUR A. SMALL, Jr.

S-3367

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 2, line 9, by inserting after the word
 4 "subdivision." the following: "The commission shall
 5 not provide more than one million dollars for any
 6 project unless at least two thirds of the members of
 7 the commission vote to provide for them the limit
 8 because of the statewide significance or importance of
 9 the project."

ARTHUR A. SMALL, Jr.

S-3368

1 Amend House File 225 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 8, line 21, by inserting after the figure
4 "99E.20." the following: "Four percent of the annual
5 revenue from the sale of lottery tickets or shares
6 shall be deducted as the sales tax on the tickets or
7 shares and shall be transferred to the general fund."
8 2. Page 19, by striking lines 10 through 14 and
9 inserting the following:
10 "Sec. __. Section 422.43, subsection 2, Code
11 1985, is amended to read as follows:
12 2. There is imposed a tax of four percent upon the
13 gross receipts derived from the operation of all forms
14 of amusement devices and games of skill, games of
15 chance, raffles and bingo games as defined in chapter
16 99B, operated or conducted within the state of Iowa,
17 the tax to be collected from the operator in the same
18 manner as is provided for the collection of taxes upon
19 the gross receipts of tickets or admission as provided
20 in this section. The tax shall also be imposed upon
21 the gross receipts derived from the sale of lottery
22 tickets or shares pursuant to chapter 99E. The tax on
23 the lottery tickets or shares shall be included in the
24 sales price and distributed to the general fund as
25 provided in section 99E.10."

JULIA B. GENTLEMAN

S-3369

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House, as
3 follows:
4 1. Page 1, line 18, by inserting after the word
5 "million" the following: "five hundred thousand".
6 2. Page 3, line 43, by striking the words and
7 figure "five hundred thousand (500,000)" and inserting
8 the following: "one million (1,000,000)".
9 3. Page 10, line 43, by inserting after the word
10 "million" the following: "five hundred thousand".

JULIA B. GENTLEMAN

S-3370

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 1, line 13, by striking the word "eight"
 4 and inserting the following: "nine".
 5 2. Page 9, by inserting after line 44 the
 6 following:
 7 "g. To the department of water, air and waste
 8 management the sum of one hundred thousand (100,000)
 9 dollars, or so much thereof as may be necessary, to
 10 assess and identify potential, suitable locations for
 11 hazardous waste treatment, storage or disposal
 12 facilities, to identify a preliminary best location
 13 for a state-owned site for the treatment and above-
 14 ground, long-term storage of hazardous wastes, and to
 15 conduct preliminary engineering designs, including
 16 cost analyses, of a state-owned facility. The
 17 department shall file a report of its findings and
 18 recommendations to the general assembly not later than
 19 January 15, 1987. The appropriation under this
 20 paragraph is contingent upon the passage and enactment
 21 into law of Senate File 463."

MICHAEL E. GRONSTAL

S-3371

1 Amend House File 225 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 4, line 35, by inserting after the word
 4 "state." the following: "Whenever possible when the
 5 lottery agency awards a contract for the lease,
 6 purchase, or servicing of a machine to be used in the
 7 conducting of a lottery game including, but not
 8 limited to, a video lottery machine or machine used in
 9 lotto, the lottery agency shall give preference to
 10 awarding the contract to a person whose primary place
 11 of business is in Iowa."

NORMAN RODGERS
 RICHARD F. DRAKE
 LEONARD BOSWELL
 NORMAN GOODWIN
 JOE BROWN
 JACK HESTER
 MILO COLTON
 EDGAR HOLDEN
 WILLIAM W. DIELEMAN
 LEE W. HOLT
 DONALD V. DOYLE
 JOHN W. JENSEN

DONALD GETTINGS
 THOMAS LIND
 MICHAEL GRONSTAL
 JOHN NYSTROM
 JACK RIFE
 BEVERLY HANNON
 JOHN SOORHOLTZ
 WALLY HORN
 RAY TAYLOR
 ALVIN V. MILLER
 LARRY MURPHY
 BERL E. PRIEBE
 JAMES D. WELLS
 EMIL HUSAK

S-3372

1 Amend amendment H-3322 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 2, line 41, by inserting after the word
 4 "board." the following: "Whenever possible when the
 5 lottery agency awards a contract for the lease,
 6 purchase, or servicing of a machine to be used in the
 7 conducting of a lottery game including, but not
 8 limited to, a video lottery machine or machine used in
 9 lotto, the lottery agency shall give preference to
 10 awarding the contract to a person whose primary place
 11 of business is in Iowa."

NORMAN RODGERS
 RICHARD F. DRAKE
 LEONARD BOSWELL
 NORMAN GOODWIN
 JOE BROWN
 JACK HESTER
 MILO COLTON
 EDGAR H. HOLDEN
 WILLIAM W. DIELEMAN
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 WALLY HORN
 RAY TAYLOR

ALVIN V. MILLER
 LARRY MURPHY
 BERL E. PRIEBE
 JAMES D. WELLS
 EMIL HUSAK

S-3373

1 Amend House File 225 as amended, passed, and
 2 reprinted by the House as follows:

3 1. Page 19, line 24, by inserting after the word
 4 "99E" the following: "or a wager or bet lawfully
 5 placed and recorded in a ledger pursuant to section
 6 725.10".

7 2. Page 19, by inserting after line 28 the
 8 following:

9 "Sec. ____ Section 725.7, subsection 1, unnumbered
 10 paragraph 1, Code 1985 is amended to read as follows:

11 Except as permitted in chapters 99B ~~and~~, 99D, or
 12 this chapter, a person shall not do any of the
 13 following:

14 Sec. ____ Section 725.10, Code 1985, is amended by
 15 striking the section and inserting in lieu thereof the
 16 following:

17 725.10 WAGERING.

18 1. The department of revenue shall provide a
 19 ledger to a person eighteen years of age or older who
 20 applies to the department of revenue for a ledger. A
 21 person who receives a ledger may accept bets or wagers
 22 from a person eighteen years of age or older. A bet
 23 or wager made in this state is lawful if the bet or
 24 wager is placed upon the result of any lawful trial or
 25 contest of skill, speed, or power of endurance of a
 26 human or beast and if the bet or wager is placed with
 27 a person who lawfully possesses a ledger provided by
 28 the department of revenue. Each bet or wager and its
 29 disposition shall be recorded in the ledger by the
 30 person to whom the ledger is provided.

31 2. A person to whom a ledger is provided shall
 32 remit to the treasurer of state on the first of each
 33 month ten percent of the gross amount of wagers or
 34 bets placed with the person in the previous month.
 35 Ledgers shall be open for inspection at reasonable
 36 hours by the director of revenue or the director's
 37 designee.

38 3. A person who receives a bet or wager and who
 39 fails to record the bet or wager in a ledger furnished
 40 by the department of revenue shall be fined one
 41 thousand dollars for the first violation. The fine
 42 shall increase one thousand dollars for each

43 subsequent failure to record in the ledger a bet or
44 wager made.”
45 3. Title page, line 1, by inserting after the
46 word “by” the following: “making certain bets and
47 wagers legal, requiring that the bets and wagers be
48 recorded in a ledger, that a percentage of the amount
49 of the bets and wagers placed be remitted to the
50 state, providing a penalty,”.

ARNE WALDSTEIN

S-3374

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 14, line 31, by inserting after the word
4 “existence.” the following: “However, this section
5 does not alter the administration and delivery network
6 of the small business development centers and the
7 center for industrial research and science program,
8 with those programs retaining their administrative
9 authority and providing managerial assistance to small
10 business.”

11 2. Page 22, line 14, by inserting after the word
12 “area.” the following: “However, this duty and
13 responsibility does not alter the administration and
14 delivery network of the small business development
15 centers and the center for industrial research and
16 science.”

17 3. Page 22, by inserting after line 45 the
18 following:

19 “Sec. 503. Chapter 28, Code 1985, is amended by
20 adding the following new section:

21 NEW SECTION. 28.102 PRIMARY RESEARCH AND
22 MARKETING CENTER, SMALL BUSINESS DEVELOPMENT
23 CENTERS,
24 AND THE CENTER FOR INDUSTRIAL RESEARCH AND SCIENCE
25 COORDINATION.

26 The primary research and marketing center for
27 business and international trade shall work with the
28 small business development centers and the center for
29 industrial research and science in developing a means
30 to coordinate programs and services to avoid
31 administrative duplication and to assure appropriate
32 geographic placement of satellite centers and small
33 business development centers. Individually or
34 collectively, they shall report to the general
35 assembly by January 1, 1987 on the appropriate means

35 to coordinate such services to avoid duplication of
36 effort."

CHARLES BRUNER

S-3375

1 Amend amendment S-3348, to House File 225 as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 14, line 46, by striking the word
5 "eleven" and inserting the following: "thirteen".
6 2. Page 15, line 1, by inserting after the word
7 "from" the following: "agriculture".
8 3. Page 15, by inserting after line 2 the
9 following:
10 "a. Two members actively engaged in farming.
11 Appointments shall be made from lists of nominees
12 submitted by agricultural associations representing at
13 least twenty-five members."
14 4. Page 15, line 5, by striking the words "one
15 representative" and inserting the following: "two
16 representatives".
17 5. Page 16, line 26, by striking the word "two"
18 and inserting the following: "three".
19 6. Page 16, line 29, by striking the words "three
20 members" and inserting the following: "four members".

BERL E. PRIEBE
JOHN SOORHOLTZ
JACK RIFE
WILLIAM D. PALMER
ALVIN V. MILLER
RICHARD F. DRAKE
ARNE WALDSTEIN
JOHN JENSEN

S-3376

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, lines 13 and 14, by striking the words
4 "sixteen million eight hundred sixty-two" and
5 inserting the following: "seven million six hundred
6 twelve".
7 2. Page 8, line 34, by striking the word
8 "council".
9 3. Page 8, by striking lines 38 through 45.
10 4. Page 10, by striking lines 34 through 39 and
11 inserting the following:

12 "a. In each of the four fiscal years the first one
13 million dollars".
14 5. Page 12, by striking lines 8 through 22.
15 6. By striking page 16, line 35 through page 20,
16 line 4.
17 7. Page 24, by striking lines 9 through 14 and
18 inserting the following:
19 "____. Title page, by striking lines 13 through
20 17."

WALLY HORN
MILO COLTON

S-3377

1 Amend amendment S-3322 to House File 225 as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 6, by striking lines 3 through 7 and
5 inserting the following: "be determined."
6 2. Page 16, by striking lines 21 through 24 and
7 inserting the following: "tickets or shares pursuant
8 to chapter 99E."

WALLY HORN

S-3378

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 18, lines 7 and 8, by striking the words
4 and figures "begin no later than November 30, 1985"
5 and inserting the following: "not begin before
6 December 31, 1986".
7 2. Page 18, line 18, by striking the word and
8 figures "August 1, 1985" and inserting the following:
9 "July 1, 1986".
10 3. Page 20, line 4, by striking the word and
11 figures "November 30, 1989" and inserting the
12 following: "December 31, 1990".

WALLY HORN

S-3379

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 17, by striking lines 18 through 31 and
4 inserting the following: "the fifteen members of the
5 Iowa development commission. Members shall not be

6 compensated for their services as members of the
7 committee.
8 2. The chairperson of the committee shall be the
9 chairperson of the Iowa development commission.
10 Meetings shall be held at the call of the chairperson
11 or whenever six committee members request it. Eight
12 members constitute a quorum and the affirmative vote
13 of eight members shall".
14 2. Page 18, line 37, by striking the word "nine"
15 and inserting the following: "nineteen".
16 3. Page 18, by striking lines 38 through 44 and
17 inserting the following:
18 "2. State representation on the nonprofit
19 corporation's board of directors consists of the
20 fifteen members of the Iowa development commission who
21 shall serve as long as they are members of that
22 commission."
23 4. Page 19, line 5, by striking the word "five"
24 and inserting the following: "nineteen".

WALLY HORN

S-3380

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. By striking page 1, line 6 through page 13,
4 line 34 and inserting the following:
5 "Sec. 201.
6 1. The treasurer of state shall, for the fiscal
7 period beginning July 1, 1985 and ending June 30,
8 1990, credit moneys within the Iowa plan fund for
9 economic development created in section 99E.10 to a
10 special account to be known as the school foundation
11 program reserve account. Moneys in this special
12 account shall be appropriated only for the purpose of
13 insuring that the appropriations required under
14 section 442.26 are timely paid to the school
15 districts.
16 2. There is appropriated to the state comptroller
17 from the school foundation program reserve account for
18 the fiscal year beginning July 1, 1985 and ending June
19 30, 1986 a sum sufficient to allow the state
20 comptroller to pay to the school districts all
21 appropriations that are delinquent under section
22 442.26.
23 Sec. 202. Section 442.26, unnumbered paragraph 2,
24 Code 1985, is amended to read as follows:
25 All state aids paid under this chapter, unless
26 otherwise stated, shall be paid in monthly

27 installments beginning on September 15 of a budget
 28 year and ending on June 15 of the budget year and the
 29 installments shall be as nearly equal as possible as
 30 determined by the state comptroller, ~~taking into~~
 31 ~~consideration the relative budget and cash position of~~
 32 ~~the state resources.~~ However, the state aids paid to
 33 school districts under section 442.28 shall be paid in
 34 monthly installments beginning on December 15 and
 35 ending on June 15 of a budget year and state aids paid
 36 to school districts under section 442.38 shall be paid
 37 in monthly installments beginning on February 15 and
 38 ending on June 15 of a budget year."

39 2. Page 24, by inserting after line 8 the
 40 following:

41 "____. Title page, lines 3 and 4, by striking the
 42 words "certain economic development programs and
 43 activities;" and inserting the following: "insuring
 44 the timely payment of the state's obligations under
 45 the state school foundation program;"."

WALLY HORN

S-3381

1 Amend House File 225 as amended, passed, and
 2 reprinted by the House as follows:

3 1. Page 19, by striking lines 10 through 14 and
 4 inserting the following:

5 "Sec. ____ Section 422.43, subsection 2, Code 1985,
 6 is amended to read as follows:

7 2. There is imposed a tax of four percent upon the
 8 gross receipts derived from the operation of all forms
 9 of amusement devices and games of skill, games of
 10 chance, raffles and bingo games as defined in chapter
 11 99B, operated or conducted within the state of Iowa,
 12 the tax to be collected from the operator in the same
 13 manner as is provided for the collection of taxes upon
 14 the gross receipts of tickets or admission as provided
 15 in this section. The tax shall also be imposed upon
 16 the gross receipts derived from the sale of lottery
 17 tickets or shares pursuant to chapter 99E."

WALLY HORN

S-3382

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:

3 1. Page 17, line 24, by inserting after the word
 4 "senate." the following: "No two members shall be

5 from the same congressional district.”
 6 2. Page 17, line 39, by inserting after the word
 7 “center.” the following: “Before the committee
 8 accepts any proposals, each member shall hold public
 9 hearings within the member’s area. At the public
 10 hearings, the members shall seek input from the people
 11 of Iowa on questions relating to the world trade
 12 center which shall include but not be limited to
 13 whether or not an Iowa world trade center should be
 14 constructed, whether or not the state should be
 15 involved in any construction of an Iowa world trade
 16 center, and where an Iowa world trade center should be
 17 constructed.”

WALLY HORN

S-3383

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. By striking page 1, line 6 through page 13,
 4 line 34 and inserting the following:
 5 “Sec. 201.
 6 1. The treasurer of state shall, for the fiscal
 7 period beginning July 1, 1985 and ending June 30,
 8 1990, credit moneys within the Iowa plan fund for
 9 economic development created in section 99E.10 to a
 10 special account to be known as the older Iowans
 11 assistance account. Moneys in this special account
 12 shall be appropriated only for the purpose of paying
 13 for assistance provided to older Iowans by state or
 14 local governments or by nongovernmental entities.
 15 2. There is appropriated to the department of
 16 human services from the older Iowans assistance
 17 account for each fiscal year of the fiscal period
 18 beginning July 1, 1985 and ending June 30, 1990 a sum
 19 sufficient to pay for medical assistance, old-age
 20 assistance, elderly homes assistance, and other
 21 assistance approved by the department for older
 22 Iowans.”
 23 2. Page 24, by inserting after line 8 the
 24 following:
 25 “___ Title page, lines 3 and 4, by striking the
 26 words “certain economic development programs and
 27 activities;” and inserting the following: “paying for
 28 assistance for older Iowans;”

WALLY HORN

S-3384

- 1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, line 29, by inserting after the word
4 "appropriated" the following: ", subject to
5 subsection 9,".
6 2. Page 3, line 3, by inserting after the word
7 "appropriated" the following: ", subject to
8 subsection 9,".
9 3. Page 4, line 25, by inserting after the word
10 "appropriated" the following: ", subject to
11 subsection 9,".
12 4. Page 8, line 31, by inserting after the word
13 "appropriated" the following: ", subject to
14 subsection 9,".
15 5. Page 10, by inserting after line 26 the
16 following:
17 "9. Notwithstanding that moneys are appropriated
18 in subsections 2, 3, 4 and 5, no moneys shall be
19 available to any agency, council, board, commission,
20 office, or overseer of a fund to which moneys were
21 appropriated in subsections 2, 3, 4, and 5 until the
22 seventy-first general assembly during the 1986 session
23 takes appropriate action to reaffirm the amount of
24 each specific appropriation or to increase, decrease
25 or eliminate the amount of each specific
26 appropriation."
27 6. Page 18, line 8, by striking the figure "1985"
28 and inserting the following: "1986".
29 7. Page 18, line 18, by striking the figure
30 "1985" and inserting the following: "1986".

GEORGE R. KINLEY
JOHN SOORHOLTZ
JACK RIFE
MILO COLTON
WALLY HORN
RICHARD VANDE HOEF

S-3385

- 1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 14, by striking lines 21 through 31.

ARTHUR A. SMALL, Jr.

S-3386

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 8, line 12, by striking the words "one
4 million (1,000,000)" and inserting the following:
5 "nine hundred thousand (900,000)".
6 2. Page 8, by inserting after line 30 the
7 following:
8 "h. To the state board of regents the sum of one
9 hundred thousand (100,000) dollars for the purpose of
10 financing the tuition waiver program established in
11 Senate File 164. The appropriation under this
12 paragraph is contingent upon the passage and enactment
13 into law of Senate File 164."
14 3. Page 12, by inserting after line 7 the
15 following:
16 "e. To the state board of regents for the purpose
17 and under the conditions specified in section 201,
18 subsection 4, paragraph "h" of this Act."

WALLY HORN

S-3387

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 14, line 27, by inserting after the word
4 "services." the following: "The commission shall
5 adopt, amend, and repeal rules under chapter 17A as it
6 deems necessary to function as the interim
7 coordinating agency."

JOE WELSH

S-3388

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 4, line 13, by striking the words
4 "cultural community" and inserting the following:
5 "community cultural".

JOE WELSH

S-3389

1 Amend Senate File 480 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 279.19A, subsection 3,
5 unnumbered paragraph 1, Code 1985, is amended to read
6 as follows:
7 The board of directors of a school district may
8 require an employee who has resigned from an
9 extracurricular contract to accept, as a condition of
10 employment under section 279.13, ~~the an~~
11 extracurricular contract ~~for~~ limited to the subsequent
12 school year only if all of the following conditions
13 apply:
14 Sec. __. Section 279.19A, subsection 4, paragraph
15 a, Code 1985, is amended to read as follows:
16 a. The individual who held the coaching position
17 during the year has not been issued a teaching
18 contract by the board pursuant to section 279.13 ~~for~~
19 limited to the subsequent school year only, or has
20 been terminated from the extracurricular contract."
21 2. By numbering and renumbering as necessary.

JOE BROWN

S-3390

1 Amend House File 225 as amended, passed, and
2 reprinted as follows:
3 1. Page 8, line 21, by striking the words "As
4 nearly as is practicable, forty-five" and inserting
5 the following: "The board shall establish the
6 percentage of the projected annual revenue that shall
7 be distributed as prizes. The percentage established
8 shall not be less than fifty percent of the projected
9 annual revenue computed on a year-round average basis
10 for each type of lottery game accruing from the sale
11 of tickets or shares. After the".
12 2. Page 8, by striking lines 22 through 25.

ARNE WALDSTEIN

S-3391

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, line 19, by striking the word "twelve"
4 and inserting the following: "seventeen".
5 2. Page 8, by inserting after line 30 the

6 following:

7 "h. To the merged area schools, as defined in
8 section 280A.2, the sum of five million (5,000,000)
9 dollars to be allocated and distributed by the state
10 comptroller for additional salary increases."

WILLIAM D. PALMER
WALLY E. HORN

S-3392

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:

3 1. Page 14, line 31, by inserting after the word
4 "existence." the following: "However, this section
5 does not alter the administration and delivery network
6 of the small business development centers and the
7 center for industrial research and service program,
8 with those programs retaining their administrative
9 authority and providing managerial assistance to small
10 business."

11 2. Page 22, line 14, by inserting after the word
12 "area." the following: "However, this duty and
13 responsibility does not alter the administration and
14 delivery network of the small business development
15 centers and the center for industrial research and
16 service."

17 3. Page 22, by inserting after line 45 the
18 following:

19 "Sec. 503. Chapter 28, Code 1985, is amended by
20 adding the following new section:

21 NEW SECTION. 28.102 PRIMARY RESEARCH AND
22 MARKETING CENTER, SMALL BUSINESS DEVELOPMENT
23 CENTERS,

24 AND THE CENTER FOR INDUSTRIAL RESEARCH AND SERVICE
25 COORDINATION.

26 The primary research and marketing center for
27 business and international trade shall work with the
28 small business development centers and the center for
29 industrial research and service in developing a means
30 to coordinate programs and services to avoid
31 administrative duplication and to assure appropriate
32 geographic placement of satellite centers and small
33 business development centers. Individually or
34 collectively, they shall report to the general
35 assembly by January 1, 1987 on the appropriate means
36 to coordinate such services to avoid duplication of
37 effort."

CHARLES BRUNER

S-3393

- 1 Amend Senate File 403 as follows:
- 2 1. Page 1, line 26, by striking the words
- 3 "eighteen weeks" and inserting the following: "one
- 4 school year".

BEVERLY A. HANNON

S-3394

- 1 Amend Senate File 343 as follows:
- 2 1. Page 7, line 25, by striking the figure "3"
- 3 and inserting the figure "2".

TOM MANN, Jr.

S-3395

- 1 Amend Senate File 343 as follows:
- 2 1. Page 2, line 24, by striking the word
- 3 "either".
- 4 2. Page 2, by striking lines 25 through 28 and
- 5 inserting the following: "unsafe condition, the city,
- 6 neighboring".
- 7 3. Page 3, by striking lines 3 through 7 and
- 8 inserting the following: "abandoned and is in a
- 9 dangerous or unsafe condition, the court shall issue
- 10 an injunction requiring the".

TOM MANN, Jr.

S-3396

- 1 Amend Senate File 343 as follows:
- 2 1. Page 5, lines 3 and 4, by striking the words
- 3 "another qualified property manager" and inserting the
- 4 following: "any person deemed qualified by the
- 5 court".

TOM MANN, Jr.

S-3397

- 1 Amend amendment S-3348 to House File 225 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, line 13, by striking the word
- 4 "sixteen" and inserting the following: "forty-six".
- 5 2. Page 9, by inserting after line 44 the
- 6 following:

7 "g. To the department of transportation the sum of
 8 thirty million (30,000,000) for the construction or
 9 reconstruction of interstate or limited access
 10 highways from Interstate 35 on U.S. highway 34 east to
 11 Burlington, from Interstate 29 east on U.S. highway 20
 12 to Dubuque, and on U.S. highway 61 south from Dubuque
 13 to Interstate 80 on to Burlington."
 14 3. Page 10, line 35, by striking the word "ten"
 15 and inserting the following: "forty".
 16 4. Page 10, line 37, by striking the word "three"
 17 and inserting the following: "thirty-three".
 18 5. Page 10, line 39, by striking the word "one"
 19 and inserting the following: "thirty-one".
 20 6. Page 12, line 8, by inserting after the figure
 21 "5." the following: "a."
 22 7. Page 12, by inserting after line 22 the
 23 following:
 24 "b. There is appropriated from the allotment made
 25 to the jobs now capitals account under subsection 1
 26 for each of the fiscal years beginning July 1, 1986,
 27 July 1, 1987, July 1, 1988 and July 1, 1989 to the
 28 department of transportation the sum of thirty million
 29 (30,000,000) dollars, or so much as is necessary, for
 30 the purposes specified in section 201, subsection 5,
 31 paragraph "g" of this Act."

DON E. GETTINGS

S-3398

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 14, line 28, by inserting after the word
 4 "services" the following: ", except for programs and
 5 services under the federal Job Training Partnership
 6 Act of 1982,".

ARTHUR A. SMALL, Jr.

S-3399

1 Amend amendment S-3349 to House File 225 as
 2 amended, passed, and reprinted by the House as
 3 follows:
 4 1. Page 1, line 11, by inserting after the word
 5 "contracts" the following: "other than major
 6 procurements".
 7 2. Page 1, line 31, by striking the words "to
 8 operate or market the lottery".

9 3. Page 1, line 34, by inserting after the word
10 "means" the following: "consulting agreements and".

JOE WELSH

S-3400

1 Amend amendment S-3348 to House File 225 as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 14, by striking lines 29 through 31 and
5 inserting the following: "accomplished through a
6 network of sixteen regions which shall correspond to
7 the merged areas or the boundaries of the federal Job
8 Training Partnership Act of 1982 service delivery
9 areas, which are already in existence."
10 2. Page 21, by striking lines 24 through 26 and
11 inserting the following: "state is divided up into
12 sixteen regional economic delivery areas as determined
13 by the boundaries of the federal Job Training
14 Partnership Act of 1982 service delivery areas, in".

LARRY MURPHY
JOHN A. NEIGHBOUR

S-3401

1 Amend Senate File 324 as follows:
2 1. Page 1, line 16, by striking the words "city
3 of Des Moines" and inserting the words "Polk county
4 clerk of court".

WILLIAM W. DIELEMAN

S-3402

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 8, line 34, by striking the word
4 "council".
5 2. Page 8, by striking lines 38 through 45.
6 3. Page 10, by striking lines 34 through 39 and
7 inserting the following:
8 "a. In each of the four fiscal years the first one
9 million dollars".
10 4. Page 12, by striking lines 8 through 22.
11 5. By striking page 16, line 35 through page 20,
12 line 4.
13 6. Page 24, by striking lines 9 through 14 and
14 inserting the following:

15 " . Title page, by striking lines 13 through
16 17."—

WALLY HORN
MILO COLTON

S-3403

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 10, line 5, by inserting after the figure
4 "5" the following " , except in subsection 3, paragraph
5 "c",".
6 2. Page 12, line 34, by inserting after the
7 figure "5" the following: " , except in subsection 3,
8 paragraph "b",".

ARTHUR A. SMALL, JR.

S-3404

1 Amend amendment S-3348 to House File 225 as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, lines 32 and 33, by striking the words
5 "Iowa development commission" and inserting the
6 following: "state comptroller".
7 2. By striking page 1, line 36 through page 3,
8 line 2 and inserting the following:
9 "a. To pay to political subdivisions of the state
10 all state appropriations that are delinquent under any
11 provision of the law."
12 3. Page 11, lines 3 and 4, by striking the words
13 "Iowa development commission" and inserting the
14 following: "state comptroller".
15 4. Page 11, by striking lines 7 through 19 and
16 inserting the following:
17 "a. To pay to political subdivisions of the state
18 all state appropriations that are delinquent under any
19 provision of the law."

WALLY HORN

S-3405

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 4, lines 29 and 30, by striking the words
4 "following funds, agencies, boards or commissions the
5 following amounts" and inserting the following:

6 "state comptroller the amount in that account".
7 2. By striking page 4, line 33 through page 8,
8 line 30 and inserting the following:
9 "a. To pay to political subdivisions all state
10 appropriations delinquent under any provision of the
11 law."
12 3. Page 11, by striking lines 42 and 43 and
13 inserting the following: "state comptroller the
14 amount in that account, or so much thereof as may be
15 necessary".
16 4. By striking page 11, line 46 through page 12,
17 line 7, and inserting the following:
18 "a. To pay to political subdivisions all state
19 appropriations delinquent under any provision of the
20 law."

WALLY HORN

S-3406

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 3, lines 6 and 7, by striking the words
4 "following funds, agencies, boards, or commissions the
5 following amounts" and inserting the following:
6 "state comptroller the amount in that account".
7 2. By striking page 3, line 10 through page 4,
8 line 24 and inserting the following:
9 "a. To pay to political subdivisions all state
10 appropriations delinquent under any provision of the
11 law."
12 3. Page 11, by striking lines 23 and 24 and
13 inserting the following: "the state comptroller the
14 amount in that account, or so much thereof as may be".
15 4. Page 11, by striking lines 27 through 37 and
16 inserting the following:
17 "a. To pay to political subdivisions all state
18 appropriations delinquent under any provision of the
19 law."

WALLY HORN

S-3407

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 23, line 34, by striking the word

4 "commission" and inserting the following: "department
5 of public instruction".

JOE BROWN

S-3408

1 Amend House File 225 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 8, by inserting after line 16 the
4 following:
5 "5. Whenever possible when the lottery agency
6 awards a contract under subsection 2, for the lease,
7 purchase, or servicing of a machine to be used in the
8 conducting of a lottery game including, but not
9 limited to, a video lottery machine or machine used in
10 lotto, the lottery agency shall give preference to
11 awarding the contract to a person whose primary place
12 of business is in Iowa."

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
JOHN NYSTROM
JACK RIFE
BEVERLY HANNON
JOHN SOORHOLTZ
WALLY HORN
RAY TAYLOR
ALVIN MILLER
LARRY MURPHY
BERL E. PRIEBE
JAMES D. WELLS
EMIL HUSAK

S-3409

- 1 Amend Senate File 268 as follows:
- 2 1. Page 4, by striking line 2 and inserting the
- 3 following:
- 4 "f. Two persons who are qualified by education or
- 5 employment experience to evaluate alternative
- 6 financing methods."

PATRICK J. DELUHERY

S-3410

- 1 Amend amendment S-3348 to House File 225 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 8, by striking lines 38 through 49 and
- 4 inserting the following:
- 5 "a. To the state comptroller the amount in that
- 6 account not otherwise appropriated under this section
- 7 to pay to political subdivisions all state
- 8 appropriations delinquent under any provision of the
- 9 law."
- 10 2. Page 12, by striking lines 11 through 22 and
- 11 inserting the following: "1987, July 1, 1988, and
- 12 July 1, 1989 to the state comptroller the amount in
- 13 the account to pay to political subdivisions all state
- 14 appropriations delinquent under any provision of the
- 15 law."

WALLY HORN

S-3411

- 1 Amend amendment S-3348 to House File 225 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 8, line 12, by striking the words "one
- 4 million (1,000,000)" and inserting the following:
- 5 "nine hundred thousand (900,000)".
- 6 2. Page 8, by inserting after line 30 the
- 7 following:
- 8 "h. To the state board of regents the sum of one
- 9 hundred thousand (100,000) dollars for the purpose of
- 10 financing a tuition waiver program which the state
- 11 board of regents shall establish."
- 12 3. Page 12, by inserting after line 7 the
- 13 following:
- 14 "e. To the state board of regents for the purpose

15 and under the conditions specified in section 201,
16 subsection 4, paragraph "h" of this Act."

WALLY HORN

S-3412

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, line 18, by striking the words "eight
4 million" and inserting the following: "ten million
5 eight hundred thousand".
6 2. Page 4, by inserting after line 24 the
7 following:
8 "g. To the department of transportation the sum of
9 two million eight hundred thousand (2,800,000) dollars
10 for public transit purposes to implement a state
11 assistance plan. Notwithstanding chapter 8, the funds
12 appropriated shall be allocated, if possible, in whole
13 or in part to a public transit system prior to the
14 time actual expenditures are incurred if the
15 allocation is first approved by the state department
16 of transportation. A public transit system shall make
17 application for advance allocations to the state
18 department of transportation specifically stating the
19 reasons why an advance allocation is required and this
20 allocation shall be included in the total to be
21 audited."
22 3. Page 10, line 43, by striking the words "eight
23 million" and inserting the following: "ten million
24 eight hundred thousand".
25 4. Page 11, by inserting after line 37 the
26 following:
27 "e. To the department of transportation for the
28 purposes and under the conditions specified in section
29 201, subsection 3, paragraph "g" of this Act."

TOM MANN, Jr.

S-3413

1 Amend House File 378 as passed by the House
2 follows:
3 1. Page 1, by inserting after line 15 the
4 following:
5 "Sec. 2. Section 321.288, Code 1985, is amended to
6 read as follows:
7 321.288 CONTROL OF VEHICLE.
8 1. A person operating a motor vehicle shall have
9 the ~~same~~ vehicle under control at all times ~~and~~.

10 2. A person operating a motor vehicle shall reduce
 11 the speed to a reasonable and proper rate:
 12 1 a. When approaching and passing a person walking
 13 in the traveled portion of the public highway.
 14 2 b. When approaching and passing an animal which
 15 is being led, ridden, or driven upon a public highway.
 16 3 c. When approaching and traversing a crossing or
 17 intersection of public highways, or a bridge, ~~or a~~
 18 sharp turn, ~~or a~~ curve, or ~~a~~ steep descent, in a
 19 public highway.
 20 4 d. When approaching and passing a fusee, flares,
 21 red reflector electric lanterns, red reflectors or red
 22 flags displayed in accordance with section 321.448, or
 23 an emergency vehicle displaying a revolving or
 24 flashing light.
 25 5 e. When approaching and passing a slow moving
 26 vehicle displaying a reflective device as provided by
 27 section 321.383.
 28 f. When approaching and passing through a sign
 29 posted construction or maintenance zone upon the
 30 public highway.”
 31 2. Amend the title, by striking the title after
 32 the word “Act” in line 1 and inserting the following:
 33 “relating to the safety of road maintenance workers.”

COMMITTEE ON
 TRANSPORTATION
 C. JOSEPH COLEMAN, Chair

S-3414

1 Amend amendment S-3348 to House File 225 as
 2 amended, passed and reprinted by the House as follows:
 3 1. Page 14, by inserting after line 31
 4 the following: “However, this section
 5 does not alter the administration and delivery network
 6 of the small business development centers and the
 7 center for industrial research and service program,
 8 with those programs retaining their administrative
 9 authority and providing managerial assistance to small
 10 business.”
 11 2. Page 22, line 14, by inserting after the word
 12 “area.” the following: “However, this duty and
 13 responsibility does not alter the administration and
 14 delivery network of the small business development
 15 centers and the center for industrial research and
 16 service.”

CHARLES BRUNER

S-3415

- 1 Amend Senate File 456 as follows:
- 2 1. Page 3, line 4, by striking the words "and are
- 3 not" and inserting the following: "except that they
- 4 are".
- 5 2. Page 3, line 6, by striking the word "not".
- 6 3. Page 3, line 8, by striking the word
- 7 "However," and inserting the following: "In
- 8 addition,".

TOM MANN, Jr.

S-3416

- 1 Amend amendment S-3348 to House File 225 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 8, line 34, by striking the word
- 4 "council," and inserting the following:
- 5 "commission,".
- 6 2. Page 8, by striking lines 38 through 45 and
- 7 inserting the following:
- 8 "a. To the Iowa development commission the sum of
- 9 one million five hundred thousand (1,500,000) dollars
- 10 for the establishment by the commission of foreign
- 11 overseas offices for the purposes of stimulating,
- 12 promoting and aiding the exportation of the state's
- 13 manufactured products and agricultural products and
- 14 reverse investments."
- 15 3. Page 10, by striking lines 34 through 39 and
- 16 inserting the following:
- 17 "a. In each of the four fiscal years the first two
- 18 million five hundred thousand dollars".
- 19 4. Page 12, by striking lines 11 through 22 and
- 20 inserting the following: "1987, July 1, 1988, and
- 21 July 1, 1989 to the Iowa development commission the
- 22 sum of one million five hundred thousand (1,500,000)
- 23 dollars, or so much thereof as may be necessary, for
- 24 the purposes designated in section 201, subsection 5,
- 25 paragraph "a" of this Act."
- 26 5. By striking page 16, line 35 through page 20,
- 27 line 4.
- 28 6. Page 24, by striking lines 9 through 14 and
- 29 inserting the following:
- 30 "____. Title page, by striking lines 13 through
- 31 17."

RAY TAYLOR

S-3417

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, line 16, by striking the word "ten"
4 and inserting the following: "forty".
5 2. Page 1, lines 32 and 33, by striking the words
6 "Iowa development commission the amount in that
7 account" and inserting the following: "following
8 commission or department the following accounts".
9 3. Page 1, by inserting after line 35 the
10 following:
11 " ___. To the Iowa development commission the sum
12 of ten million (10,000,000) dollars for the
13 following:".
14 4. Page 3, by inserting after line 2 the
15 following:
16 " ___. To the department of transportation the sum
17 of thirty million (30,000,000) dollars for the
18 construction or reconstruction of interstate or
19 limited access highways from Interstate 35 on U.S.
20 highway 34 east to Burlington, from Interstate 29 east
21 on U.S. highway 20 to Dubuque, and on U.S. highway 61
22 south from Dubuque to Interstate 80 on to Burlington."
23 5. Page 10, line 42, by striking the word "ten"
24 and inserting the following: "forty".
25 6. Page 11, line 4, by inserting after the word
26 "commission" the words "or the department of
27 transportation".
28 7. Page 11, by inserting after line 6 the
29 following:
30 " ___. To the Iowa development commission for the
31 following:".
32 8. Page 11, by inserting after line 16 the
33 following:
34 " ___. To the department of transportation not more
35 than thirty million (30,000,000) dollars for the
36 construction or reconstruction of interstate or
37 limited access highways from Interstate 35 on U.S.
38 highway 34 east to Burlington, from Interstate 29 east
39 on U.S. highway 20 to Dubuque, and on U.S. highway 61
40 south from Dubuque to Interstate 80 on to Burlington."

DON E. GETTINGS

S-3418

1 Amend House File 225 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 51, by inserting after line 22 the
4 following:

5 "DIVISION VII

6 Sec. 701. NEW SECTION. 18.170 TITLE.

7 Sections 18.171 through 18.175 may be cited as the
8 "Iowa small minority business procurement Act."

9 Sec. 702. NEW SECTION. 18.171 DEFINITIONS.

10 When used in sections 18.170 through 18.175, unless
11 the context otherwise requires:

12 1. "Small business" means a business organized for
13 profit which has its principal place of business in
14 Iowa and which is neither dominant in its field of
15 operation nor an affiliate or subsidiary of a business
16 dominant in its field of operation.

17 2. "Dominant in its field of operation" means
18 exercising a controlling or major influence in a
19 business activity in which a number of businesses are
20 engaged. The following businesses are dominant in
21 their field of operation:

22 a. Manufacturing businesses which employ more than
23 one hundred persons and whose gross receipts for the
24 preceding three fiscal years exceeded a total of
25 fifteen million dollars.

26 b. General construction businesses which had gross
27 receipts exceeding a total of six million dollars in
28 the preceding three fiscal years.

29 c. Speciality construction businesses which had
30 gross receipts exceeding three million dollars in the
31 preceding three fiscal years.

32 d. Nonmanufacturing businesses which employ more
33 than twenty-five persons and which had gross receipts
34 exceeding three million dollars in the preceding three
35 fiscal years.

36 3. "Affiliate or subsidiary of a business dominant
37 in its field of operation" means a business which is
38 at least twenty percent owned by a business dominant
39 in that field of operation, or by partners, officers,
40 directors, majority shareholders, or their equivalent
41 of a business dominant in that field of operation.

42 4. "Socially or economically disadvantaged person"
43 means a person who has been deprived of the
44 opportunity to develop and maintain a competitive
45 position in the economy because of any of the
46 following circumstances:

47 a. Cultural, social, or economic circumstances or
48 background.

49 b. Physical location if the person resides or is
50 employed in an area declared a labor surplus area by

Page 2

1 the United States department of commerce.

2 c. Other similar cause as defined by rules adopted

3 by the director pursuant to chapter 17A.

4 Sec. 703. **NEW SECTION. 18.172 PROCUREMENT FROM**
5 **SMALL MINORITY BUSINESSES.**

6 1. **SMALL MINORITY BUSINESS SET-ASIDES.**

7 Notwithstanding section 18.6, the director may
8 designate and set aside for awarding to small
9 businesses owned and operated by socially or
10 economically disadvantaged persons approximately five
11 percent of the value of anticipated total state
12 procurement of goods and services, including
13 construction, but not including utility services
14 pursuant to section 18.8, each fiscal year. The
15 director may divide the procurements so designated
16 into contract award units of economically feasible
17 production runs to facilitate offers or bids from
18 these small businesses. In designating set-aside
19 procurements, the director may vary the included
20 procurements so that a variety of goods and services
21 produced by different small businesses may be set
22 aside each year.

23 2. **NEGOTIATED PRICE OR BID CONTRACT.** The director
24 may use either a negotiated price or bid contract
25 procedure in the awarding of a contract under this
26 set-aside program. The amount of an award shall not
27 exceed by more than five percent the director's
28 estimated price for the goods or services, if they
29 were to be purchased on the open market or under the
30 competitive bidding procedures of section 18.6, and
31 not under this set-aside program. Surety bonds
32 guaranteed by the federal small business
33 administration are acceptable security for a
34 construction award under this section.

35 3. **DETERMINATION OF ABILITY TO PERFORM.** Before
36 announcing a set-aside award, the director shall
37 evaluate whether the small business scheduled to
38 receive the award is able to perform the set-aside
39 contract. This determination shall include
40 consideration of production and financial capacity and
41 technical competence.

42 4. **PROCUREMENT PROCEDURES.** All laws and rules
43 pertaining to solicitations, bid evaluations, contract
44 awards, and other procurement matters apply to
45 procurements set aside for small businesses to the

46 extent there is no conflict. If sections 18.171
47 through 18.175 conflict with other laws or rules, then
48 sections 18.171 through 18.175 govern.
49 Sec. 704. NEW SECTION. 18.173 ROLE OF
50 DEVELOPMENT COMMISSION.

Page 3

1 The director of general services may assist the
2 director of the Iowa development commission in
3 publicizing the set-aside program, attempting to
4 locate small businesses able to perform set-aside
5 awards, and encouraging program participation. When
6 the director of general services determines that a
7 small minority business is unable to perform under a
8 set-aside contract, the director of general services
9 shall inform the director of the Iowa development
10 commission who shall assist the small business in
11 attempting to remedy the causes of the inability to
12 perform. In assisting the small business, the
13 director of the Iowa development commission in
14 cooperation with the director of general services may
15 use any management or financial assistance programs
16 available through state or governmental agencies or
17 private sources. Primary responsibility under this
18 section rests with the director of the Iowa
19 development commission.

20 Sec. 705. NEW SECTION. 18.174 CERTIFICATION.

21 The director shall adopt by rule standards and
22 procedures for certifying that small businesses owned
23 and operated by socially or economically disadvantaged
24 persons are eligible to participate in the set-aside
25 program. The procedure for determination of
26 eligibility may include self-certification by a
27 business, provided the director retains the ability to
28 verify a self-certification. The director of general
29 services shall maintain a current directory of small
30 businesses which have been certified under this
31 section.

32 Sec. 706. NEW SECTION. 18.175 REPORTS.

33 1. DIRECTOR OF GENERAL SERVICES. The director of
34 general services shall submit an annual report to the
35 governor and the general assembly with a copy to the
36 director of the Iowa development commission relating
37 progress towards realizing the objectives and goals of
38 sections 18.171 through 18.174 during the preceding
39 fiscal year. The report shall include the following
40 information:

41 a. The total dollar value and number of potential
42 set-aside awards identified and the percentage of

43 total state procurements this figure reflects.
44 b. The total dollar value and number of set-aside
45 contracts awarded to small businesses owned and
46 operated by economically or socially disadvantaged
47 persons with appropriate designation as to the total
48 number and value of set-aside contracts awarded to
49 each small business, and the percentages of the total
50 state procurements the figures of total dollar value

Page 4

1 and the number of set-asides reflect.
2 c. The number of contracts which were designated
3 and set aside pursuant to section 18.172, but which
4 were not awarded to a small business, the estimated
5 total dollar value of these awards, the lowest offer
6 or bid on each of these awards made by the small
7 business and the price at which these contracts were
8 awarded pursuant to the normal procurement procedures.
9 2. DIRECTOR OF THE IOWA DEVELOPMENT COMMISSION.
10 The director of the Iowa Development Commission shall
11 submit an annual report to the governor and the
12 general assembly with a copy to the director of
13 general services. The report shall include the
14 following information:
15 a. The efforts undertaken to publicize the set-
16 aside program during the preceding year.
17 b. The efforts undertaken to identify small
18 businesses owned and operated by socially or
19 economically disadvantaged persons, and the efforts
20 undertaken to encourage participation in the set-aside
21 program.
22 c. The efforts undertaken by the director to
23 remedy the inability of these small businesses to
24 perform on potential set-aside awards.
25 d. The director's recommendations for
26 strengthening the set-aside program and delivery of
27 services to these small businesses.
28 Sec. 707. Section 28.7, Code 1985, is amended by
29 adding the following new subsection:
30 NEW SUBSECTION. Aid in the set aside of
31 procurements for small businesses owned and operated
32 by economically or socially disadvantaged persons
33 pursuant to sections 18.171 to 18.175."
34 2. Title page, line 24, by inserting after the
35 word "activities;" the following: "providing for set-
36 asides in state procurement contracts for small
37 minority businesses;"

TOM MANN, Jr.

S-3419

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, line 19, by inserting after the word
4 "account," the following: "two million eight hundred
5 thousand dollars to the "Public Transit Assistance"
6 account."
7 2. Page 9, by inserting after line 44 the
8 following:
9 "6. There is appropriated from the allotment to
10 the public transit assistance account under subsection
11 1 for the fiscal year beginning July 1, 1985 and
12 ending June 30, 1986 to the department of
13 transportation the sum of two million eight hundred
14 thousand (2,800,000) dollars for public transit
15 purposes to implement a state assistance plan.
16 Notwithstanding chapter 8, the funds appropriated
17 shall be allocated, if possible, in whole or in part
18 to a public transit system prior to the time actual
19 expenditures are incurred if the allocation is first
20 approved by the state department of transportation. A
21 public transit system shall make application for
22 advance allocations to the state department of
23 transportation specifically stating the reasons why an
24 advance allocation is required and this allocation
25 shall be included in the total to be audited."
26 3. Page 10, line 44, by inserting after the word
27 "account," the following: "two million eight hundred
28 thousand dollars to the public transit assistance
29 account."
30 4. Page 12, by inserting after line 22 the
31 following:
32 "6. There is appropriated from the allotment to
33 the public transit assistance account for each of the
34 fiscal years beginning July 1, 1986, July 1, 1987,
35 July 1, 1988 and July 1, 1989 the amount in that
36 account to the department of transportation for the
37 purposes and under the conditions specified in section
38 201, subsection 6, of this Act."

TOM MANN, Jr.

S-3420

1 Amend amendment S-3348 to House File 225 as
2 amended, passed and reprinted by the House as follows:

- 3 1. Page 8, by striking lines 38 through 45.
- 4 2. Page 12, by striking lines 8 through 22.

WALLY HORN
MILO COLTON
DALE L. TIEDEN

S-3421

- 1 Amend amendment S-3348 to House File 225 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 1, by inserting after line 12 the
- 4 following:
- 5 "a. The first ten million dollars to the
- 6 "Community Economic Betterment" account."
- 7 2. Page 1, line 13, by striking the words ""a.
- 8 The first" and inserting the following: "b. The
- 9 next".
- 10 3. Page 1, by striking lines 16 and 17 and
- 11 inserting the following:
- 12 "c. After the allotments in paragraphs "a" and
- 13 "b",".
- 14 4. Page 1, line 18, by striking the word
- 15 "account,".
- 16 5. Page 1, line 26, by striking the words "and
- 17 "c"" and inserting the following: ""c" and "d"".
- 18 6. Page 10, by inserting after line 33 the
- 19 following:
- 20 a. In each of the four fiscal years the first ten
- 21 million dollars to the community economic betterment
- 22 account."
- 23 7. Page 10, line 34, by striking the word "a."
- 24 and inserting the following: "b."
- 25 8. Page 10, line 35, by striking the word "first"
- 26 and inserting the following: "next".
- 27 9. Page 10, line 37, by striking the word "first"
- 28 and inserting the following: "next".
- 29 10. Page 10, line 39, by striking the word
- 30 "first" and inserting the following: "next".
- 31 11. Page 10, by striking lines 41 and 42.
- 32 12. Page 10, line 43, by striking the words
- 33 "community economic betterment account," and inserting
- 34 the following:
- 35 "c. In each of the four fiscal years after the
- 36 allotments in paragraphs "a" and "b",".
- 37 13. Page 10, line 48, by striking the words "and
- 38 "b"" and inserting the following: ", "b" and "c"".

WALLY HORN

S-3422

1 Amend House File 225 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 20, by inserting after line 30 the
4 following:

5 "DIVISION II

6 Sec. 201. NEW SECTION. 18.170 TITLE.

7 Sections 18.171 through 18.175 may be cited as the
8 "Iowa small minority business procurement Act."

9 Sec. 202. NEW SECTION. 18.171 DEFINITIONS.

10 When used in sections 18.170 through 18.175, unless
11 the context otherwise requires:

12 1. "Small business" means a business organized for
13 profit which has its principal place of business in
14 Iowa and which is neither dominant in its field of
15 operation nor an affiliate or subsidiary of a business
16 dominant in its field of operation.

17 2. "Dominant in its field of operation" means
18 exercising a controlling or major influence in a
19 business activity in which a number of businesses are
20 engaged. The following businesses are dominant in
21 their field of operation:

22 a. Manufacturing businesses which employ more than
23 one hundred persons and whose gross receipts for the
24 preceding three fiscal years exceeded a total of
25 fifteen million dollars.

26 b. General construction businesses which had gross
27 receipts exceeding a total of six million dollars in
28 the preceding three fiscal years.

29 c. Speciality construction businesses which had
30 gross receipts exceeding three million dollars in the
31 preceding three fiscal years.

32 d. Nonmanufacturing businesses which employ more
33 than twenty-five persons and which had gross receipts
34 exceeding three million dollars in the preceding three
35 fiscal years.

36 3. "Affiliate or subsidiary of a business dominant
37 in its field of operation" means a business which is
38 at least twenty percent owned by a business dominant
39 in that field of operation, or by partners, officers,
40 directors, majority shareholders, or their equivalent
41 of a business dominant in that field of operation.

42 4. "Socially or economically disadvantaged person"
43 means a person who has been deprived of the
44 opportunity to develop and maintain a competitive
45 position in the economy because of any of the
46 following circumstances:

47 a. Cultural, social, or economic circumstances or
48 background.

49 b. Physical location if the person resides or is
50 employed in an area declared a labor surplus area by

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1 the United States department of commerce.

2 c. Other similar cause as defined by rules adopted
3 by the director pursuant to chapter 17A.

4 Sec. 203. NEW SECTION. 18.172 PROCUREMENT FROM
5 SMALL MINORITY BUSINESSES.

6 1. SMALL MINORITY BUSINESS SET-ASIDES.

7 Notwithstanding section 18.6, the director may
8 designate and set aside for awarding to small
9 businesses owned and operated by socially or
10 economically disadvantaged persons approximately five
11 percent of the value of anticipated total state
12 procurement of goods and services, including
13 construction, but not including utility services
14 pursuant to section 18.8, each fiscal year. The
15 director may divide the procurements so designated
16 into contract award units of economically feasible
17 production runs to facilitate offers or bids from
18 these small businesses. In designating set-aside
19 procurements, the director may vary the included
20 procurements so that a variety of goods and services
21 produced by different small businesses may be set
22 aside each year.

23 2. NEGOTIATED PRICE OR BID CONTRACT. The director
24 may use either a negotiated price or bid contract
25 procedure in the awarding of a contract under this
26 set-aside program. The amount of an award shall not
27 exceed by more than five percent the director's
28 estimated price for the goods or services, if they
29 were to be purchased on the open market or under the
30 competitive bidding procedures of section 18.6, and
31 not under this set-aside program. Surety bonds
32 guaranteed by the federal small business
33 administration are acceptable security for a
34 construction award under this section.

35 3. DETERMINATION OF ABILITY TO PERFORM. Before
36 announcing a set-aside award, the director shall
37 evaluate whether the small business scheduled to
38 receive the award is able to perform the set-aside
39 contract. This determination shall include
40 consideration of production and financial capacity and
41 technical competence.

42 4. PROCUREMENT PROCEDURES. All laws and rules
43 pertaining to solicitations, bid evaluations, contract
44 awards, and other procurement matters apply to
45 procurements set aside for small businesses to the

46 extent there is no conflict. If sections 18.171
47 through 18.175 conflict with other laws or rules, then
48 sections 18.171 through 18.175 govern.
49 Sec. 204. NEW SECTION. 18.173 ROLE OF
50 DEVELOPMENT COMMISSION.

Page 3

1 The director of general services may assist the
2 director of the Iowa development commission in
3 publicizing the set-aside program, attempting to
4 locate small businesses able to perform set-aside
5 awards, and encouraging program participation. When
6 the director of general services determines that a
7 small minority business is unable to perform under a
8 set-aside contract, the director of general services
9 shall inform the director of the Iowa development
10 commission who shall assist the small business in
11 attempting to remedy the causes of the inability to
12 perform. In assisting the small business, the
13 director of the Iowa development commission in
14 cooperation with the director of general services may
15 use any management or financial assistance programs
16 available through state or governmental agencies or
17 private sources. Primary responsibility under this
18 section rests with the director of the Iowa
19 development commission.

20 Sec. 205. NEW SECTION. 18.174 CERTIFICATION.

21 The director shall adopt by rule standards and
22 procedures for certifying that small businesses owned
23 and operated by socially or economically disadvantaged
24 persons are eligible to participate in the set-aside
25 program. The procedure for determination of
26 eligibility may include self-certification by a
27 business, provided the director retains the ability to
28 verify a self-certification. The director of general
29 services shall maintain a current directory of small
30 businesses which have been certified under this
31 section.

32 Sec. 206. NEW SECTION. 18.175 REPORTS.

33 1. DIRECTOR OF GENERAL SERVICES. The director of
34 general services shall submit an annual report to the
35 governor and the general assembly with a copy to the
36 director of the Iowa development commission relating
37 progress towards realizing the objectives and goals of
38 sections 18.171 through 18.174 during the preceding
39 fiscal year. The report shall include the following
40 information:

41 a. The total dollar value and number of potential
42 set-aside awards identified and the percentage of

43 total state procurements this figure reflects.
44 b. The total dollar value and number of set-aside
45 contracts awarded to small businesses owned and
46 operated by economically or socially disadvantaged
47 persons with appropriate designation as to the total
48 number and value of set-aside contracts awarded to
49 each small business, and the percentages of the total
50 state procurements the figures of total dollar value

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1 and the number of set-asides reflect.

2 c. The number of contracts which were designated
3 and set aside pursuant to section 18.172, but which
4 were not awarded to a small business, the estimated
5 total dollar value of these awards, the lowest offer
6 or bid on each of these awards made by the small
7 business and the price at which these contracts were
8 awarded pursuant to the normal procurement procedures.

9 **2. DIRECTOR OF THE IOWA DEVELOPMENT COMMISSION.**

10 The director of the Iowa Development Commission shall
11 submit an annual report to the governor and the
12 general assembly with a copy to the director of
13 general services. The report shall include the
14 following information:

15 a. The efforts undertaken to publicize the set-
16 aside program during the preceding year.

17 b. The efforts undertaken to identify small
18 businesses owned and operated by socially or
19 economically disadvantaged persons, and the efforts
20 undertaken to encourage participation in the set-aside
21 program.

22 c. The efforts undertaken by the director to
23 remedy the inability of these small businesses to
24 perform on potential set-aside awards.

25 d. The director's recommendations for
26 strengthening the set-aside program and delivery of
27 services to these small businesses.

28 Sec. 207. Section 28.7, Code 1985, is amended by
29 adding the following new subsection:

30 **NEW SUBSECTION.** Aid in the set aside of
31 procurements for small businesses owned and operated
32 by economically or socially disadvantaged persons
33 pursuant to sections 18.171 to 18.175."

34 2. Title page, line 4, by inserting after the
35 word "activities;" the following: "providing for set-
36 asides in state procurement contracts for small
37 minority businesses:".

TOM MANN, Jr.

S-3423

- 1 Amend Senate File 455 as follows:
- 2 1. Page 3, line 5, by inserting after the word
- 3 "property." the following: "To identify persons who
- 4 may have an interest in the property, the seizing
- 5 officer or the county attorney shall make a reasonable
- 6 examination of any appropriate records regarding the
- 7 property to ascertain whether liens or interests in
- 8 the property currently exist."
- 9 2. Page 3, line 10, by inserting after the word
- 10 "upon" the words "all lienholders of record and".
- 11 3. Page 5, by striking lines 5 through 7, and
- 12 inserting the following: "of forfeiture. If the
- 13 court finds that forfeiture to the state is".
- 14 4. Page 5, by striking lines 10 through 12, and
- 15 inserting the following: "general as the attorney
- 16 general directs."
- 17 5. Page 5, line 22, by inserting after the word
- 18 "property." the following: "To identify persons who
- 19 may have an interest in the property, the seizing
- 20 officer or the county attorney shall make a reasonable
- 21 examination of any appropriate records regarding the
- 22 property to ascertain whether liens or interests in
- 23 the property currently exist."
- 24 6. Page 5, line 28, by striking the word "on" and
- 25 inserting the following: "upon all lienholders of
- 26 record and".
- 27 7. Page 9, line 17, by striking the words "of
- 28 fifty percent or more".
- 29 8. Page 9, line 24, by inserting after the word
- 30 "property" the following: ", which has not been
- 31 repurchased pursuant to subsection 2,".

TOM MANN, Jr.

S-3424

- 1 Amend amendment S-3348 to House File 225 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 8, line 34, by striking the word
- 4 "council," and inserting the following:
- 5 "commission,".
- 6 2. Page 8, by striking lines 38 through 45 and
- 7 inserting the following:
- 8 "a. To the Iowa development commission the sum of
- 9 one million five hundred thousand (1,500,000) dollars
- 10 for the establishment by the commission of foreign
- 11 overseas offices for the purposes of stimulating,
- 12 promoting and aiding the exportation of the state's

13 manufactured products and agricultural products and
14 reverse investments.”

15 3. Page 10, by striking lines 34 through 39 and
16 inserting the following:

17 “a. In each of the four fiscal years the first two
18 million five hundred thousand dollars”.

19 4. Page 12, by striking lines 11 through 22 and
20 inserting the following: “1987, July 1, 1988, and
21 July 1, 1989 to the Iowa development commission the
22 sum of one million five hundred thousand (1,500,000)
23 dollars, or so much thereof as may be necessary, for
24 the purposes designated in section 201, subsection 5,
25 paragraph “a” of this Act.”

26 5. By striking page 16, line 36 through page 17,
27 line 12.

28 6. By striking page 18, line 20 through page 20,
29 line 4.

30 7. Page 24, by striking lines 9 through 14 and
31 inserting the following:

32 “___”. Title page, by striking lines 13 through
33 17.”

RAY TAYLOR

S-3425

1 Amend Senate File 278 as follows:

2 1. Page 2, by inserting after line 21 the
3 following:

4 “Sec. 5. This Act is repealed July 1, 1987.”

5 2. Title page, line 2, by inserting after the
6 word “programming” the following: “and providing for
7 its repeal”.

JACK RIFE

S-3426

1 Amend House File 555 as passed by the House as
2 follows:

3 1. Page 2, by inserting after line 21 the
4 following:

5 “Sec. 5. This Act is repealed July 1, 1987.”

6 2. Title page, line 2, by inserting after the
7 word “programming” the following: “and providing for
8 its repeal”.

JACK RIFE

S-3427

- 1 Amend Senate File 14 as follows:
- 2 1. Page 1, line 13, by striking the figure "4"
- 3 and inserting the following: "1".
- 4 2. Page 1, line 15, by striking the letter "c"
- 5 and inserting the following: "d".
- 6 3. Page 1, line 18, by striking the letter "d"
- 7 and inserting the following: "e".

WILLIAM W. DIELEMAN

S-3428

- 1 Amend the amendment S-3319 to Senate File 447 as
- 2 follows:
- 3 1. Page 1, line 21, by striking the word
- 4 "radiology" and inserting the word "radiography."
- 5 2. Page 1, line 31, by striking the word
- 6 "radiology" and inserting the word "radiography".
- 7 3. Page 1, line 49, by striking the word
- 8 "radiology" and inserting the word "radiography".
- 9 4. Page 2, line 18, by striking the words
- 10 "radiology, radiologic" and inserting the words
- 11 "radiography, radiographic".
- 12 5. Page 2, line 26, by striking the word
- 13 "radiologic" and inserting the word "radiographic".
- 14 6. Page 2, line 27, by striking the word
- 15 "radiologic" and inserting the word "radiographic".
- 16 7. Page 2, line 29, by striking the word
- 17 "radiology" and inserting the word "radiography".
- 18 8. Page 2, line 40, by striking the word
- 19 "radiology" and inserting the word "radiography".
- 20 9. Page 3, line 36, by striking the word
- 21 "radiology" and inserting the word "radiography".
- 22 10. Page 3, line 38, by striking the word
- 23 "radiologic" and inserting the word "radiographic".
- 24 11. Page 3, line 39, by striking the word
- 25 "radiology" and inserting the word "radiography".
- 26 12. Page 3, line 41, by striking the word
- 27 "radiology" inserting the word "radiography".
- 28 13. Page 4, line 16, by striking the word
- 29 "Radiologic" and inserting the word "radiographic".
- 30 14. Page 4, line 20, by striking the word
- 31 "Radiologic" and inserting the word "Radiographic".
- 32 15. Page 4, by striking lines 29 and 30 and
- 33 inserting the following: "to one specific body part
- 34 except when qualified pursuant to rules of the
- 35 department to apply radiation to both the chest and
- 36 extremities or when qualified pursuant to rules of the

37 department to perform other permitted radiographic
38 procedures.”.

39 16. Page 4, line 39, by striking the word
40 “radiology” and inserting the word “radiography”.

41 17. Page 5, line 26, by striking the word
42 “radiologic” and inserting the word “radiographic”.

43 18. Page 6, line 4, by striking the word
44 “radiologic” and inserting the word “radiographic”.

45 19. Page 6, line 13, by striking the word
46 “radiologic” and inserting the word “radiographic”.

47 20. Page 6, line 16, by striking the word
48 “radiologic” and inserting the word “radiographic”.

EDGAR H. HOLDEN
HURLEY W. HALL
DALE TIEDEN

S-3429

1 Amend Senate File 455 as follows:

2 1. Page 3, line 5, by inserting after the word
3 “property.” the following: “To identify persons who
4 may have an interest in the property, the seizing
5 officer or the county attorney shall make a reasonable
6 examination of any appropriate records regarding the
7 property to ascertain whether liens or interests in
8 the property currently exist.”

9 2. Page 3, line 10, by inserting after the word
10 “upon” the words “all lienholders of record and”.

11 3. Page 5, by striking lines 5 through 7, and
12 inserting the following: “of forfeiture. If the
13 court finds that forfeiture to the state is”.

14 4. Page 5, by striking lines 10 through 12, and
15 inserting the following: “general as the attorney
16 general directs.”

17 5. Page 5, line 22, by inserting after the word
18 “property.” the following: “To identify persons who
19 may have an interest in the property, the seizing
20 officer or the county attorney shall make a reasonable
21 examination of any appropriate records including, but
22 not limited to, the records of the secretary of state,
23 county treasurer, county recorder and the clerk of
24 court regarding the property to ascertain whether
25 liens or interests in the property currently exist.”

26 6. Page 5, line 28, by striking the word “on” and
27 inserting the following: “upon all lienholders of
28 record and”.

29 7. Page 9, line 17, by striking the words “of
30 fifty percent or more”.

31 8. Page 9, line 24, by inserting after the word

32 "property" the following: ", which has not been
33 repurchased pursuant to subsection 2,".

TOM MANN, Jr.

S-3430

1 Amend Senate File 394 as follows:
2 1. Page 4, line 1, by inserting after the word
3 "sponsors." the following: "For purposes of this
4 paragraph a person sponsoring a flea market, or a
5 craft, antique, coin or stamp show or similar event
6 does not include a non-profit organization which
7 sponsors an event less than three times a year or a
8 state, county or district agricultural fair."

BERL E. PRIEBE
CHARLES BRUNER
EDGAR H. HOLDEN

S-3431

1 Amend Senate File 447 as follows:
2 1. Page 4, by striking lines 3 through 11 and
3 inserting the following: "the members appointed by
4 the governor, one shall be a radiologist; two shall be
5 qualified to be radiologic technologists with at least
6 five years experience in the practice of radiologic
7 technology, one of whom shall be qualified to be a
8 nuclear medicine technologist; and two shall be
9 persons representing the general public. The members,
10 except the public members, shall meet the training
11 standards of the department where applicable.
12 Subsequent members of the board, except the public
13 members, shall be holders of current".

EDGAR H. HOLDEN

S-3432

1 Amend Senate File 104 as follows:
2 1. Page 1, by inserting after line 31 the
3 following:
4 "Sec. ____ . This Act takes effect January 1, 1986."
5 2. By renumbering sections as necessary.

TOM MANN, Jr.

S-3433

- 1 Amend amendment S-3319 to Senate File 447 as
- 2 follows:
- 3 1. Page 5, by inserting after line 47 the
- 4 following:
- 5 "d. An applicant who furnishes proof to the board
- 6 of having been actively engaged in the practice of
- 7 radiology for at least the past five years shall be
- 8 granted a license in lieu of any of the other
- 9 qualifications specified in this chapter."

JACK HESTER

S-3434

- 1 Amend Senate File 447 as follows:
- 2 1. Page 6, by inserting after line 34 the
- 3 following:
- 4 "7. The board shall issue a license, in lieu of
- 5 the other requirements specified in this chapter, to
- 6 an applicant who furnishes proof of having been an
- 7 active practitioner of one of the licensed radiology
- 8 professions for at least the past five years."

JACK HESTER

S-3435

- 1 Amend House File 315 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 10, by striking the word
- 4 "essentially".

THOMAS A. LIND

S-3436

- 1 Amend House File 315 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 18, by inserting after the word
- 4 "selection." the following: "However, before the
- 5 selection is made, the pharmacist must meet with the
- 6 patient or the patient's adult representative
- 7 personally."

THOMAS A. LIND

S-3437

- 1 Amend House File 315 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "product" the following: "if the same manufacturer
- 5 manufactures both the prescribed drug product and the
- 6 identical drug product,".

THOMAS A. LIND

S-3438

- 1 Amend House File 315 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 23, by striking the word "person"
- 4 and inserting the following: "patient or patient's
- 5 adult representative".

THOMAS A. LIND

S-3439

- 1 Amend House File 315 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 21, by striking the word
- 4 "prescriber" and inserting the following: "physician,
- 5 dentist, podiatrist, or veterinarian".

THOMAS A. LIND

S-3440

- 1 Amend House File 315 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by inserting after line 33 the
- 4 following:
- 5 "The pharmacist shall post a visual sign in a
- 6 conspicuous place at the pharmacist's place of
- 7 business indicating that the pharmacist is allowed to
- 8 select an identical drug product under conditions and
- 9 specifications of this Act."

THOMAS A. LIND

S-3441

- 1 Amend Senate File 459 as follows:
- 2 1. Page 4, by striking line 34, and inserting the
- 3 following: "interest payments".

LEONARD L. BOSWELL

S-3442

- 1 Amend Senate File 203 as follows:
- 2 1. By striking page 1, line 33 through page 2,
- 3 line 7 and inserting the following:
- 4 "5. At trial, no mention shall be made by any
- 5 party, witness or attorney, and no evidence shall be
- 6 offered or admitted of the financial condition or
- 7 profits of the defendant, unless and until the
- 8 plaintiff's evidence has established a submissible
- 9 case for punitive damage liability against defendant.
- 10 The determination shall be made by the trial judge, on
- 11 motion duly made by the plaintiff, prior to the close
- 12 of plaintiff's evidence and outside the presence of
- 13 the jury. If the trial judge finds that the plaintiff
- 14 has made the requisite showing, the trial judge shall
- 15 thereafter allow such evidence of financial condition
- 16 or profits as the judge determines to be relevant and
- 17 otherwise admissible under the rules of evidence."

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3443

- 1 Amend Senate File 461 as follows:
- 2 1. Page 1, line 2, by inserting after the word
- 3 "chapter" the following: "and in sections 2 through 5
- 4 of this Act".
- 5 2. Page 1, by striking lines 5 through 14.
- 6 3. By striking page 1, line 20 through page 2,
- 7 line 8.
- 8 4. Page 2, by striking lines 19 through 32.
- 9 5. By striking page 3, line 6 through page 6,
- 10 line 4.
- 11 6. By striking page 6, line 16 through page 7,
- 12 line 24 and inserting the following:
- 13 "Sec. 2. Section 509.3, Code 1985, is amended by
- 14 adding the following new subsection:
- 15 **NEW SUBSECTION.** 7. A provision which offers and
- 16 makes available to policyholders under a policy
- 17 providing hospital and medical coverage on an expense

18 incurred basis, benefits for the necessary care and
19 treatment of chemical dependency and mental disorders,
20 which are not less favorable than for physical illness
21 generally and which are subject to the same durational
22 limits, dollar limits, deductibles, and coinsurance
23 factors. However, policyholders may reject the
24 coverage, or select alternative coverage offered by or
25 negotiated with the insurer. Benefits provided for
26 care and treatment of chemical dependency in a
27 facility, as defined in section 125.2, subsection 2,
28 other than a hospital, are payable as if the care and
29 treatment is provided in a hospital, if the care and
30 treatment is determined to be necessary and is
31 provided pursuant to a written treatment plan.
32 Benefits for the necessary care and treatment of
33 mental disorders shall cover the mental health
34 services which are medically or psychologically
35 necessary or which are necessary to restore a person's
36 capacity for social or biological functioning, and
37 which are provided pursuant to a written treatment
38 plan. However, this subsection does not apply to a
39 blanket, short-term travel, accident only, limited or
40 specified disease, or individual or group conversion
41 policy, to a policy designed only for issuance to
42 policyholders eligible for medicare coverage under
43 Title XVIII of the federal Social Security Act, or to
44 any other similar coverage under a state or federal
45 governmental plan.
46 Sec. 3. Section 514.5, Code 1985, is amended by
47 adding the following new unnumbered paragraph after
48 the second unnumbered paragraph:
49 NEW UNNUMBERED PARAGRAPH. A hospital service
50 corporation or medical service corporation shall offer

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1 and make available to subscribers under a group
2 subscriber contract providing hospital or medical and
3 surgical coverage on an expense incurred basis,
4 benefits for the necessary care and treatment of
5 chemical dependency and mental disorders, which are
6 not less favorable than for physical illness generally
7 and which are subject to the same durational limits,
8 dollar limits, deductibles, and coinsurance factors.
9 However, the subscribers may reject the coverage, or
10 select alternative coverage offered by or negotiated
11 with the corporation. Benefits provided for care and
12 treatment of chemical dependency in a facility, as
13 defined in section 125.2, subsection 2, other than a
14 hospital, are payable as if the care and treatment is

15 provided in a hospital, if the care and treatment is
16 determined to be necessary and is provided pursuant to
17 a written treatment plan. Benefits for the necessary
18 care and treatment of mental disorders shall cover the
19 mental health services which are medically or
20 psychologically necessary or which are necessary to
21 restore a person's capacity for social or biological
22 functioning, and which are provided pursuant to a
23 written treatment plan. However, this paragraph does
24 not apply to a contract designed only for issuance to
25 subscribers eligible for medicare coverage under Title
26 XVIII of the federal Social Security Act, or to any
27 other similar coverage under a state or federal
28 governmental plan.

29 **Sec. 4 NEW SECTION. 514A.13 MANDATORY OFFER OF**
30 **CHEMICAL DEPENDENCY AND MENTAL DISORDERS COVERAGE.**

31 An individual policy of accident and health
32 insurance regulated under this chapter shall contain
33 in substance a provision which offers and makes
34 available to the policyholder under a policy providing
35 hospital and medical coverage on an expense incurred
36 basis, benefits for the necessary care and treatment
37 of chemical dependency and mental disorders, which are
38 not less favorable than for physical illness generally
39 and which are subject to the same durational limits,
40 dollar limits, deductibles, and coinsurance factors.
41 However, the policyholder may reject the coverage, or
42 select alternative coverage offered by or negotiated
43 with the insurer. Benefits provided for care and
44 treatment of chemical dependency in a facility, as
45 defined in section 125.2, subsection 2, other than a
46 hospital, are payable as if the care and treatment is
47 provided in a hospital, if the care and treatment is
48 determined to be necessary and is provided pursuant to
49 a written treatment plan. Benefits for the necessary
50 care and treatment of mental disorders shall cover the

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1 mental health services which are medically or
2 psychologically necessary or which are necessary to
3 restore a person's capacity for social or biological
4 functioning, and which are provided pursuant to a
5 written treatment plan. However, this subsection does
6 not apply to a blanket, short-term travel, accident
7 only, limited or specified disease, or individual or
8 group conversion policy, to a policy designed only for
9 issuance to policyholders eligible for medicare
10 coverage under Title XVIII of the federal Social
11 Security Act, or to any other similar coverage under a

12 state or federal governmental plan.

13 Sec. 5. Section 514B.5, Code 1985, is amended by
14 adding the following new subsection after subsection 3
15 and renumbering the subsequent subsections:

16 NEW SUBSECTION. 4. The health maintenance
17 organization offers to provide to groups of enrollees
18 and makes available to groups of enrollees the
19 provision of the necessary care and treatment of
20 chemical dependency and mental disorders, which is
21 provided in a manner not less favorable than basic
22 health services for physical illness generally and
23 which is provided subject to the same durational
24 limits, dollar limits, deductibles, and coinsurance
25 factors. However, the enrollees may reject the
26 coverage, or select alternative coverage offered by or
27 negotiated with the organization. Care and treatment
28 of chemical dependency provided in a facility, as
29 defined in section 125.2, subsection 2, other than a
30 hospital, shall be provided as if the care and
31 treatment is provided in a hospital, if the care and
32 treatment is determined to be necessary and is
33 provided pursuant to a written treatment plan.
34 Benefits for the necessary care and treatment of
35 mental disorders shall cover the mental health
36 services which are medically or psychologically
37 necessary or which are necessary to restore a person's
38 capacity for social or biological functioning, and
39 which are provided pursuant to a written treatment
40 plan. However, this subsection does not apply to a
41 policy designed only for issuance to enrollees
42 eligible for medicare coverage under Title XVIII of
43 the federal Social Security Act, or to any other
44 similar coverage under a state or federal governmental
45 plan."

46 7. Title page, by striking lines 1 through 9, and
47 inserting the following: "An Act requiring individual
48 health insurance policies, group health insurance
49 policies, group nonprofit hospital and medical service
50 contracts, and health maintenance organizations to

Page 4

1 offer and make available coverage for the care and
2 treatment of chemical dependency and mental
3 disorders."

4 8. By renumbering as necessary.

EDGAR H. HOLDEN

S-3444

- 1 Amend Senate File 406 as follows:
- 2 1. Page 1, line 6, by striking the word "twenty-
- 3 five" and inserting the following: "ten".
- 4 2. Page 1, line 18, by striking the word "twenty-
- 5 five" and inserting the following: "ten".
- 6 3. By striking page 1, line 30 through page 2,
- 7 line 15.

COMMITTEE ON
AGRICULTURE
BERL E. PRIEBE, Chair

S-3445

- 1 Amend Senate File 439 as follows:
- 2 1. Page 1, line 12, by inserting after the word
- 3 "product" the following: "so as to provide
- 4 essentially the same therapeutic effect, when
- 5 administered in the same amounts, as measured by the
- 6 control of a symptom or disease".
- 7 2. Page 1, line 13, by inserting after the word
- 8 "so," the following: "the pharmacist shall pass on
- 9 to".
- 10 3. Page 1, by striking lines 14 and 15, and
- 11 inserting the following: "representative and no less
- 12 than fifty percent of the savings which results from
- 13 the product selection".
- 14 4. Page 1, by striking lines 27 through 30.

BOB CARR

S-3446

- 1 Amend Senate File 335 as follows:
- 2 1. By striking everything after the enacting
- 3 clause and inserting the following:
- 4 "Section 1. Section 598.21, subsection 8,
- 5 unnumbered paragraph 1, Code 1985, is amended to read
- 6 as follows:
- 7 The court may subsequently modify orders made under
- 8 this section when there is a substantial change in
- 9 circumstances. The court contemplating a change in
- 10 child support because of alleged change in
- 11 circumstances shall consider each parent's earning
- 12 capacity, economic circumstances and cost of living.
- 13 Modifications of orders pertaining to child custody
- 14 shall be made pursuant to chapter 598A. However, if a
- 15 child twelve years of age or older requests the court

16 to modify a custody order, the court shall determine
 17 if the child, with the assistance of a guardian ad
 18 litem, would be capable of representing the child's
 19 own best interests in custody modification
 20 proceedings. If the court determines that the child
 21 would be capable of representing the child's own best
 22 interest, the court shall appoint a guardian ad litem
 23 to represent the child. The guardian ad litem shall
 24 petition the court for a modification of the custody
 25 order and shall not be required to pay the applicable
 26 court filing and docketing fees, advance services
 27 fees, and other costs. The court shall hold a hearing
 28 with all parties to the custody order and shall grant
 29 the petition for modification if in the best interest
 30 of the child. The court shall inquire into the
 31 ability of each parent or guardian to pay all
 32 applicable court fees and costs and guardian ad litem
 33 fees, and if able, the court shall tax the court fees
 34 and costs and guardian ad litem fees accordingly. If
 35 the petition for a modification of an order pertaining
 36 to child custody asks either for joint custody or that
 37 joint custody be modified to an award of sole custody,
 38 the modification, if any, shall be made pursuant to
 39 section 598.41."

COMMITTEE ON JUDICIARY
 DONALD DOYLE, Chair

S-3447

- 1 Amend Senate File 499 as follows:
- 2 1. Page 3, line 28, by striking the word "twenty-
- 3 five" and inserting the word "ten".

DONALD V. DOYLE
 C. JOSEPH COLEMAN
 MILO COLTON
 DON GETTINGS

S-3448

- 1 Amend Senate File 325 as follows:
- 2 1. Page 1, line 26, by inserting after the word
- 3 "association" the following: "as of July 1, 1986".
- 4 2. Page 1, by inserting after line 29 the

5 following:

6 "Sec. 2. This Act takes effect July 1, 1986."

COMMITTEE ON
LOCAL GOVERNMENT
ALVIN V. MILLER, Chair

S-3449

1 Amend Senate File 421 as follows:

2 1. Page 1, line 9, by inserting after the word
3 "minors." the following: "Repeated violations may
4 result in the person's termination."

TOM MANN, Jr.

S-3450

1 Amend Senate File 421 as follows:

2 1. Page 1, line 9, by inserting after the word
3 "minors." the following: "After an additional
4 conviction under this subsection, the director may
5 suspend the person without pay for more than two weeks
6 or may dismiss the person."

RAY TAYLOR

S-3451

1 Amend Senate File 499 as follows:

2 1. Page 3, by inserting after line 28 the
3 following:
4 "Sec. ____ This Act takes effect only at such time
5 as state mandatory safety belt usage laws have been
6 enacted that meet the federal minimum criteria for
7 state mandatory safety belt usage laws under 49 Fed.
8 Reg. 29,010 (1984) (to be codified at 49 C.F.R.
9 §571.208 S4.1.5.2) which are applicable to at least
10 fifty percent of the total population of the fifty
11 states and the District of Columbia based on the most
12 recent Estimates of the Resident Population of States,
13 by Age, Current Population Reports, Series P-25,
14 published by the bureau of the census, United States
15 department of commerce."
16 2. Title page, line 5, by inserting after the
17 word "penalty" the words "and effective date".

C. JOSEPH COLEMAN

S-3452

- 1 Amend House File 476 as passed by the House as
- 2 follows:
- 3 1. Page 9, by inserting after line 20, the
- 4 following:
- 5 "f. The financial incentive payment may be used in
- 6 combination with other public funds."

JOE J. WELSH

S-3453

- 1 Amend Senate File 393 as follows:
- 2 1. Page 1, by striking lines 4 through 13 and
- 3 inserting the following:
- 4 "a. For a transfer of property made in the
- 5 transfer records, five dollars of each separate parcel
- 6 of real estate described in a deed, or transfer of
- 7 title certified by the clerk of the district court.
- 8 However, the fee shall not exceed fifty dollars for a
- 9 transfer of property which is described in one
- 10 instrument of transfer.
- 11 (1) For the purposes of this paragraph, a parcel
- 12 of real estate includes:
- 13 (a) For real estate located outside of the
- 14 corporate limits of a city, all contiguous land lying
- 15 within a numbered section.
- 16 (b) For real estate located within the corporate
- 17 limits of a city, all contiguous land lying within a
- 18 platted block or subdivision.
- 19 (2) Within a numbered section, platted block, or
- 20 subdivision, land separated only by a public street,
- 21 alley, or highway remains contiguous."

ARNE WALDSTEIN

S-3454

- 1 Amend Senate File 500 as follows:
- 2 1. Page 4, by striking line 10 and inserting the
- 3 following: "A person who commits any of the following
- 4 acts is guilty of a fraudulent practice and is
- 5 punishable as provided in chapter 714:"
- 6 2. Page 4, line 11, by striking the words "make,
- 7 cause to be made, or subscribe" and inserting the
- 8 following: "makes, causes to be made, or subscribes".
- 9 3. Page 4, line 13, by striking the words "to
- 10 render" and inserting the following: "renders".
- 11 4. Page 4, line 16, by striking the word

- 12 "Conspire" and inserting the following: "Conspires".
13 5. Page 4, line 18, by striking the words
14 "misrepresent or omit" and inserting the following:
15 "misrepresents or omits".
16 6. Page 6, line 13, by striking the word
17 "misdemeanor" and inserting the following:
18 "misdemeanor unless otherwise specifically stated."

DOUGLAS RITSEMA

S-3455

- 1 Amend Senate File 208 as follows:
2 1. Page 3, by inserting after line 4 the
3 following:
4 "Sec. . . . NEW SECTION. 533.47 INVESTMENT IN
5 VENTURE CAPITAL FIRMS.
6 A credit union may invest in shares or equity
7 interests in venture capital firms which agree to use
8 their best effort to make investments in small
9 businesses having their principal offices within this
10 state and having either more than one-half of their
11 assets within this state or more than one-half of
12 their employees employed within this state. A credit
13 union shall not invest more than five percent of its
14 assets under this section. For purposes of this
15 section, "venture capital firm" means a corporation,
16 partnership, proprietorship, or other entity formed
17 under the laws of the United States, or a state,
18 district, or territory of the United States, and whose
19 principal business is or will be the making of
20 investments in small businesses which meet the
21 applicable small business administration definition of
22 small business and which are principally engaged in
23 the development or exploitation of inventions,
24 technological improvements, new processes, or products
25 not previously generally available in this state.
26 "Equity interests" means limited partnership interests
27 and other equity interests in which liability is
28 limited to the amount of the investment, but does not
29 mean general partnership interests or other interests
30 involving general liability."
31 2. Title page, by striking line 2 and inserting
32 the following: "state savings banks, state savings
33 and loan associations, and state credit unions".

COMMITTEE ON COMMERCE
GEORGE R. KINLEY, Chair

S-3456

- 1 Amend Senate File 479 as follows:
- 2 1. Page 1, line 3, by striking the word "Give"
- 3 and inserting the following: "To the extent of the
- 4 landlord's knowledge or the landlord's ability to
- 5 obtain information, give".

COMMITTEE ON ENERGY
AND ENVIRONMENT
CHARLES BRUNER, Chair

S-3457

- 1 Amend Senate File 456 as follows:
- 2 1. Page 4, by inserting after line 1 the
- 3 following:
- 4 "Sec. 6. Section 80A.13, subsections 1 and 2, Code
- 5 1985, are amended to read as follows:
- 6 1. File with the sheriff of the county in which
- 7 the campus is located evidence that the individual has
- 8 successfully completed an approved firearms training
- 9 program under section 724.9. This requirement does
- 10 not apply to armored car personnel.
- 11 2. Possess a permit to carry weapons issued by the
- 12 sheriff of the county in which the campus is located
- 13 under sections 724.6 through 724.11. This requirement
- 14 does not apply to armored car personnel."
- 15 2. By renumbering as necessary.

DONALD V. DOYLE

S-3458

- 1 Amend House File 452 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 9, by striking the word "~~or~~" and
- 4 inserting the following: "or".
- 5 2. Page 1, by striking lines 10 and 11 and
- 6 inserting the following: "administration."
- 7 3. Title page, by striking lines 1 through 3 and
- 8 inserting the following: "An Act relating to deposit
- 9 insurance."

PATRICK J. DELUHERY

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 225

S-3459

- 1 Amend the Senate amendment H-3386 to House File 225
- 2 as amended, passed and reprinted by the House as
- 3 follows:
- 4 1. By striking page 1, line 49 through page 2,
- 5 line 3.
- 6 2. Page 2, line 20, by striking the words "annual
- 7 studies" and inserting the following: "a study".
- 8 3. Page 2, by striking lines 27 through 44.
- 9 4. Page 2, line 50, by striking the words "small
- 10 minority" and inserting the words "female and minority
- 11 small".
- 12 5. Page 3, by striking lines 47 and 48 and
- 13 inserting the following: "FEMALE AND MINORITY SMALL
- 14 BUSINESSES.
- 15 1. FEMALE AND MINORITY SMALL BUSINESS SET-ASIDES."
- 16 6. Page 4, line 1, by inserting after the word
- 17 "by" the words "females and".
- 18 7. Page 4, line 49, by striking the words "small
- 19 minority" and inserting the words "female or
- 20 minority".
- 21 8. Page 5, line 15, by inserting after the word
- 22 "by" the words "females and".
- 23 9. Page 5, line 38, by inserting after the word
- 24 "by" the words "females and".
- 25 10. Page 6, line 10, by inserting after the word
- 26 "by" the words "females and".
- 27 11. Page 6, line 24, by inserting after the word
- 28 "by" the words "females and".
- 29 12. Page 6, line 36, by striking the words "ten
- 30 million five hundred" and inserting the following:
- 31 "eleven million".
- 32 13. Page 7, line 14, by striking the words "
- 33 subject to subsection 9,".
- 34 14. Page 7, by inserting after line 29 the
- 35 following:
- 36 "e. Road construction projects."
- 37 15. Page 8, line 34, by striking the words "
- 38 subject to subsection 9,".
- 39 16. Page 10, line 6, by striking the words "
- 40 subject to subsection 9,".
- 41 17. Page 10, line 16, by striking the figure
- 42 "VIII" and inserting the following: "VII".
- 43 18. Page 13, line 48, by striking the letter "s"
- 44 and inserting the word "as".
- 45 19. Page 14, line 11, by striking the words "

46 subject to subsection 9.”
47 20. Page 14, by inserting after line 29 the
48 following:
49 “___ . To the department of public defense for the
50 purposes and in the amounts designated as follows:

Page 2

1 (1) To connect the armory in Cedar Rapids to the
2 city water and sewer lines and for related architect
3 and engineering services the sum of two hundred
4 thirty-four thousand three hundred thirty-five
5 (234,335) dollars.
6 (2) For the architect, engineering, equipment and
7 construction of an addition to the armory in Cedar
8 Rapids the sum of two hundred sixty-four thousand
9 sixty-four (264,064) dollars.”
10 21. Page 15, line 16, by striking the words “,
11 except in subsection 3, paragraph “c”,”
12 22. Page 15, by striking lines 38 through 47.
13 23. Page 16, by inserting after line 39 the
14 following:
15 “e. Road construction projects.”
16 24. Page 17, line 20, by striking the figure
17 “VIII” and inserting the following: “VII”.
18 25. Page 17, line 31, by inserting after the
19 figure “5.” the following: “a.”
20 26. Page 17, by inserting after line 45 the
21 following:
22 “b. There is appropriated from the allotment made
23 to the jobs now capitals account under subsection 1
24 for each of the fiscal years beginning July 1, 1986,
25 July 1, 1987, July 1, 1988 and July 1, 1989 to the
26 department of public instruction the sum of one
27 million (1,000,000) dollars for the purposes and under
28 the conditions specified in section 301, subsection 5,
29 paragraph “c” of this Act.”
30 27. Page 18, line 7, by striking the words “,
31 except in subsection 3, paragraph “b”,”
32 28. Page 20, by striking lines 8 through 17 and
33 inserting the following: “of fifteen subregions which
34 shall correspond to the merged areas as defined in
35 section 280A.2 and which are already in existence.
36 29. Page 20, line 41, by striking the word
37 “shall” and inserting the following: “may”.
38 30. Page 20, line 41, by inserting after the word
39 “nominees” the following: “which shall be”.
40 31. Page 20, line 46, by striking the words “two
41 representatives” and inserting the following: “one
42 representative”.

- 43 32. Page 20, line 50, by striking the word
44 "shall" and inserting the following: "may".
45 33. Page 21, line 1, by inserting after the word
46 "nominees" the following: "which shall be".
47 34. Page 21, line 5, by striking the word "shall"
48 and inserting the following: "may".
49 35. Page 21, line 5, by inserting after the word
50 "nominees" the following: "which shall be".

Page 3

- 1 36. Page 21, line 8, by striking the word "shall"
2 and inserting the following: "may".
3 37. Page 21, line 9, by inserting after the word
4 "nominees" the following: "which shall be".
5 38. Page 21, line 14, by striking the word
6 "shall" and inserting the following: "may".
7 39. Page 21, line 14, by inserting after the word
8 "nominees" the following: "which shall be".
9 40. Page 21, by inserting after line 16 the
10 following:
11 "f. Each list of nominees submitted shall contain
12 an equal number of females and males."
13 41. Page 23, line 50, by striking the word and
14 numeral "November 30" and inserting the following:
15 "December 15".
16 42. Page 24, line 1, by striking the figure
17 "1986" and inserting the figure "1985".
18 43. Page 24, line 11, by striking the figure
19 "1986" and inserting the figure "1985".
20 44. Page 27, by striking lines 17 through 21 and
21 inserting the following: "state is divided up into
22 fifteen regional economic delivery areas which have
23 the same area boundaries as merged areas, as defined
24 in section 280A.2, in existence on the effective date
25 of this section. Each regional delivery area wishing
26 to".
27 45. Page 28, by striking lines 7 through 11 and
28 inserting the following: "within the area."
29 46. By renumbering, relettering, or redesignating
30 and correcting internal references as necessary.

S-3460

- 1 Amend Senate File 409 as follows:
2 1. Page 2, by striking lines 10 and 11.

JULIA B. GENTLEMAN

S-3461

- 1 Amend Senate File 448 as follows:
- 2 1. Page 1, by striking lines 24 through 26 and
3 inserting the following: "law, ~~and~~ who has been
4 certified to the".
- 5 2. Page 1, line 31, by inserting after the word
6 "program," the following: "and who makes timely
7 payments in the months November through March of at
8 least the amount within the resident's ability to pay
9 as determined by such local agency."
- 10 3. Page 2, line 20, by inserting after the word
11 "program." the following: "The local agency shall
12 make a determination of the applicant's ability to pay
13 the applicant's residential gas and electric public
14 utility bills for the months November through March
15 and shall certify the amount determined to the
16 applicant's public utility."
- 17 4. Page 2, by striking lines 26 through 31, and
18 inserting the following: "the amount certified as
19 being within the resident's ability to pay."

COMMITTEE ON ENERGY
AND ENVIRONMENT
CHARLES BRUNER, Chair

S-3462

- 1 Amend Senate File 473 as follows:
- 2 1. Page 4, by inserting after line 2, the
3 following:
- 4 "Sec. 7. NEW SECTION. 225C.30 ADDITIONAL COSTS.
- 5 Additional costs incurred under this Act which a
6 county is obligated to pay under the provision of
7 section 222.49, 222.60, 222.77, 229.42, or 230.1,
8 chapter 252, or section 331.424, subsection 1,
9 paragraph "a", subparagraph (1), (2), or (3), or
10 paragraph "b", "c", "d", "e", "f", "g", or "h" shall
11 be paid by the state from funds not otherwise
12 appropriated. The counties shall apply for
13 reimbursement to the division, which shall prescribe
14 rules and forms to implement this section. The
15 division shall notify the state comptroller of the
16 reimbursement and the state comptroller shall
17 reimburse the county the amount designated."

WILLIAM W. DIELEMAN
JACK RIFE

S-3463

1 Amend Senate File 518 as follows:

2 1. Page 4, by inserting after line 3 the

3 following:

4 "5. For the restoration and major

5 repairs to the state capitol building \$1,020,000".

WILLIAM W. DIELEMAN

S-3464

1 Amend Senate File 110 as follows:

2 1. Page 1, by inserting after line 34 the fol-

3 lowing:

4 "5. "Doing business in the Republic of South

5 Africa" means conducting or performing manufacturing,
6 assembly or warehousing operations within the Republic
7 of South Africa.

8 6. "Doing business with the Republic of South

9 Africa" means supplying strategic products or services

10 for use by the government of South Africa or for use
11 by the military or police in South Africa.

12 7. "Strategic products or services" means articles

13 designated as arms, ammunition and implements of war

14 in 22 C.F.R. § 121, and data processing equipment and

15 computers sold for military or police use or for use

16 in connection with the pass system as practiced in the

17 Republic of South Africa."

18 2. Page 2, by inserting after line 20 the

19 following:

20 "_. This section does prohibit either of the

21 following:

22 a. The purchase of securities issued by the United

23 States government or agreements to purchase or

24 repurchase such securities or securities issued by

25 firms not otherwise prohibited from purchase under

26 this chapter.

27 b. Custodial agreements or accounts used for

28 purchases and sales of securities otherwise acceptable

29 under this chapter."

30 3. Page 2, line 25, by striking the word "three"

31 and inserting the following: "five".

32 4. Page 2, line 26, by striking the word "one-

33 third" and inserting the following: "one-fifth".

34 5. Page 2, line 34, by striking the words

35 "treasurer or" and inserting the following:

36 "treasurer,".

37 6. Page 2, line 35, by inserting after the word

38 "regents" the following: ", or the department of job

39 service”.

40 7. Page 3, by striking lines 1 through 13 and

41 inserting the following:

42 “b. Exercise its right to vote stock in any
43 election in order to require the company doing
44 business in or with the Republic of South Africa to
45 divest itself of investments in the Republic of South
46 Africa and to cease doing business in or with the
47 Republic of South Africa or to prevent the company
48 from entering into any investment or business in or
49 with the Republic of South Africa.”

50 8. Page 3, line 20, by striking the word

Page 2

1 “ESTABLISHING”.

2 9. Page 3, by inserting after line 20 the

3 following:

4 “___ . The treasurer of state shall maintain a list
5 of financial institutions and companies that make
6 loans to, invest in, or do business with the Republic
7 of South Africa. The list shall be developed with
8 reference to information obtained from the United
9 States department of commerce. The treasurer of
10 state, the state board of regents, and the department
11 of job service shall not invest in or deposit funds in
12 a financial institution or a company on the list. The
13 treasurer of state shall mail written notification to
14 each financial institution or company on the divesti-
15 ture list.”

16 10. Page 3, by striking lines 23 and 24 and
17 inserting the following: “documentary evidence is
18 submitted to the treasurer of state. The evidence
19 must”.

20 11. Page 3, line 31, by striking the word
21 “agency” and inserting the following: “treasurer of
22 state”.

23 12. Page 3, line 32, by inserting after the word
24 “institution” the following: “or company”.

25 13. Page 3, line 34, by striking the word
26 “agency” and inserting the following: “treasurer of
27 state”.

28 14. By striking page 5, line 11 through page 6,
29 line 12.

30 15. By renumbering as necessary.

COMMITTEEE ON
STATE GOVERNMENT
BOB M. CARR, Chair

S-3465

1 Amend Senate File 477 as follows:

DIVISION S-3465A

2 1. Page 1, line 31, by striking the word "and"
3 and inserting the word "or".

DIVISION S3465B

4 2. Page 3, line 5, by striking the words "or"
5 disciplinary".

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3466

1 Amend Senate File 439 as follows:

2 1. Page 1, by striking lines 12 through 15 and
3 inserting the following: "therapeutically equivalent
4 to the prescribed drug product so as to provide
5 essentially the same therapeutic effect, when
6 administered in the same amounts, as measured by the
7 control of a symptom or disease. If the pharmacist
8 does so, the pharmacist shall pass on to the patient
9 or the patient's adult representative no less than
10 fifty percent of the savings which results from the
11 product selection."
12 2. Page 1, by striking lines 27 through 30.

BOB CARR

S-3467

1 Amend Senate File 518 as follows:

2 1. Page 1, line 14, by striking the number
3 "63,394" and inserting the following: "68,513".

FORREST SCHWENGELS

S-3468

1 Amend Senate File 499 as follows:

2 1. Page 1, by striking lines 22 through 26 and
3 inserting the following: "the motor vehicle's model
4 year."
5 2. Page 1, line 27, by striking the words "driver
6 and front seat".

- 7 3. Page 1, line 35, by striking the words "driver
8 and front seat".
9 4. Page 2, line 3, by striking the words "driver
10 and front seat".
11 5. Page 2, line 34, by striking the words "driver
12 and front seat passengers" and inserting the words
13 "occupants of a motor vehicle".

EDGAR H. HOLDEN

S-3469

- 1 Amend Senate File 518 as follows:
2 1. Page 3, by inserting after line 29 the
3 following: "The department of general services may
4 use funds appropriated under this subsection to fund
5 energy conservation projects in the state capitol
6 complex which will have a one hundred percent payback
7 within a twelve month period."

WILLIAM W. DIELEMAN

S-3470

- 1 Amend Senate File 409 as follows:
2 1. Page 2, line 21, by inserting after the words
3 "editor's office" the following: ", the office of the
4 citizens' aide".

LOWELL L. JUNKINS

S-3471

- 1 Amend Senate File 442 as follows:
2 1. Page 1, by striking lines 7 through 9 and
3 inserting the following: "competent, ~~(3) not possess~~
4 ~~personal or moral habits which would be detrimental to~~
5 ~~the best interests of safety and welfare of the~~
6 ~~children transported not have a conviction under a law~~
7 ~~of any state of a crime involving mistreatment of a~~
8 ~~child or violence against a person, not have a record~~
9 ~~of founded child sexual abuse or a record of multiple~~
10 ~~incidents of any other type of founded child abuse,~~
11 ~~(4) have an annual".~~

DONALD V. DOYLE

S-3472

- 1 Amend Senate File 482 as follows:
- 2 1. Page 1, lines 5 and 6 by striking the words "A
3 two-party payment" and inserting the words "A payment
4 drawn jointly to the recipient and the recipient's
5 landlord and negotiable only upon endorsement of the
6 recipient and the landlord".
- 7 2. Page 1, line 8, by striking the words "two-
8 party" and inserting the words "jointly drawn rental".

EDGAR H. HOLDEN

S-3473

- 1 Amend Senate File 499 as follows:
- 2 1. Page 1, by inserting before line 1 the
3 following:
- 4 "Section 1. Section 104A.3, subsection 6, Code
5 1985, is amended to read as follows:
- 6 6. At each floor level which is accessible to the
7 physically handicapped and on which public toilet or
8 bathroom facilities are provided, those facilities
9 shall be accessible to the physically handicapped. In
10 each such public toilet or bathroom where functional
11 equipment such as mirrors, basins, towel dispensers,
12 and similar types of equipment are furnished, at least
13 one of each type of functional equipment shall be
14 accessible to the physically handicapped. Each toilet
15 stool provided for the physically handicapped shall be
16 equipped with a safety belt which shall be of a size
17 to accommodate an adult person and which shall be
18 designed and installed for use in a manner to
19 substantially prevent movement of the person using the
20 safety belt."
- 21 2. Title page, line 2, by inserting after the
22 word "belt" the words "installation and safety belt".
- 23 3. Renumber as necessary.

THOMAS A. LIND

S-3474

- 1 Amend Senate File 462 as follows:
- 2 1. Page 1, by striking lines 1 through 22.
- 3 2. By striking page 2, line 9 through page 3,
4 line 22.

- 5 3. Page 5, by striking lines 25 through 27.
6 4. Renumber sections as necessary.

MICHAEL E. GRONSTAL
DONALD V. DOYLE
CHARLES BRUNER
MILO COLTON
DOUGLAS RITSEMA

S-3475

- 1 Amend Senate File 462 as follows:
2 1. Page 1, line 28, by striking the words "or
3 commercial".
4 2. Page 2, line 2, by inserting after the word
5 "tariff." the following: "No competitor of the same
6 industrial classification receiving a special
7 industrial incentive electric demand charge tariff
8 shall be charged a higher tariff than the special
9 industrial incentive electric demand charge tariff."
10 3. Page 2, by inserting after line 5 the
11 following:
12 "The commission may consider a special industrial
13 incentive electric demand charge tariff for an
14 existing industry that can show an economic hardship
15 which has resulted in a substantial decline in
16 employment or which may cause the industry to cease
17 operation."
18 4. Page 2, by inserting after line 8 the
19 following:
20 "Notwithstanding section 388.6, the utility board
21 of a municipally owned electric utility may approve a
22 special industrial incentive electric demand charge
23 tariff establishing a maximum demand charge to a new
24 or expanding industrial customer if the utility board
25 follows the procedure outlined in subsections 1
26 through 4. All rulemaking authority for a municipally
27 owned electric utility under this paragraph resides in
28 its utility board as defined in section 388.1."
29 5. By striking page 3, line 23 through page 5,
30 line 24.
31 6. Renumber sections as necessary.

COMMITTEE ON COMMERCE
GEORGE R. KINLEY, Chair

S-3476

1 Amend Senate File 438 as follows:

- 2 1. Page 1, by striking line 5 and inserting the
3 following; "antimicrobial agents, topical and oral".
4 2. Page 1, line 6, by striking the words "topical
5 and oral antiglaucoma agents,".
6 3. Page 1, line 7, by striking the words "and
7 oral analgesic agents" and inserting the following:
8 "topical analgesic agents and topical anesthetic
9 agents".
10 4. Page 1, line 12, by inserting after the word
11 "adnexa" the following: ", except glaucoma,".
12 5. Page 1, line 28, by striking the word "and".
13 6. Page 1, by striking lines 29 and 30 and
14 inserting the following: "with particular".
15 7. Page 1, line 32, by striking the words
16 "adnexa, at" and inserting the following: "adnexa
17 provided by".
18 8. Page 2, line 1, by inserting after the word
19 "education" the following: ", and approved by the
20 board of optometry examiners. The rule of the board
21 shall require a course including a minimum of
22 hours of didactic education and sixty hours of
23 approved supervised clinical training in the
24 examination, diagnosis and treatment of conditions of
25 the human eye and adnexa. The board may also, by
26 rule, provide a procedure by which an applicant who
27 has received didactic education meeting the
28 requirements of rules adopted pursuant to this
29 subsection at an approved school of optometry may
30 apply to the board for a waiver of the didactic
31 education requirements of this subsection".
32 9. Page 2, line 13, by striking the word "sixty-
33 four" and inserting the following: "forty".
34 10. Page 2, line 14, by striking the word
35 "eighty" and inserting the following: "sixty".

JAMES D. WELLS
BILL HUTCHINS
FORREST SCHWENGELS
C. JOSEPH COLEMAN

S-3477

1 Amend House File 231 as amended, passed and
2 reprinted by the House as follows:

- 3 1. Page 1, by striking line 15, and inserting the
4 following:
5 "Sec. 2. Section 461.2, Code 1985, is amended by

6 adding the following new unnumbered paragraph:
 7 NEW UNNUMBERED PARAGRAPH. However, the board of
 8 supervisors may install a temporary portable pumping
 9 station to remove flood waters in an emergency. For
 10 the purpose of this paragraph an emergency occurs when
 11 ponded or standing water does not freely flow to the
 12 outlet ditch and the capacity of the outlet ditch is
 13 not fully used."

ARNE WALDSTEIN

HOUSE AMENDMENT TO
 SENATE CONCURRENT RESOLUTION 19

S-3478

1 Amend Senate Concurrent Resolution 19, as passed by
 2 the Senate, as follows:
 3 1. Page 1, line 12, by striking the words
 4 "service, its financial position and" and inserting
 5 the following: "service and its financial position,
 6 and the".
 7 2. Page 1, line 14, by striking the word "expect"
 8 and inserting the following: "is expected".
 9 3. Page 1, line 15, by striking the words "that
 10 amount".
 11 4. Page 1, line 18, by striking the word "to" and
 12 inserting the following: "to the".
 13 5. Page 1, line 26, by striking the word "sound"
 14 and inserting the following: "sound a".
 15 6. Page 1, by inserting after line 27 the
 16 following:
 17 "BE IT FURTHER RESOLVED, That the members of the
 18 Iowa General Assembly urge the members of Congress
 19 representing the State of Iowa to actively support
 20 legislation to provide for continued Amtrak service
 21 within the State of Iowa; and".

S-3479

1 Amend Senate File 433 as follows:
 2 1. Page 1, by striking lines 5 and 6 and
 3 inserting the following: "a person who has qualified
 4 as a respiratory therapist or respiratory therapy
 5 technician."
 6 2. Page 1, by striking lines 29 through 33.
 7 3. By striking page 1, line 35 through page 2,
 8 line 27.
 9 4. By striking page 5, line 19 through page 14,
 10 line 35 and inserting the following:

11 "Sec. 6. NEW SECTION. 135F.6 DEPARTMENT DUTIES.

12 The department shall administer and implement this
13 chapter. The department's duties in these areas shall
14 include, but are not limited to the following:

15 1. The adoption, publication and amendment of
16 rules, in accordance with chapter 17A, necessary for
17 the administration and enforcement of this chapter.

18 2. The establishment and collection of fees for
19 the registration of respiratory care practitioners.
20 The fees charged shall be sufficient to defray the
21 costs of administration of this chapter and all fees
22 collected shall be deposited with the treasurer of
23 state who shall deposit them in the general fund of
24 the state.

25 Sec. 7. NEW SECTION. 135F.7 REPRESENTATION.

26 A person who is qualified as a respiratory care
27 practitioner and is registered with the department may
28 use the title "respiratory care practitioner" or the
29 letters R.C.P. after the person's name to indicate
30 that the person is a qualified respiratory care
31 practitioner registered with the department. No other
32 person is entitled to use the title or letters or any
33 other title or letters that indicate or imply that the
34 person is a respiratory care practitioner, nor may a
35 person make any representation, orally or in writing,
36 expressly or by implication, that the person is a
37 registered respiratory care practitioner."

38 5. Page 15, by striking lines 5 and 6 and
39 inserting the following:

40 "The department may apply to a court for the
41 issuance of an".

42 6. Page 15, by striking lines 9 through 19.

43 7. By striking page 15, line 27 through page 16,
44 line 1.

45 8. By renumbering and correcting internal
46 references as necessary."

EDGAR H. HOLDEN
HURLEY W. HALL
DALE TIEDEN
JACK W. HESTER

S-3480

1 Amend Senate File 448 as follows:

2 1. Page 2, by inserting before line 32 the
3 following:

4 "Sec. ____ . Section 476.20, subsection 4, Code
5 1985, is amended to read as follows:

6 4. A public utility which violates a provision of

7 this section relating to the disconnection of service
 8 or which violates a rule of the commerce commission
 9 relating to disconnection of service is subject to
 10 civil penalties imposed by the commission under
 11 section 476.51 and the public utility shall refund any
 12 reconnect fees collected as a result of such
 13 disconnection along with interest calculated at the
 14 rate set pursuant to section 476.6, subsection 13."
 15 2. Renumber sections as necessary.

MICHAEL E. GRONSTAL

S-3481

1 Amend Senate File 441 as follows:
 2 1. Page 1, line 26, by inserting after the word
 3 "section" the words and figures "306C.18 or".
 4 2. By striking page 1, line 30 through page 2,
 5 line 7, and inserting the following:
 6 "4. DEPARTMENT AUTHORIZATION. When required by 23
 7 U.S.C. §131(g), the department may acquire through
 8 purchase or condemnation and shall pay just
 9 compensation as provided in section 306C.16 for off-
 10 premise advertising devices removed after July 1,
 11 1985, through amortization by an ordinance of a
 12 political subdivision either enacted prior to the
 13 devices becoming subject to either chapter 306B or
 14 chapter 306C or enacted prior to July 1, 1985.
 15 Notwithstanding the requirements of section 306C.14,
 16 the department may first pay just compensation from
 17 the highway beautification fund and then claim
 18 reimbursement for the federal share of the payment
 19 from the federal government."

DONALD V. DOYLE

S-3482

1 Amend Senate File 474 as follows:
 2 1. Page 1, line 6, by inserting after the word
 3 "self-inflicted" the following: "and the county or
 4 city, or its employees, can show compliance with
 5 relevant rules adopted by the department pursuant to
 6 section 356.36".

DONALD V. DOYLE

S-3483

- 1 Amend Senate File 539 as follows:
- 2 1. Page 2, line 29 by inserting after the word
- 3 "high" the words "and at least one-quarter inch wide".

EMIL J. HUSAK

S-3484

- 1 Amend Senate Concurrent Resolution 30 as follows:
- 2 1. Page 1, lines 4 and 5, by striking the words
- 3 "the sale of agricultural land" and inserting the
- 4 words "loans at below-market interest rates".
- 5 2. Page 1, line 8, by striking the word "Untied"
- 6 and inserting the word "United".
- 7 3. Page 1, line 14, by striking the word
- 8 "agricltural" and inserting the following:
- 9 "agricultural".
- 10 4. Page 1, line 23, by striking the word
- 11 "lenders" and inserting the word "persons".
- 12 5. Page 1, lines 23 and 24, by striking the words
- 13 "low interest agricultural and small business loans"
- 14 and inserting the words "a loan at below-market
- 15 interest rates".
- 16 6. Page 1, line 29, by striking the word
- 17 "lenders" and inserting the word "persons".
- 18 7. Page 1, lines 29 and 30, by striking the words
- 19 "for agricultural production and small business
- 20 operation".

BERL E. PRIEBE
EDGAR H. HOLDEN

S-3485

- 1 Amend House File 450 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, by striking lines 8 through 13, and
- 4 inserting the following:
- 5 "3. One member of the faculty of an institution of
- 6 higher education under the state board of regents who
- 7 is primarily engaged in teacher education.
- 8 4. One member of the faculty of a private
- 9 university or college that has an approved teacher
- 10 education program who is primarily engaged in teacher
- 11 education."
- 12 2. Page 8, by striking lines 23 through 25 and
- 13 inserting the following: "member of the faculty of a
- 14 college or university having an approved teacher

15 education program who is primarily engaged in teacher
16 education; or an employee of the department of”.
17 3. Page 8, by striking lines 29 and 30 and
18 inserting the following: “member should be given to a
19 member of the faculty from that college or university
20 who is primarily engaged in teacher education.”

JOY CORNING

S-3486

1 Amend amendment S-3319 to Senate File 447 as
2 follows:
3 1. Page 5, by inserting after line 47 the
4 following:
5 “d. An applicant who furnishes proof to the board
6 of having been actively engaged in the practice of
7 radiography for at least the past five years shall be
8 granted a license in lieu of any of the other
9 qualifications specified in this chapter.”

JACK HESTER

S-3487

1 Amend the amendment S-3434 to Senate File 447 as
2 follows:
3 1. Page 1, line 7, by striking the word
4 “radiology” and inserting the word “radiography”.

JACK W. HESTER

S-3488

1 Amend the amendment S-3319 to Senate File 447 as
2 follows:
3 1. By striking page 1, line 4 through page 6,
4 line 24 and inserting the following:
5 “Section 1. Chapter 136C, Code 1985, is amended by
6 adding the following new section:
7 NEW SECTION. 136C.15 CERTIFICATION.
8 1. A person certified by the department as a
9 “general diagnostic radiographer” pursuant to rules of
10 the department may use the title “licensed
11 radiographer” or the letters L.R. after the person’s
12 name. No other person is entitled to use the title or
13 letters or any other title or letters that indicate or
14 imply that the person is a licensed radiographer, nor
15 may a person make any representation, orally or in
16 writing, expressly or by implication, that the person

17 is a licensed radiographer.

18 2. A person certified by the department as a
19 "limited diagnostic radiographer" pursuant to rules of
20 the department may use the title "licensed limited
21 radiographer" or the letters L.L.R. after the person's
22 name. No other person is entitled to use the title or
23 letters, or any other title or letters that indicate
24 or imply that the person is a licensed limited
25 radiographer, nor may a person make any
26 representation, orally or in writing, expressly or by
27 implication, that the person is a licensed limited
28 radiographer.

29 3. A person certified by the department as a
30 "radiation therapy technologist" pursuant to rules of
31 the department may use the title "licensed radiation
32 therapy technologist" or the letters L.R.T.T. after
33 the person's name. No other person is entitled to use
34 the title or letters, or any other title or letters
35 that indicate or imply that the person is a licensed
36 radiation therapy technologist, nor may a person make
37 any representation, orally or in writing, expressly or
38 by implication, that the person is a licensed
39 radiation therapy technologist.

40 4. A person certified by the department as a
41 "nuclear medicine technologist" pursuant to rules of
42 the department may use the title "licensed nuclear
43 medicine technologist" or the letters L.N.M.T. after
44 the person's name. No other person is entitled to use
45 the title or letters, or any other title or letters
46 that indicate or imply that the person is a licensed
47 nuclear medicine technologist, nor may a person make
48 any representation, orally or in writing, expressly or
49 by implication, that the person is a licensed nuclear
50 medicine technologist."

EDGAR H. HOLDEN
HURLEY W. HALL
DALE L. TIEDEN
JACK W. HESTER
JULIA B. GENTLEMAN

S-3489

1 Amend Senate File 447 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Chapter 136C, Code 1985, is amended by
5 adding the following new section:

6 NEW SECTION. 136C.15 CERTIFICATION.

7 1. A person certified by the department as a

8 "general diagnostic radiographer" pursuant to rules of
9 the department may use the title "licensed
10 radiographer" or the letters L.R. after the person's
11 name. No other person is entitled to use the title or
12 letters or any other title or letters that indicate or
13 imply that the person is a licensed radiographer, nor
14 may a person make any representation, orally or in
15 writing, expressly or by implication, that the person
16 is a licensed radiographer.

17 2. A person certified by the department as a
18 "limited diagnostic radiographer" pursuant to rules of
19 the department may use the title "licensed limited
20 radiographer" or the letters L.L.R. after the person's
21 name. No other person is entitled to use the title or
22 letters, or any other title or letters that indicate
23 or imply that the person is a licensed limited
24 radiographer, nor may a person make any
25 representation, orally or in writing, expressly or by
26 implication, that the person is a licensed limited
27 radiographer.

28 3. A person certified by the department as a
29 "radiation therapy technologist" pursuant to rules of
30 the department may use the title "licensed radiation
31 therapy technologist" or the letters L.R.T.T. after
32 the person's name. No other person is entitled to use
33 the title or letters or any other title or letters
34 that indicate or imply that the person is a licensed
35 radiation therapy technologist, nor may a person make
36 any representation, orally or in writing, expressly or
37 by implication, that the person is a licensed
38 radiation therapy technologist.

39 4. A person certified by the department as a
40 "nuclear medicine technologist" pursuant to rules of
41 the department may use the title "licensed nuclear
42 medicine technologist" or the letters L.N.M.T. after
43 the person's name. No other person is entitled to use
44 the title or letters, or any other title or letters
45 that indicate or imply that the person is a licensed
46 nuclear medicine technologist nor may a person make
47 any representation, orally or in writing, expressly or
48 by implication, that the person is a licensed nuclear
49 medicine technologist."

EDGAR H. HOLDEN
HURLEY HALL
DALE TIEDEN
JACK W. HESTER
JULIA GENTLEMAN

S-3490

1 Amend Senate File 84 as follows:

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

4 "Section 1. Section 724.22, subsection 2, Code
5 1985, is amended to read as follows:

6 2. Except as provided in subsections 4 and 5, a
7 person who sells, loans, gives, or makes available a
8 pistol or revolver or ammunition for a pistol or
9 revolver to a person below the age of twenty-one
10 commits a ~~simple~~ an aggravated misdemeanor."

11 2. Page 2, by inserting after line 9 the
12 following:

13 "Sec. 2. NEW SECTION. 724.29 REPORT OF PISTOL OR
14 REVOLVER LOST OR STOLEN.

15 A person who possesses or owns a pistol or revolver
16 which is lost or stolen shall report the loss or theft
17 within twenty-four hours to a law enforcement agency
18 within the jurisdiction where the loss or theft
19 occurs. A violation of this section is a serious
20 misdemeanor.

21 Sec. 3. NEW SECTION. 724.30 STORAGE OF PISTOL OR
22 REVOLVER.

23 A person who possesses or owns a pistol or revolver
24 shall secure the pistol or revolver in a locked opaque
25 container when the pistol or revolver is not in the
26 person's immediate possession or control. A person
27 who fails to properly secure a pistol or revolver as
28 required by this section is liable for damages to any
29 person injured by the pistol or revolver if it is lost
30 or stolen.

31 Sec. 4. NEW SECTION. 724.31 FINANCIAL
32 RESPONSIBILITY FOR OWNERSHIP OF PISTOL OR REVOLVER.

33 1. A person who applies for a permit to acquire or
34 carry a pistol or revolver under this chapter shall
35 demonstrate proof of and maintain financial
36 responsibility in an amount of at least one hundred
37 thousand dollars to insure against injury caused by
38 the negligent or criminal use of the person's pistol
39 or revolver.

40 2. A sheriff shall ascertain compliance with the
41 financial responsibility requirements of this section
42 before issuing or reissuing a permit to carry or
43 acquire a pistol or revolver.

44 3. A violation of this section is a serious
45 misdemeanor."

46 3. Renumber as necessary.

TOM MANN, Jr.

S-3491

- 1 Amend Senate File 523 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 123.49, subsection 1, Code
5 1985, is amended to read as follows:
6 1. ~~No~~ A person shall not sell, dispense, or give
7 to ~~any~~ an intoxicated person, or one simulating
8 intoxication, any alcoholic liquor or beer.
9 a. A person who sells, dispenses, or gives an
10 alcoholic beverage or beer in violation of this
11 subsection is not civilly liable to an injured person
12 or the estate of a person for injuries inflicted on
13 that person as a result of intoxication by the
14 consumer of the alcoholic beverage or beer.
15 b. The general assembly hereby declares that this
16 subsection shall be interpreted so that the holding of
17 Clark v. Mincks (No. 36/83-343, 83-1164, Supreme Court
18 of Iowa, March 20, 1985) is abrogated in favor of
19 prior judicial interpretation finding the consumption
20 of alcoholic beverages or beer rather than the serving
21 of alcoholic beverages or beer as the proximate cause
22 of injury inflicted upon another by an intoxicated
23 person.
24 2. Renumber as necessary.

TOM MANN, Jr.

S-3492

- 1 Amend Senate File 516 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 "Section 1. Section 123.49, subsection 1, Code
5 1985, is amended to read as follows:
6 1. ~~No~~ A person shall not sell, dispense, or give
7 to ~~any~~ an intoxicated person, or one simulating
8 intoxication, any alcoholic liquor or beer.
9 a. A person who sells, dispenses, or gives an
10 alcoholic beverage or beer in violation of this
11 subsection is not civilly liable to an injured person
12 or the estate of a person for injuries inflicted on
13 that person as a result of intoxication by the
14 consumer of the alcoholic beverage or beer.
15 b. The general assembly hereby declares that this
16 subsection shall be interpreted so that the holding of
17 Clark v. Mincks (No. 36/83-343, 83-1164, Supreme Court
18 of Iowa, March 20, 1985) is abrogated in favor of
19 prior judicial interpretation finding the consumption

20 of alcoholic beverages or beer rather than the serving
 21 of alcoholic beverages or beer as the proximate cause
 22 of injury inflicted upon another by an intoxicated
 23 person.
 24 2. Renumber as necessary.

TOM MANN, Jr.

S-3493

1 Amend Senate File 546 as follows:
 2 1. Page 1, line 5, by striking the word and
 3 figure "section 907.13" and inserting the following:
 4 "section sections 907.13 and 910.2".
 5 2. Page 1, line 11, by inserting after the word
 6 "or" the following: "is permanently or temporarily
 7 incapacitated".
 8 3. Page 1, line 12, by striking the word and
 9 figure "section 907.13" and inserting the following:
 10 "sections 907.13 and 910.2".
 11 4. Page 1, line 27, by striking the word and
 12 figure "section 907.13" and inserting the following:
 13 "sections 907.13 and 910.2".

JULIA GENTLEMAN

S-3494

1 Amend Senate File 473 as follows:
 2 1. Page 1, by inserting before line 1 the
 3 following:
 4 "Section 1. Section 225C.10, subsection 2,
 5 paragraph a, Code 1985, is amended by adding the
 6 following new subparagraph:
 7 NEW SUBPARAGRAPH. (4) Includes a study of
 8 identification of needed services and a plan to
 9 implement the services based on phased-in timeliness,
 10 pursuant to section 225C.100."
 11 2. Page 2, line 17, by inserting after the word
 12 "condition" the following: "in compliance with the
 13 standards adopted pursuant to section 225C.100".
 14 3. Page 3, line 4, by inserting after the word
 15 "abilities" the following: "in compliance with the
 16 standards adopted pursuant to section 225C.100".
 17 4. Page 3, line 9, by inserting after the word
 18 "potential" the following: "in compliance with the
 19 standards adopted pursuant to section 225C.100".
 20 5. Page 4, by inserting after line 2 the
 21 following:
 22 "Sec. . NEW SECTION. 225C.100 RULES FOR

23 STANDARDS.

24 The mental health and mental retardation commission
 25 shall identify specific core services to assist
 26 counties to implement services to comply with sections
 27 225C.25 through 225C.29. The commission shall adopt
 28 minimum standards for individualized treatment,
 29 habilitation, and program services; least restrictive
 30 environment and age-appropriate services; and
 31 vocational training and employment options, pursuant
 32 to section 225C.28. The standards shall permit
 33 implementation of the services on a phased-in basis.
 34 The commission shall convene an advisory committee of
 35 county, provider, and advocacy representation to
 36 advise the commission with the adoption of the minimum
 37 standards pursuant to this section."
 38 6. By renumbering as necessary.

JULIA B. GENTLEMAN

S-3495

1 Amend Senate File 252 as follows:
 2 1. Page 1, line 6, by striking the word "tons"
 3 and inserting the words "thousand pounds".
 4 2. Page 2, line 11, by striking the word "tons"
 5 and inserting the words "thousand pounds".
 6 3. Title page, line 2, by striking the words
 7 "less than three tons" and inserting the words "three
 8 thousand pounds or less".

THOMAS A. LIND

S-3496

1 Amend Senate File 499 as follows:
 2 1. Page 2, by inserting after line 20 the
 3 following:
 4 "f. The driver or front seat occupants of a motor
 5 vehicle equipped with an operable passive air bag
 6 restraint system for the driver and front seat
 7 occupants."

C. JOSEPH COLEMAN

S-3497

1 Amend the amendment S-3319 to Senate File 447 as
 2 follows:
 3 1. Page 2, line 27, by striking the word "five"
 4 and inserting the following: "three".

5 2. Page 2, lines 28 and 29, by striking the words
6 "who are not licensed to practice radiology" and
7 inserting the following: "one of whom is a
8 licensed radiologist."

JOE J. WELSH

S-3498

1 Amend Senate File 438 as follows:
2 1. Page 1, line 11, by inserting before the word
3 "diseases" the following: "systemic related".
4 2. Page 1, line 14, by inserting before the word
5 "A" the following: "For purposes of this chapter,
6 systemic related eye diseases are those which stem
7 from, or are a manifestation of an unrelated body
8 ailment. Prior to administering treatment for a
9 systemic related eye disease, a person licensed under
10 this chapter shall obtain approval of the person's
11 diagnosis and treatment plan from a practitioner
12 licensed under chapter 148 or chapter 150A."

ARNE WALDSTEIN

S-3499

1 Amend Senate File 517 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. NEW SECTION. 511.38 INTEREST RATES
5 ON DEATH BENEFITS -- ATTORNEY'S FEES.
6 A life insurance company or association doing
7 business in this state shall include in any policy
8 issued on the life of a person who resides in this
9 state at the time the policy is issued both of the
10 following provisions:
11 1. That the company or association shall pay
12 interest on the death proceeds from the date of death
13 or scheduled payment at the maximum rate of interest
14 permitted pursuant to section 535.2, subsection 3 for
15 the month in which the insured died. Payment of the
16 interest is not required if the proceeds are paid
17 within thirty days after receipt of proof of death.
18 2. In the event of judgment against a company or
19 association resulting from an unreasonable delay in
20 the payment of death proceeds, the court may grant
21 reasonable attorneys fees, except where tender was
22 made by the company or association before the
23 commencement of the action.
24 Sec. 2. NEW SECTION. 512.42A INTEREST ON DEATH

25 BENEFITS -- ATTORNEY'S FEES.

26 A fraternal beneficiary association organized under
 27 this chapter or doing business in this state shall
 28 include in any policy issued on the life of a person
 29 who resides in this state at the time the certificate
 30 is issued both of the following provisions:
 31 1. That the fraternal beneficiary association
 32 shall pay interest on the death proceeds from the date
 33 of death or scheduled payment at the maximum rate of
 34 interest permitted pursuant to section 535.2,
 35 subsection 3 for the month in which the insured died.
 36 Payment of the interest is not required if the
 37 proceeds are paid within thirty days after receipt of
 38 proof of death.
 39 2. In the event of judgment against a fraternal
 40 beneficiary association resulting from an unreasonable
 41 delay in the payment of death benefits, the court may
 42 grant reasonable attorneys fees, except where tender
 43 was made by the fraternal benefit society before the
 44 commencement of the action."

DOUGLAS RITSEMA

S-3500

1 Amend Senate File 479 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 455D.4, Code 1985, is amended
 5 to read as follows:
 6 455D.4 APPLICABILITY TO AGRICULTURAL ACTIVITIES.
 7 1. Except for section 455D.9 and as provided in
 8 subsections 2 and 3, this chapter does not apply to a
 9 person engaged in farming, a commercial applicator as
 10 defined in section 206.2, subsection 12, a certified
 11 applicator as defined in section 206.2, subsection 17,
 12 a certified private applicator as defined in section
 13 206.2, subsection 18, a certified commercial
 14 applicator as defined in section 206.2, subsection 19,
 15 a pesticide dealer as defined in section 206.2,
 16 subsection 24, or to activities which are covered
 17 under the federal Insecticide, Fungicide, and
 18 Rodenticide Act, 7 U.S.C. sec. 135 et seq.; ~~provided,~~
 19 however, ~~that~~ such persons shall comply with the
 20 requirements of the federal Insecticide, Fungicide,
 21 and Rodenticide Act, 40 C.F.R. sec. 170, and chapter
 22 206 where applicable to ~~such persons~~. As used in this
 23 section, "farming" means the cultivation of land for
 24 the production of agricultural crops, the raising of
 25 poultry, the production of eggs, ~~production of milk,~~

26 the production of fruit or other horticultural crops,
 27 grazing or the production of livestock, spraying, or
 28 harvesting. The department of agriculture shall
 29 cooperate with the bureau in an investigation of an
 30 agricultural employee's complaint filed pursuant to
 31 section 455D.9.

32 2. Notwithstanding subsection 1, a pesticide
 33 dealer, a commercial applicator, or a certified
 34 applicator who retails or stores a pesticide as
 35 defined in section 206.2, subsection 1, shall comply
 36 with sections 455D.14 and 455D.15 for those hazardous
 37 chemicals stored or available for sale.

38 3. A certified applicator shall comply with
 39 section 455D.13A.

40 Sec. 2. NEW SECTION. 455D.13A APPLICATION OF
 41 PESTICIDES TO DWELLING.

42 A person, other than a person residing at the
 43 dwelling, who applies a pesticide as defined by
 44 section 206.2, subsection 1, on real property used for
 45 residential purposes shall provide the owner of the
 46 property and the person residing on the property with
 47 a copy of the material safety data sheet prior to
 48 applying the pesticide. A person who violates this
 49 section is liable to a person entitled to the notice
 50 for a civil penalty of one hundred dollars. The

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1 penalty imposed in this section does not bar recovery
 2 for damages caused by a person who applied the
 3 pesticides."

4 2. Title page, by striking lines 1 and 2 and
 5 inserting the following: "An Act requiring a person
 6 applying a pesticide to a dwelling to provide certain
 7 information to the owner and residents of the dwelling
 8 prior to applying the pesticide and providing
 9 penalties."

JAMES D. WELLS

S-3501

1 Amend Senate File 474 as follows:

2 1. Page 1, line 4, by striking the word "a" and
 3 inserting the words "an adult".

DONALD V. DOYLE

S-3502

1 Amend Senate File 84 as follows:

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

4 "Section 1. Section 724.22, subsection 2, Code
5 1985, is amended to read as follows:

6 2. Except as provided in subsections 4 and 5, a
7 person who sells, loans, gives, or makes available a
8 pistol or revolver or ammunition for a pistol or
9 revolver to a person below the age of twenty-one
10 commits a ~~simple~~ a serious misdemeanor."

11 2. Page 1, by inserting after line 9 the
12 following:

13 "Sec. 2. NEW SECTION. 724.29 REPORT OF PISTOL OR
14 REVOLVER LOST OR STOLEN.

15 A person who possesses or owns a pistol or revolver
16 which is lost or stolen shall report the loss or theft
17 within twenty-four hours to a law enforcement agency
18 within the jurisdiction where the loss or theft
19 occurs. A violation of this section is a serious
20 misdemeanor.

21 Sec. 3. NEW SECTION. 724.30 STORAGE OF PISTOL OR
22 REVOLVER.

23 A person who possesses or owns a pistol or revolver
24 shall secure the pistol or revolver in a locked opaque
25 container when the pistol or revolver is not in the
26 person's immediate possession or control. A person
27 who fails to properly secure a pistol or revolver as
28 required by this section is liable for damages to any
29 person injured by the pistol or revolver if it is lost
30 or stolen.

31 Sec. 4. NEW SECTION. 724.31 FINANCIAL
32 RESPONSIBILITY FOR OWNERSHIP OF PISTOL OR REVOLVER.

33 1. A person who applies for a permit to acquire or
34 carry a pistol or revolver under this chapter shall
35 demonstrate proof of and maintain financial
36 responsibility in an amount of at least one hundred
37 thousand dollars to insure against injury caused by
38 the negligent or criminal use of the person's pistol
39 or revolver.

40 2. A sheriff shall ascertain compliance with the
41 financial responsibility requirements of this section
42 before issuing or reissuing a permit to carry or
43 acquire a pistol or revolver.

44 3. A violation of this section is a serious
45 misdemeanor."

46 3. Renumber as necessary.

TOM MANN, Jr.

S-3503

- 1 Amend Senate File 499 as follows:
- 2 1. Page 2, by striking lines 31 through 33.

EDGAR H. HOLDEN

S-3504

- 1 Amend the amendment S-3319 to Senate File 447 as
- 2 follows:
- 3 1. Page 4, by striking lines 29 and 30, and
- 4 inserting the following: "to only the chest and
- 5 extremities."

EDGAR H. HOLDEN
HURLEY W. HALL

S-3505

- 1 Amend Senate File 450 as follows:
- 2 1. Page 1, by inserting after line 34 the
- 3 following:
- 4 "c. "Eligible customers" shall mean any customer
- 5 who has occupied the premise for twelve months prior
- 6 to requesting to participate in the public utility
- 7 conservation improvement program. To be eligible for
- 8 the loan the customer must have maintained a sound
- 9 credit record with the utility for a period of not
- 10 more than two years."

CALVIN O. HULTMAN

S-3506

- 1 Amend Senate File 343 as follows:
- 2 1. Page 2, line 24, by striking the word
- 3 "either".
- 4 2. Page 2, by striking lines 25 through 28 and
- 5 inserting the following: "unsafe condition, the city,
- 6 neighboring".
- 7 3. Page 3, by striking lines 3 through 7 and
- 8 inserting the following: "abandoned and is in a
- 9 dangerous or unsafe condition, the court shall issue
- 10 an injunction requiring the".
- 11 4. Page 7, line 25, by striking the figure "3"
- 12 and inserting the figure "2".

TOM MANN, Jr.

S-3507

1 Amend Senate File 515 as follows:

2 1. Page 1, by striking lines 17 through 20 and
3 inserting the following: "annuity as specified in
4 section 602.9106; or is not entitled to an annuity
5 under section 602.9106 until age sixty-five because
6 the judicial officer retires from office before
7 attaining the age of sixty-five years but after
8 serving as a judge for at least six consecutive years
9 but less than twenty-five consecutive years."

10 2. Page 1, by inserting after line 26 the
11 following:

12 "Sec. 3. Section 602.9203, subsection 5, Code
13 1985, is amended by striking the subsection.

14 Sec. 4. Section 602.9204, Code 1985, is amended to
15 read as follows:

16 602.9204 ANNUITY OF SENIOR JUDGE AND RETIRED
17 SENIOR JUDGE.

18 A senior judge or a retired senior judge shall not
19 be paid a salary. A senior judge or retired senior
20 judge entitled to an annuity under section 602.9106
21 shall be paid an annuity under the judicial retirement
22 system in the manner provided in section 602.9109, but
23 computed under this section in lieu of section
24 602.9107, as follows: The annuity paid to a senior
25 judge or retired senior judge shall be an amount equal
26 to three percent of the current base salary, as of the
27 time each payment is made, of the office in which the
28 senior judge last served as a judge before retirement
29 as a judge or senior judge, multiplied by the judge's
30 years of service prior to retirement as a judge of one
31 or more of the courts included under this chapter,
32 except the annuity of the senior judge or retired
33 senior judge shall not exceed fifty percent of such
34 current base salary.

35 Sec. 5. Section 602.9208, subsection 3, Code 1985,
36 is amended to read as follows:

37 3. A person who is entitled to an annuity under
38 section 602.9106 and who relinquishes a senior
39 judgeship in the manner provided in subsection 1 shall
40 be paid a retirement annuity that commences on the
41 effective date of the relinquishment and shall be
42 based upon the number of years the person served as a
43 senior judge. A person who serves six or more years
44 as a senior judge shall be paid a retirement annuity
45 that is in an amount equal to the amount of the
46 annuity the person is receiving on the effective date
47 of the relinquishment in lieu of an amount determined
48 according to section 602.9204. If the person serves

49 less than six years as a senior judge, the person
50 shall be paid a retirement annuity that is in an

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1 amount equal to an amount determined according to
2 section 602.9107 added to an amount equal to the
3 number of years the person served as a senior judge,
4 divided by six, multiplied by the difference between
5 the amount of the annuity the person is receiving on
6 the effective date of the relinquishment and the
7 amount determined according to section 602.9107. A
8 person who is removed from a senior judgeship as
9 provided in subsection 2 shall be paid a retirement
10 annuity that commences on the effective date of the
11 removal and is in an amount determined according to
12 section 602.9107 in lieu of section 602.9204, and any
13 service and annuity of the person as a senior judge is
14 disregarded.

15 Sec. 6. Section 602.9209, Code 1985, is amended to
16 read as follows:

17 602.9209 SURVIVOR'S ANNUITY.

18 1. A survivor of a senior judge, a retired senior
19 judge, or a person who relinquished a senior judgeship
20 under section 602.9208, subsection 1, shall be paid an
21 annuity in lieu of that specified in section 602.9115,
22 which is equal to one-half the amount of the annuity
23 ~~the senior judge, retired senior judge, or person who~~
24 ~~relinquished a senior judgeship~~ judge was receiving at
25 the time of death, or if the judge died before age
26 sixty-five, one-half of the amount of the annuity the
27 judge would have been entitled to receive at age
28 sixty-five based on the judge's years of service,
29 provided the survivor is qualified under section
30 602.9115 to receive an annuity.

31 2. A survivor of a person whose name is stricken
32 from the roster of senior judges because of removal
33 from a senior judgeship under section 602.9208,
34 subsection 2, shall be paid an annuity equal to one-
35 half of the amount the person was receiving at the
36 time of death, or if the judge died before age sixty-
37 five, one-half of the amount of the annuity the judge
38 would have been entitled to receive at age sixty-five
39 based on the judge's years of service, provided the
40 survivor is qualified under section 602.9115 to
41 receive an annuity."

TOM MANN, Jr.

S-3508

1 Amend Senate File 450 as follows:
2 1. Page 2, by inserting after line 7 the
3 following:
4 "4. The commission shall require that the utility
5 annually include with the customer's billing a
6 description of the conservation improvement program
7 of that utility including the definition of eligible
8 customers and an explanation of how a customer
9 qualifies for participation in the program. The
10 utility shall also report the total dollars which have
11 been invested by the utility on behalf of all
12 customers in the program during the preceding twelve
13 months. In addition, the individual customer's
14 monthly bill shall include the actual amount which
15 that customer has contributed to the investment fund
16 in the past twelve months."

RICHARD VANDE HOEF

S-3509

1 Amend House File 696 as passed by the House as
2 follows:
3 1. Page 4, lines 30 and 31, by striking the words
4 "another qualified property manager" and inserting the
5 following: "any person deemed qualified by the
6 court".

TOM MANN, Jr.

S-3510

1 Amend Senate File 450 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. **NEW SECTION. 476.61 ENERGY**
5 **CONSERVATION IMPROVEMENTS -- FEASIBILITY STUDY.**
6 1. Prior to January 1, 1986, the commerce
7 commission shall conduct a review of all states which
8 have implemented programs to require public utilities
9 to make investments in energy conservation
10 improvements.
11 2. The commission shall submit to the general
12 assembly a comprehensive report on public utility
13 investment in energy conservation improvements. The
14 report shall at a minimum:
15 a. Document states where utility rates were
16 reduced for all ratepayers as a result of the

17 investments made by the utility.

18 b. Document states where utility rates were
19 increased for all ratepayers as a result of the
20 investments made by the utility.

21 c. Document any power plant whose construction was
22 delayed a significant period of time or any contract
23 to purchase natural gas which was avoided for a
24 significant period of time as a result of utility
25 investments in conservation improvements by an
26 electric or gas utility, respectfully.

27 3. In conjunction with the energy policy council,
28 the commission shall identify the five most cost
29 effective energy conservation improvements for
30 customers of an electric utility in Iowa and the five
31 most cost effective energy conservation improvements
32 for the customers of natural gas utilities in Iowa.

33 a. Having identified the most cost effective
34 energy conservation improvements for customers of gas
35 and electric utilities in Iowa, the commission shall
36 determine, in conjunction with the energy policy
37 council, the current level of penetration of those
38 improvements in Iowa. The commission shall then
39 determine what level of penetration of the
40 improvements could be achieved in Iowa. Having made
41 this determination, the commission shall determine
42 what level of investment would be required to achieve
43 the desired goal.

44 b. Finally, the commission shall project the net
45 benefit to customers of Iowa utilities if the
46 utilities which serve them invest at the level
47 necessary to achieve the recommended goal."

48 2. Title page, line 1, by striking the words
49 "pilot program" and inserting the following:
50 "feasibility study".

CALVIN O. HULTMAN
BERL E. PRIEBE
DALE TIEDEN

S-3511

1 Amend Senate File 450 as follows:

2 1. Page 1, by striking lines 5 through 19 and
3 inserting the following:

4 "a. "Energy conservation improvement" means the
5 purchase or installation of a device or material
6 approved by the commission that increases the
7 efficiency in the use of electricity or natural gas."

8 2. Page 1, by striking lines 20 through 34 and
9 inserting the following:

10 "b. "Investments of a public utility" means the
11 amount of a no interest loan made by a public utility
12 to a customer for the purchase and installation of an
13 energy conservation improvement."

14 3. Page 2, by inserting after line 7 the
15 following:

16 "a. Before the commission gives its approval to an
17 energy conservation improvement, the commission shall,
18 in conjunction with the energy policy council,
19 complete an engineering analysis to assure that the
20 installation of the energy conservation improvement
21 will result in energy cost savings to the owner of the
22 building in an amount that results in the utility
23 recovering the cost of its investment from the
24 building owner within six years.

25 b. Repayment of no interest loans made by a public
26 utility shall be conducted in accordance with this
27 paragraph. As used in this paragraph "loan repayment
28 agreement" means a level billing agreement for a six-
29 year term. In the first year, the level billing
30 amount shall be based on the actual energy used in the
31 twelve months preceding the installation of the energy
32 conservation improvement. At the end of twelve
33 months, the utility shall determine the difference
34 between the actual energy cost and the amount
35 collected under the level billing agreement. If the
36 difference is a credit balance, it shall be deducted
37 from the loan balance. If the difference is a debit
38 balance, it shall be added to the loan balance. In
39 the second and subsequent years, the level billing
40 amount shall be based on the actual energy used in the
41 preceding twelve months plus the remaining balance of
42 the loan divided by the number of billing periods
43 remaining in the original six-year loan repayment
44 agreement. Every twelve months the utility shall
45 reconcile the actual energy cost with the amount
46 collected under the level billing agreement and shall
47 apply the resulting credit or debit to the loan
48 balance. If the loan balance is reduced to zero in
49 less than six years, the loan repayment agreement
50 shall terminate and any amount collected above the

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1 loan balance shall be applied to the customer's
2 utility service account. If the loan balance has not
3 been reduced to zero at the end of six years, the
4 remaining loan balance shall be payable immediately.

5 c. The commission shall conduct an annual
6 proceeding for the purpose of reviewing the utility's

7 actual cost of money loaned under this program and its
8 reasonable cost of administration. As part of the
9 findings of this proceeding, the commission shall
10 allow recovery of these costs over a twelve-month
11 period pursuant to section 476.6, subsection 11.”

JACK RIFE

S-3512

1 Amend Senate File 450 as follows:
2 1. Page 1, by inserting after line 27, the
3 following:
4 “A public utility shall not be required to make a
5 loan for an amount or with terms less favorable than
6 a private financial institution would grant under
7 similar circumstances. The state commissioner of
8 banking shall establish guidelines for utility loans.
9 The commerce commission shall adopt these guidelines.”

EDGAR H. HOLDEN

S-3513

1 Amend Senate File 450 as follows:
2 1. Page 2, by inserting after line 20 the
3 following:
4 “_. Pursuant to section 476.18(3), the commission
5 shall determine the appropriate level of spending by
6 the utility to inform the customer of the availability
7 of the public utility conservation improvement
8 investment fund (PUCIP). All PUCIP advertising
9 required by the commission shall not include a
10 statement in the ad that the costs of the ad are being
11 charged to the customers of the public utility.
12 However, the commission shall allow the utility to
13 recover these costs on an annual basis pursuant
14 to section 476.6(11).”

DALE L. TIEDEN

S-3514

1 Amend Senate File 472 as follows:
2 1. Page 1, line 5, by inserting after the word
3 “agency,” the following: “area education agency
4 administrator,”.

ARTHUR GRATIAS

S-3515

1 Amend Senate File 406 as follows:

2 1. Page 1, by inserting after line 8 the

3 following:

4 "Sec. ___. Section 317.13, Code 1985, is amended
5 to read as follows:

6 317.13 PROGRAM OF CONTROL.

7 The board of supervisors of each county shall may
8 each year, upon recommendation of the county weed
9 commissioner; ~~or commissioners;~~ by resolution
10 prescribe and order a program of weed destruction to
11 be followed by landowners or tenants or both, which
12 may be expected to destroy and immediately keep under
13 control any areas infested with any noxious weeds on
14 farm land, and shall designate the destruction dates
15 to prevent seed production of all varieties of noxious
16 weeds. ~~Quack grass in pasture land, rough timbered
17 land or on the highways, railway rights of way and
18 public lands, when acting as soil binder, may be
19 exempt from such order if approved by the
20 supervisors."~~

21 2. Page 2, by inserting after line 15 the fol-
22 lowing:

23 "Sec. ___. Section 317.18, Code 1985, is amended
24 to read as follows:

25 317.18 ORDER FOR DESTRUCTION ON ROADS.

26 The board of supervisors shall order all weeds
27 ~~other than~~ noxious weeds, on within the right-of-way
28 of all county trunk and local county roads and between
29 the fence lines to be cut, burned or otherwise
30 destroyed to prevent seed production, either upon its
31 own motion or upon receipt of written notice
32 requesting the action from any residents of the
33 township in which the roads are located, or any person
34 regularly using the roads. The order shall define the
35 roads along which weeds are required to be cut, burned
36 or otherwise destroyed and shall require the weeds to
37 be cut, burned or otherwise destroyed within thirty
38 fifteen days after the publication of the order in the
39 official newspapers of the county. ~~If the adjoining
40 owner fails to cut, burn or otherwise destroy the
41 weeds as required in the order, the county
42 commissioner shall have them cut, burned or otherwise
43 destroyed and the cost shall be paid by the county and
44 recovered later by an assessment against the adjoining
45 property owners as provided in section 317.21.~~

46 Sec. ___. Section 317.19, unnumbered paragraph 1,
47 Code 1985, is amended to read as follows:

48 The board of supervisors may appropriate moneys to

49 be used for the purposes of cutting, burning, or
50 otherwise destroying weeds or brush ~~between the fence~~

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1 ~~rows on the~~ within the right-of-way of county trunk
2 roads and local county roads in time to prevent
3 reseeding.
4 Sec. . Section 317.21, unnumbered paragraph 1,
5 Code 1985, is amended to read as follows:
6 When the commissioner; ~~or commissioners, destroy~~
7 ~~destroys~~ any weeds under the authority of ~~sections~~
8 section 317.16 or 317.18, after failure of the
9 landowner responsible ~~therefor~~ to destroy such weeds
10 pursuant to the order of the board of supervisors, the
11 cost of ~~such the~~ destruction shall be assessed against
12 the land and collected from the landowner responsible
13 in the following manner:"

ARNE WALDSTEIN
BERL E. PRIEBE

S-3516

1 Amend the amendment S-3319 to Senate File 447 as
2 follows:
3 1. Page 1, line 21, by striking the word
4 "radiology" and inserting the word "radiography".
5 2. Page 1, line 31, by striking the word
6 "radiology" and inserting the word "radiography".
7 3. Page 1, line 49, by striking the word
8 "radiology" and inserting the word "radiography".
9 4. Page 2, line 18, by striking the words
10 "radiology, radiologic" and inserting the words
11 "radiography, radiographic".
12 5. Page 2, line 26, by striking the word
13 "radiologic" and inserting the word "radiographic".
14 6. Page 2, by striking line 27 and inserting the
15 following: "examiners, three members licensed as
16 radiographic".
17 7. Page 2, lines 28 and 29, by striking the words
18 "to practice radiology" and inserting the following:
19 "as radiographic technologists, one of whom is a
20 licensed radiologist".
21 8. Page 2, line 40, by striking the word
22 "radiology" and inserting the word "radiography".
23 9. Page 3, line 36, by striking the word
24 "radiology" and inserting the word "radiography".
25 10. Page 3, line 38, by striking the word
26 "radiologic" and inserting the word "radiographic".

27 11. Page 3, line 39, by striking the word
 28 "radiology" and inserting the word "radiography".
 29 12. Page 3, line 41, by striking the word
 30 "radiology" inserting the word "radiography".
 31 13. Page 4, line 16, by striking the word
 32 "Radiologic" and inserting the word "Radiographic".
 33 14. Page 4, line 20, by striking the word
 34 "Radiologic" and inserting the word "Radiographic".
 35 15. Page 4, by striking lines 29 and 30 and
 36 inserting the following: "to one specific body part
 37 except when qualified pursuant to rules of the
 38 department to apply radiation to both the chest and
 39 extremities or when qualified pursuant to rules of the
 40 department to perform other permitted radiographic
 41 procedures."
 42 16. Page 4, line 39, by striking the word
 43 "radiology" and inserting the word "radiography".
 44 17. Page 5, line 26, by striking the word
 45 "radiologic" and inserting the word "radiographic".
 46 18. Page 6, line 4, by striking the word
 47 "radiologic" and inserting the word "radiographic".
 48 19. Page 6, line 13, by striking the word
 49 "radiologic" and inserting the word "radiographic".
 50 20. Page 6, line 16, by striking the word

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1 "radiologic" and inserting the word "radiographic".

EDGAR H. HOLDEN
 JOE WELSH

S-3517

1 Amend the amendment S-3319 to Senate File 447 as
 2 follows:
 3 1. Page 5, line 7, by inserting after the word
 4 "podiatry," the following: "dentistry, dental
 5 hygiene, nursing, optometry, physical and occupational
 6 therapy, speech pathology and audiology, pharmacy".

EDGAR H. HOLDEN

S-3518

1 Amend the amendment S-3319 to Senate File 447 as
 2 follows:
 3 1. Page 5, by inserting after line 11 the
 4 following:
 5 "5. This chapter does not apply to persons

- 6 authorized pursuant to regulations adopted by the
7 department of health under section 136C.3 to apply X-
8 radiation as a conditional diagnostic radiographer,
9 general diagnostic radiographer or limited diagnostic
10 radiographer, and a person so authorized may provide
11 radiographic services as authorized by rules of the
12 department of health.”
13 2. Page 6, by striking lines 11 through 16.
14 3. By renumbering as necessary.

EDGAR H. HOLDEN

S-3519

- 1 Amend the amendment S-3510 to Senate File 450 as
2 follows:
3 1. Page 1, line 26, by striking the word
4 “respectfully” and inserting the following:
5 “respectively”.

RAY TAYLOR

S-3520

- 1 Amend Senate File 450 as follows:
2 1. Page 2, line 7, by inserting after the word
3 “improvements.” the following: “The cost of money,
4 bad debt expense, administrative costs, and other
5 costs of the pilot program authorized by this section
6 shall be included in general utility rates effective
7 upon approval of the pilot program by the commission
8 pursuant to section 476.6, subsection 11. The
9 inclusion of costs in utility rates as provided in
10 this subsection shall not continue after the costs
11 arising from the approved energy conservation program
12 have been recovered.”

JOE WELSH
RICHARD F. DRAKE

S-3521

- 1 Amend Senate File 356 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 . “Section 1. NEW SECTION. 135D.27 CONVERSION TO
5 MOBILE HOME.
6 1. A mobile home converted to real estate under
7 section 135D.26 may be reconverted to a mobile home as
8 provided in this section.

9 2. If the vehicular frame of the former mobile
10 home can be modified to return it to the status of a
11 mobile home, the owner may apply to the county
12 treasurer as provided in section 321.20 for a
13 certificate of title for the mobile home. If a
14 mortgage exists on the real estate, a security
15 interest in the mobile home shall be given to the
16 secured party and noted on the certificate of title
17 with the same priority or a higher priority than the
18 secured party's mortgage interest. A reconversion
19 shall not occur without written consent of the
20 mortgagee.

21 3. After complying with subsection 2 and receipt
22 of the title, the owner shall notify the assessor of
23 the reconversion. The assessor shall remove the
24 assessed valuation of the mobile home from assessment
25 rolls as of the succeeding January 1 when the mobile
26 home becomes subject to taxation as provided under
27 section 135D.24.

28 Sec. 2. Section 135D.26, subsection 1, paragraph
29 b, Code 1985, is amended by striking the paragraph and
30 inserting in lieu thereof the following:

31 b. Modification of the vehicular frame for
32 placement on a permanent foundation.

33 Sec. 3. Section 321.30, Code 1985, is amended by
34 adding the following new subsection:

35 NEW SUBSECTION. 11. In the case of a mobile home
36 converted from real estate, real estate taxes which
37 are delinquent."

38 2. Amend the title, by striking lines 1 through 4
39 and inserting the following: "An Act allowing the
40 issuance of a certificate of title for a vehicle when
41 the previous title was surrendered."

42 3. By renumbering sections as necessary.

DONALD V. DOYLE

S-3522

1 Amend Senate File 452 as follows:

2 1. Page 1, lines 10 and 11, by striking the words
3 "including the former mobile home".

4 2. Page 1, by striking lines 14 and 15 and
5 inserting the following: "party's mortgage interest.
6 A reconversion shall not occur without the written
7 consent of the mortgagee."

DONALD V. DOYLE

S-3523

1 Amend Senate File 441 as follows:
 2 1. Page 1, lines 18 and 19, by striking the words
 3 "as provided in section 306C.16".
 4 2. Page 1, by striking line 27 and inserting the
 5 following: "306C.18".
 6 3. By striking page 1, line 30 through page 2, line
 7 7, and inserting the following:
 8 "4. DEPARTMENT AUTHORIZATION. When required by 23
 9 U.S.C. Sec. 131(g), the department may acquire through
 10 purchase or condemnation and shall pay just compensation
 11 as provided in section 306C.16 for off-premise
 12 advertising devices removed after July 1, 1985, through
 13 amortization by an ordinance of a political subdivision
 14 either enacted prior to the devices becoming subject
 15 to either chapter 306B or chapter 306C or enacted
 16 prior to July 1, 1985. Notwithstanding the requirements
 17 of section 306C.14, the department may first pay just
 18 compensation from the highway beautification fund and
 19 then claim reimbursement for the federal share of the
 20 payment from the federal government."

S-3524

1 Amend Senate File 406 as follows:
 2 1. Page 1, line 19, by inserting after the word
 3 "comply." the following: "If a penalty is imposed
 4 and the owner or person in control of the land fails
 5 to comply, the weed commissioner shall cause the
 6 weeds to be destroyed."

JOHN A. NEIGHBOUR

S-3525

1 Amend Senate File 394 as follows:
 2 1. Page 1, line 2, by striking the word
 3 "paragraphs" and inserting the following:
 4 "paragraph".
 5 2. Page 1, by striking lines 13 through 34.
 6 3. Page 4, line 3, by striking the word
 7 "paragraphs" and inserting the following:
 8 "paragraph".
 9 4. Page 4, by striking lines 13 through 33.

EDGAR H. HOLDEN

S-3526

- 1 Amend Senate File 84 as follows:
- 2 1. Page 1, by striking lines 4 through 9 and
- 3 inserting the words "ordinance regulating the
- 4 possession of firearms within the possessor's own home
- 5 if the possession is otherwise lawful under this
- 6 state."

MICHAEL GRONSTAL

S-3527

- 1 Amend Senate File 394 as follows:
- 2 1. Page 1, line 7, by inserting after the word
- 3 "payments" the following: "who with intent to defraud
- 4 the state fails to pay the taxes due".
- 5 2. Page 1, line 24, by inserting after the word
- 6 "goods" the following: "with intent to defraud the
- 7 state".
- 8 3. Page 2, line 34, by inserting after the word
- 9 "payments" the following: "with intent to defraud the
- 10 state".
- 11 4. Page 3, line 14, by inserting after the word
- 12 "goods" the following: "with intent to defraud the
- 13 state".
- 14 5. Page 4, line 8, by inserting after the word
- 15 "payments" the following: "who fails to pay the tax
- 16 due with intent to defraud the state,".
- 17 6. Page 4, line 23, by inserting after the word
- 18 "goods" the following: "with intent to defraud the
- 19 state".

EDGAR H. HOLDEN

S-3528

- 1 Amend Senate File 394 as follows:
- 2 1. Page 1, line 4, by striking the words "or
- 3 employee".
- 4 2. Page 1, line 5, by striking the words "or
- 5 employee".
- 6 3. Page 1, line 8, by striking the words "and
- 7 individually and they are jointly and severally".
- 8 4. Page 1, lines 26 and 27, by striking the words
- 9 "personally, individually, jointly and severally" and
- 10 inserting the following: "personally".
- 11 5. Page 2, line 27, by striking the words
- 12 "jointly and severally".
- 13 6. Page 2, line 31, by striking the words "or

- 14 employee”.
- 15 7. Page 2, line 32, by striking the words “or
16 employee”.
- 17 8. Page 2, lines 34 and 35, by striking the words
18 “and individually and they are jointly and severally”.
- 19 9. Page 3, lines 16 and 17, by striking the words
20 “personally, individually, jointly and severally,” and
21 inserting the following: “personally”.
- 22 10. Page 4, line 5, by striking the words “or
23 employee”.
- 24 11. Page 4, line 6, by striking the words “or
25 employee”.
- 26 12. Page 4, lines 8 through 10, by striking the
27 words “and individually and the corporation,
28 association or partnership is”.
- 29 13. Page 4, lines 25 and 26, by striking the
30 words “personally, individually, jointly and
31 severally” and inserting the following: “personally”.

EDGAR H. HOLDEN
CHARLES H. BRUNER

S-3529

- 1 Amend Senate File 442 as follows:
- 2 1. Page 1, line 11, by inserting after the word
3 “fitness.” the following: “However, the minimum age
4 for a driver of a school bus for a nonpublic school is
5 sixteen years if the driver has successfully completed
6 an approved driver education course.”
- 7 2. Page 1, by striking lines 12 and 13 and
8 inserting the following:
- 9 “Sec. ____ . Section 321.376, unnumbered paragraph
10 2, Code 1985, is amended to read as follows:
- 11 Notwithstanding the provision of subsection 2 of
12 section 321.177, the department is ~~hereby~~ authorized
13 to issue a special chauffeur’s license to a person
14 sixteen or seventeen years of age, if ~~such~~ the person
15 has successfully completed an approved driver
16 education course, to operate a school bus for a
17 nonpublic school on request of ~~local school board and~~
18 ~~recommendation of the state superintendent of public~~
19 ~~instruction the authorities in charge of the nonpublic~~
20 school.
- 21 3. Title page, line 1, by inserting after the
22 word “requiring” the word “public”.
- 23 4. Renumber as necessary.

RICHARD VANDE HOEF

S-3530

- 1 Amend Senate File 533 as follows:
- 2 1. Page 2, by striking lines 13 through 23.

RICHARD VANDE HOEF

S-3531

- 1 Amend Senate File 539 as follows:
- 2 1. Page 1, line 25, by inserting after the word
- 3 "grade" the word "leaded".
- 4 2. Page 1, line 31, by striking the words
- 5 "unleaded grade" and inserting the words "regular
- 6 grade unleaded grade".

EDGAR H. HOLDEN

S-3532

- 1 Amend House File 255 as passed by the House as
- 2 follows:
- 3 1. Page 1, by inserting after line 17 the
- 4 following:
- 5 "Sec. 2. Section 358.9, unnumbered paragraph 1,
- 6 Code 1985, is amended to read as follows:
- 7 At the election provided for in section 358.7, the
- 8 names of candidates for trustee of the district shall
- 9 be written by the voters on blank ballots without
- 10 formal nomination, and the board of supervisors which
- 11 had jurisdiction of the proceedings for establishment
- 12 of the sanitary district, together with the board of
- 13 supervisors of any other county in which any part of
- 14 the district is located, shall appoint three trustees
- 15 from among the five persons receiving the greatest
- 16 number of votes as trustees of the district. One of
- 17 the trustees shall be designated to serve a term
- 18 expiring on the first day of January which is not a
- 19 Sunday or legal holiday following the next general
- 20 election, one to serve a term expiring on the first
- 21 day of January which is not a Sunday or legal holiday
- 22 two years later, and one to serve a term expiring on
- 23 the first day of January which is not a Sunday or
- 24 legal holiday four years later. Thereafter, each term
- 25 shall be for a term of years established by the board
- 26 of supervisors, not less than three years or more than
- 27 six years. Successors to the initial trustees may be
- 28 chosen by appointment by the same board or boards of
- 29 supervisors which made the initial appointments or by
- 30 election, at the option of the remaining trustees. If

31 election is chosen, a successor shall be elected at
32 the general election preceding the expiration of the
33 term to be filled."

EDGAR H. HOLDEN

S-3533

- 1 Amend Senate File 516 as follows:
2 1. Page 1, by striking lines 5 through 13.

WILLIAM W. DIELEMAN

S-3534

- 1 Amend Senate File 461 as follows:
2 1. Page 7, by inserting after line 31 the
3 following:
4 "Sec. 13. COMPREHENSIVE STUDY. The legislative
5 council shall establish an interim study committee to
6 conduct a comprehensive study of public and private
7 third-party coverages of treatment services for
8 chemical dependency and mental disorders, including
9 the study of appropriate utilization review systems to
10 assure that treatment services are being provided in
11 the most effective and efficient manner. The study
12 committee shall be composed of legislators, public and
13 private providers of treatment services for chemical
14 dependency or mental disorders, consumers of treatment
15 services for chemical dependency or mental disorders,
16 and representatives of other interested public or
17 private organizations. The legislative council may
18 conduct the study with the assistance of independent
19 consultants and may accept financial or staff support
20 for the study from any public or private source. The
21 study committee shall transmit a preliminary report of
22 its findings and recommendations, accompanied by any
23 recommended legislative bill drafts, to the
24 legislative council by December 1, 1985, and shall
25 complete its final report to the Legislative council
26 and the general assembly as directed by the
27 legislative council."

JULIA B. GENTLEMAN
RAY TAYLOR
DAVID M. READINGER

S-3535

- 1 Amend the amendment S-3505 to Senate File 450 as
- 2 follows:
- 3 1. Page 1, line 10, by striking the word "more"
- 4 and inserting in lieu thereof the word "less".

CALVIN O. HULTMAN

S-3536

- 1 Amend Senate File 450 as follows:
- 2 1. Page 2, line 7, by inserting after the word
- 3 "improvements." the following: "The commission shall
- 4 require each utility to establish a public utility
- 5 conservation investment program (PUCIP) fund. The
- 6 commission shall determine the rate of interest to be
- 7 earned by the utility. The interest rate to be
- 8 applied to the PUCIP fund under this subsection is two
- 9 percent per annum plus the average quarterly interest
- 10 rate at commercial banks for twenty-four-month loans
- 11 for personal expenditures as determined by the
- 12 commission, compounded annually. The commission shall
- 13 consider federal reserve, statistical release G.19 or
- 14 its equivalent when determining interest to be earned
- 15 under this subsection. The commission shall allow
- 16 recovery of interest costs over a twelve-month period
- 17 pursuant to section 476.6, subsection 11."

JOHN W. JENSEN

S-3537

- 1 Amend Senate File 499 as follows:
- 2 1. Page 2, by striking lines 21 through 25.
- 3 2. Page 2, by striking lines 26 through 30.
- 4 3. Page 3, by inserting after line 28 the
- 5 following:
- 6 "Sec. ____ . This Act takes effect January 1, 1989.
- 7 However, the department, in cooperation with the
- 8 department of public safety and the department of
- 9 public instruction, shall by January 1, 1986,
- 10 establish educational programs to encourage safety
- 11 belt and safety harness usage in motor vehicles
- 12 operated on the highways of this state."
- 13 4. Title page, line 5, by inserting after the

- 14 word "penalty" the words "and effective date".
- 15 5. Renumber as necessary.

EMIL J. HUSAK
EDGAR H. HOLDEN
ARTHUR L. GRATIAS

S-3538

- 1 Amend Senate File 538 as follows:
- 2 1. Page 1, line 14, by striking the word "two"
- 3 and inserting the words "~~two~~ four".

ALVIN V. MILLER

S-3539

- 1 Amend Senate File 513 as follows:
- 2 1. Page 1, line 5, by striking the word "fifteen"
- 3 and inserting the following: "nine".

RAY TAYLOR

S-3540

- 1 Amend House File 66 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 8 by striking the words "only to"
- 4 and inserting the words "to all".

COMMITTEE ON
NATURAL RESOURCES
HURLEY W. HALL, Chair

S-3541

- 1 Amend Senate File 394 as follows:
- 2 1. Page 1, line 17, by striking the words "All
- 3 successors" and inserting the following: "The
- 4 immediate successor".
- 5 2. Page 1, line 18, by striking the word "their"
- 6 and inserting the following: "the".
- 7 3. Page 1, by striking line 21 and inserting the
- 8 following: "or other person".
- 9 4. Page 1, by striking line 24 and inserting the
- 10 following: "If the immediate successor of the
- 11 business or stock of goods fails to".
- 12 5. Page 1, line 26 by striking the words "they
- 13 are" and inserting the following: "the successor is".
- 14 6. Page 1, line 30, by striking the word "any"

- 15 and inserting the following: "the".
- 16 7. Page 3, line 7, by striking the words "All
17 successors" and inserting the following: "The
18 immediate successor".
- 19 8. Page 3, line 8, by striking the word "their"
20 and inserting the following: "the".
- 21 9. Page 3, by striking line 11 and inserting the
22 words "produces a valid".
- 23 10. Page 3, by striking line 14 and inserting the
24 following: "the immediate successor of the business
25 or stock of goods fails to withhold".
- 26 11. Page 3, line 16 by striking the words "they
27 are" and inserting the following: "the successor is".
- 28 12. Page 3, line 19, by striking the words "or
29 predecessor".
- 30 13. Page 3, line 21, by striking the words "or
31 predecessor".
- 32 14. Page 4, line 16, by striking the words "All
33 successors" and inserting the following: "The
34 immediate successor".
- 35 15. Page 4, line 17, by striking the word "their"
36 and inserting the following: "the".
- 37 16. Page 4, by striking line 20 and inserting the
38 following: "produces a valid".
- 39 17. Page 4, by striking line 23 and inserting the
40 following: "the immediate successor of the business
41 or stock of goods fails to withhold".
- 42 18. Page 4, line 25, by striking the words "they
43 are" and inserting the following: "the successor is".
- 44 19. Page 4, line 28, by striking the words "or
45 predecessor".
- 46 20. Page 4, line 30, by striking the words "or
47 predecessor".

CHARLES H. BRUNER

S-3542

- 1 Amend the Committee amendment S-3444 to Senate File
2 406 as follows:
- 3 1. Page 1, by inserting after line 3 the
4 following:
- 5 "____. Page 1, by inserting after line 8 the
6 following:
- 7 "Sec. ____ Section 317.13, Code 1985, is amended
8 to read as follows:
- 9 317.13 PROGRAM OF CONTROL.
- 10 The board of supervisors of each county ~~shall~~ may
11 each year, upon recommendation of the county weed
12 commissioner; ~~or commissioners~~; by resolution

13 prescribe and order a program of weed destruction to
 14 be followed by landowners or tenants or both, which
 15 may be expected to destroy and immediately keep under
 16 control any areas infested with any noxious weeds on
 17 farm land, and shall designate the destruction dates
 18 to prevent seed production of all varieties of noxious
 19 weeds. Quack grass in pasture land, rough timbered
 20 land or on the highways, railway rights of way and
 21 public lands, when acting as soil binder, may be
 22 exempt from such order if approved by the
 23 supervisors.””

24 2. Page 1, by striking line 7 and inserting the
 25 following: “line 15, and inserting the following:

26 “Sec. ____ Section 317.18, Code 1985, is amended
 27 to read as follows:

28 317.18 ORDER FOR DESTRUCTION ON ROADS.

29 The board of supervisors shall order all weeds
 30 ~~other than~~ noxious weeds, ~~on~~ within the right-of-way
 31 of all county trunk and local county roads ~~and between~~
 32 ~~the fence lines~~ to be cut, burned or otherwise
 33 destroyed to prevent seed production, either upon its
 34 own motion or upon receipt of written notice
 35 requesting the action from any residents of the
 36 township in which the roads are located, or any person
 37 regularly using the roads. The order shall define the
 38 roads along which weeds are required to be cut, burned
 39 or otherwise destroyed and shall require the weeds to
 40 be cut, burned or otherwise destroyed within ~~thirty~~
 41 fifteen days after the publication of the order in the
 42 official newspapers of the county. ~~If the adjoining~~
 43 ~~owner fails to cut, burn or otherwise destroy the~~
 44 ~~weeds as required in the order, the county~~
 45 ~~commissioner shall have them cut, burned or otherwise~~
 46 ~~destroyed and the cost shall be paid by the county and~~
 47 ~~recovered later by an assessment against the adjoining~~
 48 ~~property owners as provided in section 317.21.~~

49 Sec. ____ Section 317.19, unnumbered paragraph 1,
 50 Code 1985, is amended to read as follows:

Page 2

1 The board of supervisors may appropriate moneys to
 2 be used for the purposes of cutting, burning, or
 3 otherwise destroying weeds or brush ~~between the fence~~
 4 ~~rows on the~~ within the right-of-way of county trunk
 5 roads and local county roads in time to prevent
 6 reseeding.

7 Sec. ____ Section 317.21, unnumbered paragraph 1,
 8 Code 1985, is amended to read as follows:

9 When the commissioner, ~~or commissioners, destroy~~

10 destroys any weeds under the authority of sections
 11 section 317.16 ~~or 317.18~~, after failure of the
 12 landowner responsible ~~therefor~~ to destroy such weeds
 13 pursuant to the order of the board of supervisors, the
 14 cost of ~~such~~ the destruction shall be assessed against
 15 the land and collected from the landowner responsible
 16 in the following manner:.”

ARNE WALDSTEIN
 BERL E. PRIEBE

S-3543

1 Amend the Committee on Commerce amendment, S-3475,
 2 to Senate File 462 as follows:
 3 1. Page 1, line 28, by inserting after the word
 4 “resides” the following: “in its council as defined
 5 in section 362.2 or”.
 6 2. Page 1, line 29, by inserting after the the
 7 figure “388.1” the following: “, whichever is
 8 applicable”.

BILL HUTCHINS

S-3544

1 Amend Senate File 522 as follows:
 2 1. Page 1, line 13, by striking the words “proper
 3 improvement or” and inserting the following: “the
 4 proper”.

BEVERLY A. HANNON

S-3545

1 Amend the Committee on Appropriations amendment, S-
 2 3350, to Senate File 409, as follows:
 3 1. Page 1, line 9, by inserting after the word
 4 “recommendations” the words “in the form of a
 5 concurrent resolution”.
 6 2. Page 1, by inserting after line 9 the
 7 following:
 8 “ . Page 1, lines 26, 27 and 28 by striking the
 9 words “If the legislative council elects to change the
 10 approved budget for a legislative agency prior to July
 11 1,”. and inserting the words “If the concurrent
 12 resolution changes the approved budget for a
 13 legislative agency,”.
 14 3. Page 1, by striking lines 10 through 27 and
 15 inserting the following:

16 “ ____ Page 3, lines 17 and 18, by striking the
17 words “for its approval”.
18 ____ By striking page 3, line 19 through page 4,
19 line 15.”

JULIA GENTLEMAN
WILLIAM D. PALMER
DOUGLAS RITSEMA
DAVID M. READINGER

S-3546

1 Amend Senate File 540 as follows:

DIVISION S-3546A

2 1. Page 1, by inserting before line 1 the
3 following:
4 “Section 1. Section 56.2, Code 1985, is amended by
5 adding the following new subsection:
6 **NEW SUBSECTION.** “Consultant” means a person who
7 provides or procures services for or on behalf of a
8 candidate including, but not limited to consulting,
9 public relations, advertising, fundraising, polling,
10 managing or organizing services.”
11 2. Page 3, by inserting after line 14 the
12 following:
13 “Sec. ____ Section 56.6, subsection 3, paragraph
14 g, Code 1985, is amended to read as follows:
15 g. The name and mailing address of each person to
16 whom disbursements or loan repayments have been made
17 by the committee from contributions during the
18 reporting period and the amount, purpose, and date of
19 each disbursement except that disbursements of less
20 than five dollars may be shown as miscellaneous
21 disbursements so long as the aggregate miscellaneous
22 disbursements to any one person during a calendar year
23 do not exceed one hundred dollars. If disbursements
24 are made to a consultant, the consultant shall provide
25 the committee with a statement of disbursements made
26 by the consultant during the reporting period showing
27 the amount, purpose and date to the same extent as if
28 made by the candidate which shall be included in the
29 report by the committee.”
30 3. Page 3, line 16, by striking the word
31 “paragraph” and inserting the word “paragraphs”.
32 4. Page 3, by inserting after line 22 the
33 following:
34 **NEW LETTERED PARAGRAPH.** The name and mailing
35 address of each person with whom a candidate’s

36 committee has entered into a contract during the
 37 reporting period for future or continuing performance
 38 and the nature of the performance, period of
 39 performance and total, anticipated compensation for
 40 performance. For a report filed under subsection 1,
 41 paragraph "b", this paragraph also requires the
 42 reporting of estimates of performance which the
 43 candidate's committee reasonably expects to contract
 44 for during the balance of the reporting period."

45 5. Page 3, line 29, by inserting after the word
 46 "candidate" the words "and reported by the candidate's
 47 committee".

48 6. Page 4, by striking lines 5 and 6 and
 49 inserting the word "commission."

DIVISION S-3546B

50 7. Page 4, by inserting after line 27 the

Page 2

DIVISION S-3546B (cont'd.)

1 following:

2 "Sec. . NEW SECTION. 56.15 ACCEPTANCE OF
 3 CERTAIN CONTRIBUTIONS LIMITED.

4 If a candidate seeks one of the offices listed in
 5 this section, that person's candidate's committee
 6 shall not accept contributions from political
 7 committees aggregating more than the amount provided
 8 for that office in this section between regular
 9 elections for that office. The offices and amounts
 10 provided by this section are as follows:

11 1. State representative, four thousand dollars.

12 2. State senator, eight thousand dollars.

13 3. Lieutenant governor, attorney general,
 14 secretary of state, treasurer of state, auditor of
 15 state, or secretary of agriculture, twenty thousand
 16 dollars.

17 4. Governor, one hundred thousand dollars."

CHARLES BRUNER

S-3547

1 Amend House File 476, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 4, by inserting after line 29 the

4 following:

5 "5. SPECIAL PROJECTS.

6 From the general fund of the
7 state to the state conservation
8 commission for special projects
9 such as the construction, re-
10 placement, development and alter-
11 ation to state parks and preserves
12 and state forest facilities \$ 250,000".
13 2. Renumber sections and correct internal
14 references as are necessary in accordance with this
15 amendment.

HURLEY W. HALL

S-3548

1 Amend Senate File 473 as follows:
2 1. Page 3, line 15, by striking the word "A" and
3 inserting the following: "Pursuant to section 507B.4,
4 subsection 7, a".
5 2. Page 3, line 24, by striking the word "The"
6 and inserting the following: "Except for a violation
7 of section 225C.28, subsection 9, the".
8 3. Page 4, line 2, by inserting after the word
9 "responsible." the following: "Any violation of
10 section 225C.28, subsection 9 shall be subject to the
11 enforcement by the commissioner of insurance and
12 penalties granted by chapter 507B for a violation of
13 section 507B.4, subsection 7."

LARRY MURPHY
WILLIAM D. PALMER

S-3549

1 Amend Senate File 500 as follows:
2 1. Page 1, line 6, by inserting after the word
3 ""Contract"" the following: "or "preneed contract"".
4 2. Page 1, line 16, by striking the word
5 "cemetery" and inserting the following: "properly
6 identifiable personal property or".
7 3. By striking page 1, line 20 through page 2,
8 line 8 and inserting the following:
9 "3. "Professional service, cemetery merchandise or
10 property to be used in funeral services" means all
11 property, services, supplies and equipment provided by
12 a licensed embalmer, a funeral establishment or
13 cemetery association in connection with a funeral,
14 interment, entombment or cremation, including, but not
15 limited to mortuary science services, conducting of
16 funeral and memorial services, rental fees, final

17 disposition services, burial, entombment, cremation
 18 fees, caskets, crypt beds, burial vaults, catafalques,
 19 grave lots, grave spaces, grave markers, monuments,
 20 tombstones, crypts, niches and mausoleums.
 21 Professional services do not include perpetual care or
 22 maintenance as provided in chapter 566.”
 23 4. Page 2, by striking lines 18 through 21.
 24 5. Page 2, line 32, by striking the word and
 25 figures “January 31” and inserting the following:
 26 “March 1”.
 27 6. Page 3, by striking lines 5 through 8 and
 28 inserting the following:
 29 “3. The total value of contracts made in the
 30 preceding year, the total amount of moneys to be
 31 trusted in accordance with section 523D.12, the total
 32 amount of principal paid on contracts in the preceding
 33 year, and the amount trusted for each purchaser in the
 34 preceding year.”
 35 7. Page 3, line 10, by striking the words
 36 “contract payments” and inserting the following:
 37 “trust funds”.
 38 8. Page 6, line 14, by striking the words “AND
 39 RELEASE”.
 40 9. Page 6, line 15, by striking the word
 41 “CONTRACT” and inserting the following: “TRUST FUND”.
 42 10. Page 6, by striking lines 25 through 27 and
 43 inserting the following: “payments, the seller shall
 44 deposit a percentage of each payment in trust until
 45 the full amount to be trusted has been deposited. The
 46 percentage of each payment to be deposited shall be
 47 the same percentage that the total amount to be
 48 trusted represents of the total price of the contract.
 49 However, in no case shall the amount deposited
 50 represent less than forty percent of the payment

Page 2

1 received by the seller.
 2 If the contract is financed with or sold to a
 3 financial institution, then the contract shall be
 4 considered paid in full and the deposit requirements
 5 of this section shall be satisfied within thirty days
 6 after the close of the month in which payment is
 7 received from the financial institution.
 8 Wholesale costs shall be determined by using a
 9 current invoice price for the property or cemetery
 10 merchandise delivered on an F.O.B. basis from a third
 11 party manufacturer or the price printed on a current
 12 price list furnished by a third party manufacturer.
 13 At least once a year, the seller shall review and

14 revise trust fund accounts to reflect current
15 wholesale costs.
16 Contract payments received for grave lots, grave
17 spaces, mausoleums, crypt beds, burial vaults, or any
18 other professional service, cemetery merchandise or
19 property to be used in funeral services which
20 constitutes real property are exempt from the
21 requirements of this section."

22 11. By striking page 6, line 28 through page 7,
23 line 5.

24 12. Page 7, by inserting after line 21 the
25 following:

26 "Sec. 13. NEW SECTION. 523D.13 RELEASE OF TRUST
27 FUNDS. If, after a purchaser has paid a preneed
28 contract in full, the seller does not deliver the
29 appropriate goods and services in the manner provided
30 for in the contract, or if the seller fails to deliver
31 within a reasonable time after receipt of a written
32 notice to deliver from the purchaser, then the
33 purchaser, assignees, heirs or duly authorized
34 representatives are entitled to a refund of the
35 purchase price.

36 Upon failure to deliver, funds held in trust,
37 including accrued interest or income, may be released
38 at the written request of the purchaser upon a five-
39 day written notice, by registered or certified mail,
40 delivered from the bank or savings and loan
41 association to the seller.

42 A purchaser of a preneed contract who has paid the
43 contract in full, notwithstanding any provision of the
44 contract, is entitled to the immediate and prompt
45 delivery of any item provided for in the contract. An
46 establishment or association which fails to deliver
47 under this provision shall refund the purchase price
48 of the contract within twenty days of receipt of the
49 request to deliver.

50 Upon failure to deliver under this provision, funds

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1 held in trust, including accrued interest or income,
2 may be released at the written request of the
3 purchaser upon five days written notice, by registered
4 or certified mail, delivered from the bank or savings
5 and loan association to the seller.

6 If a seller of a preneed contract fails to provide
7 a written guarantee of delivery to a purchaser who
8 moves more than one hundred and fifty miles from the
9 seller's place of business, the purchaser is entitled
10 to a refund. Upon failure to guarantee delivery,

11 funds held in trust, including accrued interest or
12 income, may be released at the written request of the
13 purchaser upon five days written notice, by registered
14 or certified mail, delivered from the bank or the
15 savings and loan association to the seller.

16 In the event that a purchaser is in default of a
17 contract, the bank or savings and loan association
18 shall release to the depositor the funds, including
19 accrued interest or income, deposited on behalf of the
20 defaulted contract, upon receiving from the seller a
21 sworn affidavit stating that the purchaser is in
22 default, the date of the default, an explanation of
23 the default and that the seller has mailed a copy of
24 the affidavit to the purchaser's last known address at
25 least fifteen days prior to the request for release.
26 This provision does not limit the contract rights of
27 either party.

28 In the event that no request to deliver has been
29 made under the terms of the contract for a period of
30 fifty years from the date of the contract, and the
31 seller has been unable to contact the purchaser, the
32 funds held in trust, including accrued interest or
33 income, shall be released to the seller.

34 A bank or savings and loan association shall not be
35 responsible for any refunds made upon written notices
36 submitted in accordance with this section.

37 Partial delivery does not relieve a seller from the
38 provisions of this section that may apply to the
39 remainder and does not relieve a seller from any
40 liability for nonperformance of the contract terms.

41 Sec. 14. NEW SECTION. 523D.14 ADMINISTRATION OF
42 TRUST FUND.

43 The trust fund established pursuant to section
44 523D.12 shall be held by a bank or savings and loan
45 association which shall serve as trustee of the fund.
46 The trustee may commingle the deposits in the trust
47 fund for purposes of the management and investment of
48 the fund. The trustee may invest, reinvest, exchange,
49 retain, sell and otherwise manage the trust fund. The
50 depositor may appoint an independent investment

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1 advisor to act in an advisory capacity with the
2 trustee relative to the investment of the trust funds.
3 The depositor shall pay the costs of the operation of
4 the trust and the annual audit fees.

5 Funds, both principal and accrued interest or
6 income, shall be held in trust and remain intact until
7 delivery or release under the provisions of section

8 523D.13. Income or interest earned on the trust fund
9 shall be retained and accumulated in a separate income
10 account within the trust fund. The principal and any
11 accrued earnings or losses relative to each individual
12 account shall be held in suspense until the final
13 determination is made as to which party the account
14 will be paid.

15 Sec. 15. NEW SECTION. 523D.15 REGISTRATION.

16 No person shall engage in the sale of contracts
17 subject to this chapter without registering with the
18 commissioner at least thirty days in advance. The fee
19 for the registration shall be fifty dollars and the
20 registration form prescribed by the commissioner's
21 office shall contain the following information:

22 1. The name and location of the registrant's
23 business.

24 2. The names and addresses of each owner, officer
25 or other officials of the registrant's business.

26 3. The financial institution to be used for the
27 deposit of trust funds.

28 4. The types of professional services or property
29 to be sold.

30 A registrant shall inform the commissioner of
31 changes in the information contained in the
32 registration form within thirty days of the change."

33 13. Page 7, by striking lines 34 and 35 and
34 inserting the following:

35 "Neither section 156.9, subsection 3, nor section
36 156.12 prohibits the sale or solicitation for sale of
37 contracts which are made in accordance with this
38 chapter."

39 14. Page 8, by inserting before line 1, the
40 following:

41 "Sec. 19. Notwithstanding the provisions of
42 section 523D.15, persons engaged in the sale of
43 contracts subject to this chapter on the effective
44 date of this Act shall have thirty days to comply with
45 the registration requirement of that section.

46 Sec. 20. Preneed contracts made before the
47 effective date of this Act shall be subject to chapter
48 523A. Those made on or after the effective date of
49 this Act shall be subject to chapter 523D."

50 15. By renumbering as necessary.

TOM MANN

S-3550

1 Amend the amendment S-3480 to Senate File 448
2 as follows:

- 3 1. Page 1, line 6, by inserting after the word
 4 "which" the word "willfully".
 5 2. Page 1, line 8, by inserting after the word
 6 "which" the word "willfully".
 7 3. Page 1, line 12, by striking the word "such"
 8 and inserting in lieu thereof the word "a".
 9 4. Page 1, line 13, by inserting after the word
 10 "disconnection" the words "in violation of this section,
 11 whether or not done willfully.".

DOUGLAS RITSEMA
 DONALD V. DOYLE
 MICHAEL GRONSTAL

S-3551

- 1 Amend Senate File 540 as follows:
 2 1. Page 1, line 16, by inserting after the word
 3 "committee" the following: "or the committee's
 4 candidate".
 5 2. Page 4, line 16, by inserting after the word
 6 "material." the following: "However, if the
 7 organization is a committee which has filed a
 8 statement of organization under this chapter, only the
 9 name of the committee is required to be included on
 10 the published material."

EDGAR H. HOLDEN

S-3552

- 1 Amend House File 686 as passed by the House, as
 2 follows:
 3 1. Page 1, by striking lines 3 through 8 and
 4 inserting the following:
 5 "Sec. ____ Section 257.11, Code 1985, is amended
 6 to read as follows:
 7 257.11 SUPERINTENDENT COMMISSIONER APPOINTED.
 8 The state board governor shall appoint, effective
 9 July 1, 1979 1987, and each four years thereafter,
 10 with the approval of two-thirds of the members subject
 11 to confirmation of the senate, a superintendent of
 12 public instruction commissioner of education. The
 13 state board of education shall evaluate and may
 14 dismiss the commissioner after consultation with the
 15 governor.
 16 Sec. ____ Section 257.12, Code 1985, is amended to
 17 read as follows:
 18 257.12 QUALIFICATIONS OF SUPERINTENDENT
 19 COMMISSIONER.

20 The ~~superintendent~~ Commencing July 1, 1987, the
 21 ~~commissioner~~ shall possess an Iowa teaching
 22 certificate issued under chapter 260 ~~with an~~
 23 ~~administrator's endorsement~~. The deputy
 24 ~~superintendent~~ commissioner shall possess the same
 25 qualifications.

26 Sec. ____ Section 257.25, subsection 10,
 27 unnumbered paragraph 3, Code 1985, is amended to read
 28 as follows:

29 The state board of ~~public instruction~~ education
 30 shall adopt approval standards and rules to implement,
 31 interpret and make effective the provisions of this
 32 section. In adopting the ~~same~~ approval standards and
 33 rules, the ~~state~~ board shall take into account
 34 recognized educational standards. Standards and rules
 35 shall be of general application without specific
 36 regard to school population.”

37 2. Page 8, by inserting after line 6 the
 38 following:

39 “Sec. ____ Sections 8.6, 17.3, 18.136, 19A.3,
 40 19A.9, 64.6, 92.21, 139.9, 257.10, 257.18, 257.19,
 41 257.23, 257.24, 257.25, 258.3, 258.13, 259A.4, 259A.5,
 42 260.15, 260.28, 261.1, 273.3, 273.11, 274.42, 274.43,
 43 274.44, 274.45, 275.3, 275.4, 276.4, 280.3, 280A.2,
 44 280A.33, 281.9, 281.12, 282.19, 282.24, 282.27,
 45 283A.3, 283A.4, 283A.5, 284.2, 285.1, 285.4, 285.5,
 46 285.12, 285.13, 286A.6, 286A.11, 286A.12, 290.5,
 47 291.9, 291.10, 291.11, 291.15, 294.5, 297.32, 299.24,
 48 302.13, 442.7, 442.12, 442.13, 442.23, 601F.3, 714.18,
 49 and 714.22, Code 1985, are amended by striking the
 50 words “superintendent of public instruction” and

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1 “state superintendent of public instruction” wherever
 2 they appear in those sections and inserting in lieu
 3 thereof the words “commissioner of education”.

4 Sec. ____ Sections 257.10, 257.13, 257.14, 257.15,
 5 257.18, 257.19, 257.20, 257.21, 257.22, 257.24,
 6 257.25, 260.3, 260.15, 280.3, 280A.2, 281.1, 283A.4,
 7 285.6, 285.12, 290.5, 291.10, and 299.24, Code 1985,
 8 are amended by striking the words “superintendent” or
 9 “state superintendent” wherever they appear in those
 10 sections and inserting the word “commissioner”.

11 Sec. ____ Sections 18B.3, 173.2, 237.1, 237.3,
 12 257.1, 257.10, 257.25, 257.30, 257.41, 258.2, 258.3,
 13 259.3, 259A.5, 260.1, 260A.6, 272A.2, 273.2, 273.3,
 14 273.4, 273.9, 273.11, 275.4, 275.8, 275.23, 275.54,
 15 276.6, 276.7, 280.3, 280.13, 280A.12, 280A.26,
 16 280A.33, 281.1, 281.2, 281.4, 281.6, 281.7, 281.9,

17 281.11, 281.12, 282.27, 283.1, 285.6, 285.16, 286A.6,
 18 290.1, 290.2, 290.4, 290.6, 294.2, 296.3, 297.26,
 19 299.24, 442.7, and 442.27, Code 1985, are amended by
 20 striking the words "state board of public instruction"
 21 and "board of public instruction" wherever they appear
 22 in those sections and inserting the words "state board
 23 of education".
 24 Sec. _____. Sections 18.29, 18B.3, 19A.3, 19A.9,
 25 68B.2, 93.7, 96.19, 111A.9, 125.10, 147.152, 154B.3,
 26 220A.4, 225C.4, 237A.1, 241.3, 257.6, 257.7, 257.8,
 27 257.10, 257.15, 257.19, 257.20, 257.21, 257.24,
 28 257.25, 257.29, 257.30, 257.42, 259A.1, 259A.2,
 29 259A.4, 260A.2, 260A.3, 260A.4, 260A.5, 261.17,
 30 261.61, 272A.3, 273.4, 273.5, 273.6, 273.8, 274.38,
 31 274.45, 275.8, 275.16, 275.39, 275.52, 276.3, 279.10,
 32 280.4, 280.13, 280A.27, 280A.33, 280B.7, 281.1, 281.2,
 33 281.4, 281.8, 281.11, 282.3, 282.26, 283.1, 283A.2,
 34 283A.10, 284.3, 285.1, 285.2, 285.8, 285.9, 285.11,
 35 285.14, 285.15, 285.16, 286.5, 286A.6, 286A.10, 289.7,
 36 297.7, 298.11, 301.29, 301.30, 442.4, 442.7, 442.12,
 37 442.13, 442.19, 442.31, 442.37, 442.41, 442.42,
 38 442.44, 442.51, 622.10, and 714.19, Code 1985, are
 39 amended by striking the words "department of public
 40 instruction" and "state department of public
 41 instruction" wherever they appear in those sections
 42 and inserting the words "department of education".
 43 Sec. _____. Sections 257.14, 257.18, 257.22, 257.23,
 44 258.13, 285.12, and 290.5, Code 1985, are amended by
 45 striking the word "superintendent's" wherever it
 46 appears in those sections and inserting the word
 47 "commissioner's".
 48 Sec. _____. Sections 275.16, 280.13, 280A.33, 285.8,
 49 and 286A.10, Code 1985, are amended by striking the
 50 words "state department" wherever they appear in those

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1 sections and inserting the word "department".
 2 3. Page 2, line 19, by striking the words "public
 3 instruction" and inserting the word "education".
 4 4. Page 4, line 8, by striking the words "public
 5 instruction" and inserting the word "education".
 6 5. Page 4, lines 9 and 10, by striking the words
 7 "superintendent of public instruction" and inserting
 8 the following: "superintendent commissioner of public
 9 instruction education".
 10 6. Page 4, line 33, by striking the words "public
 11 instruction" and inserting the word "education".
 12 7. Page 5, lines 5 and 6, by striking the words
 13 "public instruction" and inserting the word

14 "education".
 15 8. Page 5, lines 13 and 14, by striking the words
 16 "public instruction" and inserting the word
 17 "education".
 18 9. Page 6, lines 1 and 2, by striking the words
 19 "public instruction" and inserting the word
 20 "education".
 21 10. Page 7, lines 1 and 2, by striking the words
 22 "public instruction" and inserting the word
 23 "education".
 24 11. Page 7, lines 28 and 29, by striking the
 25 words "public instruction" and inserting the word
 26 "education".
 27 12. By numbering and renumbering sections as
 28 necessary.

JOE BROWN
 RAY TAYLOR

S-3553

1 Amend House File 398, as passed by the House as
 2 follows:
 3 1. Page 1, line 17, by inserting after the word
 4 "aide" the following: "as defined in section 249B.32,
 5 paragraph 3.".

CHARLES P. MILLER

S-3554

1 Amend Senate File 461 as follows:
 2 1. Page 3, line 16, by inserting after the word
 3 "plan." the following: "Benefits shall be payable for
 4 inpatient care and treatment, including inpatient care
 5 and treatment in freestanding or residential
 6 facilities, outpatient care and treatment, partial day
 7 care and treatment, and care and treatment provided in
 8 halfway houses."
 9 2. By striking page 3, line 17 through page 4,
 10 line 19.
 11 3. Page 5, by striking lines 3 through 9 and
 12 inserting the following: "to mental health services
 13 provided by mental health service providers."
 14 4. By striking page 5, line 30 through page 6,
 15 line 4.

LARRY MURPHY
 CHARLES BRUNER
 MICHAEL E. GRONSTAL

JULIA B. GENTLEMAN
DAVID M. READINGER

S-3555

1 Amend House File 696 as passed by the House as
2 follows:
3 1. Page 3, by inserting after line 16 the
4 following:
5 "5. In a proceeding under this chapter, if the
6 court determines the building is not abandoned or is
7 not in a dangerous or unsafe condition, the court
8 shall dismiss the petition and may require the
9 petitioner to pay the owner's reasonable attorney fees
10 actually incurred."

MICHAEL E. GRONSTAL

S-3556

1 Amend Senate File 550 as follows:
2 1. Page 8, line 14, by inserting after the figure
3 "21" the following: ", unless an open hearing is
4 requested by the employee or superintendent affected".

LARRY MURPHY

S-3557

1 Amend Senate File 461 as follows:
2 1. Page 7, by striking line 27 and inserting the
3 words "delivery after July 1, 1986, and thereafter to
4 existing".

HURLEY HALL

S-3558

1 Amend Senate File 499 as follows:
2 1. Page 2, by inserting after line 20 the
3 following:
4 "___ The driver and front seat passenger of an
5 authorized emergency vehicle."
6 2. Renumber paragraphs as necessary.

LOWELL L. JUNKINS

S-3559

1 Amend Senate File 500 as follows:

2 1. Page 1, line 6, by inserting after the word
3 “Contract” the following: “or “preneed contract””.

4 2. Page 1, line 11, by striking the word
5 “personal”.

6 3. Page 1, line 13, by striking the word
7 “personal”.

8 4. Page 1, line 16, by striking the word
9 “cemetery” and inserting the following: “properly
10 identifiable property or”.

11 5. By striking page 1, line 20 through page 2,
12 line 8 and inserting the following:

13 “3. “Professional service, cemetery merchandise or
14 property to be used in funeral services” means all
15 property, services, supplies and equipment provided by
16 a licensed funeral director, a funeral establishment
17 or cemetery association in connection with a funeral,
18 interment, entombment or cremation, including, but not
19 limited to mortuary science services, conducting of
20 funeral and memorial services, rental fees, final
21 disposition services, burial, entombment, cremation
22 fees, caskets, crypt beds, burial vaults, catafalques,
23 grave lots, grave spaces, grave markers, monuments,
24 tombstones, crypts, niches and mausoleums.

25 Professional services do not include perpetual care
26 or maintenance as provided in chapter 566A.

27 Cemetery merchandise or property does not include
28 grave lots, grave spaces, mausoleums or niches for
29 which a deed has been delivered to the purchaser.”.

30 6. Page 2, by striking lines 18 through 21.

31 7. Page 2, by inserting before line 22 the
32 following:

33 “6. “Financial institution” means a bank, savings
34 and loan association or credit union carrying federal
35 deposit insurance and located in this state.”

36 8. Page 2, line 32, by striking the word and
37 figures “January 31” and inserting the following:
38 “March 1”.

39 9. Page 3, by striking lines 5 through 8 and
40 inserting the following:

41 “3. The total value of contracts made in the
42 preceding year, the total amount of moneys to be
43 trusted in accordance with section 523D.12, the total
44 amount of principal paid on contracts in the preceding
45 year, and the amount trusted for each purchaser in the
46 preceding year.”

47 10. Page 3, line 9, by striking the words “bank
48 or trust company” and inserting the following:

49 "financial institution".

50 11. Page 3, line 10, by striking the words

Page 2

1 "contract payments" and inserting the following:
2 "trust funds".

3 12. Page 3, line 14, by striking the words "bank
4 or trust company" and inserting the following:
5 "financial institution".

6 13. Page 3, lines 26 and 27, by striking the
7 words "banks and trust companies" and inserting the
8 following: "financial institutions".

9 14. Page 4, by striking line 10 and inserting the
10 following: "A person who commits any of the following
11 acts is guilty of a fraudulent practice and is
12 punishable as provided in chapter 714:".

13 15. Page 4, line 11, by striking the words "make,
14 cause to be made, or subscribe" and inserting the
15 following: "makes, causes to be made, or subscribes".

16 16. Page 4, line 13, by striking the words "to
17 render" and inserting the following: "renders".

18 17. Page 4, line 16, by striking the word
19 "Conspire" and inserting the following: "Conspires".

20 18. Page 4, line 18, by striking the words
21 "misrepresent or omit" and inserting the following:
22 "misrepresents or omits".

23 19. Page 5, line 20, by striking the word "of"
24 and inserting the word "or".

25 20. Page 6, line 13, by striking the word
26 "misdemeanor" and inserting the following:
27 "misdemeanor unless otherwise specifically stated."

28 21. Page 6, line 14, by striking the words "AND
29 RELEASE".

30 22. Page 6, line 15, by striking the word
31 "CONTRACT" and inserting the following: "TRUST FUND".

32 23. Page 6, line 18, by striking the word
33 "personal".

34 24. Page 6, lines 22 and 23, by striking the
35 words "bank or savings and loan association" and
36 inserting the following: "financial institution".

37 25. Page 6, by striking lines 25 through 27 and
38 inserting the following: "payments, the seller shall
39 deposit a percentage of each payment in trust until
40 the full amount to be trusted has been deposited. The
41 percentage of each payment to be deposited shall be
42 the same percentage that the total amount to be
43 trusted represents of the total price of the contract.
44 However, in no case shall the amount deposited
45 represent less than forty percent of the payment

46 received by the seller.

47 If the contract is financed with or sold to a
48 financial institution, then the contract shall be
49 considered paid in full and the deposit requirements
50 of this section shall be satisfied within thirty days

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1 after the close of the month in which payment is
2 received from the financial institution.

3 Wholesale costs shall be determined by using a
4 current invoice price for the property or cemetery
5 merchandise delivered on an F.O.B. basis from a third
6 party manufacturer or the price printed on a current
7 price list furnished by a third party manufacturer.

8 Subject to the approval of the commissioner,
9 wholesale costs may be determined by a reasonable
10 alternative method in the event wholesale costs cannot
11 be determined by a current invoice price or a current
12 price list. At least once a year, the seller shall
13 review and revise trust fund accounts to reflect
14 current wholesale costs."

15 26. By striking page 6, line 28 through page 7,
16 line 5.

17 27. Page 7, line 18, by striking the word
18 "Trustee" and inserting the following: "Financial".

19 28. Page 7, by inserting after line 21 the
20 following:

21 "Sec. 13. NEW SECTION. 523D.13 RELEASE OF TRUST

22 FUNDS. If, after a purchaser has paid a preneed
23 contract in full, the seller does not deliver the
24 appropriate goods and services in the manner provided
25 for in the contract, or if the seller fails to deliver
26 within twenty days after receipt of a written notice
27 to deliver from the purchaser, then the purchaser,
28 assignees, heirs or duly authorized representatives
29 are entitled to a refund of the purchase price.

30 Upon failure to deliver, funds held in trust,
31 including accrued interest or income, may be released
32 at the written request of the purchaser upon a five-
33 day written notice, by registered or certified mail,
34 delivered from the financial institution to the
35 seller.

36 If a seller of a preneed contract fails to provide
37 a written guarantee of delivery to a purchaser who
38 moves more than one hundred and fifty miles from the
39 seller's place of business, the purchaser is entitled
40 to a refund. Upon failure to guarantee delivery,
41 funds held in trust, including accrued interest or
42 income, may be released at the written request of the

43 purchaser upon five days written notice, by registered
44 or certified mail, delivered from the financial
45 institution to the seller.

46 In the event that a purchaser is in default of a
47 contract, the financial institution shall release to
48 the depositor the funds, including accrued interest or
49 income, deposited on behalf of the defaulted contract,
50 upon receiving from the seller a sworn affidavit

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1 stating that the purchaser is in default, the date of
2 the default, an explanation of the default and that
3 the seller has mailed a copy of the affidavit to the
4 purchaser's last known address at least fifteen days
5 prior to the request for release. This provision does
6 not limit the contract rights of either party.

7 In the event that no request to deliver has been
8 made under the terms of the contract for a period of
9 fifty years from the date of the contract, and the
10 seller has been unable to contact the purchaser, the
11 funds held in trust, including accrued interest or
12 income, shall be released to the seller.

13 A financial institution shall not be responsible
14 for any refunds made upon written notices submitted in
15 accordance with this section.

16 Partial delivery does not relieve a seller from the
17 provisions of this section that may apply to the
18 remainder and does not relieve a seller from any
19 liability for nonperformance of the contract terms.

20 Sec. 14. NEW SECTION. 523D.14 ADMINISTRATION OF
21 TRUST FUND.

22 The trust fund established pursuant to section
23 523D.12 shall be held by a financial institution which
24 shall serve as trustee of the fund. The trustee may
25 commingle the deposits in the trust fund for purposes
26 of the management and investment of the fund. The
27 trustee may invest, reinvest, exchange, retain, sell
28 and otherwise manage the trust fund. The depositor
29 may appoint an independent investment advisor to act
30 in an advisory capacity with the trustee relative to
31 the investment of the trust funds. The depositor
32 shall pay the costs of the operation of the trust and
33 the annual audit fees.

34 Funds, both principal and accrued interest or
35 income, shall be held in trust and remain intact until
36 delivery or release under the provisions of section
37 523D.13. Income or interest earned on the trust fund
38 shall be retained and accumulated in a separate income
39 account within the trust fund. The principal and any

40 accrued earnings or losses relative to each individual
41 account shall be held in suspense until the final
42 determination is made as to which party the account
43 will be paid.

44 Sec. 15. NEW SECTION. 523D.15 REGISTRATION.

45 No person shall engage in the sale of contracts
46 subject to this chapter without registering with the
47 commissioner at least thirty days in advance. The fee
48 for the registration shall be fifty dollars and the
49 registration form prescribed by the commissioner's
50 office shall contain the following information:

Page 5

- 1 1. The name and location of the registrant's
- 2 business.
- 3 2. The names and addresses of each owner, officer
- 4 or other officials of the registrant's business.
- 5 3. The financial institution to be used for the
- 6 deposit of trust funds.
- 7 4. The types of professional services or property
- 8 to be sold.
- 9 A registrant shall inform the commissioner of
- 10 changes in the information contained in the
- 11 registration form within thirty days of the change."
- 12 29. Page 7, by striking lines 34 and 35 and
- 13 inserting the following:
- 14 "Neither section 156.9, subsection 3, nor section
- 15 156.12 prohibits the sale or solicitation for sale of
- 16 contracts which are made in accordance with this
- 17 chapter."
- 18 30. Page 8, by inserting before line 1, the
- 19 following:
- 20 "Sec. 19. Notwithstanding the provisions of
- 21 section 523D.15, persons engaged in the sale of
- 22 contracts subject to this chapter on the effective
- 23 date of this Act shall have thirty days to comply with
- 24 the registration requirement of that section.
- 25 Sec. 20. Preneed contracts made pursuant to
- 26 chapter 523A before the effective date of this Act
- 27 shall be subject to chapter 523A. Those made on or
- 28 after the effective date of this Act shall be subject
- 29 to chapter 523D."
- 30 31. By renumbering as necessary.

TOM MANN

S-3560

- 1 Amend Senate File 448 as follows:
- 2 1. Page 1, line 29, by inserting after the word
- 3 "as" the following: "having applied and".
- 4 2. Page 2, line 18, by inserting after the word
- 5 "and" the words "has applied and".

CHARLES BRUNER

S-3561

- 1 Amend House File 505 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 6, by inserting after the word
- 4 "county" the words "and or state".

RICHARD VANDE HOEF

S-3562

- 1 Amend Senate File 457 as follows:
- 2 1. Page 1, by inserting after line 6, the
- 3 following:
- 4 "Sec. 2. Section 598.21, subsection 8, Code 1985,
- 5 is amended to read as follows:
- 6 8. The court may subsequently modify orders made
- 7 under this section when there is a substantial change
- 8 in circumstances. ~~The court contemplating a change in~~
- 9 ~~child support because of alleged change in~~
- 10 ~~circumstances shall consider each parent's earning~~
- 11 ~~capacity, economic circumstances and cost of living.~~
- 12 In determining whether there is a substantial change
- 13 in circumstances, the court shall consider the
- 14 following:
- 15 a. Changes in the employment, earning capacity,
- 16 income or resources of a party.
- 17 b. Receipt by a party of an inheritance, pension
- 18 or other gift.
- 19 c. Changes in the cost of living.
- 20 d. Changes in the medical expenses of a party.
- 21 e. Changes in the number or needs of dependents of
- 22 a party.
- 23 f. Changes in the physical or emotional health of
- 24 a party.
- 25 g. Changes in the residence of a party.
- 26 h. Remarriage of a party.
- 27 i. Cohabitation by a party with another person and
- 28 possible support of the party by that person.
- 29 i. Changes in the physical, emotional or

30 educational needs of a child whose support is governed
31 by the order.

32 k. Violation by a party of the rights of the other
33 party with respect to custody or visitation.

34 l. Contempt by a party of existing orders of
35 court.

36 m. Other factors the court determines to be
37 relevant in an individual case. Modifications of
38 orders pertaining to child custody shall be made
39 pursuant to chapter 598A. However, if a child twelve
40 years of age or older requests the court to modify a
41 custody order, the court shall determine if the child,
42 with the assistance of a guardian ad litem, would be
43 capable of representing the child's own best interests
44 in custody modification proceedings. If the court
45 determines that the child would be capable of
46 representing the child's own best interest, the court
47 shall appoint a guardian ad litem to represent the
48 child. The guardian ad litem shall petition the court
49 for a modification of the custody order and shall not
50 be required to pay the applicable court filing and

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1 docketing fees, advance services fees, and other
2 costs. The court shall hold a hearing with all
3 parties to the custody order and shall grant the
4 petition for modification if in the best interest of
5 the child. The court shall inquire into the ability
6 of each parent or guardian to pay all applicable court
7 fees and costs and guardian ad litem fees, and if
8 able, the court shall tax the court fees and costs and
9 guardian ad litem fees accordingly.

10 NEW UNNUMBERED PARAGRAPH. If the petition for a
11 modification of an order pertaining to child custody
12 asks either for joint custody or that joint custody be
13 modified to an award of sole custody, the
14 modification, if any, shall be made pursuant to
15 section 598.41.

16 If the court orders a transfer of title to real
17 property, the clerk of court shall issue a certificate
18 under chapter 558 relative to each parcel of real
19 estate affected by the order and immediately deliver
20 the certificate for recording to the county recorder
21 and the county auditor of the county in which the real
22 estate is located. Any fees assessed shall be
23 included as part of the court costs, however, the
24 certificates shall be recorded whether the costs are
25 paid or not.

26 Sec. 3. Section 598.41, subsection 1, Code 1985,

27 is amended to read as follows:

28 1. The court, insofar as is reasonable and in the
 29 best interests of the child, shall order the custody
 30 award, including liberal visitation rights where
 31 appropriate, which will assure the child the
 32 opportunity for the maximum continuing physical and
 33 emotional contact with both parents after the parents
 34 have separated or dissolved the marriage, unless
 35 direct physical harm or significant emotional harm to
 36 the child is likely to result from such contact with
 37 one parent, and which will encourage parents to share
 38 the rights and responsibilities of raising the child.
 39 The court shall consider the denial by one parent of
 40 the child's opportunity for maximum continuing contact
 41 with the other parent, without just cause, a
 42 significant factor in determining the proper custody
 43 arrangement. Unless otherwise ordered by the court in
 44 the custody decree, both parents shall have legal
 45 access to information concerning the child, including
 46 but not limited to medical, educational and law
 47 enforcement records. If the custody decree restricts
 48 the noncustodial parent's access to information
 49 concerning the child, the custodial parent shall
 50 deliver to each affected provider of information a

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1 certified copy of the restriction. The provider of
 2 information shall restrict access only if the
 3 certified copy has been so delivered. If the court
 4 subsequently orders modification or removal of the
 5 restriction, the custodial parent shall deliver to
 6 each affected provider of information a certified copy
 7 of the order and the provider shall thereafter
 8 restrict access only as permitted under the order."

WALLY HORN

S-3563

1 Amend Senate File 224 as follows:

2 1. Page 4, by inserting after line 30, the
 3 following:

4 "Sec. 11. Section 659.4, Code 1985, is amended to
 5 read as follows:

6 659.4 CANDIDATE FOR OFFICE -- RETRACTION -- TIME.

7 If the plaintiff was a candidate for office at the
 8 time of the libelous publication, no retraction shall
 9 be available unless published in a conspicuous place
 10 on the editorial page, nor if the libel was published

- 11 within two weeks next before the election; ~~provided~~
 12 ~~that this. This section~~ and sections 659.2 and 659.3
 13 ~~shall do not apply to any libel imputing unchastity to~~
 14 ~~a woman sexual misconduct to any persons."~~
 15 2. By renumbering as necessary to conform to this
 16 amendment.

WALLY HORN

S-3564

- 1 Amend Senate File 404 as follows:
 2 1. Page 1, line 24, by striking the word "five"
 3 and inserting the following: "five ten".

ARNE WALDSTEIN

S-3565

- 1 Amend House File 686 as passed by the House, as
 2 follows:
 3 1. Page 1, by striking lines 3 through 8 and
 4 inserting the following:
 5 "Sec. ____ . Section 257.11, Code 1985, is amended
 6 to read as follows:
 7 257.11 SUPERINTENDENT COMMISSIONER APPOINTED.
 8 The ~~state board~~ governor shall appoint, effective
 9 July 1, ~~1979~~ 1987, and each four years thereafter,
 10 ~~with the approval of two thirds of the members subject~~
 11 ~~to confirmation of the senate, a superintendent of~~
 12 ~~public instruction commissioner of education. The~~
 13 ~~state board of education shall evaluate and may~~
 14 ~~dismiss the commissioner after consultation with the~~
 15 ~~governor.~~
 16 Sec. ____ . Section 257.12, Code 1985, is amended to
 17 read as follows:
 18 257.12 QUALIFICATIONS OF SUPERINTENDENT
 19 COMMISSIONER.
 20 The superintendent Commencing July 1, 1987, the
 21 commissioner shall possess an Iowa teaching
 22 certificate issued under chapter 260 with an
 23 administrator's endorsement. The deputy
 24 superintendent commissioner shall possess the same
 25 qualifications.
 26 Sec. ____ . Section 257.25, subsection 10,
 27 unnumbered paragraph 3, Code 1985, is amended to read
 28 as follows:
 29 The state board of ~~public instruction~~ education
 30 shall adopt approval standards and rules to implement,
 31 interpret and make effective the provisions of this

32 section. In adopting the same approval standards and
 33 rules, the state board shall take into account
 34 recognized educational standards. Standards and rules
 35 shall be of general application without specific
 36 regard to school population."

37 2. Page 2, line 19, by striking the words "public
 38 instruction" and inserting the word "education".

39 3. Page 4, line 8, by striking the words "public
 40 instruction" and inserting the word "education".

41 4. Page 4, lines 9 and 10, by striking the words
 42 "superintendent of public instruction" and inserting
 43 the following: "superintendent commissioner of public
 44 instruction education".

45 5. Page 4, line 33, by striking the words "public
 46 instruction" and inserting the word "education".

47 6. Page 5, lines 5 and 6, by striking the words
 48 "public instruction" and inserting the word
 49 "education".

50 7. Page 5, lines 13 and 14, by striking the words

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1 "public instruction" and inserting the word
 2 "education".

3 8. Page 6, lines 1 and 2, by striking the words
 4 "public instruction" and inserting the word
 5 "education".

6 9. Page 7, lines 1 and 2, by striking the words
 7 "public instruction" and inserting the word
 8 "education".

9 10. Page 7, lines 28 and 29, by striking the
 10 words "public instruction" and inserting the word
 11 "education".

12 11. Page 8, by inserting after line 6 the
 13 following:

14 "Sec. ____ Sections 8.6, 17.3, 18.136, 19A.3,
 15 19A.9, 64.6, 92.21, 139.9, 257.10, 257.18, 257.19,
 16 257.23, 257.24, 257.25, 258.3, 258.13, 259A.4, 259A.5,
 17 260.15, 260.28, 261.1, 273.3, 273.11, 274.42, 274.43,
 18 274.44, 274.45, 275.3, 275.4, 276.4, 280.3, 280A.2,
 19 280A.33, 281.9, 281.12, 282.19, 282.24, 282.27,
 20 283A.3, 283A.4, 283A.5, 284.2, 285.1, 285.4, 285.5,
 21 285.12, 285.13, 286A.6, 286A.11, 286A.12, 290.5,
 22 291.9, 291.10, 291.11, 291.15, 294.5, 297.32, 299.24,
 23 302.13, 442.7, 442.12, 442.13, 442.23, 601F.3, 714.18,
 24 and 714.22, Code 1985, are amended by striking the
 25 words "superintendent of public instruction" and
 26 "state superintendent of public instruction" wherever
 27 they appear in those sections and inserting in lieu
 28 thereof the words "commissioner of education".

29 Sec. ____ Sections 257.10, 257.13, 257.14, 257.15,
 30 257.18, 257.19, 257.20, 257.21, 257.22, 257.24,
 31 257.25, 260.3, 260.15, 280.3, 280A.2, 281.1, 283A.4,
 32 285.6, 285.12, 290.5, 291.10, and 299.24, Code 1985,
 33 are amended by striking the words "superintendent" or
 34 "state superintendent" wherever they appear in those
 35 sections and inserting the word "commissioner".

36 Sec. ____ Sections 18B.3, 173.2, 237.1, 237.3,
 37 257.1, 257.10, 257.25, 257.30, 257.41, 258.2, 258.3,
 38 259.3, 259A.5, 260.1, 260A.6, 272A.2, 273.2, 273.3,
 39 273.4, 273.9, 273.11, 275.4, 275.8, 275.23, 275.54,
 40 276.6, 276.7, 280.3, 280.13, 280A.12, 280A.26,
 41 280A.33, 281.1, 281.2, 281.4, 281.6, 281.7, 281.9,
 42 281.11, 281.12, 282.27, 283.1, 285.6, 285.16, 286A.6,
 43 290.1, 290.2, 290.4, 290.6, 294.2, 296.3, 297.26,
 44 299.24, 442.7, and 442.27, Code 1985, are amended by
 45 striking the words "state board of public instruction"
 46 and "board of public instruction" wherever they appear
 47 in those sections and inserting the words "state board
 48 of education".

49 Sec. ____ Sections 18.29, 18B.3, 19A.3, 19A.9,
 50 68B.2, 93.7, 96.19, 111A.9, 125.10, 147.152, 154B.3,

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1 220A.4, 225C.4, 237A.1, 241.3, 257.6, 257.7, 257.8,
 2 257.10, 257.15, 257.19, 257.20, 257.21, 257.24,
 3 257.25, 257.29, 257.30, 257.42, 259A.1, 259A.2,
 4 259A.4, 260A.2, 260A.3, 260A.4, 260A.5, 261.17,
 5 261.61, 272A.3, 273.4, 273.5, 273.6, 273.8, 274.38,
 6 274.45, 275.8, 275.16, 275.39, 275.52, 276.3, 279.10,
 7 280.4, 280.13, 280A.27, 280A.33, 280B.7, 281.1, 281.2,
 8 281.4, 281.8, 281.11, 282.3, 282.26, 283.1, 283A.2,
 9 283A.10, 284.3, 285.1, 285.2, 285.8, 285.9, 285.11,
 10 285.14, 285.15, 285.16, 286.5, 286A.6, 286A.10, 289.7,
 11 297.7, 298.11, 301.29, 301.30, 442.4, 442.7, 442.12,
 12 442.13, 442.19, 442.31, 442.37, 442.41, 442.42,
 13 442.44, 442.51, 622.10, and 714.19, Code 1985, are
 14 amended by striking the words "department of public
 15 instruction" and "state department of public
 16 instruction" wherever they appear in those sections
 17 and inserting the words "department of education".
 18 Sec. ____ Sections 257.14, 257.18, 257.22, 257.23,
 19 258.13, 285.12, and 290.5, Code 1985, are amended by
 20 striking the word "superintendent's" wherever it
 21 appears in those sections and inserting the word
 22 "commissioner's".
 23 Sec. ____ Sections 275.16, 280.13, 280A.33, 285.8,
 24 and 286A.10, Code 1985, are amended by striking the
 25 words "state department" wherever they appear in those

26 sections and inserting the word "department".
27 12. By numbering and renumbering sections as
28 necessary.

JOE BROWN
RAY TAYLOR

S-3566

1 Amend Senate File 545 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. Section 524.1202, subsection 1, Code
5 1985, is amended to read as follows:
6 1. Except as otherwise provided in subsection 2 of
7 this section or section 524.1421, ~~no~~ a state bank
8 shall not establish a bank office outside the
9 corporate limits of a municipal corporation or in a
10 municipal corporation in which there is already an
11 established state or national bank or office, ~~however,~~
12 However, the subsequent chartering and establishment
13 of ~~any~~ a state or national bank, through the opening
14 of its principal place of business within the
15 municipal corporation where the bank office is
16 located, shall not affect the right of the bank office
17 to continue in operation in that municipal
18 corporation. The existence and continuing operation
19 of a bank office shall not be affected by the
20 subsequent discontinuance of a municipal corporation
21 pursuant to the ~~provisions~~ of sections 368.11 to
22 368.22. A bank office existing and operating on July
23 1, 1976, which is not located within the confines of a
24 municipal corporation, shall be allowed to continue
25 its existence and operation without regard to this
26 subsection.
27 Sec. 2. Section 524.1202, Code 1985, is amended by
28 adding the following new subsection:
29 NEW SUBSECTION. 3. Notwithstanding subsection 1,
30 if the assets of a state or national bank in existence
31 on January 1, 1985 are transferred to a different
32 state or national bank located in this state, the
33 resulting or acquiring bank may convert to and operate
34 as its bank office any one or more of the business
35 locations occupied as the principal place of business
36 or as a bank office of the bank whose assets are so
37 acquired. The limitations on bank office locations
38 contained in unnumbered paragraph 1 of this section,
39 and the limitation on the number of bank offices
40 within the municipality or urban complex of the
41 resulting or acquiring bank contained in subsection 2

42 shall be applicable to any bank office otherwise
43 authorized by this subsection. A bank office
44 established under the authority of this subsection is
45 subject to the approval of the superintendent, shall
46 be operated in accordance with this chapter relating
47 to the operation of bank offices, and may be augmented
48 by an integral facility when approved under subsection
49 2, paragraph "d".
50 Sec. 3. NEW SECTION. 524.1421 REORGANIZATION OF

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1 BANK AFFILIATES.

2 1. Notwithstanding any other provision of this
3 chapter, the resulting bank of a merger or
4 consolidation of two or more banks, which have been
5 affiliates as defined in section 524.1101 for more
6 than five years prior to the effective date of the
7 merger or consolidation, may retain and operate as its
8 retained bank offices the principal places of business
9 and all bank offices of the affiliate banks which are
10 merged or consolidated into the resulting bank.

11 2. The resulting bank may establish bank offices
12 allowed by other sections of this chapter to the same
13 extent as if the merger or consolidation had not
14 occurred.

15 3. This section does not permit the resulting bank
16 to establish after the effective date of the merger or
17 consolidation any bank offices in addition to those
18 allowed to the resulting bank by other sections of
19 this chapter. However, the resulting bank may
20 establish and operate facilities which in the absence
21 of the merger or consolidation would be considered
22 under section 524.1202, subsection 2, paragraphs "c"
23 and "d", to be an integral part of the former
24 principal places of business of the affiliates which
25 are merged or consolidated into the resulting bank.

26 4. Retained bank offices as provided in subsection
27 1 shall be operated by the resulting bank in the same
28 manner as bank offices established under section
29 524.1201. The banks which are merged or consolidated
30 under this section shall retain an advisory board of
31 directors to advise on the operations of the retained
32 bank office. The board shall be comprised of citizens
33 residing in the area served by the bank office.

34 5. This section does not alter the limitations
35 upon bank holding companies contained in section
36 524.1802.

37 6. The privileges of this section are available on
38 the same conditions to national banks.

39 7. This section shall be strictly construed as an
 40 exception to the bank office location limitations
 41 contained in section 524.1202 and it is the intent of
 42 the general assembly that a court or regulatory agency
 43 interpreting this section shall not interpret it to
 44 permit statewide branch banking or the location of a
 45 bank office in this state other than as provided in
 46 this section and in sections 524.312 and 524.1202.
 47 This section does not authorize the establishment of
 48 bank offices at any time or by any bank except when
 49 done as the direct and immediate consequence of a
 50 merger or consolidation, does not authorize the

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1 establishment of the principal place of business of
 2 the resulting bank of a merger or consolidation at any
 3 location other than one actually occupied and operated
 4 as a principal place of business of one of the parties
 5 to the merger or consolidation, does not authorize a
 6 bank office at any location other than one actually
 7 occupied and operated as a principal place of business
 8 or bank office by one of the parties to the merger or
 9 consolidation, and does not authorize a greater number
 10 of bank offices within the municipality or urban
 11 complex of the principal place of business of the
 12 resulting bank than is expressly permitted by section
 13 524.1202, subsection 2.”

JACK RIFE
 BILL HUTCHINS

S-3567

1 Amend Senate File 473 as follows:
 2 1. Page 3, by striking lines 12 and 13 and
 3 inserting the following: “work programs shall be
 4 paid wages commensurate with the going rate for
 5 comparable work”.

ARNE WALDSTEIN

S-3568

1 Amend Senate File 461 as follows:
 2 1. Page 3, by striking lines 8 through 11 and
 3 inserting the following: “Except as provided in
 4 section 514E.6, benefits for the necessary care and
 5 treatment of chemical dependency shall not be less
 6 favorable than for physical illness generally, shall

7 be subject to the same deductibles and coinsurance,
8 and shall be payable to facilities as”.

9 2. Page 4, line 35, by striking the words
10 “Benefits” and inserting the following: “Except as
11 provided in section 514E.6, benefits”.

12 3. Page 6, line 6, by striking the words “shall
13 not be construed to” and inserting the following:
14 “does not”.

15 4. Page 6, by striking lines 13 through 15 and
16 inserting the following: “under preferred provider
17 contracts limiting choice of specific provider, or
18 under other systems designed to contain costs without
19 sacrificing care or treatment outcome. Restrictions
20 on eligible providers may be made on the basis of cost
21 effectiveness and outcome of care, but restrictions
22 based solely on type or class of provider are
23 prohibited.”

24 5. Page 7, line 25, by inserting after the word
25 “individual” the following: “and group”.

CHARLES BRUNER
DALE L. TIEDEN
LARRY MURPHY

S-3569

1 Amend Senate File 348 as follows:

2 1. Page 1, line 9, by inserting after the word
3 “existence.” the following: “For purposes of this
4 section, a buyer or buyer in ordinary course of
5 business includes any commission merchant, selling
6 agent, or other person engaged in the business of
7 receiving livestock as defined in section 189A.2 on
8 commission for or on behalf of another.”

9 2. Page 1, by striking lines 12 through 15 and
10 inserting the following:
11 “**NEW SUBSECTION. 4. a.** A buyer in ordinary
12 course of business buying farm products from a person
13 engaged in farming operations takes free of a security
14 interest created by that person’s seller even though
15 the security interest is perfected and even though the
16 buyer knows of its existence, unless the buyer
17 receives prior written notice of the security
18 interest. “Written notice” means an original”.

19 3. Page 1, by striking line 22 and inserting the
20 following:

21 “(1) The full name, address, and social security
22 or tax identification number of the debtor.”

23 4. Page 2, line 15, by striking the word
24 “satisfies” and inserting the following: “applies the

- 25 proceeds the debtor receives from the sale to".
 26 5. Page 2, line 19, by striking the word
 27 "purchaser" and inserting the following: "buyer".
 28 6. Page 2, line 22, by striking the word
 29 "purchaser" and inserting the following: "buyer".
 30 7. Page 2, by striking lines 23 and 24 and
 31 inserting the following: "terest. A buyer who issues
 32 a check jointly payable as specified in this
 33 subsection takes the farm products free of a security
 34 interest created by that person's seller. A buyer who
 35 does not issue a check jointly payable as specified in
 36 this subsection does not take the farm products free
 37 of a security interest created by that person's
 38 seller. A buyer shall not".
 39 8. Page 2, line 26, by striking the word
 40 "purchaser" and inserting the following: "buyer".

LEONARD L. BOSWELL

S-3570

- 1 Amend Senate File 539 as follows:
 2 1. Page 3, by inserting after line 3 the
 3 following:
 4 "Sec. ____ . This Act, being deemed of immediate
 5 importance, takes effect from and after its
 6 publication in The Cedar Valley Times, a newspaper
 7 published in Vinton, Iowa, and in The Bancroft
 8 Register, a newspaper published in Bancroft, Iowa."

EMIL J. HUSAK
 BERL E. PRIEBE

S-3571

- 1 Amend Senate File 461 as follows:
 2 1. Page 1, line 2, by inserting after the word
 3 "chapter" the following: "and in sections 2 through 4
 4 of this Act".
 5 2. Page 1, by striking lines 5 through 14.
 6 3. By striking page 1, line 20 through page 2,
 7 line 8.
 8 4. Page 2, by striking lines 19 through 32.
 9 5. Page 3, by striking lines 1 through 3 and
 10 inserting the following: "chemical dependency
 11 treatment or for treatment for mental disorders by a
 12 physician or other designee of the third-party payor,
 13 and which".
 14 6. By striking page 3, line 6 through page 6,
 15 line 4.

16 7. By striking page 6, line 16 through page 7,
17 line 24 and inserting the following:
18 "Sec. 2. Section 509.3, Code 1985, is amended by
19 adding the following new subsection:
20 NEW SUBSECTION. 7. A provision which offers and
21 makes available to the policyholder under a policy
22 providing hospital and medical coverage on an expense
23 incurred basis, benefits for the necessary care and
24 treatment of chemical dependency and mental disorders.
25 However, the policyholder may reject the coverage, or
26 select alternative coverage offered by or negotiated
27 with the insurer. Benefits provided for care and
28 treatment of chemical dependency in a facility, as
29 defined in section 125.2, subsection 2, other than a
30 hospital, are payable as if the care and treatment is
31 provided in a hospital, if the care and treatment is
32 determined to be necessary and is provided pursuant to
33 a written treatment plan. Benefits for the necessary
34 care and treatment of mental disorders shall cover the
35 mental health services which are medically or
36 psychologically necessary or which are necessary to
37 restore a person's capacity for social or biological
38 functioning, and which are provided pursuant to a
39 written treatment plan. However, this subsection does
40 not apply to a blanket, short-term travel, accident
41 only, limited or specified disease, or individual or
42 group conversion policy, to a policy designed only for
43 issuance to policyholders eligible for medicare
44 coverage under Title XVIII of the federal Social
45 Security Act, to any other similar coverage under a
46 state or federal governmental plan, or to a group
47 policy covering fewer than twenty-six employees.
48 Sec. 3. Section 514.5, Code 1985, is amended by
49 adding the following new unnumbered paragraph after
50 the second unnumbered paragraph:

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1 NEW UNNUMBERED PARAGRAPH. A hospital service
2 corporation or medical service corporation shall offer
3 and make available to subscribers under a group
4 subscriber contract providing hospital or medical and
5 surgical coverage on an expense incurred basis,
6 benefits for the necessary care and treatment of
7 chemical dependency and mental disorders. However,
8 the group may reject the coverage, or select
9 alternative coverage offered by or negotiated with the
10 corporation. Benefits provided for care and treatment
11 of chemical dependency in a facility, as defined in
12 section 125.2, subsection 2, other than a hospital,

13 are payable as if the care and treatment is provided
 14 in a hospital, if the care and treatment is determined
 15 to be necessary and is provided pursuant to a written
 16 treatment plan. Benefits for the necessary care and
 17 treatment of mental disorders shall cover the mental
 18 health services which are medically or psychologically
 19 necessary or which are necessary to restore a person's
 20 capacity for social or biological functioning, and
 21 which are provided pursuant to a written treatment
 22 plan. However, this paragraph does not apply to a
 23 contract designed only for issuance to subscribers
 24 eligible for medicare coverage under Title XVIII of
 25 the federal Social Security Act, to any other similar
 26 coverage under a state or federal governmental plan,
 27 or to a group contract covering fewer than twenty-six
 28 subscribers.

29 Sec. 4. Section 514B.5, Code 1985, is amended by
 30 adding the following new subsection after subsection 3
 31 and renumbering the subsequent subsections:

32 NEW SUBSECTION. 4. The health maintenance
 33 organization offers to provide to groups of enrollees
 34 and makes available to groups of enrollees the
 35 provision of the necessary care and treatment of
 36 chemical dependency and mental disorders. However,
 37 the enrollees may reject the coverage, or select
 38 alternative coverage offered by or negotiated with the
 39 organization. Care and treatment of chemical
 40 dependency provided in a facility, as defined in
 41 section 125.2, subsection 2, other than a hospital,
 42 shall be provided as if the care and treatment is
 43 provided in a hospital, if the care and treatment is
 44 determined to be necessary and is provided pursuant to
 45 a written treatment plan. Benefits for the necessary
 46 care and treatment of mental disorders shall cover the
 47 mental health services which are medically or
 48 psychologically necessary or which are necessary to
 49 restore a person's capacity for social or biological
 50 functioning, and which are provided pursuant to a

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1 written treatment plan. However, this subsection does
 2 not apply to coverages designed only for issuance to
 3 enrollees eligible for medicare coverage under Title
 4 XVIII of the federal Social Security Act, or to any
 5 other similar coverage under a state or federal
 6 governmental plan."

7 8. Page 7, line 25, by striking the word
 8 "individual" and inserting the following: "group".

9 9. Title page, by striking lines 1 through 9, and

10 inserting the following: "An Act requiring group
11 health insurance policies, group nonprofit hospital
12 and medical service contracts, and health maintenance
13 organizations to offer and make available coverage for
14 the care and treatment of chemical dependency and
15 mental disorders."

16 10. By renumbering as necessary.

EDGAR H. HOLDEN

S-3572

1 Amend Senate File 543 as follows:

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

4 "Section 1. NEW SECTION. 321.20A PROOF OF
5 SECURITY AGAINST LIABILITY.

6 1. Notwithstanding chapter 321A, as it pertains to
7 who is required to maintain proof of financial
8 responsibility, a person shall not operate a motor
9 vehicle which is registered in this state on the
10 highways of this state unless liability insurance
11 coverage as defined in section 321.1, subsection 86,
12 is in effect for the motor vehicle.

13 2. The department shall not register a motor
14 vehicle or issue a registration certificate or
15 registration plates unless the applicant has submitted
16 proof of liability insurance coverage. The department
17 shall revoke a registration upon receipt of a notice
18 of cancellation under subsection 3, unless the person
19 submits proof of substitute liability insurance
20 coverage.

21 3. An insurance company transacting business in
22 this state shall notify the state department of
23 transportation, in a manner prescribed by the
24 commissioner of insurance after consultation with the
25 state department of transportation, of a cancellation
26 of an insurance policy issued to an owner of a motor
27 vehicle registered in this state to satisfy the
28 requirements of liability insurance coverage.

29 4. The state department of transportation and the
30 insurance department shall adopt rules pursuant to
31 chapter 17A to implement this section.

32 Sec. 2. Section 321.1, Code 1985, is amended by
33 adding the following new subsection:

34 NEW SUBSECTION. 86. "Liability insurance
35 coverage" means an owner's policy of liability
36 insurance which is issued by an insurance carrier
37 authorized to do business in this state to or for the
38 benefit of the person named in the policy as insured,

39 and insuring the person named as insured and any
 40 person using an insured motor vehicle with the express
 41 or implied permission of the named insured against
 42 loss from liability imposed by law for damages arising
 43 out of the ownership, maintenance, or use of an
 44 insured motor vehicle within the United States of
 45 America or the Dominion of Canada, but subject to
 46 minimum limits, exclusive of interest and costs, in
 47 the amounts specified in section 321A.21. However, if
 48 another provision of the Code requires a person to
 49 have liability insurance coverage which exceeds the
 50 minimum requirements of this subsection, that

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1 provision of the Code supersedes the minimum
 2 requirements of this subsection.
 3 Sec. 3. Section 321.20, Code 1985, is amended by
 4 adding the following new subsection:
 5 NEW SUBSECTION. 6. Proof of liability insurance
 6 coverage as required under section 321.20A.
 7 Sec. 4. Section 321.24, Code 1985, is amended by
 8 adding the following new unnumbered paragraph:
 9 NEW UNNUMBERED PARAGRAPH. Prior to issuing a
 10 registration, the county treasurer shall verify that
 11 the applicant has submitted proof of liability
 12 insurance coverage as required under section 321.20A.
 13 If proof is not submitted, registration shall not be
 14 issued. Proof of liability insurance coverage is not
 15 required for issuance of a certificate of title.
 16 Sec. 5. Section 321.30, Code 1985, is amended by
 17 adding the following new subsection:
 18 NEW SUBSECTION. 11. If the application does not
 19 include proof of liability insurance coverage as
 20 required under section 321.20A.
 21 Sec. 6. Section 321.40, unnumbered paragraph 1,
 22 Code 1985, is amended to read as follows:
 23 Application for renewal of a vehicle registration
 24 shall be made on or after the first day of the month
 25 of expiration of registration and up to and including
 26 the last day of the month following the month of
 27 expiration of registration. The registration shall be
 28 renewed upon payment of the appropriate registration
 29 fee and upon submission of proof of liability
 30 insurance coverage as defined in section 321.1,
 31 subsection 86.
 32 Sec. 7. Section 321.46, subsection 2, Code 1985,
 33 is amended by adding the following new unnumbered
 34 paragraph:
 35 NEW UNNUMBERED PARAGRAPH. Prior to issuing a

36 registration the county treasurer shall verify that
37 the applicant has submitted proof of liability
38 insurance coverage as defined in section 321.1,
39 subsection 86. If proof is not submitted, registra-
40 tion shall not be issued. Proof of liability
41 insurance coverage is not required for issuance of a
42 certificate of title.

43 Sec. 8. Section 321.54, unnumbered paragraph 1,
44 Code 1985, is amended to read as follows:

45 Nonresident owners of foreign vehicles operated
46 within this state for the intrastate transportation of
47 persons or property for compensation or for the
48 intrastate transportation of merchandise shall
49 register and maintain liability insurance coverage for
50 each ~~such~~ vehicle and pay the same fees ~~therefor as is~~

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1 required ~~with reference to for~~ like vehicles owned by
2 residents of this state.

3 Sec. 9. Section 321.55, Code 1985, is amended to
4 read as follows:

5 321.55-REGISTRATION REQUIRED FOR CERTAIN VEHICLES
6 OWNED OR OPERATED BY NONRESIDENTS.

7 A nonresident owner or operator engaged in
8 remunerative employment within the state or carrying
9 on business within the state and owning or operating a
10 motor vehicle, trailer, or semitrailer within the
11 state shall register and maintain liability insurance
12 coverage for each such vehicle and pay the same fees
13 for registration as are paid for like vehicles owned
14 by residents of this state. However, this paragraph
15 does not apply to a person commuting from the person's
16 residence in another state or whose employment is
17 seasonal or temporary, not exceeding ninety days.

18 A nonresident owner of a motor vehicle operated
19 within the state by a resident of the state shall
20 register the vehicle and shall maintain liability
21 insurance coverage for the vehicle. The nonresident
22 owner shall pay the same fees for registration as are
23 paid for like vehicles owned by residents of this
24 state. However, registration under this paragraph
25 does not apply to is not required for vehicles being
26 operated by residents temporarily, not exceeding
27 ninety days. It is unlawful for a resident to operate
28 within the state an unregistered motor vehicle
29 required to be registered under this paragraph.

30 Sec. 10. Section 321.57, unnumbered paragraph 1,
31 Code 1985, is amended to read as follows:

32 A dealer owning any vehicle of a type otherwise

33 required to be registered ~~hereunder~~ under this chapter
34 may operate or move the ~~same~~ vehicle upon the highways
35 solely for purposes of transporting, testing,
36 demonstrating or selling the ~~same~~ vehicle without
37 registering ~~each such~~ the vehicle upon condition that
38 ~~any such~~ the vehicle display in the manner prescribed
39 in sections 321.37 and 321.38 a special plate issued
40 to ~~such~~ the owner as provided in sections 321.58 to
41 321.62. ~~In addition to the foregoing, a~~ However, if
42 the vehicle is a motor vehicle the dealer shall
43 maintain liability insurance coverage for the motor
44 vehicle as required under section 321.20A. A new car
45 dealer or a used car dealer may operate or move upon
46 the highways any new or used car or trailer owned by
47 the dealer for either private or business purposes
48 without registering the ~~same~~ it providing; ~~(1) such~~
49 the new or used car or trailer is in the dealer's
50 inventory and is continuously offered for sale at

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1 retail, and ~~(2)~~ there is displayed ~~thereon~~ on it a
2 special plate issued to ~~such~~ the dealer as provided in
3 sections 321.58 to 321.62.

4 Sec. 11. Section 321A.5, subsection 2, paragraph
5 d, Code 1985, is amended by striking the paragraph.

6 Sec. 12. Section 321A.17, subsections 1 through 3,
7 Code 1985, are amended to read as follows:

8 1. ~~Whenever~~ When the director, under any law of
9 this state, suspends or revokes the license of ~~any a~~
10 person upon receiving record of a conviction or a
11 forfeiture of bail or revokes the license of ~~any a~~
12 person pursuant to chapter 321B, the director shall
13 also suspend the registration for all motor vehicles
14 registered in the name of the person, except that the
15 director shall not suspend the registration, unless
16 otherwise required by law, if the person has
17 previously given or immediately gives and thereafter
18 maintains proof of ~~financial responsibility liability~~
19 insurance coverage, as defined in section 321.1,
20 subsection 86, with respect to all motor vehicles
21 registered by the person.

22 2. ~~Such~~ The license ~~and registration~~ shall remain
23 suspended or revoked and shall not ~~at any time~~
24 ~~thereafter~~ be renewed nor shall ~~any a~~ license be
25 ~~thereafter~~ issued to ~~such~~ the person, ~~nor shall any~~
26 ~~motor vehicle be thereafter registered in the name of~~
27 ~~such person~~ until permitted under the motor vehicle
28 laws of this state and not then unless and until the
29 person ~~shall give~~ gives and thereafter ~~maintain~~

30 maintains proof of financial responsibility. The
 31 registration shall remain suspended and no motor
 32 vehicle shall be registered in the name of the person
 33 until the person gives and maintains proof of
 34 liability insurance coverage, as defined in section
 35 321.1, subsection 86.

36 3. If a person is not licensed, but by final order
 37 or judgment is convicted of or forfeits any bail or
 38 collateral deposited to secure an appearance for trial
 39 for any offense requiring the suspension or revocation
 40 of license, or for operating an unregistered motor
 41 vehicle upon the highways, no license shall be
 42 ~~thereafter issued to such that person and no motor~~
 43 ~~vehicle shall continue to be registered or thereafter~~
 44 ~~be registered in the name of such person until the~~
 45 ~~person shall give gives and thereafter maintain~~
 46 maintains proof of financial responsibility. A motor
 47 vehicle shall not continue to be registered nor
 48 thereafter be registered until the person gives and
 49 maintains proof of liability insurance coverage as
 50 defined in section 321.1, subsection 86.

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1 Sec. 13. Section 321A.26, Code 1985, is amended to
 2 read as follows:

3 321A.26 OWNER MAY GIVE PROOF FOR OTHERS.

4 ~~Whenever any~~ When a person required to give proof
 5 of financial responsibility ~~hereunder~~ is or later
 6 becomes an operator in the employ of ~~any an~~ owner, or
 7 is or later becomes a member of the immediate family
 8 or household of the owner, the director shall accept
 9 proof given by ~~such the~~ owner in lieu of proof by ~~such~~
 10 ~~other the~~ person to permit ~~such other the~~ person to
 11 operate a motor vehicle for which the owner has given
 12 ~~proof as herein provided or has qualified as a self-~~
 13 ~~insurer under section 321A.34.~~ The director shall
 14 designate the restrictions imposed by this section on
 15 the face of ~~such the~~ person's motor vehicle license.

16 Sec. 14. Section 321A.32, subsection 3, Code 1985,
 17 is amended to read as follows:

18 3. ~~Any A~~ person who ~~shall forge forges~~ or, without
 19 authority, ~~sign any signs~~ a notice provided for under
 20 section 321A.5 that a policy or bond is in effect, or
 21 any evidence of proof of financial responsibility, ~~or~~
 22 any evidence of proof of liability insurance coverage
 23 as defined in section 321.1, subsection 86, or who
 24 files or offers for filing any such notice or evidence
 25 of proof knowing or having reason to believe that it
 26 is forged or signed without authority, ~~shall be is~~

27 guilty of a serious misdemeanor.

28 Sec. 15. Section 326.6, Code 1985, is amended by
29 adding the following new subsection:

30 NEW SUBSECTION. 4. Commercial vehicles shall not
31 be registered proportionally unless the owners submit
32 proof to the department of liability insurance
33 coverage for the vehicles as required under section
34 321.20A.

35 Sec. 16. Section 326.7, unnumbered paragraph 1,
36 Code 1985, is amended to read as follows:

37 ~~Notwithstanding any other law to the contrary, and~~
38 ~~as As an alternative to the procedure set out in~~
39 ~~section 326.6, the department may enter into~~
40 ~~agreements providing for proportional registration~~
41 ~~between this state and other jurisdictions of fleets~~
42 ~~of commercial vehicles owned by residents or~~
43 ~~nonresidents engaged in interstate commerce or~~
44 ~~simultaneously engaged in interstate and intrastate~~
45 ~~commerce on the basis of compact miles. However,~~
46 ~~commercial vehicles shall not be registered~~
47 ~~proportionally unless the owner submits proof of~~
48 ~~liability insurance coverage for the vehicles as~~
49 ~~required under section 321.20A.~~

50 Sec. 17. Section 326.11, Code 1985, is amended to

Page 6

1 read as follows:

2 326.11 SUBSEQUENTLY ACQUIRED VEHICLES.

3 Vehicles acquired by a fleet owner after the
4 commencement of the registration year and subsequently
5 added to the fleet shall be prorated by applying the
6 mileage percentage used in the original application
7 for ~~such~~ the fleet for ~~such~~ the registration period to
8 registration fees due under chapter 321 but in no case
9 less than that required by section 326.10. A
10 supplemental report shall be filed with the department
11 not later than ten days after ~~such~~ an addition to the
12 fleet ~~and~~ shall include proof that the additional
13 vehicles have liability insurance coverage as required
14 under section 321.20A.

15 The director may issue temporary written
16 authorization to carriers for vehicles acquired by a
17 fleet owner and added to the fleet owner's prorate
18 fleet after the beginning of the registration year.
19 Temporary authorization shall not be issued unless the
20 owner submits proof that the additional vehicles have
21 liability insurance coverage as defined in section
22 321.1, subsection 86. The temporary authority shall
23 permit the operation of a commercial vehicle until

24 permanent identification is issued, except that the
25 temporary authority shall expire after forty-five
26 days.
27 Sec. 18. Section 326.25, Code 1985, is amended by
28 adding the following new subsection:
29 NEW SUBSECTION. 4. Upon a determination that the
30 vehicle does not have liability insurance coverage as
31 required under section 321.20A.
32 Sec. 19. Section 321A.34, Code 1985, is repealed.”

RAY TAYLOR

S-3573

1 Amend Senate File 448 as follows:
2 1. Page 1, line 35, by inserting after the word
3 “program.” the following: “If the notice of pending
4 disconnection of service applies to a resident who has
5 been certified under subsection 3, paragraph “b”, but
6 who has not made the timely periodic payments as
7 required under that paragraph, the notice shall state
8 that the customer may appeal the disconnection in
9 writing to the Iowa state commerce commission within
10 seven days of the issuance of the notice of
11 disconnection to determine if the disconnection is
12 justified and the notice shall list the address and
13 telephone number of the Iowa state commerce
14 commission.”
15 2. Page 2, by inserting after line 31 the
16 following:
17 “c. If a resident who has been certified under
18 paragraph “b” fails to make the timely periodic
19 payments required under that paragraph, the resident
20 may appeal the pending disconnection during the period
21 from November 1 through April 1 by filing an appeal in
22 writing with the commission within seven days of the
23 issuance of the notice of disconnection to the
24 resident. The commission shall timely determine if
25 the disconnection is justified. The commission shall
26 adopt rules pertaining to circumstances when a
27 disconnection is not justified which take into
28 consideration the resident’s income and the number of
29 the resident’s dependents residing in the residence.
30 The commission shall determine the amount of minimum
31 periodic payment which a resident could make which
32 would not justify disconnecting the resident’s
33 service. Notwithstanding subsection 1, a resident who
34 makes such timely minimum periodic payments in the
35 months November through March shall not be

36 disconnected from residential gas and electric service
 37 from November 1 through April 1."

CHARLES BRUNER

S-3574

1 Amend Senate File 463 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 455B.422, Code 1985, is
 5 amended to read as follows:
 6 455B.422 ACQUISITION AND LEASE OF SITES.
 7 The commission shall adopt rules establishing
 8 criteria for the identification of land areas or sites
 9 which are suitable for the operation of a treatment or
 10 disposal facility. Upon request, the department shall
 11 assist the executive council in locating suitable
 12 sites for the location of a treatment or disposal
 13 facility. The commission may recommend to the
 14 executive council the purchase or condemnation of land
 15 to be leased for the operation of a treatment or
 16 disposal facility. The executive council may purchase
 17 or may condemn the land subject to chapter 471.
 18 Consideration for a contract for purchase of land
 19 shall not be in excess of funds appropriated by the
 20 general assembly for that purpose. The executive
 21 council upon recommendation of the commission may
 22 lease land purchased under this section to any person
 23 ~~except including~~ the state or a state agency. This
 24 section ~~does not authorize~~ authorizes the state to own
 25 or operate a hazardous waste treatment or disposal
 26 facility for the treatment and disposal of hazardous
 27 wastes ~~other than those generated by the state~~. The
 28 terms of the lease shall establish responsibility for
 29 long-term monitoring and maintenance of the site. The
 30 lessee is subject to all applicable requirements of
 31 this part including permit requirements. The
 32 commission may require the lessee to post bond
 33 conditioned upon performance of conditions of the
 34 lease relating to long-term monitoring and
 35 maintenance. The leasehold interest including
 36 improvements made to the property shall be listed,
 37 assessed and valued as any other real property as
 38 provided by law.
 39 Sec. 2. NEW SECTION. 455B.461 DEFINITIONS.
 40 As used in this part 7 of division IV, unless the
 41 context otherwise requires:
 42 1. "Hazardous waste" means hazardous waste as
 43 defined in section 455B.411, subsection 3, and section

44 455B.464.

45 2. "Land disposal" means either of the following:

46 a. Disposal of hazardous wastes on or into the
47 land, including, but not limited to, landfill, surface
48 impoundment, waste piles, land spreading, and coburial
49 with municipal garbage.

50 b. Treatment of hazardous wastes on or in the

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1 land, such as neutralization and evaporation ponds and
2 land farming, where the treatment residues are
3 hazardous wastes and are not removed for subsequent
4 processing or disposal within one year.

5 "Land disposal" does not include long-term storage
6 as defined in subsection 3.

7 3. "Long-term storage" means the above-ground
8 containment of stabilized or solidified hazardous
9 waste on a temporary basis or for a period of years in
10 a manner that does not constitute disposal of
11 hazardous waste.

12 4. "Storage" means the containment of a hazardous
13 waste for a period less than one year in a manner
14 consistent with the requirements of 42 U.S.C. §6921-
15 6934 as amended to January 1, 1981 and the regulations
16 adopted pursuant to those sections.

17 5. "Facility" means facility as defined in section
18 455B.442, subsection 1.

19 6. "Restricted waste" means a hazardous waste or
20 any other waste which is determined by rule of the
21 commission to be a significant environmental burden if
22 disposed of at a land disposal facility.

23 Sec. 3. NEW SECTION. 455B.462 ELIMINATION OF
24 LAND DISPOSAL OF HAZARDOUS WASTE.

25 1. A generator, recycler, transporter or other
26 handler of hazardous waste shall not dispose of the
27 wastes by land disposal or store wastes at an above-
28 ground storage facility, unless all of the following
29 conditions exist:

30 a. The commission determines that the best
31 available technology is being used at the land
32 disposal facility.

33 b. The handler proves to the satisfaction of the
34 commission that there is no available alternative
35 including above ground storage for the disposal of
36 hazardous waste.

37 c. The handler utilizes methods of source
38 reduction, recycling and destruction of hazardous
39 waste to the extent feasible, as determined by rule.

40 d. The handler pretreats the hazardous waste as

41 determined by rule.

42 2. The commission shall adopt rules including, but
43 not limited to, the following:

44 a. To determine the criteria that industry must
45 satisfy to show that alternatives to land disposal of
46 hazardous wastes are not technically or economically
47 feasible.

48 b. To require that all industrial and commercial
49 owners or users of land disposal and storage sites
50 report to the department annually the amount and

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1 content of current hazardous waste production,
2 treatment methods used and technological advances made
3 or pursued to implement alternatives to land disposal
4 and source reduction.

5 Sec. 4. NEW SECTION. 455B.463 DILUTION OF
6 HAZARDOUS WASTE.

7 Any hazardous waste shall be considered a
8 restricted waste for the purposes of this part even
9 though it is diluted to a concentration less than the
10 listed concentration threshold by the addition of
11 other hazardous waste or any other material during
12 waste handling treatment or storage. Dilution which
13 occurs as a normal part of the manufacturing process
14 shall not be considered dilution for purposes of this
15 section.

16 Sec. 5. NEW SECTION. 455B.464 ADDITIONAL
17 HAZARDOUS OR NONHAZARDOUS WASTE LISTED.

18 Notwithstanding the restriction in section
19 455B.420, the executive director shall compile,
20 annually, a list of additional hazardous wastes for
21 adoption by the commission. The list shall include
22 wastes which may be a significant environmental burden
23 if disposed of at a land disposal facility.

24 Sec. 6. NEW SECTION. 455B.465 WELL INJECTION
25 PROHIBITED.

26 It is unlawful for a person to inject wastes into a
27 well.

28 Sec. 7. NEW SECTION. 455B.466 CIVIL PENALTIES.

29 A person who violates a provision of this part is
30 subject to a civil penalty of not more than ten
31 thousand dollars for each violation and for each day
32 of continuing violation. Civil penalties collected
33 pursuant to this section shall be forwarded by the
34 clerk of the district court to the treasurer of state
35 for deposit in the general fund of the state.

36 Sec. 8. NEW SECTION. 455B.467 EMERGENCY
37 VARIANCE.

38 The department may grant a variance to the
39 restrictions or prohibition of land disposal of a
40 hazardous waste in either of the following situations:

41 1. When the materials sought to be disposed of
42 resulted from the cleanup of a hazardous condition
43 involving a hazardous waste.
44 2. When the materials sought to be disposed of
45 resulted from remediation or cleanup of abandoned or
46 uncontrolled hazardous waste sites.

47 Sec. 9. NEW SECTION. 455D.468 COORDINATION WITH
48 EXISTING REPORTING AND PERMITTING REQUIREMENTS.

49 This part does not require the department to
50 establish a reporting or permitting system if such a

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1 system is already established under the federal
2 Resource Conservation and Recovery Act 42 U.S.C. §6901
3 et. seq. and administered and enforced through the
4 federal environmental protection agency that achieves
5 the objectives set out in this part. Consistent with
6 this part, the department may establish requirements
7 in addition to those established under the Resource
8 Conservation Recovery Act for reporting, permitting,
9 and enforcement. However, in such actions, the
10 department shall avoid any redundancy in reporting,
11 compliance, and enforcement with that provided under
12 the Resource Conservation and Recovery Act.

13 Notwithstanding section 455.420, the rules and
14 requirements imposed under this part may be more
15 restrictive than required by federal law or
16 regulation.

17 Sec. 10. PLAN FOR HAZARDOUS WASTE STORAGE
18 FACILITY. The department of water, air and waste
19 management shall submit a plan for the siting and
20 construction of an above-ground facility for the long-
21 term storage of hazardous wastes. The plan shall
22 include capital needs and annual operating costs of
23 the facility. The plan shall also show the costs to
24 private persons if the costs of establishing and
25 operating the facility are paid by user fees and
26 hazardous waste taxes. The plan shall be submitted to
27 the governor and the general assembly by January 1,
28 1987.

29 Sec. 11. Sections 3, 4, and 8 of this Act are
30 effective on July 1, 1986."

CHARLES BRUNER
MICHAEL E. GRONSTAL

S-3575

1 Amend Senate File 409 as follows:

DIVISION S-3575B

- 2 1. Page 1, by inserting after line 22 the
3 following: "The approved budgets shall also be
4 submitted to the chairpersons of the committees on
5 appropriations. The committees on appropriations may
6 allocate from the funds appropriated by this section
7 the funds contained in the approved budgets, or such
8 other amounts as specified, pursuant to a concurrent
9 resolution to be approved by both houses of the
10 general assembly."
11 2. Page 1, line 30, by inserting after the word
12 "year" the following: ", however, if the general
13 assembly approved the budget it cannot be changed
14 except pursuant to a concurrent resolution approved by
15 the general assembly".
16 3. Page 3, lines 17 and 18, by striking the words
17 "for its approval".

DIVISION S-3575A

- 18 4. By striking page 3, line 19 through page 4,
19 line 15.

JULIA GENTLEMAN
WILLIAM D. PALMER
DOUGLAS RITSEMA
DAVID M. READINGER

S-3576

- 1 Amend the amendment S-3319 to Senate File 447 as
2 follows:
3 1. Page 5, by inserting after line 9 the
4 following:
5 "4. The requirement of a license does not apply to
6 any of the following:
7 a. A person licensed as a dental hygienist by the
8 board of dental examiners.
9 b. A person holding a valid certificate of
10 qualification in dental radiography issued by the
11 board of dental examiners.
12 c. A person enrolled in a program or course of
13 study approved by the state department of health who
14 applies radiation to humans as a part of the program

- 15 or course of study.”
16 2. By renumbering as necessary.

EDGAR H. HOLDEN

S-3577

- 1 Amend Senate File 549 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 “DIVISION IX
5 Section 1. NEW SECTION. 28.101 TITLE.
6 This division may be cited as the “Iowa Venture
7 Capital Investment Act”.
8 Sec. 2. NEW SECTION. 28.102 DEFINITIONS.
9 As used in this division unless the context
10 otherwise requires:
11 1. “Commission” means the Iowa development
12 commission.
13 2. “Raffle” means the program established pursuant
14 to section 28.103.
15 3. “Treasurer” means the treasurer of state.
16 4. “Venture capital fund” means a corporation,
17 partnership, proprietorship, or other entity formed
18 under the laws of the United States, or a state,
19 district, or territory of the United States, whose
20 principal business is or will be the making of
21 investments in, and the provision of significant
22 managerial assistance to, small businesses which meet
23 the small business administration definition of small
24 business.
25 Sec. 3. NEW SECTION. 28.103 INVESTMENT RAFFLE
26 PROGRAM.
27 1. The commission shall initiate and conduct a
28 series of raffles designed to raise moneys for
29 investment in the venture capital activity in Iowa.
30 The commission shall sell shares in the raffles to the
31 public. Moneys collected from the sale of the shares
32 shall initially be deposited in a special account
33 within the office of the treasurer. The treasurer
34 shall create a separate account for each raffle being
35 conducted. The moneys in each account shall be
36 invested by the treasurer in short-term investments.
37 Interest or earnings on the investments shall be
38 retained in the accounts and shall be used to pay the
39 raffle prizes to be awarded on the basis determined
40 for the particular raffle by the commission. A person
41 who has purchased a share in the raffle shall be
42 eligible to win a prize distributed for the raffle.
43 2. Upon terminating a raffle, the treasurer shall

44 transfer all moneys in the account for that raffle,
45 exclusive of interest and earnings to be used as
46 prizes, to the commission for investment pursuant to
47 subsection 3. The commission shall create a separate
48 account for the moneys received from each separate
49 raffle. The commission shall deduct from each account
50 the administrative expenses incurred by the commission

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1 or the treasurer of state's office for the conducting
2 of the raffle and the investment of its proceeds
3 pursuant to subsection 3.
4 3. The commission shall invest the remaining
5 proceeds of each raffle in one or more venture capital
6 funds which agree to invest an amount equal to at
7 least fifty percent of the proceeds in small
8 businesses having their principal offices within this
9 state and having either more than one half of their
10 assets within this state or more than one half of
11 their employees employed within this state.

12 4. The investment of moneys from each raffle shall
13 be retained by the commission for a period of five
14 years. At the option of the commission, the period
15 may be extended up to an additional five years. Upon
16 the lapse of the investment period, the investments in
17 the fund shall be sold at a public auction. The
18 proceeds from the sale, minus the costs of the
19 distribution, shall then be distributed on a prorated
20 basis to those persons purchasing shares in the
21 raffle. The proceeds shall be distributed to the
22 persons entitled by sending the moneys to their last
23 known address. Proceeds returned and not claimed
24 within two years are presumed abandoned pursuant to
25 section 556.8 and shall be treated as abandoned
26 property pursuant to chapter 556.

27 5. The commission shall adopt rules to implement
28 this division. The rules shall include, but are not
29 limited to, all of the following:

30 a. The rules for any raffle being conducted
31 including the length of time shares may be sold.
32 Rules governing the general operation of a raffle are
33 subject to chapter 17A. However, rules governing the
34 particular features of specific raffles are not
35 subject to chapter 17A. Rules for a specific raffle
36 may include, but are not limited to, setting the name
37 and prize structure of the raffle, and shall be made
38 available to the public prior to the time the raffle
39 goes on sale and shall be kept on file at the office
40 of the commission. Each share in a raffle shall bear

41 a unique serial number distinguishing it from every
42 other share in the raffle.
43 b. The price of shares in the raffle.
44 c. The number and size of the prizes on the
45 winning shares. The commission may accept gifts or
46 donations of merchandise or other products that may be
47 used for prizes. The commission shall maintain and
48 make available for public inspection at its offices
49 during regular business hours a detailed listing of
50 the estimated number of prizes that are expected to be

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1 awarded in any raffle and, after the end of the claim
2 period, shall maintain and make available a listing of
3 the total number of shares sold in a raffle and the
4 number of prizes which were awarded.
5 d. The method of selecting the winning shares and
6 the manner of payment of prizes to the holders of
7 winning shares. Commission employees shall examine
8 claims and shall not pay any prize for altered,
9 stolen, or counterfeit shares nor for shares which
10 fail to meet validation rules established for a
11 raffle.
12 e. The methods of validation of the authenticity
13 of winning shares.
14 f. The frequency of selection of winning shares.
15 Drawings shall be held in public. Drawings shall be
16 witnessed by an independent certified public
17 accountant. Equipment used to select winning shares
18 or participants for prizes shall be examined by
19 commission employees and an independent certified
20 public accountant prior to and after each public
21 drawing.
22 g. Eligibility for purchasing shares in a raffle.
23 h. Transferability of shares.
24 i. Requirements for eligibility for participation
25 in runoff drawings, including but not limited to
26 requirements for submission of evidence of
27 eligibility.
28 j. The issuance of licenses to sell shares in the
29 raffle including the qualification of licensees and
30 fees charged for a license.
31 k. Compensation to be paid to a person licensed to
32 sell shares.
33 l. The locations at which shares may be sold.
34 m. The method to be used in printing and selling
35 shares. An elected official's name shall not be
36 printed on the shares.
37 n. The form and type of marketing, informational,

38 and educational material to be permitted.

39 o. Distribution of prizes.

40 6. The commission shall include in its annual
41 report to the governor and general assembly a
42 discussion of activities undertaken under this
43 division.

44 Sec. 4. Section 537A.4, unnumbered paragraph 2,
45 Code 1985, is amended to read as follows:

46 This section does not apply to a contract for the
47 operation of or for the sale or rental of equipment
48 for games of skill or games of chance, if both the
49 contract and the games are in compliance with chapter
50 99B. This section does not apply to wagering under

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1 the pari-mutuel method of wagering authorized by
2 chapter 99D. This section does not apply to the sale,
3 purchase or redemption of a share in the raffle
4 conducted under section 28.103.

5 Sec. 5. Section 725.15, Code 1985, is amended to
6 read as follows:

7 725.15 EXCEPTIONS FOR LEGAL GAMBLING.

8 Sections 725.5 to 725.10 and ~~section~~ 725.12 shall
9 do not apply to ~~any a~~ game, activity, share or device
10 when lawfully possessed, used, conducted or
11 participated in pursuant to section 28.103 or chapter
12 99B.”

13 2. Title page, by striking line 3 and inserting
14 the following: “invested in certain types of venture
15 capital funds and the earnings”.

ARTHUR A. SMALL, Jr.

S-3578

1 Amend House File 571 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 13, by inserting after line 19 the
4 following:

5 “3. For a chemical
6 exposure reporting program \$ 34,593”.

JACK RIFE

S-3579

- 1 Amend Senate File 539 as follows:
2 1. Page 3, by inserting after line 3 the
3 following:
4 "Sec. . NEW SECTION. 214A.18 WHOLE-CENT
5 PRICING.
6 No retailer shall sell or offer for sale motor
7 vehicle fuel except at a whole-cent price per unit."

C. JOSEPH COLEMAN
ARNE WALDSTEIN

S-3580

- 1 Amend Senate File 451 as follows:
2 1. Page 1, line 12, by striking the figure
3 "1,449,313" and inserting the figure "1,469,313".
4 2. By striking page 4, line 30 through page 5,
5 line 6.
6 3. Page 9, line 4, by striking the figure
7 "200,000" and inserting the figure "100,000".
8 4. Page 9, line 21, by inserting after the word
9 "tillage" the words "and nonpoint sources pollution
10 control".

EMIL J. HUSAK
JACK HESTER
DALE L. TIEDEN
HURLEY HALL
LARRY MURPHY

S-3581

- 1 Amend Senate File 543 as follows:
2 1. Page 1, by striking lines 1 through 19 and
3 inserting the following:
4 "Section 1. Section 516A.1, Code 1985, is amended
5 to read as follows:
6 **516A.1 COVERAGE INCLUDED IN EVERY LIABILITY POLICY**
7 **-- REJECTION BY INSURED.**
8 ~~No~~ An automobile liability or motor vehicle
9 liability insurance policy insuring against liability
10 for bodily injury or death arising out of the
11 ownership, maintenance, or use of a motor vehicle
12 shall not be delivered or issued for delivery in this
13 state with respect to any motor vehicle registered or
14 principally garaged in this state, unless coverage is
15 provided in ~~such the~~ such the policy or supplemental ~~thereto to~~
16 the policy, for the protection of persons insured

17 under ~~such the~~ policy who are legally entitled to
 18 recover damages from the owner or operator of an
 19 uninsured motor vehicle or a hit-and-run motor vehicle
 20 or an underinsured motor vehicle because of bodily
 21 injury, sickness, or disease, including death
 22 resulting ~~therefrom from~~, caused by accident and
 23 arising out of the ownership, maintenance, or use of
 24 ~~such the~~ uninsured or underinsured motor vehicle, or
 25 arising out of physical contact of ~~such the~~ hit-and-
 26 run motor vehicle with the person insured or with a
 27 motor vehicle which the person insured is occupying at
 28 the time of the accident. ~~Both the uninsured motor~~
 29 ~~vehicle or hit-and-run motor vehicle coverage; and the~~
 30 ~~underinsured motor vehicle coverage~~ Such coverage
 31 shall be included in a single policy or supplement to
 32 the policy. The coverage shall include limits for
 33 bodily injury or death at least equal to those stated
 34 in section 321A.1, subsection 10. The form and
 35 provisions of ~~such the~~ coverage shall be examined and
 36 approved by the commissioner of insurance.

37 However, the named insured may reject ~~all of such~~
 38 ~~the~~ coverage, or reject the ~~uninsured motor vehicle or~~
 39 ~~hit-and-run motor vehicle coverage; or reject the~~
 40 ~~underinsured motor vehicle coverage~~, by written
 41 rejections signed by the named insured. If rejection
 42 is made on a form or document furnished by an
 43 insurance company or insurance agent, it shall be on a
 44 separate sheet of paper which contains only the
 45 rejection and information directly related to it.
 46 ~~Such coverage need not be provided in or supplemental~~
 47 ~~to a renewal policy if the named insured has rejected~~
 48 ~~the coverage in connection with a policy previously~~
 49 ~~issued to the named insured by the same insurer."~~

50 2. Page 2, by striking line 27 and inserting the

Page 2

1 following:

2 "The maximum damages payable under the terms of the
 3 uninsured-un".

4 3. Page 2, line 28, by inserting after the word
 5 "be" the following: "the policy limits under the
 6 coverage".

7 4. Page 3, by inserting after line 13 the
 8 following:

9 "Sec. ____ . Section 516A.2, Code 1985, is
 10 repealed."

CHARLES BRUNER

S-3582

1 Amend House File 523 as amended and passed by the
2 House as follows:

3 1. Page 2, by inserting after line 20 the
4 following:

5 "Sec. 2. Section 331.301, Code 1985, is amended by
6 adding the following new subsection:

7 **NEW SUBSECTION. 10.** A county may enter into
8 leases or lease-purchase contracts for real and
9 personal property in accordance with the terms and
10 procedures set forth in section 364.4, subsection 4,
11 provided that the references to cities shall be to
12 counties, the reference to section 384.26 shall be to
13 section 331.442, the reference to section 384.25 shall
14 be to section 331.443, the reference to section
15 384.95, subsection 1 shall be to section 331.341,
16 subsection 1, the reference to division VI of chapter
17 384 shall be to part 3 of chapter 331, and reference
18 to the council shall be to the board.

19 Sec. 3. This Act, being deemed of immediate
20 importance, takes effect from and after its
21 publication in The Clinton Herald, a newspaper
22 published in Clinton, Iowa, and in The Dubuque Leader,
23 a newspaper published in Dubuque, Iowa."

24 2. Title page, line 1, by inserting after the
25 word "cities" the words "and counties".

LARRY MURPHY

S-3583

1 Amend amendment S-3556 to Senate File 550 as
2 follows:

3 1. Page 1, line 4, by striking the words "or
4 superintendent".

LARRY MURPHY

S-3584

1 Amend Senate File 434 as follows:

DIVISION S-3584A

2 1. Page 3, by inserting after line 29 the
3 following: "The department of general services may
4 use funds appropriated under this subsection to fund
5 energy conservation projects in the state capitol
6 complex which will have a one hundred percent payback

- 7 within a twelve month period.”
- 8 2. Page 4, by inserting after line 3 the
- 9 following:
- 10 “5. For capitol building
- 11 restoration and major repairs \$1,020,000”.

DIVISION S-3584B

- 12 3. Page 8, by inserting after line 10 the following:
- 13 “Sec. ____ Section 97B.41, subsection 1, paragraph a,
- 14 unnumbered paragraph 2, Code 1985, is amended to read as
- 15 follows:
- 16 Wages for a member of the general assembly means
- 17 the total compensation received by a member of the
- 18 general assembly, ~~whether paid in the form of per diem~~
- 19 ~~or and includes the annual salary, exclusive of~~
- 20 ~~expense and travel allowances paid to a member of the~~
- 21 ~~general assembly expenses of office paid during a~~
- 22 ~~legislative session, and per diem and expense payments~~
- 23 ~~paid during the interim between legislative sessions.~~
- 24 Wages includes per diem payments paid to members of
- 25 the general assembly during interim periods between
- 26 sessions of the general assembly. Wages does not
- 27 include payments for travel expenses.”
- 28 4. By renumbering sections as necessary.

COMMITTEE ON
APPROPRIATIONS
JOE WELSH, Chair

S-3585

- 1 Amend the amendment S-3464 to Senate File 110 as
- 2 follows:
- 3 1. Page 1, line 20, by inserting after the word
- 4 “does” the following: “not”.

CHARLES BRUNER

S-3586

- 1 Amend Senate File 500 as follows:
- 2 1. Page 5, line 8, by striking the word “may” and
- 3 inserting the word “shall”.
- 4 2. Page 6, lines 17 and 18, by striking the words
- 5 “one hundred ten percent of the wholesale” and
- 6 inserting the words “eighty percent of the retail”.
- 7 3. Page 6, line 19, by striking the word “sixty”
- 8 and inserting the word “eighty”.

- 9 4. Page 7, by striking lines 33 through 35.
10 5. By renumbering as necessary.

EMIL HUSAK
FORREST V. SCHWENGELS
BILL HUTCHINS

S-3587

- 1 Amend Senate File 503 as follows:
2 1. Page 1, line 12, by striking the figure
3 "515.48" and inserting the following: "515.48, in
4 connection with a mutual insurance association formed
5 pursuant to section 87.4 for the purpose of
6 establishing a plan for the payment of workers'
7 compensation and benefits."
8 2. Title page, line 3, by inserting after the
9 word "plan" the following: "or to a mutual insurance
10 association's workers' compensation plan".

NORMAN G. RODGERS

S-3588

- 1 Amend House File 35 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 4, by striking lines 25 through 29 and
4 inserting the following:
5 "Sec. 11. NEW SECTION. 595.21 PROXY MARRIAGES.
6 A clerk of court shall not record a certificate of
7 marriage solemnized by proxy except under the
8 following conditions:
9 1. The party to the marriage who will not be
10 present at the solemnization shall execute an
11 affidavit stating that the person consents to the
12 marriage and that the person is a citizen of the
13 United States.
14 2. The party to the marriage who will be present
15 at the solemnization shall present the affidavit to
16 the court and apply to the court for permission to
17 solemnize the marriage by proxy. The court shall
18 issue an order granting the request if it finds that
19 extraordinary circumstances exist.
20 3. The marriage must be solemnized in Iowa by a
21 person designated under section 595.10.
22 4. The party to the marriage present at the
23 solemnization shall present the absent party's
24 affidavit to the person solemnizing the marriage.
25 5. The person solemnizing the marriage shall
26 include the affidavit as a part of the return of

27 marriage to the clerk of the district court as
28 required by section 595.13.”.

LARRY MURPHY

S-3589

- 1 Amend House File 686 as follows:
- 2 1. Page 4, by striking line 7 and inserting in
- 3 lieu thereof the words “to the”.
- 4 2. Page 4, by striking lines 11 through 16.

DOUGLAS RITSEMA

S-3590.

- 1 Amend House File 484 as passed by the House as
- 2 follows:
- 3 1. By striking page 17, line 1 through page 18,
- 4 line 4 and inserting the following:
- 5 “A person engaged in the business or occupation of
- 6 selling time-share intervals for a fee or a commission
- 7 shall obtain a real estate license pursuant to chapter
- 8 117.”

COMMITTEE ON COMMERCE
GEORGE R. KINLEY, Chair

S-3591

- 1 Amend Senate File 330 as follows:
- 2 1. Page 1, by inserting after line 28 the
- 3 following:
- 4 “Sec. ____ **NEW SECTION. 321.210A SUSPENSION FOR**
- 5 **FAILURE TO PAY FINE, PENALTY, SURCHARGE, OR COURT**
- 6 **COSTS.**
- 7 The department shall suspend the motor vehicle li-
- 8 cense of a person who has failed to pay a criminal
- 9 fine, civil penalty, surcharge, or court costs, as
- 10 follows:
- 11 1. Upon the failure of a person to timely pay the
- 12 fine, penalty, surcharge, or court costs the clerk of
- 13 the district court shall notify the person that if the
- 14 fine, penalty, surcharge, or court costs remain unpaid
- 15 after sixty days, the clerk will notify the department
- 16 of the failure for purposes of instituting suspension
- 17 procedures.
- 18 2. Upon the failure of a person to pay the fine,
- 19 penalty, surcharge, or court costs within sixty days
- 20 of receiving notice from the clerk of the district

21 court as provided in paragraph "a", the clerk shall
22 report the failure to the department.

23 3. Upon receipt of a report of a failure to pay
24 the fine, penalty, surcharge, or court costs from the
25 clerk of the district court, the department shall in
26 accordance with its rules, suspend the person's motor
27 vehicle license until the fine, penalty, surcharge or
28 court costs are paid, unless the person proves to the
29 satisfaction of the clerk and the department that the
30 person cannot pay the fine, penalty, surcharge, or
31 court costs.

32 Sec. ___. Section 321.212, subsection 1, paragraph
33 a, Code 1985, is amended to read as follows:

34 a. Except as provided in section 321.210A or
35 321.513 the department shall not suspend a license for
36 a period of more than one year, except that a license
37 suspended because of incompetency to drive a motor
38 vehicle shall be suspended until the department
39 receives satisfactory evidence that the former holder
40 is competent to operate a motor vehicle and a refusal
41 to reinstate ~~shall constitute~~ constitutes a denial of
42 license within ~~the provisions~~ of section 321.215; upon
43 revoking a license the department shall not grant an
44 application for a new license until the expiration of
45 one year after the revocation, unless another period
46 is specified by law.

47 Sec. ___. Section 321A.17, subsection 5, Code
48 1985, is amended to read as follows:

49 5. An individual applying for a motor vehicle
50 license following a period of suspension or revocation

Page 2

1 under ~~the provisions~~ of section 321.210A, 321.216 or
2 321.513 ~~shall is~~ not be required to maintain proof of
3 financial responsibility under ~~the provisions~~ of this
4 section."

5 2. Page 1, by inserting after line 35 the
6 following:

7 "Sec. ___. Section 421.17, Code 1985, is amended
8 by adding the following new subsection after
9 subsection 24 and renumbering the subsequent
10 subsection:

11 **NEW SUBSECTION. 25.** To establish and maintain a
12 procedure to set off against a debtor's income tax
13 refund or rebate any debt which is in the form of a
14 liquidated sum due, owing, and payable to the clerk of
15 the district court as a criminal fine, civil penalty,
16 surcharge, or court costs. The procedure shall meet
17 the following conditions:

18 a. Before setoff all outstanding tax liabilities
19 collectible by the department shall be satisfied
20 except that no portion of a refund or rebate shall be
21 credited against tax liabilities which are not yet
22 due.

23 b. Before setoff the clerk of the district court
24 shall obtain and forward to the department the full
25 name and social security number of the debtor. The
26 department shall cooperate in the exchange of relevant
27 information with the clerk. However, only relevant
28 information required by the clerk shall be provided by
29 the department. The information shall be held in
30 confidence and shall be used for purposes of setoff
31 only.

32 c. The clerk shall, at least quarterly and monthly
33 if practicable, submit to the department for setoff
34 the debts described in this subsection, which are at
35 least fifty dollars.

36 d. Upon submission of a claim the department shall
37 notify the clerk if the debtor is entitled to a refund
38 or rebate and of the amount of the refund or rebate
39 and the debtor's address on the income tax return.

40 e. Upon notice of entitlement to a refund or
41 rebate the clerk shall send written notification to
42 the debtor of the clerk's assertion of its rights to
43 all or a portion of the debtor's refund or rebate and
44 the entitlement to recover the debt through the setoff
45 procedure, the basis of the assertion, the opportunity
46 to request that a joint income tax refund or rebate be
47 divided between spouses, and the debtor's opportunity
48 to give written notice of intent to contest the amount
49 of the claim. The clerk shall send a copy of the
50 notice to the department.

Page 3

1 f. Upon the request of a debtor or a debtor's
2 spouse to the clerk, filed within fifteen days from
3 the mailing of the notice of entitlement to a refund
4 or rebate, and upon receipt of the full name and
5 social security number of the debtor's spouse, the
6 clerk shall notify the department of the request to
7 divide a joint income tax refund or rebate. The
8 department shall upon receipt of the notice divide a
9 joint income tax refund or rebate between the debtor
10 and the debtor's spouse in proportion to each spouse's
11 net income as determined under section 422.7.

12 g. The department shall, after notice has been
13 sent to the debtor by the clerk, set off the debt
14 against the debtor's income tax refund or rebate. The

15 department shall transfer at least quarterly and
16 monthly if practicable, the amount set off to the
17 clerk. If the debtor gives timely written notice of
18 intent to contest the amount of the claim, the
19 department shall hold the refund or rebate until final
20 determination of the correct amount of the claim. The
21 clerk shall notify the debtor in writing upon
22 completion of setoff.

23 Sec. ___. Section 421.17, subsection 25, Code
24 1985, is amended to read as follows:

25 ~~25~~ 26. To provide that in the case of multiple
26 claims to refunds or rebates filed under subsections
27 21, ~~and~~ 23, ~~and~~ 25 that priority shall be given to
28 claims filed by the child support recovery unit or the
29 foster care recovery unit under subsection 21, next
30 priority shall be given to claims filed by a clerk of
31 the district court under subsection 25, next priority
32 shall be given to claims filed by the college aid
33 commission under subsection 23, and last priority
34 shall be given to claims filed by the office of
35 investigations under subsection 21.”

36 3. Page 5, by inserting after line 5 the
37 following:

38 “Sec. ___. Section 602.8102, Code 1985, is amended
39 by adding the following new subsection after
40 subsection 50:

41 NEW SUBSECTION. 50A. Assist the department of
42 transportation in suspending, pursuant to section
43 321.210A, the motor vehicle licenses of persons who
44 fail to timely pay criminal fines, civil penalties,
45 surcharges, or court costs.

46 Sec. ___. Section 602.8102, Code 1985, is amended
47 by adding the following new subsection after
48 subsection 58:

49 NEW SUBSECTION. 58A. Assist the department of
50 revenue in setting off against debtors’ income tax

Page 4

1 refunds or rebates under section 421.17, subsection
2 25, debts which are due, owing, and payable to the
3 clerk of the district court as criminal fines, civil
4 penalties, surcharges, or court costs.”

5 4. By renumbering as necessary.

S-3592

- 1 Amend House File 549 as amended, passed and
 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting after line 23 the
 4 following:
- 5 "Sec. ____ Section 236.3, unnumbered paragraph 2,
 6 Code 1985, is amended to read as follows:
- 7 If the plaintiff files an affidavit stating that
 8 the plaintiff does not have sufficient funds available
 9 to pay the cost of filing and service, the petition
 10 shall be filed and service shall be made without
 11 payment of costs. If a petition is filed and service
 12 is made without payment of costs, the court shall
 13 determine at the hearing if the plaintiff is indigent
 14 payment of costs would prejudice the person's
 15 financial ability to provide economic necessities for
 16 the plaintiff or the plaintiff's dependents. If the
 17 court finds that the plaintiff is not indigent payment
 18 of costs would not prejudice the person's financial
 19 ability to provide economic necessities for the
 20 plaintiff or the plaintiff's dependents, the court may
 21 order the plaintiff to pay the costs of filing and
 22 service. However, in making the determinations, the
 23 court shall not consider funds no longer available to
 24 the plaintiff as a result of the commencement of the
 25 action."
- 26 2. Title page, line 1, by inserting after the
 27 word "counseling;" the following: "to the
 28 commencement of a domestic abuse action;".
- 29 3. By renumbering as necessary.

COMMITTEE ON
 HUMAN RESOURCES
 JAMES D. WELLS, Chair

S-3593

- 1 Amend Senate Concurrent Resolution 26 as follows:
- 2 1. Page 2, by striking line 8 and inserting the
 3 following: "stakeholders; and
 4 BE IT FURTHER RESOLVED, That the Department submit
 5 a report of its findings to the Legislative Council by
 6 September 3, 1985."

RAY TAYLOR

S-3594

- 1 Amend Senate File 462 as follows:
- 2 1. Page 5, line 14, by inserting after the word
- 3 "customers." the following: "The commission may grant
- 4 a waiver if the public utility has accepted the lowest
- 5 bid submitted for equipment or supplies which are
- 6 manufactured in the United States provided the
- 7 accepted bid does not exceed the lowest bid submitted
- 8 for the equipment or supplies by more than ten
- 9 percent."

BEVERLY A. HANNON

S-3595

- 1 Amend Senate File 427 as follows:
- 2 1. Page 1, line 4, by striking the word "public"
- 3 and inserting the following: "public".

JOY CORNING

S-3596

- 1 Amend Senate File 535 as follows:
- 2 1. Page 1, line 6, by inserting after the word
- 3 "be" the words ", punishable as a scheduled violation
- 4 or a simple misdemeanor.".

ARTHUR A. SMALL, Jr.
DOUGLAS RITSEMA

S-3597

- 1 Amend Senate amendment S-3574 to Senate File 463 as
- 2 follows:
- 3 1. By striking page 1, line 43 through page 2,
- 4 line 16 and inserting the following: "defined in
- 5 section 455B.411, subsection 3."
- 6 2. Page 2, by striking lines 19 through 22.
- 7 3. Page 2, line 23, by striking the words
- 8 "ELIMINATION OF".
- 9 4. By striking page 2, line 25 through page 3,
- 10 line 23 and inserting the following:
- 11 "The commission may adopt rules restricting the
- 12 types of hazardous waste based upon their extreme
- 13 persistence, mobility, or toxicity which may be
- 14 disposed of by land disposal. The rules shall provide
- 15 for the pretreatment of hazardous waste before land
- 16 burial, unless the commission and the petitioner

17 demonstrates that there will be no migration of
 18 hazardous constituents from the disposal unit and the
 19 specific waste will not harm the public health or
 20 environment. Notwithstanding section 455B.420 the
 21 rules may be more restrictive than required by federal
 22 law or regulation."

23 5. By striking page 3, line 28 through page 4,
 24 line 16.

25 6. Page 4, by striking lines 17 through 28 and
 26 inserting the following:

27 "Sec. . NEW SECTION. PLAN FOR HAZARDOUS WASTE
 28 FACILITIES.

29 The department of water, air and waste management
 30 shall submit a plan for the feasibility of hazardous
 31 waste facilities. The plan shall include public or
 32 private development of collection, above-ground
 33 storage, treatment, recycling, incineration or
 34 disposal facilities. The plan shall include, but is
 35 not limited to, the capital needs and annual operating
 36 costs for each type of facility, the needed incentives
 37 to implement the proper management of a public or
 38 private hazardous waste facility, and the costs to
 39 business and industry if the cost of establishing and
 40 operating the facility are paid by user fees or a
 41 hazardous waste tax. The plan shall be submitted to
 42 the governor and general assembly by February 15,
 43 1986."

44 7. Page 4, by striking lines 29 and 30 and
 45 inserting the following:

46 "Sec. . This Act, being deemed of immediate
 47 importance, takes effect from and after its
 48 publication in The Red Oak Express, a newspaper
 49 published in Red Oak, Iowa, and in The Fairfield
 50 Ledger, a newspaper published in Fairfield, Iowa."

Page 2

1 8. Renumber as necessary.

CALVIN O. HULTMAN
 FORREST SCHWENGELS
 RICHARD F. DRAKE

S-3598

1 Amend Senate amendment S-3574 to Senate File 463 as
 2 follows:

3 1. Page 4, line 21, by inserting after the word

4 "wastes." the following: "The facility shall be
5 located within the city limits of Des Moines."

JACK RIFE

S-3599

1 Amend Senate File 533 as follows:
2 1. Page 2, by inserting after line 4 the
3 following:
4 "Sec. __. Section 190.1, Code 1985, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. 39. NATURAL MILK. Natural milk
7 is milk obtained by the complete milking of one or
8 more healthy cows, which in final package form for
9 beverage use contains not less than the average level
10 of milk solids in milk as it came directly from Iowa
11 cows during the preceding calendar year. Each year,
12 the secretary shall determine this average for the
13 preceding calendar year."
14 2. Renumbering as necessary.

NORMAN G. RODGERS
DOUGLAS RITSEMA

S-3600

1 Amend Senate File 463 as follows:
2 1. Page 1, by striking everything after the
3 enacting clause and inserting the following:
4 "Section 1. Section 455B.411, Code 1985, is
5 amended to read as follows:
6 455B.411 DEFINITIONS.
7 As used in this part 5, unless the context
8 otherwise requires:
9 1. "Abandoned or uncontrolled hazardous waste
10 disposal site" means real property which has been used
11 for the disposal of hazardous waste either illegally
12 or prior to ~~regulation under this chapter~~ November 19,
13 1980.
14 2. "Disposal" means the discharge, deposit,
15 injection, dumping, spilling, leaking or placing of a
16 hazardous waste into or on land or water so that the
17 hazardous waste or a constituent of the hazardous
18 waste may enter the environment or be emitted into the
19 air or discharged into any waters, including ground
20 waters.
21 3. a. "Hazardous waste" means a waste or
22 ~~combination of wastes that, because of its quantity,~~
23 ~~concentration, biological degradation, leaching from~~

24 precipitation, or physical, chemical, or infectious
25 characteristics; has either of the following effects:
26 (1) Causes, or significantly contributes to an
27 increase in mortality or an increase in serious
28 irreversible, or incapacitating reversible, illness.
29 (2) Poses a substantial present or potential
30 hazard to human health or the environment when
31 improperly treated, stored, transported, or disposed
32 of, or otherwise managed. "Hazardous waste" may
33 include but is not limited to wastes that are toxic,
34 corrosive or flammable or irritants; strong
35 sensitizers or explosives.
36 b. "Hazardous waste" does not include:
37 (1) Agricultural wastes, including manures and
38 crop residues that are returned to the soil as
39 fertilizers or soil conditioners.
40 (2) Source, special nuclear, or by-product
41 material as defined in the Atomic Energy Act of 1954,
42 as amended to January 1, 1979 identified as a
43 hazardous waste or listed by the administrator of the
44 United States environmental protection agency under
45 the federal Solid Waste Disposal Act as amended by the
46 federal Resource Conservation and Recovery Act of
47 1976, 42 U.S.C. § 6901 et seq.
48 4 3. "Lubricating oil" means the fraction of crude
49 oil or re-refined oil which is sold for purposes of
50 reducing friction in an industrial or mechanical

Page 2 .

1 device.
2 5. "Manifest" means the form used for identifying
3 the quantity, composition, and the origin, routing,
4 and destination of hazardous waste during its
5 transportation from the point of generation to the
6 point of disposal, treatment or storage.
7 6 4. "Recycled oil" means used oil which is
8 reused, following its original use, for any purpose,
9 including the purpose for which the oil was originally
10 used. Recycled oil includes oil which is refined,
11 reclaimed, burned, or reprocessed.
12 7 5. "Re-refined oil" means used oil from which
13 the physical and chemical contaminants acquired
14 through previous use have been removed through a
15 refining process.
16 8. "Storage" means the containment of a hazardous
17 waste, either on a temporary basis or for a period of
18 years, in a manner that does not constitute disposal
19 of the hazardous waste.
20 9. "Treatment" means a method, technique, or

21 process, including neutralization, designed to change
22 the physical, chemical or biological character or
23 composition of a hazardous waste so as to neutralize
24 the waste or to render the waste nonhazardous, safer
25 for transport, amenable for recovery, amenable for
26 storage, or to reduce the waste in volume. Treatment
27 includes any activity or processing designed to change
28 the physical form or chemical composition of hazardous
29 waste to render the waste nonhazardous.

30 10 6. "Used oil" means oil which has been refined
31 from crude oil, has then been used, and as a result of
32 the use, is contaminated by physical or chemical
33 impurities.

34 Sec. 2. Section 455B.412, Code 1985, is amended by
35 striking the subsection and inserting the following:

36 455B.412 DUTIES OF THE COMMISSION.

37 The commission shall:

38 1. Notwithstanding section 455B.420, adopt rules
39 regulating the use of recycled oil for the purpose of
40 road oiling, dust control, or weed control necessary
41 to protect public health and the environment. The
42 rules adopted shall be limited to addressing the
43 following:

44 a. Analysis of oils by those persons supplying the
45 oils prior to their use for road oiling, dust control
46 or weed control. This analysis shall be for
47 polychlorinated biphenyl, flashpoints, and lead.

48 b. Notification by the person supplying the oils
49 of the results of analysis required to the person to
50 whom the oils are supplied or delivered and the

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1 department at the time of delivery or prior to
2 application of oils for road oiling, dust control or
3 weed control.

4 c. Establishing maximum levels of contaminants
5 allowed in oils used for the purpose of road oiling,
6 dust control or weed control and prohibiting the use
7 of oils containing contaminants in excess of maximum
8 allowable levels for such purposes.

9 d. Requirements for persons supplying oils for the
10 mitigation and cleanup of contamination posing a
11 threat to public health and the environment resulting
12 from oils applied for road oiling, dust control or
13 weed control.

14 2. Adopt such rules pursuant to chapter 17A as are
15 necessary to protect the public and to implement this
16 part.

17 Sec. 3. Section 455B.442, subsection 1, paragraph

18 a, Code 1985, is amended to read as follows:

19 1. a. "Facility" means land and structures, other
20 appurtenances, and improvements on the land used for
21 the treatment, storage, or disposal of a hazardous
22 waste required to have a permit under ~~section 455B.415~~
23 the federal Resource Conservation and Recovery Act, 42
24 U.S.C. § 6901 et seq.

25 Sec. 4. Section 455B.442, subsection 2, Code 1985,
26 is amended by striking the subsection and inserting
27 the following:

28 2. "Hazardous waste" means a waste identified as a
29 hazardous waste or listed by the administrator of the
30 United States environmental protection agency under
31 the Solid Waste Disposal Act as amended by the federal
32 Resource Conservation and Recovery Act of 1976, 42
33 U.S.C. § 6901 et seq.

34 Sec. 5. Section 455B.442, subsection 4, Code 1985,
35 is amended to read as follows:

36 4. "Construct" means significant alteration of a
37 site to install permanent equipment or structures but
38 does not include activities incident to preliminary
39 engineering, environmental studies, or acquisition of
40 a site for a facility. "Construct" includes
41 alteration to existing structures or a land disposal
42 facility to initially accommodate hazardous waste but
43 does not include any alteration to increase the
44 capacity or change the ability to accommodate
45 hazardous waste. ~~However, any alteration to increase~~
46 ~~or change the ability to accommodate hazardous waste~~
47 ~~is subject to section 455B.413.~~

48 Sec. 6. Section 455B.443, subsection 4, Code 1985,
49 is amended to read as follows:

50 4. This part 6 of division IV does not apply to a

Page 4

1 facility that is ~~subject to section 455B.415,~~
2 ~~subsection 2,~~ has obtained interim status or other
3 applicable hazardous waste permits and that has
4 obtained applicable local zoning permits and for which
5 contracts have been signed prior to January 1, 1982.

6 Sec. 7. Section 455B.448, subsection 2, Code 1985,
7 is amended to read as follows:

8 2. The commission shall grant the license if it
9 finds that the facility will meet the requirements
10 imposed by ~~rules adopted by the commission under~~
11 ~~section 455B.412, subsection 2, and the permit~~
12 requirement of section 455B.415 regulations adopted by
13 the United States environmental protection agency
14 pursuant to the federal Resource Conservation and

15 Recovery Act, 42 U.S.C. § 6901 et seq., that operation
 16 of the facility at the proposed location will be in
 17 the public interest and that the public health and
 18 welfare and the environment will be adequately
 19 protected. The failure of the proposed facility to
 20 meet zoning requirements established under chapters
 21 329, 358A, and 414, and the licensing requirements of
 22 regulatory agencies except the requirements imposed by
 23 ~~sections 455B.412, subsection 3 and 455B.415 the~~
 24 federal Resource Conservation and Recovery Act shall
 25 not preclude the commission from issuing the license
 26 and to that extent this subsection supersedes the
 27 licensing requirements of regulatory agencies and the
 28 requirements of chapters 329, 358A and 414.

29 Sec. 8. Section 455B.451, Code 1985, is amended to
 30 read as follows:

31 455B.451 FURTHER APPROVALS PROHIBITED --
 32 EXCEPTION.

33 Upon the issuance of a license under this part 6 of
 34 division IV, notwithstanding any provision of law or
 35 ordinance except statutory requirements relating to
 36 the protection of employees engaged in the
 37 construction of the facility, no further approval,
 38 permit, or license for the construction, operation, or
 39 maintenance of the facility as stated in the license
 40 shall be required. The commission may incorporate in
 41 the license the licensing requirements of a regulatory
 42 agency to the extent that those requirements are
 43 consistent with the construction and operation of the
 44 facility according to the requirements of the
 45 commission. ~~However, this section does not limit the~~
 46 ~~authority of the executive director under sections~~
 47 ~~455B.413 and 455B.415.~~ A local unit of government
 48 shall not unduly restrict the transportation of
 49 hazardous waste to a facility for which a license has
 50 been issued under this part 6 of division IV.

Page 5

1 Sec. 9. Sections 455B.413 through 455B.422, Code
 2 1985, are repealed."

3 2. Title page, by striking lines 1 and 2 and
 4 inserting the following: "An Act repealing the
 5 authority of the department of water, air and waste
 6 management to regulate the generation, storage
 7 treatment and disposal of hazardous waste in Iowa."

CALVIN O. HULTMAN

S-3601

1 Amend Senate File 461 as follows:

2 1. By striking everything after the enacting

3 clause and inserting the following:

4 "Section 1.

5 1. The legislative council shall establish a

6 committee consisting of persons and organizations

7 representing both public and private interests for the

8 purpose of conducting a study of the care and

9 treatment for mental disorders and the effectiveness

10 of treatments for alcohol, chemical, and substance

11 abuse. The members of the committee may include, but

12 are not limited to, legislators, providers of

13 services, consumers, and third-party payors.

14 The study shall include an analysis of criteria

15 useful to the general assembly in evaluating issues of

16 cost, access, quality, and utilization control related

17 to proposals mandating a particular health care

18 coverage or provider status.

19 2. The study shall also include, but is not

20 limited to, an analysis of issues concerning mental

21 health services which are medically or psychologically

22 necessary or which are necessary to restore a person's

23 capacity for social or biological functioning, minimum

24 mental health benefits, the establishment of a model

25 set of criteria for the utilization of mental health

26 services, the consumption or usage of mood-altering

27 chemicals, hospitalization programs and their effects

28 on usage, vocational functioning after treatment,

29 treatment in facilities other than hospitals, public

30 and private funding of programs and coverages, the

31 effects of mandating health coverages, the need for

32 public education on these issues, and the overall

33 effectiveness of various modes of treatment and

34 financing of mental health, alcoholism, and chemical

35 and substance abuse programs.

36 3. The legislative council may provide staff for

37 the study committee from the staff of the legislative

38 service bureau and the legislative fiscal bureau.

39 Study committee staff and support may also be obtained

40 through both public and private sources, use of an

41 independent organization to conduct portions of the

42 study, coordination and consolidation of previous

43 studies, establishment of procedures for follow-up

44 studies, with study costs defrayed through both public

45 and private sources. The legislative council may

46 request the cooperation of the Iowa health data

47 commission or other appropriate state agencies.

48 4. The study committee shall transmit copies of an

49 interim report to the legislative council and the
50 general assembly during December of 1985, and a final

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1 report, including recommendations for follow-up
2 studies, at a later date as determined by the
3 legislative council. The report shall include
4 findings of fact, recommendations, relevant data, and
5 bill drafts designed to implement the recommendations
6 of the study committee."
7 2. Title page, by striking lines 1 through 9 and
8 inserting the following:
9 "An Act establishing a committee to study the care
10 and treatment of alcoholism, chemical and substance
11 abuse, and mental disorders."

JULIA B. GENTLEMAN

S-3602

1 Amend Senate File 552 as follows:
2 1. Page 13, line 25, by inserting after the word
3 "appropriated" the following: "provided that the
4 commissioner of public safety shall immediately
5 rescind any administrative rule, policy or directive
6 which prohibits officers of the Iowa state highway
7 safety patrol from becoming partisan candidates or
8 campaigning for a partisan elective public office."

CHARLES P. MILLER
ROBERT M. CARR
JOE J. WELSH

S-3603

1 Amend Senate File 533 as follows:
2 1. Page 2, by striking lines 5 through 12 and
3 inserting the following:
4 "Sec. 3. This Act becomes effective July 1 of any
5 year in which the secretary of agriculture has
6 certified to the secretary of state that, during the
7 preceding calendar year, the Iowa per capita
8 consumption of fluid milk was lower than the
9 California per capita consumption of fluid milk,
10 according to United States department of agriculture
11 official statistics."

NORMAN G. RODGERS
TOM MANN, Jr.

S-3604

- 1 Amend amendment S-3565 to House File 686 as passed
2 by House as follows:
3 1. Page 1, line 21, by striking the word
4 "teaching".
5 2. Page 1, line 23, by inserting after the word
6 "endorsement" the following: "and shall have
7 completed at least four years of successful teaching
8 experience as well as experience in administration".

JOY CORNING
JOE BROWN
ARTHUR GRATIAS
RAY TAYLOR
ARNE WALDSTEIN
MILO COLTON

S-3605

- 1 Amend House File 686 as passed by the House as
2 follows:
3 1. Page 5, by inserting after line 35, the
4 following:
5 "8. Policies regarding the search of students or
6 student protected areas. The policies developed shall
7 meet or exceed the requirements of the following model
8 policy:
9 MODEL SEARCH POLICY.
10 There is established a model search policy to
11 govern the searches of students and protected student
12 areas as follows:
13 DEFINITIONS.
14 As used in this policy, unless the context
15 otherwise requires:
16 1. "Student" means a person enrolled in a school
17 for any of grades kindergarten through twelve.
18 2. "School" means a public or nonpublic
19 educational institution offering any of grades
20 kindergarten through twelve.
21 3. "School official" means a certificated school
22 employee, and includes noncertificated school
23 employees employed for security or supervision
24 purposes.
25 4. "Protected student area" includes, but is not
26 limited to:
27 a. A student's body.
28 b. Clothing worn or carried by a student.
29 c. A student's pocketbook, briefcase, duffelbag,
30 bookbag, backpack, knapsack, or any other container

31 used by a student for holding or carrying personal
32 belongings of any kind and in the possession or
33 immediate proximity of the student.
34 d. A school locker, desk, or other facility or
35 space issued or assigned to, or chosen by, the student
36 for the storage of personal belongings of any kind,
37 which the student locks or is permitted to lock.
38 5. "Student search rule" means a rule established
39 by the school board of a public school, pursuant to
40 section 279.8 or 279.9, or the authorities in charge
41 of a nonpublic school controlling the manner of the
42 searching of students or protected student areas. A
43 student search rule, to be valid for purposes of this
44 policy, must be reasonable and shall be based upon
45 relevant factors which include, but are not limited
46 to, the following:
47 a. The prevalence and seriousness of the problem
48 for which a search may be instituted.
49 b. The age or ages of the students which may be
50 searched pursuant to the rule.

Page 2

1 c. The information or suspicion which must exist
2 to warrant the institution of a search.
3 SEARCH OF STUDENT OR PROTECTED STUDENT AREA BY
4 SCHOOL OFFICIAL.
5 1. A school official may conduct a search of a
6 student or a protected student area only if all of the
7 following apply:
8 a. The school official has a reasonable and
9 articulable suspicion that a criminal offense or a
10 school rule or regulation bearing significantly on
11 school order has been violated.
12 b. The school official has a reasonable and
13 articulable belief that the search will produce
14 evidence of such violation.
15 c. If the search is of an individual student, the
16 suspicion and belief required by paragraphs "a" and
17 "b" is particular to the student to be searched.
18 d. If the search is of more than one student or of
19 a protected student area, the search must be based
20 upon and pursuant to a valid and reasonable student
21 search rule.
22 2. Under no circumstances may a search be made
23 which is unreasonable in light of the following:
24 a. The age of the student.
25 b. The nonseriousness of the violation.
26 c. The sex of the student.
27 d. The nature of the suspected violation.

28 3. A school official shall not conduct a search
 29 which involves:
 30 a. A strip search.
 31 b. A body cavity search.
 32 c. The use of a drug sniffing animal to search a
 33 student's body.
 34 STUDENT SEARCH BY PEACE OFFICER.
 35 The search of a student or of a protected student
 36 area by a peace officer who is not a school official,
 37 or by a school official at the invitation or direction
 38 of a peace officer who is not a school official, shall
 39 be governed by the statutory and common law
 40 requirements for police searches.
 41 EXCLUSION OF EVIDENCE.
 42 Material or evidence obtained directly or
 43 indirectly as a result of a search conducted in
 44 violation of this policy is inadmissible in a criminal
 45 or disciplinary proceeding against a student."

TOM MANN, Jr.

S-3606

1 Amend Senate amendment S-3566 to Senate File 545 as
 2 follows:
 3 1. Page 2, by striking lines 4 through 7 and
 4 inserting the following: "consolidation of two or
 5 more banks may retain and operate as its".
 6 2. Page 2, line 9, by striking the word
 7 "affiliate".
 8 3. Page 3, by inserting after line 13 the
 9 following:
 10 "___". Title page, line 1, by striking the words
 11 "bank affiliates" and inserting the word "banks".

EDGAR H. HOLDEN

S-3607

1 Amend Senate amendment S-3566 to Senate File 545 as
 2 follows:
 3 1. By striking page 1, line 4 through page 3,
 4 line 13 and inserting the following:
 5 "Section 1. Section 524.1212, Code 1985, is
 6 amended to read as follows:
 7 524.1212 LOCATION OF SATELLITE TERMINALS.
 8 Any state bank may utilize a satellite terminal, as
 9 defined in section 527.2, when that satellite terminal
 10 is lawfully being operated, at any location within
 11 this state. ~~A satellite terminal which complies with~~

12 the requirements of chapter 527 is not a branch bank
13 or an office of a bank and is not subject to the
14 restrictions on location or number set forth in
15 section 524.1202. Any transaction engaged in through
16 the use of a satellite terminal shall be deemed to
17 take place at the principal place of business of a
18 bank whose accounts and records are affected by the
19 transaction.

20 Sec. 2. Section 524.1603, subsection 2, Code 1985,
21 is amended by striking the subsection.

22 Sec. 3. Section 534.209, subsection 4, Code 1985,
23 is amended by striking the subsection.

24 Sec. 4. Section 534.214, subsection 2, unnumbered
25 paragraph 2, Code 1985, is amended by striking the
26 paragraph.

27 Sec. 5. Sections 524.1201, 524.1202, 524.1203, and
28 524.1419 are repealed."

29 2. Page 3, by inserting after line 13 the
30 following:

31 " _____. Title page, line 1, by striking the words
32 "bank affiliates" and inserting the word "banks"."

EDGAR H. HOLDEN

S-3608

1 Amend Senate File 400 as follows:

2 1. By striking page 1, line 32 through page 2,
3 line 17 and inserting the following: "liable for the
4 violation if reasonable cause exists to believe that
5 the owner was operating the vehicle at the time of the
6 violation."

COMMITTEE ON
TRANSPORTATION
C. JOSEPH COLEMAN, Chair

S-3609

1 Amend House File 315, as amended, passed and
2 reprinted by the House as follows:

DIVISION S-3609A

3 1. Page 1, line 10, by striking the word
4 "essentially".

5 2. Page 1, line 13, by striking the word
6 "essentially".

DIVISION S-3609B

7 3. Page 1, by striking lines 30 through 33 and
 8 inserting the following:
 9 "4. Pharmacists may exercise professional judgment
 10 by selecting products which are therapeutic alternates
 11 to the brand or trade name product prescribed by the
 12 prescriber. This may occur only when the prescriber
 13 so authorizes in the prescriber's own handwriting,
 14 specifically designating "therapeutic substitution is
 15 permissible in this situation". However, nothing in
 16 this section shall prohibit the dispensing of
 17 alternates to brand or trade name products by
 18 pharmacists in hospital pharmacies as provided by
 19 joint written policy of the pharmacy and the medical
 20 staff of the licensed hospital."

CALVIN O. HULTMAN
 THOMAS A. LIND
 JAMES D. WELLS
 BERL E. PRIEBE
 RICHARD F. DRAKE
 LEE W. HOLT
 HURLEY W. HALL
 DAVID M. READINGER
 RICHARD VANDE HOEF

S-3610

1 Amend House File 315 as amended, passed, and
 2 reprinted by the House as follows:
 3 1. Page 1, line 10, by striking the word
 4 "essentially".
 5 2. Page 1, line 11, by inserting after the word
 6 "is" the following: "deemed by the pharmacist to be".
 7 3. Page 1, line 30 by striking the word "a" and
 8 inserting the word "the".

ROBERT M. CARR

S-3611

1 Amend Senate File 552 as follows:
 2 1. Page 7, line 1, by striking the figure
 3 "3,158,000" and inserting the figure "3,165,200".

JOE WELSH
 CHARLES P. MILLER
 RICHARD F. DRAKE

S-3612

1 Amend Senate File 110 as follows:

2 1. Page 2, by inserting after line 20 the
3 following:

4 "____. This section shall not apply to companies
5 doing business in the Republic of South Africa who
6 have adopted the Sullivan principles and have obtained
7 a performance rating in the top two categories of the
8 Sullivan principles rating system prepared by Arthur
9 D. Little, Inc., or are in categories four or five of
10 the rating system.

11 The treasurer of state shall maintain a list of
12 such companies in accordance with the provisions of
13 section 12A.6."

14 2. Page 2, line 23, by striking the words "begin
15 to sell" and inserting the following: "make no
16 additional".

17 3. Page 2, line 24, by striking the figure "1986"
18 and inserting the following: "1985 and shall begin to
19 sell investments prohibited under section 12A.3 no
20 later than July 1, 1988, unless the general assembly
21 determines that substantial and fundamental progress
22 in establishing human rights policies in the Republic
23 of South Africa has occurred".

24 4. Page 2, lines 27 and 28, by striking the words
25 "in the fiscal year beginning July 1, 1986" and
26 inserting the following: "by July 1, 1988".

27 5. Page 6, by striking line 13.

28 6. Title page, line 9, by inserting after the
29 word "investments," the word "and".

30 7. Title page, by striking line 10 and inserting
31 the following: "penalties."

ARTHUR A. SMALL, JR.
BILL HUTCHINS
RICHARD F. DRAKE

HOUSE AMENDMENT TO
SENATE FILE 395

S-3613

1 Amend Senate File 395 as amended, passed and
2 reprinted by the Senate as follows:

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

5 "Section 1. Section 98.6, subsection 2, Code 1985,
6 is amended to read as follows:

7 2. Notwithstanding subsection 1, there is imposed

8 ~~beginning July 1, 1981~~ and shall be collected and paid
9 to the department a tax on all cigarettes used or
10 otherwise disposed of in this state for any purpose at
11 the rate of nine mills on each cigarette for the
12 period beginning July 1, 1981 and ending September 30,
13 1985 and at the rate of thirteen mills on each
14 cigarette beginning October 1, 1985."

15 2. Page 8, by striking lines 5 through 7 and
16 inserting the following: "imported ~~therein~~, except
17 beer and wine, and except as otherwise".

18 3. Page 8, by inserting after line 8 the
19 following:

20 "Sec. 16. Section 123.23, Code 1985, is amended to
21 read as follows:

22 123.23 STATE LIQUOR STORES.

23 The department shall establish and maintain in any
24 city which the director deems advisable, a state
25 liquor store or stores for storage and sale of
26 alcoholic liquor and wine in accordance with this
27 chapter. The department may, from time to time, as
28 determined by the director, fix the prices of the
29 different classes, varieties, or brands of alcoholic
30 liquor and wine to be sold. Prior to a decision to
31 establish, relocate or discontinue a state liquor
32 store, the director shall appoint a designee to
33 conduct a public hearing on the decision within the
34 city affected."

35 4. Page 10, line 3, by striking the figure
36 "123.76" and inserting the following: "123.176".

37 5. Page 24, by inserting after line 26 the
38 following:

39 "Sec. 42. Section 123.53, subsections 3 and 7,
40 Code 1985, are amended to read as follows:

41 3. The treasurer of state shall semiannually
42 distribute a sum of money equal to at least ten
43 percent of the gross sales made by the state liquor
44 stores but not less than six million four hundred
45 thousand dollars to the cities of the state. Such
46 amount shall be distributed to the cities of the state
47 in proportion to the population that each incorporated
48 city bears to the total population of all incorporated
49 cities of the state as computed by the latest federal
50 census. A city may have one special federal census

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1 taken each decade, and the population figure thus
2 obtained shall be used in apportioning amounts under
3 this subsection beginning the calendar year following
4 the year in which the special census is certified by

5 the secretary of state. Such apportionment shall be
6 made semiannually as of July 1 and January 1 of each
7 year. Warrants for the same shall be issued by the
8 state comptroller upon certification of the treasurer
9 of state and mailed to the city clerk of each
10 incorporated city of the state and shall be made
11 payable to such incorporated city and shall be subject
12 to expenditure under the direction of the city council
13 or other governing bodies of such incorporated city
14 for any lawful municipal purpose. It shall be a
15 lawful municipal purpose for cities to allocate a
16 portion of the above funds for the purpose of
17 financing the activities of a city commission or
18 committee on alcoholism, such commission or committee
19 to be appointed by the mayor or by the council or
20 both. The commission or committee may use any funds
21 so allocated for the treatment, rehabilitation, and
22 education of alcoholics in Iowa.

23 7. The treasurer of state shall credit to the
24 military service tax fund described in chapter 426A, a
25 sum of money equal to at least five percent of the
26 gross amount of sales made by the state liquor stores
27 in the cities of the state but not less than six
28 million four hundred thousand dollars. Any amount
29 thus credited shall be allocated to the various taxing
30 districts of the state as reimbursement for losses of
31 revenue due to exemption or remission of property
32 taxes which would be imposed upon property upon which
33 soldiers' exemptions or soldiers' tax credits are
34 provided under such terms as the general assembly may
35 provide.

36 Sec. 43. Section 123.53, Code 1985, is amended by
37 adding the following new subsection:

38 NEW SUBSECTION. 8. The treasurer of state shall
39 transfer into a special revenue account in the general
40 fund of the state, a sum of money at least equal to
41 seven percent of the gross amount of sales made by the
42 state liquor stores in the cities of the state but not
43 less than nine million dollars annually from the beer
44 and liquor control fund on a monthly basis, and any
45 amounts so transferred shall be used by the department
46 of substance abuse for substance abuse treatment and
47 prevention programs in an amount determined by the
48 general assembly and any amounts received in excess of
49 the amounts appropriated to the department of
50 substance abuse shall be considered part of the

Page 3

- 1 general fund balance.”
- 2 6. Page 25, line 14, by inserting after the word
- 3 “manufacturer” the words “, or in a retail
- 4 establishment operated by the manufacturer which is no
- 5 closer than five miles from an existing native
- 6 winery”.
- 7 7. Page 25, line 16, by inserting after the word
- 8 “permit.” the following: “Sales of native wines by
- 9 the manufacturer of the native wines are exempt from
- 10 the wine gallonage tax imposed under section 123.183.”
- 11 8. Page 25, by inserting after line 24 the
- 12 following:
- 13 “3. A manufacturer of native wines may ship wine
- 14 in closed containers to individual purchasers inside
- 15 and outside this state. The manufacturer shall label
- 16 the package containing the wine with the words
- 17 “deliver to adults only”.
- 18 4. Notwithstanding section 123.179, subsection 1,
- 19 a class “A” wine permit for a native wine manufacturer
- 20 shall be issued and renewed annually upon payment of a
- 21 fee of twenty-five dollars which shall be in lieu of
- 22 any other license fee required by this chapter. The
- 23 class “A” permit shall only allow the native wine
- 24 manufacturer to sell, keep, or offer for sale and
- 25 deliver the manufacturer’s native wines as provided
- 26 under this section.”
- 27 9. Page 34, by inserting after line 1 the
- 28 following:
- 29 “3. A person holding a class “B” wine permit may
- 30 purchase wine for resale only from a person holding a
- 31 class “A” wine permit.”
- 32 10. Page 34, line 4, by striking the words “seven
- 33 hundred fifty” and inserting the words “five hundred”.
- 34 11. Page 34, line 6, by striking the words “five
- 35 hundred” and inserting the words “two hundred fifty”.
- 36 12. Page 36, line 3, by striking the figure
- 37 “123.185” and inserting the following: “123.183”.
- 38 13. Page 36, line 3, by striking the words “the
- 39 department” and inserting the following: “a
- 40 manufacturer of native wines”.
- 41 14. Page 36, by striking lines 11 and 12 and
- 42 inserting the following:
- 43 “Sec. 67. NEW SECTION. 123.182 LABELS -- POINT
- 44 OF ORIGIN -- CONCLUSIVE EVIDENCE.
- 45 All imported bulk wines to be bottled and
- 46 distributed in the state shall have the point of
- 47 origin stated on the label. The print size for the
- 48 point of origin shall be at least half the print size
- 49 of the brand name on the label.”
- 50 15. Page 36, by striking lines 21 and 22 and

Page 4

1 inserting the following: "from each class "A" wine
2 permittee on all wine".

3 16. Page 36, line 24, by striking the words "one
4 dollar" and inserting the following: "two dollars".

5 17. Page 36, by striking lines 27 and 28 and
6 inserting the following: "manufactured in this state,
7 or on wine sold by one class "A"".

8 18. Page 37, line 12, by striking the figure
9 "123.185" and inserting the following: "123.183".

10 19. Page 38, by striking lines 18 through 34 and
11 inserting the following:

12 "Sec. 200. Section 422.42, subsections 3, 12, and
13 13, Code 1985, are amended to read as follows:

14 3. "Retail sale" or "sale at retail" means the
15 sale to a consumer or to any person for any purpose,
16 other than for processing, ~~or~~ for resale of tangible
17 personal property or taxable services, or for resale
18 of tangible personal property in connection with
19 taxable services, and includes the sale of gas,
20 electricity, water, and communication service to
21 retail consumers or users, but does not include
22 agricultural breeding livestock and domesticated fowl,
23 or commercial fertilizer, or agricultural limestone,
24 or materials, but not tools or equipment, herbicide,
25 pesticide, insecticide, food and medication and
26 agricultural drain tile and installation thereof which
27 are to be used in disease control, weed control,
28 insect control, or health promotion of plants or
29 livestock produced as part of agricultural production
30 for market, ~~or and does not include~~ electricity, ~~or~~
31 steam or any taxable service when purchased and used
32 in the processing of tangible personal property
33 intended to be sold ultimately at retail. Tangible
34 personal property is sold for processing within the
35 meaning of this subsection only when it is intended
36 that such the property shall will, by means of
37 fabrication, compounding, manufacturing, or
38 germination become an integral part of other tangible
39 personal property intended to be sold ultimately at
40 retail, or shall will be consumed as fuel in creating
41 heat, power, or steam for processing including grain
42 drying, for providing heat or cooling for livestock
43 buildings or for generating electric current, or
44 consumed in self-propelled implements of husbandry
45 engaged in agricultural production, or such the
46 property is a chemical, solvent, sorbent, or reagent,
47 which is directly used and is consumed, dissipated, or
48 depleted, in processing personal property which is

49 intended to be sold ultimately at retail, and which
50 may not become a component or integral part of the

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1 finished product. The distribution to the public of
2 free newspapers or shoppers guides ~~shall be deemed is~~
3 a retail sale for purposes of the processing
4 exemption.

5 ~~Notwithstanding the foregoing provisions of this~~
6 ~~subsection, the sale of newsprint and ink delivered~~
7 ~~after April 1, 1970 to any person, firm or corporation~~
8 ~~to be incorporated in or used in the printing of any~~
9 ~~newspaper, free newspaper or shoppers guide for~~
10 ~~publication in this state shall be considered as a~~
11 ~~sale at retail and such person, firm or corporation~~
12 ~~shall be deemed to be the consumer of such newsprint~~
13 ~~and ink and subject to the payment of sales tax.~~

14 12. "Casual sales" means:

15 a. Sales ~~or the rendering, furnishing or~~
16 ~~performing~~ of a nonrecurring nature of tangible
17 personal property ~~or services~~ by the owner, if the
18 seller, at the time of the sale, is not engaged for
19 profit in the business of selling tangible personal
20 property or services taxed under section 422.43.

21 b. The sale of all or substantially all of the
22 tangible personal property ~~or services~~ held or used by
23 a retailer in the course of the retailer's trade or
24 business for which the retailer is required to hold a
25 sales tax permit when the retailer sells or otherwise
26 transfers the trade or business to another person who
27 shall engage in a similar trade or business.

28 13. "Services" means all acts or services
29 rendered, furnished, or performed, other than services
30 performed on tangible personal property delivered into
31 interstate commerce, or services used in processing of
32 tangible personal property for use in taxable retail
33 sales or services, for an "employer" as defined in
34 section 422.4, subsection 15, for a valuable
35 consideration by ~~any a~~ person engaged in ~~any a~~
36 business or occupation ~~specifically enumerated in this~~
37 ~~division~~. The tax ~~shall be is~~ due and collectible
38 when the service is rendered, furnished, or performed
39 for the ultimate user ~~thereof of the service~~.

40 "Services used in the processing of tangible
41 personal property" includes the reconditioning or
42 repairing of tangible personal property of the type
43 normally sold in the regular course of the retailer's
44 business and which is held for sale upon which the
45 gross receipts tax under this division or the use tax

46 under chapter 423 will be paid when the tangible
47 personal property is sold.
48 Sec. 201. Section 422.43, subsections 1 and 11,
49 Code 1985, are amended to read as follows:
50 1. There is imposed a tax of four percent upon the

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1 gross receipts from all sales of tangible personal
2 property, consisting of goods, wares, or merchandise,
3 except as otherwise provided in this division, sold at
4 retail in the state to consumers or users; a like rate
5 of tax upon the gross receipts from the sales,
6 furnishing or service of gas, electricity, water,
7 heat, and communication service, including the gross
8 receipts from such sales by any municipal corporation
9 furnishing gas, electricity, water, heat, and
10 communication service to the public in its proprietary
11 capacity, except as otherwise provided in this
12 division, when sold at retail in the state to
13 consumers or users; a like rate of tax upon the gross
14 receipts from all sales of tickets or admissions to
15 places of amusement, fairs, and athletic events except
16 those of elementary and secondary educational
17 institutions; and a like rate of tax upon that part of
18 private club membership fees or charges paid for the
19 privilege of participating in any athletic sports
20 provided club members.

21 11. The ~~following enumerated~~ services are subject
22 to the tax imposed on gross taxable services include,
23 but are not limited to, the following: Alteration and
24 garment repair; armored car; automobile repair;
25 battery, tire and allied; investment counseling;
26 ~~excluding investment services of trust departments~~;
27 bank service charges; barber and beauty; boat repair;
28 car wash and wax; carpentry; roof, shingle, and glass
29 repair; dance schools and dance studios; dry cleaning,
30 pressing, dyeing, and laundering; electrical and
31 electronic repair and installation; rental of tangible
32 personal property; excavating and grading; farm
33 implement repair of all kinds; flying service, except
34 agricultural aerial application services and aerial
35 commercial and charter transportation services;
36 furniture, rug, upholstery repair and cleaning; fur
37 storage and repair; golf and country clubs and all
38 commercial recreation; house and building moving;
39 household appliance, television, and radio repair;
40 jewelry and watch repair; machine operator; machine
41 repair of all kinds; motor repair; motorcycle,
42 scooter, and bicycle repair; oilers and lubricators;

43 office and business machine repair; painting,
 44 papering, and interior decorating; parking facilities;
 45 pipe fitting and plumbing; wood preparation; licensed
 46 executive search agencies; private employment
 47 agencies; ~~excluding services for placing a person in~~
 48 ~~employment where the principal place of employment of~~
 49 ~~that person is to be located outside of the state;~~
 50 sewing and stitching; shoe repair and shoeshine;

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1 storage warehousing of raw agricultural products;
 2 telephone answering service; test laboratories, except
 3 tests on humans; termite, bug, roach, and pest
 4 eradicators; tin and sheet metal repair; turkish
 5 baths, massage, and reducing salons; weighing;
 6 welding; well drilling; wrapping, packing, and
 7 packaging of merchandise ~~other than processed meat,~~
 8 ~~fish, fowl and vegetables;~~ wrecker
 9 and towing; accounting, auditing or bookkeeping;
 10 aerial photography and surveying; appraisals;
 11 architectural services; auctioneers; bill collection
 12 agencies; cable television; campgrounds; commercial
 13 art; commercial entertainment; commissioned services
 14 including but not limited to brokerage and real
 15 estate; computer services; credit reporting; drafting;
 16 engineering services; financial planning and
 17 counseling; funeral services; fundraising services;
 18 garbage disposal; gun and camera repair; information
 19 storage, manipulation, retrieval and supply;
 20 instruction on physical or recreation activities;
 21 janitorial, housekeeping, and building maintenance or
 22 cleaning; lawn care, landscaping and tree trimming and
 23 removal; legal services; management consultant
 24 services; marketing consultants; mining; personnel
 25 supply services; pet grooming; promotional services;
 26 reflexology; security and detective services; snow
 27 removal; surveying; tanning beds or salons; tax
 28 preparation; travel agencies; veterinarian services;
 29 and water conditioning. For purposes of this
 30 subsection, gross taxable services from rental
 31 includes rents, royalties, and copyright and license
 32 fees. For purposes of this subsection, gross taxable
 33 services from commissioned services includes only fees
 34 or commissions paid directly by the purchaser of the
 35 service.
 36 Sec. 202. Section 422.45, subsections 2, 9, 12 and
 37 20, Code 1985, are amended to read as follows:
 38 2. The gross receipts from the sales, furnishing
 39 or service of transportation service except the rental

40 of recreational vehicles, recreational boats, or motor
41 vehicles subject to registration which are registered
42 for a gross weight of thirteen tons or less.

43 9. Gross receipts from the sales of newspapers,
44 free newspapers or shoppers guides and the printing
45 and publishing thereof, and envelopes for advertising.

46 12. Gross receipts from the sale of all foods for
47 human consumption which are eligible for purchase with
48 food coupons issued by the United States department of
49 agriculture pursuant to regulations in effect on July
50 1, 1974, regardless of whether the retailer from which

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1 the foods are purchased is participating in the food
2 stamp program. However, as used in this subsection,
3 "foods" does not include meals prepared for immediate
4 consumption on or off the premises of the retailer,
5 and does not include foods sold through vending
6 machines; candy, candy-coated items, and other candy
7 products; beverages as defined in section 455C.1,
8 subsection 1; foods prepared on or off the premises of
9 the retailer which are consumed on the premises of the
10 retailer; foods sold by caterers and hot or cold foods
11 prepared for immediate consumption off the premises of
12 the retailer. "Foods prepared for immediate
13 consumption" include any food product upon which an
14 act of preparation, including but not limited to,
15 cooking, mixing, sandwich making, blending, heating or
16 pouring, has been performed by the retailer so the
17 food product may be immediately consumed by the
18 purchaser.

19 20. The gross receipts from sales or services
20 rendered, furnished or performed by a county or city.
21 This exemption does not apply to the tax specifically
22 imposed under section 422.43 on the gross receipts
23 from the sales, furnishing or service of gas,
24 electricity, water, heat and communication service to
25 the public by a municipal corporation in its
26 proprietary capacity and does not apply to fees paid
27 to cities and counties for the privilege of
28 participating in any athletic sports.

29 Sec. 100. Section 422.45, Code 1985, is amended by
30 adding the following new subsections:

31 **NEW SUBSECTION.** The gross receipts from the sale
32 or rental of farm machinery and equipment, including
33 replacement parts which are depreciable for state and
34 federal income tax purposes, if the following
35 conditions are met:

36 a. The farm machinery and equipment shall be

37 directly and primarily used in production of
38 agricultural products.

39 b. The farm machinery and equipment shall
40 constitute self-propelled implements or implements
41 customarily drawn or attached to self-propelled
42 implements or manufactured aircraft designed
43 specifically for agricultural aerial application
44 services.

45 Vehicles subject to registration, as defined in
46 section 423.1, or replacement parts for such vehicles,
47 shall not be eligible for this exemption.

48 NEW SUBSECTION. The gross receipts from the sale
49 or rental of industrial machinery, equipment and
50 computers, including replacement parts which are

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1 depreciable for state and federal income tax purposes,
2 if the following conditions are met:

3 a. The industrial machinery, equipment and
4 computers shall be directly and primarily used in the
5 manner described in section 428.20 in processing
6 tangible personal property.

7 b. The industrial machinery, equipment and
8 computers must be real property within the scope of
9 section 427A.1, subsection 1, paragraphs "e" or "j",
10 and must be subject to taxation as real property.

11 However, the provisions of chapters 404 and 427B
12 which result in the exemption from taxation of
13 property for property tax purposes do not preclude the
14 property from receiving this exemption if the property
15 otherwise qualifies.

16 The gross receipts from the sale or rental of hand
17 tools are not exempt. The gross receipts from the
18 sale or rental of pollution control equipment
19 qualifying under paragraphs "a" and "b" shall be
20 exempt.

21 The gross receipts from the sale or rental of
22 industrial machinery, equipment, and computers,
23 including pollution control equipment, within the
24 scope of section 427A.1, subsection 1, paragraphs "h"
25 and "i", shall not be exempt.

26 Sec. 203. Section 422.45, Code 1985, is amended by
27 adding the following new subsections:

28 NEW SUBSECTION. The gross receipts from the
29 rendering, furnishing or performing of the following
30 services: custom farming, agricultural aerial
31 application services; advertising; credit card fees;
32 interstate telephone calls; commercial storage
33 warehousing, except of raw agricultural products;

34 commissioned services for insurance; and design and
35 installation of new or used industrial machinery or
36 equipment, including electrical and electronic
37 installation.

38 NEW SUBSECTION. The gross receipts from the sales,
39 furnishing or service of veterinarian services for
40 agricultural production and day care or medical
41 services.

42 NEW SUBSECTION. The gross receipts from the
43 rendering, furnishing or performing of additional
44 services taxed by this Act pursuant to a services
45 contract in effect on April 1, 1985. This exemption
46 is repealed June 30, 1986.

47 Sec. 204. Section 422.52, subsection 5, Code 1985,
48 is amended to read as follows:

49 5. The provisions of subsection 1, according to
50 the context, ~~shall~~ apply to persons having receipts

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1 from rendering, furnishing, or performing services
2 ~~enumerated in which are taxed under~~ section 422.43.
3 Sec. 205. Section 422.53, subsection 7, Code 1985,
4 is amended to read as follows:

5 7. The provisions of subsection 1, dealing with
6 lawful right of a retailer to transact business,
7 according to the context, apply to persons having
8 receipts from rendering, furnishing, or performing
9 services ~~enumerated in which are taxed under~~ section
10 422.43, except that a person holding a permit pursuant
11 to subsection 1 shall not be required to obtain any
12 separate sales tax permit for the purpose of engaging
13 in business involving the services.

14 Sec. 206. Section 422.58, subsection 2, Code 1985,
15 is amended to read as follows:

16 2. ~~Any A~~ person who ~~shall~~ knowingly ~~sell~~ sells
17 tangible personal property, tickets or admissions to
18 places of amusement and athletic events, or gas,
19 water, electricity, and communication service at
20 retail, or ~~engage~~ engages in the rendering,
21 furnishing, or performing services ~~enumerated in which~~
22 are taxed under section 422.43, in this state without
23 procuring a permit, as provided in section 422.53, or
24 who ~~shall violate~~ violates the provisions of section
25 422.49, and the officers of any corporation who ~~shall~~
26 so act, ~~shall be~~ are guilty of a simple misdemeanor.

27 ~~Any A~~ person who ~~shall~~ knowingly ~~sell~~ sells
28 tangible personal property, tickets or admissions to
29 places of amusement and athletic events, or gas,
30 water, electricity, and communication service at

31 retail, or ~~engage engages~~ in the rendering,
 32 furnishing, or performing services ~~enumerated in which~~
 33 ~~are taxed under~~ section 422.43, in this state after
 34 the person's license ~~shall have~~ has been revoked and
 35 before it has been restored as provided in section
 36 422.53, subsection 5 and the officers of any
 37 corporation who ~~shall so act shall be~~ are guilty of a
 38 serious misdemeanor.”

39 20. Page 39, line 4, by striking the figure
 40 “422B.11” and inserting the following: “422B.13”.

41 21. Page 39, line 10, by striking the words
 42 “additional real property tax” and inserting the
 43 following: “income surtax”.

44 22. Page 39, line 30, by striking the words
 45 “additional real property tax” and inserting the
 46 following: “income surtax”.

47 23. Page 39, line 31, by striking the word
 48 “sixty” and inserting the following: “thirty”.

49 24. Page 40, line 5, by striking the words
 50 “additional real property tax” and inserting the

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1 following: “income surtax”.

2 25. Page 40, line 6, by striking the word “sixty”
 3 and inserting the following: “thirty”.

4 26. Page 40, line 10, by inserting after the
 5 figure “5.” the following: “a.”

6 27. Page 40, line 10, by striking the word
 7 “sixty” and inserting the following: “thirty”.

8 28. Page 40, by striking lines 19 through 21 and
 9 inserting the following: “election. In the case of a
 10 local vehicle”.

11 29. Page 40, by inserting after line 25 the
 12 following:

13 “b. The question of the imposition of a local
 14 sales and services tax shall be submitted to the
 15 qualified electors of the incorporated and
 16 unincorporated areas of the county upon receipt by the
 17 county commissioner of elections of the motion or
 18 motions, requesting such submission, adopted by the
 19 governing body or bodies of the city or cities located
 20 within the county or of the county, for the
 21 unincorporated areas of the county, representing at
 22 least one-half of the population of the county. Upon
 23 adoption of such motion, the governing body of the
 24 city or county, for the unincorporated areas, shall
 25 submit the motion to the county commissioner of
 26 elections and in the case of the governing body of the
 27 city shall notify the board of supervisors of the

28 adoption of the motion. The county commissioner of
29 elections shall keep a file on all the motions
30 received and, upon reaching the population
31 requirements, shall publish notice of the ballot
32 proposition concerning the imposition of the local
33 sales and services tax. A motion ceases to be valid
34 at the time of the holding of the regular election for
35 the election of members of the governing body which
36 adopted the motion. The county commissioner of
37 elections shall eliminate from the file any motion
38 that ceases to be valid. The manner provided under
39 this paragraph for the submission of the question of
40 imposition of a local sales and services tax is an
41 alternative to the manner provided in paragraph "a".

42 30. Page 41, by striking lines 12 through 15 and
43 inserting the following: "shall not be more than one
44 percent as set by the governing body. The rate of a
45 local income surtax shall be in increments of five
46 percent but not in excess of thirty percent as set by
47 the governing body of the city or county seeking to
48 impose the surtax. The state".

49 31. Page 42, line 20, by striking the figure
50 "422B.11" and inserting the following: "422B.13".

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1 32. Page 42, lines 21 and 22, by striking the
2 words "an additional real property tax" and inserting
3 the following: "a local income surtax".

4 33. Page 42, by striking lines 25 and 26 and
5 inserting the following: "vehicle tax, and up to
6 thirty percent in increments of five percent for the
7 income surtax".

8 34. Page 42, lines 28 and 29, by striking the
9 words "additional real property tax" and inserting the
10 following: "income surtax".

11 35. Page 42, lines 30 and 31, by striking the
12 words "be one percent" and inserting the following:
13 "not be more than one percent as set by the governing
14 body".

15 36. By striking page 44, line 30 through page 46,
16 line 30.

17 37. Page 46, line 33, by striking the figure "1."

18 38. Page 46, line 33, by inserting after the word
19 "of" the following: "not more than".

20 39. By striking page 47, line 18 through page 49,
21 line 6.

22 40. Page 49, line 13, by striking the word
23 "fifty-five" and inserting the following: "forty".

24 41. Page 50, by striking lines 14 through 32 and

25 inserting the following:

26 "1. The treasurer of state shall credit the local
27 sales and services tax receipts and interest and
28 penalties from a county to the county's account in the
29 local sales and services tax fund.

30 2. The treasurer of state, pursuant to rules of
31 the director of revenue, shall remit at least
32 quarterly to the board of supervisors, if the tax was
33 imposed in the unincorporated areas, and each city
34 where the tax was imposed its share of the county's
35 account in the local sales and services tax fund as
36 computed under subsections 3 and 4.

37 3. Seventy-five percent of each county's account
38 shall be remitted on the basis of the county's
39 population residing in the unincorporated area where
40 the tax was imposed and those incorporated areas where
41 the tax was imposed as follows:

42 a. To the board of supervisors a pro rata share
43 based upon the percentage of the above population of
44 the county residing in the unincorporated area of the
45 county where the tax was imposed according to the most
46 recent certified federal census.

47 b. To each city in the county where the tax was
48 imposed a pro rata share based upon the percentage of
49 the city's population residing in the county to the
50 above population of the county according to the most

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1 recent certified federal census.

2 4. Twenty-five percent of each county's account
3 shall be remitted based on the sum of property tax
4 dollars levied by the board of supervisors if the tax
5 was imposed in the unincorporated areas and each city
6 in the county where the tax was imposed during the
7 three-year period beginning July 1, 1982 and ending
8 June 30, 1985 as follows:

9 a. To the board of supervisors a pro rata share
10 based upon the percentage of the total property tax
11 dollars levied by the board of supervisors during the
12 above three-year period.

13 b. To each city council where the tax was imposed
14 a pro rata share based upon the percentage of property
15 tax dollars levied by the city during the above three-
16 year period of the above total property tax dollars
17 levied by the board of supervisors and each city where
18 the tax was imposed during the above three-year
19 period."

20 42. Page 50, line 33, by striking the figure "2."
21 and inserting the following: "5."

22 43. Page 51, by striking lines 1 through 11 and
23 inserting the following:
24 "Sec. . NEW SECTION. 422B.11 LOCAL INCOME
25 SURTAX.

26 An annual local income surtax may be imposed by a
27 city or county on every resident taxpayer at the rate
28 specified on the ballot proposition applied to the
29 taxpayer's computed state individual income tax for
30 the tax year. A city or county imposing an income
31 surtax shall give a credit, not to exceed the amount
32 of surtax, for any local earnings tax paid by the
33 resident taxpayer on income included in computing the
34 taxpayer's state individual income tax for the tax
35 year.

36 For purposes of the local income surtax, "resident
37 taxpayer" means an individual taxpayer whose principal
38 place of residence at the end of the taxpayer's tax
39 year is located in the city or county where the tax is
40 imposed and "computed state individual income tax"
41 means the tax computed under section 422.5 less the
42 deductions allowed in sections 422.10, 422.11, and
43 422.12.

44 Sec. . NEW SECTION. 422B.12 ADMINISTRATION.

45 A local income surtax or change in the rate shall
46 be imposed January 1 following the favorable election
47 for tax years beginning on or after January 1 and
48 repeal of the surtax shall be as of December 31
49 following the favorable election for tax years
50 beginning after December 31.

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1 The director of revenue shall administer the
2 provisions of a local income surtax as nearly as
3 possible in conjunction with the administration of
4 state income tax laws. The director shall provide
5 appropriate forms, or provide on the regular state tax
6 forms, for reporting local income surtax.

7 An ordinance of a city council or a county board of
8 supervisors imposing a local income surtax shall adopt
9 by reference the applicable provisions of the
10 appropriate sections of chapter 422, division II. All
11 powers of the director and requirements of the
12 director in administering the state income tax law
13 apply to the administration of a local income surtax,
14 including but not limited to, the provisions of
15 sections 422.20, 422.22 to 422.31, 422.68, and 422.72
16 to 422.75. Local officials shall confer with the
17 director of revenue and obtain the director's
18 assistance in drafting the ordinance imposing a local

19 income surtax. A certified copy of the ordinance
20 shall be filed with the director as soon as possible
21 after passage.

22 The director, in consultation with local officials,
23 shall collect and account for a local income surtax
24 and any interest and penalties. The director shall
25 credit local income surtax receipts and any interest
26 and penalties collected from returns filed on or
27 before November 1 of the calendar year following the
28 tax year for which the local income surtax is imposed
29 to a "local income surtax fund" established in the
30 office of the treasurer of state. All local income
31 surtax receipts and any interest and penalties
32 received or refunded from returns filed after November
33 1 of the calendar year following the tax year for
34 which the local income surtax is imposed shall be
35 deposited in or withdrawn from the state general fund
36 and shall be considered part of the cost of
37 administering the local income surtax.

38 Sec. ____ NEW SECTION. 422B.13 PAYMENT TO LOCAL
39 GOVERNMENT -- USE OF RECEIPTS.

40 1. On or before January 15, the director of
41 revenue shall make an accounting of the local income
42 surtax receipts and any interest and penalties
43 collected from returns filed on or before November 1
44 of the preceding year and shall certify to the
45 treasurer of state the amount collected. The
46 treasurer of state shall remit within fifteen days of
47 the certification by the director of revenue to each
48 city and county which has imposed a local income
49 surtax the amount in the local income surtax fund
50 collected as a result of its tax.

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1 2. Local income surtax moneys received by a city
2 or county may be expended for any lawful purpose of
3 the city or county."

4 44. Page 51, by inserting after line 17 the
5 following:

6 "Sec. 207. Section 423.1, subsection 1, unnumbered
7 paragraph 2, Code 1985, is amended by striking the
8 paragraph.

9 Sec. 208. Section 423.2, Code 1985, is amended to
10 read as follows:

11 423.2 IMPOSITION OF TAX.

12 An excise tax is imposed on the use in this state
13 of tangible personal property purchased for use in
14 this state, at the rate of four percent of the
15 purchase price of the property. The excise tax is

16 imposed upon every person using the property within
17 this state until the tax has been paid directly to the
18 county treasurer or the state department of
19 transportation, to a retailer, or to the department.
20 An excise tax is imposed on the use in this state of
21 services enumerated in section 422.43 which are taxed
22 under division IV of chapter 422 at the rate of four
23 percent. This tax is applicable where services are
24 rendered, furnished, or performed in this state or
25 where the product or result of the service is used in
26 this state. This tax is imposed on every person using
27 the services or the product of the services in this
28 state until the user has paid the tax either to an
29 Iowa use tax permit holder or to the department of
30 revenue.

31 Sec. 209. Section 423.4, subsection 5, Code 1985,
32 is amended by striking the subsection.

33 Sec. 210. Section 423.9, unnumbered paragraph 2,
34 Code 1985, is amended to read as follows:

35 Every person rendering, furnishing, or performing
36 services enumerated in which are taxed under section
37 422.43, maintaining a place of business in this state
38 shall be subject to the ~~provisions~~ of the preceding
39 paragraph.

40 Sec. 211. Section 423.10, unnumbered paragraph 2,
41 Code 1985, is amended to read as follows:

42 The discretionary power granted therein is extended
43 to apply in the case of persons rendering, furnishing
44 or performing services enumerated in which are taxed
45 under section 422.43.

46 Sec. 212. Section 423.14, Code 1985, is amended to
47 read as follows:

48 423.14 LIABILITY OF USER.

49 Any person who uses any property or services
50 enumerated in which are taxed under section 422.43

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1 upon which the tax herein imposed has not been paid,
2 either to the county treasurer or to a retailer or
3 direct to the department as ~~herein~~ provided, shall be
4 liable ~~therefor~~ for the tax, and shall on or before
5 the last day of the month next succeeding each
6 quarterly period pay the tax ~~herein~~ imposed upon all
7 such property used by the person during the preceding
8 quarterly period in ~~such~~ the manner and accompanied by
9 ~~such~~ the returns as the director shall ~~prescribe~~
10 prescribes. All of the provisions of section 423.13
11 with reference to ~~such~~ the returns and payments shall
12 be applicable to the returns and payments herein

13 required.

14 Sec. 213. Section 423.21, Code 1985, is amended to
15 read as follows:

16 423.21 BOOKS -- EXAMINATION.

17 Every retailer required or authorized to collect
18 taxes imposed by this chapter and every person using
19 in this state tangible personal property shall keep
20 ~~such~~ records, receipts, invoices, and other pertinent
21 papers as the director ~~shall require~~ requires, in ~~such~~
22 the form as the director ~~shall require~~ requires. The
23 director or ~~any~~ a duly authorized agent of the
24 department may examine the books, papers, records, and
25 equipment of any person either selling tangible
26 personal property or liable for the tax imposed by
27 this chapter, and investigate the character of the
28 business of any such person in order to verify the
29 accuracy of any return made, or if no return was made
30 by such person, ascertain and determine the amount due
31 under ~~the provisions~~ of this chapter. Any such books,
32 papers, and records shall be made available within
33 this state for ~~such~~ examination upon reasonable notice
34 when the director ~~shall deem~~ deems it advisable and
35 ~~shall so order~~ orders. The preceding requirements
36 ~~shall likewise~~ apply to users and persons rendering,
37 furnishing, or performing service enumerated in which
38 is taxed under section 422.43.

39 Sec. 214. Section 423.22, Code 1985, is amended to
40 read as follows:

41 423.22 REVOKING PERMITS.

42 Whenever ~~any~~ a retailer maintaining a place of
43 business in this state, or authorized to collect the
44 tax ~~herein~~ imposed pursuant to section 423.10, fails
45 to comply with any of the provisions of this chapter
46 or any orders or rules prescribed and adopted under
47 this chapter, the director may, upon notice and
48 hearing as hereinafter provided, by order revoke the
49 permit, if any, issued to ~~such~~ that retailer under
50 section 422.53, or if ~~such~~ that retailer is a

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1 corporation authorized to do business in this state
2 under chapter 494, may certify to the secretary of
3 state a copy of an order finding that ~~such~~ that
4 retailer has failed to comply with certain specified
5 provisions, orders or rules. The secretary of state
6 shall, upon receipt of ~~such~~ the certified copy, revoke
7 the permit authorizing ~~said~~ the corporation to do
8 business in this state, and shall issue a new permit
9 only when ~~such~~ the corporation shall have obtained

10 from the director an order finding that such the
11 corporation has complied with its obligations under
12 this chapter. ~~No An~~ order authorized in this section
13 shall not be made until the retailer is given an
14 opportunity to be heard and to show cause why such the
15 order should not be made, and the retailer shall be
16 given ten days' notice of the time, place, and purpose
17 of such the hearing. The director may issue a new
18 permit pursuant to section 422.53 after such a
19 revocation. The preceding provision shall apply
20 applies to users and persons supplying services
21 enumerated in which are taxed under section 422.43.
22 Sec. ____ . Section 427.1, subsection 32, unnumbered
23 paragraphs 1 and 2, Code 1985, are amended to read as
24 follows:

25 Pollution-control property as defined in this
26 subsection shall be exempt from taxation for the
27 ~~periods and~~ to the extent provided in this subsection,
28 upon compliance with the provisions of this
29 subsection.

30 This exemption shall apply to new installations of
31 pollution-control property for a period of ten years
32 beginning on January 1 after the construction or
33 installation of the property is completed. This
34 exemption shall apply for a period of ten years
35 beginning on January 1, 1975, to existing pollution-
36 control property if its construction or installation
37 was completed after September 23, 1970. ~~This~~
38 exemption shall apply with respect to each of the ten
39 annual assessments within the ten-year exemption
40 period and the property taxes payable on the basis of
41 each of such ten annual assessments. This exemption
42 for existing pollution-control property shall begin
43 with respect to the assessment as of January 1, 1975,
44 and the taxes payable on the basis of this assessment
45 during the fiscal year beginning July 1, 1976."

46 45. Page 51, by striking lines 18 through 28 and
47 inserting the following:

48 "Sec. ____ . Section 427A.9, unnumbered paragraph 2,
49 Code 1985, is amended to read as follows:

50 The amount of the additional personal property tax

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1 credit shall be a fixed amount for each tax year. The
2 amount of the additional personal property tax credit
3 shall be increased for the extended tax year beginning
4 January 1, 1974, and ending June 30, 1975, and shall
5 be increased for each tax year immediately following a
6 tax year in which the growth of state general fund

7 revenues, adjusted for changes in rate or basis,
8 exceeds five and one-half percent, except that the
9 amount of the additional personal property tax credit
10 for taxes payable in each year of the fiscal period
11 beginning July 1, 1977 and ending June 30, 1979 shall
12 not exceed the amount of the additional personal
13 property tax credit allowed for taxes payable in the
14 fiscal year beginning July 1, 1976 and ending June 30,
15 1977 ~~and~~, the amount of the additional personal
16 property tax credit for taxes payable in the fiscal
17 year beginning July 1, 1980 and ending June 30, 1981
18 shall not exceed the amount of the additional personal
19 property tax credit allowed for taxes payable in the
20 fiscal year beginning July 1, 1979 and ending June 30,
21 1980, and the amount of the additional personal
22 property tax credit for taxes payable in each year of
23 the fiscal period beginning July 1, 1985 and ending
24 June 30, 1987 shall not exceed the amount of the
25 additional personal property tax credit allowed for
26 taxes payable in the fiscal year beginning July 1,
27 1984 and ending June 30, 1985. An increase in the
28 additional personal property tax credit, once granted,
29 shall continue for each succeeding tax year. For the
30 purposes of this chapter the state comptroller may
31 estimate the state percent of growth if necessary to
32 avoid delay in the collection of taxes. ~~After nine~~
33 ~~such increases have been made, all~~ All taxes on
34 personal property shall be repealed as provided in the
35 following section. The director of revenue and the
36 state comptroller, jointly, shall determine the amount
37 of the credit for each such tax year. Such amount
38 shall be the maximum amount, rounded to the nearest
39 ten dollars, which will permit complete funding of the
40 replacement obligation under this division, including
41 the replacement obligation for the tax credit granted
42 pursuant to sections 427A.1 to 427A.5, out of the
43 appropriation provided in this chapter.”

44 46. Page 51, line 35, by striking the words “,
45 and” and inserting the following: “, For assessment
46 years beginning on or after January 1, 1986”.

47 47. Page 52, line 1, by striking the word
48 “thereafter” and inserting the following:
49 “thereafter”.

50 48. Page 53, line 11, by striking the words

Page 19

1 "sixty-two million eight" and inserting the following:
2 "fifty-seven million one".

3 49. By striking page 53, line 15 through page 54,
4 line 8 and inserting the following:

5 "Sec. __. Section 427B.10, unnumbered paragraph
6 1, Code 1985, is amended to read as follows:

7 For property defined in section 427A.1, subsection
8 1, paragraphs "e" and "j" acquired or initially leased
9 after December 31, 1981 and on or before January 1,
10 1985, the taxpayer's valuation shall be limited to
11 thirty percent of the net acquisition cost of the
12 property. For purposes of this section, "net
13 acquisition cost" means the acquired cost of the
14 property including all foundations and installation
15 cost less any excess cost adjustment.

16 Sec. __. Chapter 427B, Code 1985, is amended by
17 adding as a new division the following new section:

18 NEW SECTION. PROPERTY SUBJECT TO SPECIAL
19 VALUATION.

20 For property defined in section 427A.1, subsection
21 1, paragraphs "e" and "j" acquired or initially leased
22 after January 1, 1985 the taxpayer's valuation shall
23 be limited to thirty percent of the net acquisition
24 cost of the property. For purposes of this section,
25 "net acquisition cost" means the acquired cost of the
26 property including all foundations and installation
27 cost less any excess cost adjustment.

28 For purposes of this section:

29 1. Property assessed by the department of revenue
30 pursuant to sections 428.24 to 428.29, or chapters
31 433, 434 and 436 to 438 shall not receive the benefits
32 of this section.

33 2. Property acquired on or before January 1, 1985
34 which was owned or used on or before January 1, 1985
35 by a related person shall not receive the benefits of
36 this section.

37 3. Property acquired after January 1, 1985 which
38 was owned and used by a related person shall not
39 receive any additional benefits under this section.

40 4. Property which was owned or used on or before
41 January 1, 1985 and subsequently acquired by an
42 exchange of like property shall not receive the
43 benefits of this section.

44 5. Property which was acquired after January 1,
45 1985 and subsequently exchanged for like property
46 shall not receive any additional benefits under this
47 section.

48 6. Property acquired on or before January 1, 1985
49 which is subsequently leased to a taxpayer or related
50 person who previously owned the property shall not

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1 receive the benefits of this section.

2 7. Property acquired after January 1, 1985 which
3 is subsequently leased to a taxpayer or related person
4 who previously owned the property shall not receive
5 any additional benefits under this section.

6 For purposes of this section, "related person"
7 means a person who owns or controls the taxpayer's
8 business and another business entity from which
9 property is acquired or leased or to which property is
10 sold or leased. Business entities are owned or
11 controlled by the same person if the same person
12 directly or indirectly owns or controls fifty percent
13 or more of the assets or any class of stock or who
14 directly or indirectly has an interest of fifty
15 percent or more in the ownership or profits.

16 Property assessed pursuant to this section shall
17 not be eligible to receive a partial exemption under
18 sections 427B.1 to 427B.6."

19 50. Page 54, by inserting after line 29 the
20 following:

21 "Sec. ____ . Section 455C.4, Code 1985, is amended
22 by adding the following new subsection:

23 NEW SUBSECTION. 3. A dealer, other than a state
24 liquor store, or a distributor may refuse to accept
25 and to pay the refund value of an empty wine container
26 which is marked to indicate that it was sold by a
27 state liquor store. A state liquor store may refuse
28 to accept and to pay the refund value of an empty wine
29 container which is not marked to indicate that it was
30 sold by a state liquor store.

31 Sec. ____ . Section 455C.5, subsection 1, Code 1985,
32 is amended to read as follows:

33 1. Each beverage container sold or offered for
34 sale in this state by a dealer shall clearly indicate
35 by embossing or by a stamp, label or other method
36 securely affixed to the container, the refund value of
37 the container. The department shall specify, by rule,
38 the minimum size of the refund value indication on the
39 beverage containers. Each beverage container
40 containing wine which is sold or offered for sale in a
41 state liquor store shall also be marked by embossing
42 or by stamp, label, or other method securely affixed
43 to the container to indicate that it was sold in a
44 state liquor store."

45 51. By striking page 54, line 30 through page 55,
46 line 10 and inserting the following:

47 "Sec. ____ . Section 99E.10, subsection 1,
48 unnumbered paragraph 1, 1985 Acts, House File 225,

49 section 110, if division I of House File 225 becomes
50 law is amended to read as follows:

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1 1. Upon receipt of any revenue, the commissioner
2 shall deposit the moneys in the lottery fund created
3 pursuant to section 99E.20. As nearly as is
4 practicable, ~~forty-five~~ fifty percent of the projected
5 annual revenue computed on a year-round average basis
6 for each type of lottery game accruing from the sale
7 of tickets or shares is appropriated for payment of
8 prizes to the holders of winning tickets. After the
9 payment of prizes, all of the following shall be
10 deducted from lottery revenue prior to disbursement:

11 Sec. . NEW SECTION. 99A.10 MANUFACTURE OF
12 ELECTRONIC GAMBLING DEVICES PERMITTED.

13 A person may manufacture electronic or computerized
14 gambling devices. This chapter does not prohibit such
15 manufacturing activities.

16 Sec. . Section 725.9, Code 1985, is amended by
17 adding the following new subsection:

18 NEW SUBSECTION. 5. This chapter does not prohibit
19 the manufacture of electronic or computerized gambling
20 devices.

21 Sec. .

22 1. All persons required to be licensed under
23 section 98.13 as distributors having in their
24 possession prior to delivery for resale as of the
25 close of business on September 30, 1985 cigarettes or
26 little cigars upon which the tax under section 98.6 or
27 98.43 has been paid, unused cigarette tax stamps which
28 have been paid for under section 98.8, or unused
29 metered imprints which have been paid for under
30 section 98.12 shall be subject to an inventory tax on
31 such items as provided in this section.

32 2. Persons subject to the inventory tax imposed
33 under this section shall take an inventory as of the
34 close of business on September 30, 1985 of those items
35 subject to the inventory tax for the purpose of
36 determining the tax due. These persons shall report
37 the tax on forms provided by the department of revenue
38 and remit the tax due with the forms by October 31,
39 1985. The department of revenue shall adopt rules as
40 are necessary to carry out this section.

41 3. The rate of the inventory tax on each item
42 subject to the tax as specified in subsection 1 is
43 equal to the difference between the amount paid on
44 each item under section 98.6, 98.8, 98.12, or 98.43
45 prior to October 1, 1985 and the amount that is to be

46 paid on each similar item under section 98.6, 98.8,
47 98.12, or 98.43 on or after October 1, 1985 except
48 that in computing the rate of the inventory tax any
49 discount allowed or allowable under section 98.8 shall
50 not be considered.

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1 Sec. __. Sections 100 and 200 through 214 of this
2 Act, being deemed of immediate importance, take effect
3 June 1, 1985 after its publication in the Quad City
4 Times, a newspaper published in Davenport, Iowa, and
5 in The Sioux City Journal, a newspaper published in
6 Sioux City, Iowa.”
7 52. Title page, by striking lines 6 through 13
8 and inserting the following: “certain industrial and
9 farm machinery, equipment and computers, including
10 replacement parts, from the state sales, services and
11 use tax, imposing the state sales, services and use
12 tax on additional services and certain gross receipts
13 presently exempt, providing for the repeal of all
14 property taxes on personal property and freezing the
15 amount of the additional personal property tax credit
16 and state reimbursement for that credit, increasing
17 the tax on cigarettes and little cigars, imposing an
18 inventory tax on cigarettes and little cigars, unused
19 tax stamps and metered imprints, making permanent the
20 exemption from property taxation of certain pollution
21 control property, providing for the special valuation
22 of certain machinery, equipment and computers acquired
23 after a certain date and limiting the applicability of
24 the present special valuation to that property
25 acquired before a certain date, amending the lottery
26 law to provide for fifty percent of the projected
27 annual revenue from the sales of lottery tickets or
28 shares be used for payment of prizes, eliminating the
29 prohibition on the manufacture of electronic and
30 computerized gambling devices, and providing”.
31 53. By renumbering, relettering, or redesignating
32 and correcting internal references as necessary.

S-3614

1 Amend House File 618 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, by striking lines 6 through 11, and
4 inserting the following: “pursuant to chapter 356A,
5 if all of the following are proven:
6 1. The injuries or death are self-inflicted.
7 2. The county or city, or its employees, have

8 complied with all applicable rules adopted by the
9 department pursuant to section 356.36.

10 3. The actions or inaction of the city or county,
11 or its employees, did not contribute in any manner to
12 the injuries or death.

13 4. The county or city, or its employees, would not
14 otherwise be liable for the injuries or death in
15 accordance with existing statutes or common law
16 decisions.

17 5. The county or city, or its employees, took all
18 reasonable measures necessary to protect prisoners
19 known to be temporarily or permanently incapacitated,
20 due to such factors as mental incompetency,
21 intoxication, or similar disabilities.

22 This section does not relieve the county, city, or
23 employee of the obligation to provide necessary
24 medical assistance if an injury is discovered.”

TOM MANN, Jr.

S-3615

1 Amend Senate amendment S-3566 to Senate File 545 as
2 follows:

3 1. By striking page 1, line 4 through page 3,
4 line 13 and inserting the following:

5 “Section 1. Section 524.1212, Code 1985, is
6 amended to read as follows:

7 524.1212 LOCATION OF SATELLITE TERMINALS.

8 Any state bank may utilize a satellite terminal, as
9 defined in section 527.2, when that satellite terminal
10 is lawfully being operated, at any location within
11 this state. ~~A satellite terminal which complies with
12 the requirements of chapter 527 is not a branch bank
13 or an office of a bank and is not subject to the
14 restrictions on location or number set forth in
15 section 524.1202.~~ Any transaction engaged in through
16 the use of a satellite terminal shall be deemed to
17 take place at the principal place of business of a
18 bank whose accounts and records are affected by the
19 transaction.

20 Sec. 2. Section 524.1603, subsection 2, Code 1985,
21 is amended by striking the subsection.

22 Sec. 3. Section 527.4, subsection 3, paragraph a,
23 Code 1985, is amended by striking the paragraph and
24 inserting the following:

25 A financial institution may establish any number of
26 satellite terminals.

27 Sec. 4. Section 534.209, subsection 4, Code 1985,
28 is amended by striking the subsection.

29 Sec. 5. Section 534.214, subsection 2, unnumbered
30 paragraph 2, Code 1985, is amended by striking the
31 paragraph.
32 Sec. 6. Sections 524.1201, 524.1202, 524.1203, and
33 524.1419 are repealed.”
34 2. Page 3, by inserting after line 13 the
35 following:
36 “ _____. Title page, line 1, by striking the words
37 “bank affiliates” and inserting the word “banks”.”

EDGAR H. HOLDEN

S-3616

1 Amend Senate File 441 as follows:

DIVISION S-3616A

2 1. Page 1, by striking lines 13 through 21 and
3 inserting the following:
4 “2. JUST COMPENSATION REQUIRED. A political sub-
5 division of this state shall not remove, take, or
6 cause to be removed or to be taken a lawfully erected
7 off-premises advertising device subject to control
8 under chapter 306B or 306C for which just compensation
9 is required to be paid under 23 U.S.C. § 131(g) without
10 paying just compensation in cash to the owner of the
11 advertising device and to the owner of the real
12 property on which the advertising device is located as
13 provided in section 306C.16. The sole intent of this
14 section is to comply with 23 U.S.C. § 131(g) and it is
15 otherwise not the intent to in any manner relinquish
16 any powers of political subdivisions relating to the
17 control and removal of advertising devices under
18 police power.”

DIVISION S-3616B

19 2. By striking page 1, line 30 through page 2,
20 line 7 and inserting the following:
21 “4. DEPARTMENT AUTHORIZATION. When required by 23
22 U.S.C. § 131(g), the department may acquire through
23 purchase or condemnation and shall pay just
24 compensation as provided in section 306C.16 for off-
25 premise advertising devices removed after July 1,
26 1984, through amortization by an ordinance of a
27 political subdivision either enacted prior to the
28 devices becoming subject to either chapter 306B or
29 chapter 306C or enacted prior to July 1, 1984.
30 Notwithstanding the requirements of section 306C.14,

31 the department may first pay just compensation from
32 the highway beautification fund and then claim
33 reimbursement for the federal share of the payment
34 from the federal government.
35 5. SAVINGS CLAUSE. If any provision of this
36 section is inconsistent, conflicts with or is not
37 required by 23 U.S.C. § 131, the provision shall be
38 suspended but only to the extent necessary to
39 eliminate the inconsistency, conflict or requirement.
40 If any part of this section is found to be invalid or
41 unconstitutional, such judgment shall not affect the
42 validity of the section as a whole or any provision or
43 part of the section not found to be invalid or
44 unconstitutional."

JULIA B. GENTLEMAN

S-3617

1 Amend the amendment S-3605 to House File 686 as
2 passed by the House as follows:
3 1. By striking page 1, line 6 through page 2,
4 line 45 and inserting in lieu thereof the following:
5 "protected student areas."

DOUGLAS RITSEMA

S-3618

1 Amend Senate File 434 as follows:
2 1. Page 1, line 14, by striking the number
3 "63,394" and inserting the following: "68,513".

FORREST SCHWENGELS

S-3619

1 Amend the amendment S-3559 to Senate File 500 as
2 follows:
3 1. Page 5, by inserting after line 11 the
4 following:
5 " __. Page 7, by striking lines 30 through 32 and
6 inserting the following: "are confidential except
7 that they shall be subject to discovery, subpoena or
8 other means of legal compulsion necessary for the
9 enforcement of this chapter.""

TOM MANN, Jr.

S-3620

1 Amend the House amendment S-3613 to Senate File 395
 2 as amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 15, by inserting after line 3 the
 5 following:
 6 "____. Page 51, by inserting after line 17 the
 7 following:
 8 "Sec. ____ . Section 422.45, Code 1985, is amended
 9 by adding the following new subsection:
 10 NEW SUBSECTION. The gross receipts from the sales
 11 of fuel consumed or used in the operation of ships,
 12 barges, or waterborne vessels which are used primarily
 13 in or for the transportation of property or cargo, or
 14 the conveyance of persons for hire on rivers bordering
 15 on the state if the fuel is delivered by the seller to
 16 the purchaser's barge, ship, or waterborne vessel
 17 while it is afloat upon such a river."

NORMAN GOODWIN

S-3621

1 Amend House File 476 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 2, line 18, by striking the words "fifty
 4 thousand (50,000)" and inserting the words "seventy-
 5 five thousand (75,000)".

FORREST V. SCHWENGELS

S-3622

1 Amend House File 476 as amended, passed and
 2 reprinted by the House as follows:
 3 1. By striking page 6, line 23 through page 7,
 4 line 6 and inserting the following:
 5 "Sec. 7. ENERGY POLICY COUNCIL PHASE-OUT. There
 6 is appropriated from the general fund of the state for
 7 the fiscal year beginning July 1, 1985 and ending June
 8 30, 1986, to the energy policy council and the
 9 department of general services the following amounts,
 10 or so much thereof as is necessary, to be used for the
 11 purposes designated in accordance with sections 8
 12 through 14 of this Act:

	1985-1986
	<u>Fiscal Year</u>
13	
14	
15	
16	
15	
16	

15 1. ENERGY POLICY COUNCIL
 16 a. OPERATIONS

17	For salaries, support, maintenance,	
18	and for miscellaneous purposes	\$ 178,610
19	b. INSTITUTIONAL CONSERVATION	
20	PROGRAM	
21	For salaries, support, maintenance,	
22	and for miscellaneous purposes	\$ 49,027
23	c. STATE BUILDINGS ENERGY MANAGE-	
24	MENT PROGRAM	
25	For salaries, support, maintenance,	
26	and for miscellaneous purposes	\$ 225,000
27	2. DEPARTMENT OF GENERAL SERVICES	
28	a. OPERATIONS	
29	For salaries, support, maintenance,	
30	and for miscellaneous purposes	\$ 57,747
31	b. INSTITUTIONAL CONSERVATION	
32	PROGRAM	
33	For salaries, support, maintenance,	
34	and for miscellaneous purposes	\$ 49,027
35	c. STATE BUILDINGS ENERGY MANAGE-	
36	MENT PROGRAM	
37	For salaries, support, maintenance,	
38	and for miscellaneous purposes	\$ 225,000
39	Sec. 8. <u>NEW SECTION</u> . 18.17 PETROLEUM OVERCHARGE	
40	FUND.	
41	A petroleum overcharge fund is created as a	
42	separate account in the state treasury.	
43	Notwithstanding section 453.7, interest and earnings	
44	on investments from the funds in the petroleum	
45	overcharge fund shall be credited to the petroleum	
46	overcharge fund. The state acting on behalf of	
47	itself, its citizens and its political subdivisions	
48	accepts any funds awarded or allocated to it, its	
49	citizens and political subdivisions as a result of	
50	petroleum overcharge cases. The funds shall be	

Page 2

1 deposited in the petroleum overcharge fund and shall
2 be expended only upon appropriation of the general
3 assembly for programs which will benefit citizens who
4 may have suffered economic penalties resulting from
5 the alleged petroleum overcharges. However, petroleum
6 overcharge case funds received pursuant to claims
7 filed on behalf of the state, its institutions,
8 departments, agencies, or any political subdivision
9 shall be deposited in the general fund of the state to
10 be disbursed directly to the appropriate claimants in
11 accordance with federal guidelines and subject to the
12 approval of the attorney general and the executive
13 council. Attorneys' fees and expenses incurred by the

14 state to obtain these funds to be deposited in the
15 petroleum overcharge fund shall be paid by the state
16 comptroller from the petroleum overcharge fund subject
17 to the approval of the attorney general and the
18 executive council.

19 Sec. 9.

20 1. Effective July 1, 1985, the duties and
21 functions of the energy policy council regarding the
22 operation of the low-income home energy assistance
23 program and any funds appropriated to the energy
24 policy council for the operation of that program are
25 transferred from the energy policy council to the Iowa
26 commerce commission.

27 2. Effective July 1, 1985, the administration of
28 the weatherization assistance program currently being
29 operated by the energy policy council and any funds
30 appropriated to the energy policy council for the
31 administration of that program are transferred to the
32 Iowa department of human services.

33 3. Effective January 1, 1986 the following
34 programs currently being administered by the energy
35 policy council are transferred to the department of
36 general services:

37 a. The energy measures and energy audits grant
38 programs for schools and hospitals and buildings owned
39 by units of local government and public care
40 institutions.

41 b. The oil overcharge refunds program.

42 c. The technical assistance and energy
43 conservation programs including grant programs for
44 schools and hospitals and for buildings owned by units
45 of local government and public care institutions.

46 4. The personnel of the energy policy council re-
47 quired to implement the programs transferred in
48 sections 8 through 10 shall be transferred to the
49 respective state agency when the functions are
50 transferred. Other personnel of the energy policy

Page 3

1 council shall be terminated as employees of the state
2 unless the employees are hired in other positions
3 within state government.

4 5. All rules, forms, orders, and directives
5 adopted by and in effect for the energy policy council
6 at the time of the transfer of the program for which
7 the rules, forms, orders, and directives were adopted
8 or issued, shall continue to be valid and enforceable
9 as rules, forms, orders, and directives of the state
10 agency to which the program was transferred until

11 amended, supplemented, or repealed by action of the
12 agency to which the program was transferred.

13 Sec. 10. Section 323A.2, subsection 1, paragraph
14 c, Code 1985, is amended by striking the paragraph.

15 Sec. 11. Section 556.18, subsection 3, Code 1985,
16 is amended to read as follows:

17 3. After July 1, 1983, the treasurer of state
18 shall credit all funds received under section 556.4,
19 after a proportional amount has been deducted for the
20 trust fund under subsection 1 and any costs have been
21 deducted under subsection 2, to the ~~energy research~~
22 ~~and development~~ petroleum overcharge fund created
23 under section ~~98-14~~ 18.17.

24 Sec. 12. Section 805.8, subsection 8, Code 1985,
25 is amended by striking the subsection.

26 Sec. 13. Chapter 93, Code 1985, is repealed.

27 Sec. 14. Sections 8 and 10 through 13 of this Act
28 are effective January 1, 1986."

EDGAR H. HOLDEN

S-3623

1 Amend the amendment S-3609 to House File 315 as
2 amended, passed and reprinted by the House as
3 follows:

4 1. Page 1, line 12, by striking the word
5 "prescriber." and inserting the following:
6 "physician, dentist, podiatrist, or veterinarian."

THOMAS A. LIND

S-3624

1 Amend the House amendment S-3613 to Senate File 395
2 as amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 7, line 36, by striking the figure "9,"
5 2. Page 7, by striking lines 43 through 45.

DON E. GETTINGS

S-3625

1 Amend S-3565, to House File 686, as passed by the
2 House, as follows:

3 1. Page 1, line 8, by striking the words "state
4 ~~board~~ governor" and inserting the words "state board".

- 5 2. Page 1, by striking lines 14 and 15 and
6 inserting the following: "dismiss the commissioner."

JOY CORNING
LARRY MURPHY

S-3626

- 1 Amend House File 266 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 22, by inserting after the word
4 "reimbursement" the following: "unless the complete
5 fence is replaced".

COMMITTEE ON
NATURAL RESOURCES
HURLEY HALL, Chair

S-3627

- 1 Amend Senate File 554 as follows:
2 1. Page 1, line 19, by inserting after the word
3 "committees" the words ", not exceeding one per
4 congressional district."
5 2. Page 1, by striking lines 20 through 22 and
6 inserting the following: "Act. Each advisory
7 committee shall have".
8 3. Page 1, line 23, by striking the words
9 "between seven and thirteen" and inserting the words
10 "not more than seven".
11 4. Page 1, line 29, by striking the words "and
12 the size".

COMMITTEE ON
NATURAL RESOURCES
HURLEY HALL, Chair

S-3628

- 1 Amend House File 631, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 10, by striking the word
4 "operation" and inserting the following:
5 "programming".
6 2. Page 1, line 12, by striking the word
7 "certify" and inserting the following: "approve".
8 3. Page 1, line 15, by striking the word
9 "Certified" and inserting the following: "Approved".
10 4. Page 1, line 16, by striking the words "are
11 entitled to" and inserting the following: "may".

- 12 5. Page 1, line 21, by striking the word "diem"
 13 and inserting the following: "diem, per hour,".
 14 6. Page 1, line 30, by striking the word
 15 "certification" and inserting the following:
 16 "approval".
 17 7. Title page, line 1, by striking the word
 18 "operation" and inserting the following:
 19 "programming".

COMMITTEE ON
 HUMAN RESOURCES
 JAMES D. WELLS, Chair

S-3629

- 1 Amend House File 413 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 6, by inserting after the figure
 4 "236.2," the following: "to victims of sexual
 5 assault,".

COMMITTEE ON
 HUMAN RESOURCES
 JAMES D. WELLS, Chair

S-3630

- 1 Amend the House amendment S-3613 to Senate File 395
 2 as amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 10, by striking lines 41 through 43 and
 5 inserting the following:
 6 " ___. Page 39, line 10, by striking the words "or
 7 an additional real property tax"."
 8 2. Page 10, by striking lines 44 through 46 and
 9 inserting the following:
 10 " ___. Page 39, line 30, by striking the words "or
 11 additional real property tax"."
 12 3. By striking page 10, line 49 through page 11,
 13 line 1 and inserting the following:
 14 " ___. Page 40, line 5, by striking the words "or
 15 additional real property tax"."
 16 4. Page 11, line 44, by striking the words "The
 17 rate of a".
 18 5. Page 11, by striking lines 45 through 47.
 19 6. Page 11, line 48, by striking the words
 20 "impose the surtax."
 21 7. Page 12, by striking lines 1 through 10 and
 22 inserting the following:
 23 " ___. Page 42, line 21, by inserting after the

24 words "services tax," the following: "and".
25 _____. Page 42, lines 21 and 22, by striking the
26 words "and an additional real property tax".
27 _____. Page 42, line 24, by inserting after the
28 word "tax," the following: "and".
29 _____. Page 42, by striking lines 25 and 26 and
30 inserting the following: "vehicle".
31 _____. Page 42, lines 28 and 29, by striking the
32 words "or additional real property tax".
33 8. Page 13, line 22, by striking the word "and"
34 and inserting the following: "."
35 9. By striking page 13, line 23 through page 15,
36 line 3.

HURLEY HALL
JOHN NYSTROM

S-3631

1 Amend the amendment, S-3571, to Senate File 461 as
2 follows:
3 1. Page 3, by inserting after line 8 the
4 following:
5 " _____. Page 7, by inserting after line 31 the
6 following:
7 "Sec. _____. COMPREHENSIVE STUDY. The legislative
8 council shall establish an interim study committee to
9 conduct a comprehensive study of public and private
10 third-party coverages of treatment services for
11 chemical dependency and mental disorders, including
12 the study of appropriate utilization review systems to
13 assure that treatment services are being provided in
14 the most effective and efficient manner. The study
15 committee shall be composed of legislators, public and
16 private providers of treatment services for chemical
17 dependency or mental disorders, consumers of treatment
18 services for chemical dependency or mental disorders,
19 and representatives of other interested public or
20 private organizations. The legislative council may
21 conduct the study with the assistance of independent
22 consultants and may accept financial or staff support
23 for the study from any public or private source. The
24 study committee shall transmit a preliminary report of
25 its findings and recommendations, accompanied by any
26 recommended legislative bill drafts, to the
27 legislative council by December 1, 1985, and shall
28 complete its final report to the legislative council

29 and the general assembly as directed by the
30 legislative council.””

LARRY MURPHY

S-3632

1 Amend Senate File 503 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 “Section 1. Section 87.4, Code 1985, is amended by
5 adding the following new unnumbered paragraph:
6 NEW UNNUMBERED PARAGRAPH. A self-insurance
7 association formed under this section and an
8 association of cities or counties which enters into an
9 agreement under chapter 28E for the purpose of
10 establishing a self-insured group plan for the payment
11 of workers’ compensation and benefits are exempt from
12 taxation under section 432.1.”
13 2. Title page, line 2, by inserting after the
14 word “counties” the following: “or other”.
15 3. Title page, line 3, by inserting after the
16 word “plan” the following: “formed under section
17 87.4”.

NORMAN G. RODGERS
RAY TAYLOR

S-3633

1 Amend the House amendment S-3613 to Senate File 395
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 9, line 6, by inserting after the word
5 “property” the following: “or in research and
6 development of new products or processes of
7 manufacturing, refining, purifying, combining of
8 different materials or packing of meats to be used for
9 the purpose of adding value to products, or in
10 processing or storage of data or information by an
11 insurance company, financial institution or commercial
12 enterprise. As used in this paragraph:
13 (1) “Insurance company” means an insurer organized
14 under chapters 508, 515, 518, 519, 520 or authorized
15 to do business in Iowa as an insurer and having 50 or
16 more persons employed in this state excluding licensed
17 insurance agents.
18 (2) “Financial institutions” means as defined in
19 section 527.2(4).
20 (3) “Commercial enterprise” includes businesses

21 and manufacturers conducted for profit and includes
22 centers for data processing services to insurance
23 companies, financial institutions, businesses and
24 manufacturers but excludes professions and occupations
25 and nonprofit organizations.”

RICHARD DRAKE

S-3634

1 Amend the House amendment S-3613 to Senate File 395
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 6, by striking line 26 and inserting the
5 following: “excluding investment services of trust
6 departments;”
7 2. Page 15, by striking lines 31 and 32.

RICHARD F. DRAKE

S-3635

1 Amend the House amendment S-3613 to Senate File 395
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 7, line 11, by striking the words
5 “architectural services.”
6 2. Page 7, line 15, by striking the words
7 “drafting.”
8 3. Page 7, line 16, by striking the words
9 “engineering services.”
10 4. Page 9, by inserting after line 41 the
11 following:
12 “**NEW SUBSECTION.** The gross receipts from the
13 rendering, furnishing or performing of the following
14 services: architectural services; drafting; and
15 engineering services.”

RICHARD DRAKE

S-3636

1 Amend the House amendment S-3613 to Senate File 395
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 7, line 14, by striking the words
5 “brokerage and.”
6 2. Page 9, line 34, by inserting after the word

7 "insurance" the following: "and the brokerage of
8 stocks and bonds and similar securities".

GEORGE KINLEY

S-3637

1 Amend the House amendment S-3613 to Senate File 395
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 8, lines 5 and 6, by striking the words
5 "foods sold through vending machines;" and inserting
6 the following: "~~foods sold through vending machines~~".

RICHARD F. DRAKE

S-3638

1 Amend the House amendment S-3613 to Senate File 395
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 8, by striking lines 45 and 46 and
5 inserting the following:
6 "Replacement parts for vehicles subject to
7 registration, as defined in section 321.1,".

RICHARD F. DRAKE

S-3639

1 Amend House File 664 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 16, by striking the word
4 "evidentiary" and inserting the word "informal".
5 2. Page 1, by striking line 24 and inserting the
6 following: "claimant to the vehicle".
7 3. Page 1, line 25, by striking the word
8 "vehicle".
9 4. Page 1, by striking line 29 and inserting the
10 word "vehicle".
11 5. Page 1, lines 32 and 33, by striking the words
12 "and personal property".
13 6. Page 2, line 10, by striking the words "or
14 personal property".
15 7. Page 2, line 11, by striking the words "or
16 property".
17 8. Page 2, line 13, by striking the word
18 "evidentiary" and inserting the following:
19 "informal".
20 9. Title page, by striking lines 2 and 3 and

21 inserting the following: "disposition of certain
 22 seized or abandoned vehicles and component parts in
 23 the custody of".

RICHARD DRAKE

S-3640

1 Amend House File 476 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 9, by inserting after line 20 the
 4 following:
 5 "f. Not more than twenty thousand (20,000) dollars
 6 may be used for reimbursement of out of pocket
 7 expenses of fencing authorized by House File 266 if
 8 enacted by the Seventy-first General Assembly, 1985
 9 session."

EMIL J. HUSAK
 JACK HESTER
 DALE L. TIEDEN
 HURLEY W. HALL
 LARRY MURPHY

S-3641

1 Amend House File 476 as amended, passed and
 2 reprinted by the House as follows:

DIVISION S-3641A

3 1. Page 2, line 15, by inserting before the word
 4 "There" the figure "1."
 5 2. Page 2, by inserting after line 24 the
 6 following:
 7 "2. A county board of supervisors desiring a share
 8 of the appropriation shall, in conjunction with the
 9 county weed commissioner and the county soil
 10 conservation district commissioners, develop a plan to
 11 combat severe infestations of multiflora rose on
 12 privately-owned land within the county. The plan
 13 shall be based upon partial reimbursement of
 14 individual landowner's costs for the purchase of
 15 herbicide from both state and county appropriations,
 16 however the share of costs reimbursed by state funds
 17 shall not exceed one-fourth. The plan shall be
 18 submitted to the secretary of agriculture for approval
 19 or recommendations for modification.
 20 3. A landowner or tenant whose agricultural land
 21 is severely infested by multiflora roses may apply to

22 the soil conservation district commissioners of the
 23 county for partial reimbursement, according to the
 24 approved plan, of the cost of herbicide for
 25 controlling or eradicating the multiflora rose on the
 26 agricultural land. The county weed commissioner shall
 27 assist the soil conservation district commissioners in
 28 investigating the application and determining if the
 29 infestation is severe. The soil conservation district
 30 commissioners shall review and approve each
 31 application for partial cost reimbursement if the
 32 infestation is severe on the applicant's agricultural
 33 land. If the soil conservation district commissioners
 34 find the amount of reimbursement claimed to be
 35 excessive, the district commissioners may approve a
 36 lesser amount. The reasons for disapproval of an
 37 application or reduction of the amount of
 38 reimbursement shall be sent in writing to the
 39 applicant. The amount of reimbursement certified by
 40 the secretary shall be paid by warrant issued by the
 41 state comptroller.

42 4. Federal lands and federal land tenants are not
 43 eligible for reimbursement under this section."

DIVISION S-3641B

44 3. Page 4, by inserting after line 29 the
 45 following:

46 "5. SPECIAL PROJECTS

47 From the general fund of the state to
 48 the state conservation commission for spe-
 49 cial projects such as the construction, re-
 50 placement, development and alteration to

Page 2

DIVISION S-3641B (cont'd.)

1 state parks and preserves, state forest
 2 facilities, and state waters including
 3 artificial lake development; shoreline ero-
 4 sion and siltation control; river, stream
 5 and lake access, and planning services or
 6 to supplement any prior appropriation for
 7 such purposes \$ 200,000".

8 4. Page 8, line 31, by striking the figure
 9 "8,728,521" and inserting the figure "8,828,521".

DIVISION S-3641A (cont'd.)

10 5. Page 10, by inserting after line 10 the
 11 following: "During the fiscal year for which funds
 12 are appropriated by this section the department of
 13 water, air and waste management shall not require the
 14 installation or use of equipment to control the
 15 emission of dust or other particulate matter on
 16 facilities for the storage of grain which are located
 17 within the ambient air quality attainment areas for
 18 suspended particulates."

19 6. Page 10, by inserting after line 21 the
 20 following:

21 "Notwithstanding the provisions of unnumbered
 22 paragraph 1, of this subsection, not more than ten
 23 thousand (10,000) dollars of the funds appropriated by
 24 this subsection may be used for payments to governing
 25 bodies of local governments to reimburse up to fifty
 26 percent of expenses incurred since January 1, 1985 for
 27 alternative solid waste disposal projects."

28 7. Page 10, by inserting after line 26 the
 29 following:

30 "5. It is the intention of the general assembly in
 31 adopting the appropriation under subsection 1 and this
 32 subsection to cease funding for the department's
 33 implementation of the federal Resource Conservation
 34 and Recovery Act permit program for hazardous waste
 35 facilities in this state. Section 455B.411,
 36 subsections 5, 8 and 9, section 455B.412, subsections
 37 2 through 4, and sections 455B.413 through 455B.421
 38 are suspended and do not apply as they pertain to that
 39 permit program, but are not suspended and do apply as
 40 they pertain to abandoned and uncontrolled sites, used
 41 oil and site licensing under chapter 455B, division
 42 IV, part 6. The suspension provided by this
 43 subsection begins July 1, 1985 and ends July 1, 1987."

EMIL HUSAK
 JACK HESTER
 DALE TIEDEN
 HURLEY HALL
 LARRY MURPHY

S-3642

1 Amend the House amendment S-3613 to Senate File 395
 2 as amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 7, lines 11 and 12, by striking the words
 5 "bill collection agencies."
 6 2. Page 7, line 15, by striking the words "credit
 7 reporting."

8 3. Page 9, by inserting after line 41 the
9 following:
10 "NEW SUBSECTION. The gross receipts from the
11 rendering, furnishing, or performing of the following
12 services: bill collection agencies; and credit
13 reporting."

LEE HOLT

S-3643

1 Amend the House amendment S-3613 to Senate File
2 395 as amended, passed and reprinted by the Senate
3 as follows:
4 1. Page 7, by striking lines 13 and 14 and
5 inserting the following: "art; commercial
6 entertainment."
7 2. Page 7, line 15, by striking the word "estate".

LEE W. HOLT

S-3644

1 Amend the House amendment S-3613 to Senate File 395
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, by inserting after line 36 the
5 following:
6 " . Page 13, line 20, by inserting after the
7 word "beer" the following: "and wine".
8 2. Page 3, by striking lines 32 through 35.
9 3. Page 4, line 4, by striking the words "two
10 dollars" and inserting the following: "one dollar and
11 fifty cents".

RICHARD DRAKE

S-3645

1 Amend House File 684 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 8, by striking lines 4 through 6 and
4 inserting the following: "to confirmation by the
5 Senate. No more than five members shall belong to
6 the".
7 2. Page 8, by striking lines 18 through 22 and
8 inserting the following: "division board of six
9 members. Five members shall be appointed by the
10 governor subject to confirmation by the senate. The
11 governor's appointees shall include an attorney, an

12 abstractor, a real estate broker, a representative of
 13 a mortgage-lender and a representative of the housing
 14 development industry. The other member of the
 15 division board shall be the commissioner of insurance
 16 or the designee of the commissioner. The".
 17 3. Page 9, line 4, by striking the word "Three"
 18 and inserting the word "Four".
 19 4. Page 9, line 7, by striking the word "Members"
 20 and inserting the following: "Appointed members".

COMMITTEE ON SMALL
 BUSINESS AND ECONOMIC
 DEVELOPMENT
 ARTHUR A. SMALL, Jr., Chair

S-3646

1 Amend House File 571 as amended, passed, and
 2 reprinted by the House as follows:

DIVISION S-3646A

3 1. Page 6, line 15, by striking the word "thirty-
 4 seven" and inserting the following: "thirty-eight".
 5 2. Page 6, line 19, by striking the figure
 6 "1,834,852" and inserting the following: "1,859,852".

DIVISION S-3646B

7 3. Page 6, by inserting after line 33 the
 8 following:
 9 "It is the intent of the general assembly that the
 10 community health division employ a sign language
 11 interpreter for Webster, Calhoun, Sac, Crawford,
 12 Monona, Woodbury, Ida, Plymouth, Cherokee, Buena
 13 Vista, Pocahontas, Humboldt, Kossuth, Palo Alto,
 14 Emmet, Dickinson, Clay, O'Brien, Osceola, Lyon, and
 15 Sioux counties."

DONALD V. DOYLE
 C. JOSEPH COLEMAN
 BERL E. PRIEBE
 MILO COLTON

S-3647

1 Amend the amendment, S-3584 to Senate File 434 as
 2 follows:
 3 1. Page 1, line 13, by inserting after the word
 4 "Sec." the following: "101".

5 2. Page 1, by inserting after line 27 the
 6 following:
 7 "Sec. ____ . Section 101 of this Act becomes
 8 effective with the first pay period for members of the
 9 general assembly after January 1, 1987."

JULIA GENTLEMAN
 DALE TIEDEN

S-3648

1 Amend House File 494 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 28, by striking the word
 4 "~~redevelopment~~" and inserting the following:
 5 "redevelopment,".
 6 2. Page 2, by striking lines 16 through line 25
 7 and inserting the following:
 8 "Sec. 4. Section 403.7, Code 1985, is amended to
 9 read as follows:
 10 403.7 CONDEMNATION OF PROPERTY.
 11 A municipality shall have the right to acquire by
 12 condemnation any interest in real property, including
 13 a fee simple title thereto, which it may deem
 14 necessary for or in connection with an urban renewal
 15 project under this chapter. A municipality may
 16 exercise the power of eminent domain in the manner
 17 provided in chapter 472, and ~~acts~~ Acts amendatory
 18 ~~thereof to that chapter~~ or supplementary thereto ~~to~~
 19 ~~that chapter~~, or it may exercise the power of eminent
 20 domain in the manner now or which may be hereafter
 21 provided by any other statutory provisions for the
 22 exercise of the power of eminent domain. Property
 23 already devoted to a public use may be acquired in
 24 like manner: ~~Provided, that no. However,~~ real
 25 property belonging to the state, or any political
 26 subdivision ~~thereof of this state, may shall not be~~
 27 acquired without its consent, ~~provided further that no~~
 28 ~~and~~ real property or any right or interest ~~therein in~~
 29 ~~the property~~ owned by any public utility company,
 30 pipeline company, railway or transportation company
 31 vested with the right of eminent domain under the laws
 32 of this state, shall not be acquired without the
 33 consent of ~~such the~~ company, or without first
 34 securing, after due notice to ~~such the~~ company and
 35 after hearing, a certificate authorizing condemnation
 36 of ~~such the~~ property from the board, commission or
 37 body having the authority to grant a certificate
 38 authorizing condemnation. In a condemnation
 39 proceeding, if a municipality proposes to take a part

40 of a lot or parcel of real property, the municipality
 41 shall also take the remaining part of the lot or
 42 parcel if requested by the owner."
 43 3. Page 4, line 5, by striking the word
 44 "redevelopment" and inserting the following:
 45 "redevelopment,".

COMMITTEE ON
 LOCAL GOVERNMENT
 ALVIN MILLER, Chair

S-3649

1 Amend House File 398 as passed by the House as
 2 follows:
 3 1. Page 1, by striking lines 6 through 10 and
 4 inserting the following: "shall be kept confidential,
 5 except as authorized by a court of competent
 6 jurisdiction. The commission may seek an appropriate
 7 protective order where discovery is permitted by court
 8 order."
 9 2. Page 1, by striking lines 27 through 30 and
 10 inserting the following: "care resident's aide shall
 11 be kept confidential and shall not be subject to
 12 discovery, subpoena, or other means of legal
 13 compulsion for its release to a person other than
 14 department employees involved in the investigation of
 15 the complaint, except as authorized by a court of
 16 competent jurisdiction. The department may seek an
 17 appropriate protective order where discovery is
 18 permitted by court order."

TOM MANN, Jr.

S-3650

1 Amend Senate File 547 as follows:
 2 1. Page 1, line 17, by inserting after the word
 3 basis" the following: ", although bargaining units
 4 shall be organized by judicial district".

TOM MANN, Jr.

S-3651

1 Amend House File 181, as passed by the House, as
 2 follows:
 3 1. Page 1, by inserting after line 25 the
 4 following:
 5 "Sec. __. This Act, being deemed of immediate

6 importance, takes effect from and after its
7 publication in the Quad City Times, a newspaper
8 published in Davenport, Iowa, and in the Diamond Trail
9 News, a newspaper published in Sully, Iowa.”

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3652

1 Amend House File 688 as passed by the House as
2 follows:
3 1. Page 1, by inserting after line 12 the
4 following:
5 “However, the use of adjudication and disposition
6 proceedings pursuant to this subsection shall be
7 subject to the restrictions contained in section
8 232.150.”

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3653

1 Amend House File 139 as amended, passed and
2 reprinted by the House as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 “Section 1. Section 709.12, Code 1985, is amended
6 by adding the following new subsection:
7 NEW SUBSECTION. 4. Solicit a child to engage in
8 any act prohibited under section 709.8.”
9 2. Title page, line 1, by striking the words
10 “crime of” and inserting the following: “crimes of
11 indecent contact and”.

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3654

1 Amend House File 462 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, lines 5 and 6, by striking the word
4 and figures “3 and 4” and inserting the following:
5 “3, 4, and 5”.
6 2. Page 1, by striking lines 7 through 18.
7 3. Page 1, line 30, by striking the words “or
8 negligently allowed to be released”.
9 4. Page 3, line 9, by striking the word

10 "ATTENDANTS" and inserting the words "GUARDIAN AD
11 LITEM".

12 5. Page 3, by striking lines 11 through 34, and
13 inserting the following:

14 "A prosecuting witness who is a child, as defined
15 in section 702.5, in a case involving a violation of
16 chapter 709 or section 726.2, 726.3, 726.6, or 728.12,
17 shall have the child's interests represented by a
18 court appointed guardian ad litem in all stages of the
19 proceedings arising out of such violation."

20 6. Page 4, by striking lines 9 through 12, and
21 inserting the following: "guardians. Such a
22 professional shall either provide the initial services
23 or refer the victim to another professional for the
24 provision of initial services."

25 7. Page 5, line 13, by striking the word and
26 figures "3 and 4" and inserting the following: "3, 4,
27 and 5".

28 8. By striking page 6, line 35 through page 7,
29 line 6.

30 9. Page 7, by striking lines 12 and 13, and
31 inserting the following: "gation of an oath or
32 affirmation is presumed competent to be a witness."

33 10. Page 7, by striking lines 29 through 33, and
34 inserting the following:

35 "2. Review recorded or nonrecorded evidence."

36 11. By renumbering as necessary to conform to
37 this amendment.

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3655

1 Amend Senate File 510 as follows:

2 1. Page 1, line 15, by inserting after the word
3 "violators." the words "However, when they are not on
4 land or water under the jurisdiction of the commission
5 the officers and supervisory personnel of the lands
6 and waters division are only authorized to enforce the
7 laws of this state which are under the jurisdiction of
8 the commission and the trespass laws."

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3656

- 1 Amend the amendment S-3616 to Senate File 441 as
- 2 follows:
- 3 1. Page 1, by striking lines 21 through 44.
- 4 2. Page 1, line 35, by striking the figure "5."
- 5 and inserting the following: "5."

DONALD V. DOYLE

S-3657

- 1 Amend the amendment S-3616 to Senate File 441 as
- 2 follows:
- 3 1. Page 1, by striking lines 34 through 44, and
- 4 inserting the following: "from the federal
- 5 government.""

DONALD V. DOYLE

S-3658

- 1 Amend S-3565 to House File 686, as passed by the
- 2 House, as follows:
- 3 1. Page 1, line 12, by inserting after the word
- 4 "education." the following: "The state board may
- 5 submit for the governor's consideration the names of
- 6 three qualified candidates for the position."
- 7 2. Page 1, by striking lines 16 through 25 and
- 8 inserting the following:
- 9 "Sec. __. Section 257.12, Code 1985, is amended
- 10 by striking the section and inserting the following:
- 11 257.12 QUALIFICATIONS OF COMMISSIONER.
- 12 The governor shall appoint as commissioner an
- 13 individual with a background in education and
- 14 administration experience. The deputy commissioner
- 15 shall also meet these criteria."

JOE BROWN
RAY TAYLOR

S-3659

- 1 Amend the amendment S-3523 to Senate File 441 as
- 2 follows:
- 3 1. Page 1, by inserting after line 20 the
- 4 following:
- 5 "4. Page 2, by inserting after line 7 the
- 6 following:
- 7 " __. SAVINGS CLAUSE. If any provision of this

8 section is inconsistent, conflicts with or is not
 9 required by 23 U.S.C. § 131, the provision shall be
 10 suspended but only to the extent necessary to
 11 eliminate the inconsistency, conflict or
 12 requirement. If any part of this section is found
 13 to be invalid or unconstitutional, such judgment
 14 shall not affect the validity of the section as a
 15 whole or any provision or part of the section not
 16 found to be invalid or unconstitutional.” ”

DONALD V. DOYLE

S-3660

1 Amend Senate File 473 as follows:
 2 1. Page 4, by inserting after line 2 the
 3 following:
 4 “Sec. ____ The commissioner of human services
 5 shall create an advisory committee to develop a bill
 6 of rights implementation plan and process for
 7 individuals pursuant to section 225C.28. The advisory
 8 committee shall include no more than twenty members,
 9 including representatives of the association for
 10 retarded citizens of Iowa, the Iowa association of
 11 rehabilitation and residential facilities, the mental
 12 health association of Iowa, the mental health centers
 13 association of Iowa, and the state developmental
 14 disabilities planning council; state departments and
 15 agencies affected by the bill of rights, including but
 16 not limited to, the department of public instruction,
 17 the department of health, and the university of Iowa;
 18 the Iowa state association of counties; and one state
 19 representative and one senator who are members of the
 20 human services joint appropriations subcommittee. The
 21 advisory committee shall advise the mental health and
 22 mental retardation commission and the council on human
 23 services regarding proposed rules or standards
 24 relating to implementation of the bill of rights.
 25 The implementation plan and process shall include
 26 establishing definitions of the services system, the
 27 defining of individual assessment, a service
 28 inventory, and uniform individual assessments. The
 29 commissioner may require completion of an individual
 30 assessment form by known providers or caretakers for
 31 individuals covered under this Act served by the
 32 provider or caretaker since July 1, 1984 and
 33 individual assessments for clients currently entering
 34 into the delivery system. The commissioner may take
 35 appropriate action in the event of noncompliance of
 36 the requirement. Confidentiality rules pursuant to

37 section 217.30 shall apply to this section.
38 The director of the division of mental health,
39 mental retardation, and developmental disabilities is
40 responsible for the completion of the implementation
41 plan and process. The director may utilize available
42 services and publicly-funded agencies for the purpose
43 of carrying out the uniform individual assessment
44 process. It is the intent of the general assembly
45 that additional expense will not be incurred when
46 publicly funded agencies are carrying out their normal
47 evaluation and assessment function. The director
48 shall submit a report to the general assembly by April
49 1, 1986 regarding the results of the implementation
50 plan and process, establishing the level of function

Page 2

1 and specific appropriate services of the receiving
2 populations and selected subgroups thereof, the
3 estimated costs to implement the services, and
4 required legislation.
5 As appropriate, the council on human services, the
6 mental health and mental retardation commission, the
7 department of health, and other appropriate agencies
8 shall develop rules by January 1, 1987 to implement
9 the services pursuant to section 225C.28. The rules
10 may permit implementation of the services on a phased-
11 in basis.
12 The legislative council shall establish a two-year
13 interim study committee beginning during the 1985
14 interim to review and monitor actions taken by the
15 commissioner of human services, department of human
16 services, mental health and mental retardation
17 commission, council on human services, division of
18 mental health, mental retardation, and developmental
19 disabilities, the advisory committee, and other
20 agencies affected by this Act regarding the bill of
21 rights pursuant to sections 225C.25 through 225C.28.
22 Sec. ___. There is appropriated from the general
23 fund of the state to the department of human services
24 for each fiscal year for the fiscal period beginning
25 July 1, 1985 and ending June 30, 1987, the sum of one
26 hundred nine thousand (109,000) dollars, or so much
27 thereof as is necessary, for five full time equivalent
28 positions, to carry out the intent of this Act.
29 Sec. ___. This Act takes effect July 1, 1985
30 except section 5 which takes effect July 1, 1987."
31 2. Title page, line 3, by inserting after the
32 word "illness" the following: "and providing an
33 effective date and an appropriation".

LARRY MURPHY

S-3661

1 Amend Senate File 184 as follows:

DIVISION S-3661A

2 1. Page 1, by inserting after line 7 the
3 following:

4 "3. "County officer" means the county auditor,
5 sheriff, treasurer, recorder, or attorney."

6 2. Page 1, by inserting after line 30 the
7 following:

8 "f. The appointment by the board of one or more of
9 the county officers otherwise elected as provided in
10 section 39.17."

DIVISION S-3661B

11 3. Page 2, line 19, by inserting after the word
12 "county." the following: "If a legislative district
13 in a county does not include a majority of the
14 electors of the district, one member shall be
15 appointed from a list of three persons submitted to
16 them by the legislator."

DIVISION S-3661A (cont'd.)

17 4. Page 5, by inserting after line 25 the
18 following:

19 "Sec. __. Section 39.17, Code 1985, is amended by
20 adding the following new unnumbered paragraph:
21 NEW UNNUMBERED PARAGRAPH. If a county charter
22 provides for the appointment of any of the elective
23 county officers as authorized in section 331.218, this
24 section does not apply to that county officer.

25 Sec. __. Section 69.13, subsection 2, Code 1985,
26 is amended to read as follows:

27 2. COUNTY OFFICERS. If a vacancy occurs in the
28 office of county supervisor or in any of the offices
29 listed in section 39.17 sixty or more days prior to a
30 general election, and the unexpired term in which the
31 vacancy exists has more than seventy days to run after
32 the date of that general election, the vacancy shall
33 be filled for the balance of the unexpired term at
34 that general election and the person elected to fill
35 the vacancy shall assume office as soon as a
36 certificate of election has been issued and the person
37 has qualified. However, this subsection does not

38 apply to any county officers listed in section 39.17

39 which are appointive under a county charter.

40 Sec. ___. Section 331.501, subsection 1, Code

41 1985, is amended to read as follows:

42 1. The office of auditor is an elective office

43 except that if when a county charter provides for

44 appointment of the auditor as authorized under section

45 331.218. If a vacancy occurs in the office, a

46 successor shall be appointed to the unexpired term as

47 provided in chapter 69.

48 Sec. ___. Section 331.551, subsection 1, Code 1985,

49 is amended to read as follows:

50 1. The office of treasurer is an elective office

Page 2

DIVISION S-3661A (cont'd.)

1 except that if when a county charter provides for

2 appointment of the treasurer as authorized under

3 section 331.218. If a vacancy occurs in the office, a

4 successor shall be appointed to the unexpired term as

5 provided in chapter 69.

6 Sec. ___. Section 331.601, subsection 1, Code

7 1985, is amended to read as follows:

8 1. The office of recorder is an elective office

9 except that if when a county charter provides for

10 appointment of the recorder as authorized under

11 section 331.218. If a vacancy occurs in the office, a

12 successor shall be appointed to the unexpired term as

13 provided in chapter 69.

14 Sec. ___. Section 331.651, subsection 1, Code

15 1985, is amended to read as follows:

16 1. The office of sheriff is an elective office

17 except that if when a county sheriff provides for

18 appointment of the sheriff as authorized under section

19 331.218. If a vacancy occurs in the office, the first

20 deputy shall assume the office after qualifying as

21 provided in this section and shall hold the office

22 until a successor is appointed to the unexpired term

23 as provided in chapter 69. If a sheriff is suspended

24 from office, the district court may appoint a sheriff

25 until a temporary appointment is made by the board as

26 provided in section 66.19.

27 Sec. ___. Section 331.751, subsection 1, Code

28 1985, is amended to read as follows:

29 1. The office of county attorney is an elective

30 office except that if when a county charter provides

31 for appointment of the county attorney as authorized

32 under section 331.218. If a vacancy occurs in the

33 office, a successor shall be appointed to the
 34 unexpired term as provided in chapter 69.”
 35 5. By renumbering sections as necessary.

JULIA B. GENTLEMAN

S-3662

1 Amend House File 244 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 6, line 4, by striking the word
 4 “emergency” and inserting the following: “emergency,
 5 referral by a facility or a program accredited by the
 6 joint commission on the accreditation of hospitals or
 7 the American osteopathic association.”.

LARRY MURPHY

S-3663

1 Amend Senate File 544 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 “Section 1. Section 533A.2, subsection 1,
 5 paragraph b, Code 1985, is amended to read as follows:
 6 b. Banks, savings and loan associations, insurance
 7 companies and similar fiduciaries, chatel regulated
 8 loan companies licensed under chapter 536 and
 9 industrial loan companies licensed under chapter 536A,
 10 as duly licensed in Iowa by law, authorized and
 11 admitted to transact business in this state and
 12 performing credit and financial adjusting in the
 13 regular course of their principal business, or while
 14 performing an escrow function.
 15 Sec. 2. Section 536.1, Code 1985, is amended to
 16 read as follows:
 17 536.1 TITLE -- LICENSE AND RIGHTS THEREUNDER --
 18 FACE TO FACE SOLICITATION REQUIRED.
 19 1. This chapter may be referred to as the “Iowa
 20 Regulated Loan Act”.
 21 2. With respect to a loan other than a consumer
 22 loan, no a person; copartnership, association, or
 23 corporation shall not engage in the business of making
 24 loans of money, credit, goods, or things in action in
 25 the amount or of the value of two twenty-five thousand
 26 dollars or less and charge, contract for, or receive
 27 on any such the loan a greater rate of interest or
 28 consideration therefor for the loan than the lender
 29 would be permitted by law to charge if the lender were
 30 not a licensee hereunder under this chapter except as

31 authorized by this chapter and without first obtaining
 32 a license from the superintendent of banking;
 33 hereinafter called the superintendent.

34 3. With respect to a consumer loan, a person
 35 required by section 537.2301 to have a license shall
 36 not engage in the business of making loans of money,
 37 credit, goods or things in action in the amount or
 38 value of ~~two~~ twenty-five thousand dollars or less and
 39 charge, contract for, or receive on ~~any such the~~ loan
 40 a greater rate of interest or consideration therefor
 41 for the loan than the lender would be permitted by law
 42 to charge if the lender were not a licensee ~~hereunder~~
 43 under this chapter, except as authorized by this
 44 chapter and without first obtaining a license from the
 45 superintendent.

46 4. A person who enters into less than ten
 47 supervised loans per year in this state and who
 48 neither has an office physically located in this state
 49 nor engages in face-to-face solicitation in this state
 50 may contract for and receive the rate of interest

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1 permitted in this chapter for licensees ~~hereunder~~
 2 under this chapter. A "consumer loan" ~~shall be means~~
 3 the same as defined in section 537.1301.

4 Sec. 3. Section 536.10, unnumbered paragraph 3,
 5 Code 1985, is amended to read as follows:

6 Every A licensee subject to examination,
 7 supervision and regulation by the superintendent,
 8 shall pay to the superintendent an examination fee,
 9 based on the actual cost of the operation of the ~~small~~
 10 regulated loan division of the department of banking,
 11 and the proportionate share of administrative expenses
 12 in the operation of the department of banking
 13 attributable to the ~~small~~ regulated loan division as
 14 determined by the superintendent of banking. ~~Such The~~
 15 fee shall apply equally to all licenses and shall not
 16 be changed more frequently than annually and when
 17 changed, shall be effective on January 1 of the year
 18 following the year in which the change is approved.

19 Sec. 4. Section 536.13, Code 1985, is amended to
 20 read as follows:

21 536.13 BANKING BOARD -- REPORT -- ADDITIONAL
 22 RESTRICTIONS.

23 1. It shall be the duty of the ~~The~~ state banking
 24 board; hereinafter called the board; and it shall have
 25 ~~power, jurisdiction, and authority, from time to time~~
 26 to may investigate the conditions and find the facts
 27 with reference to the business of making ~~small~~

28 regulated loans, as described in section 536.1;
 29 ~~hereinafter referred to as small loans~~; and after
 30 making ~~such the~~ investigation, report in writing their
 31 ~~its~~ findings to the next regular session of the
 32 general assembly, and upon the basis of ~~such the~~
 33 facts:

34 a. ~~To classify small~~ Classify regulated loans by a
 35 regulation according to ~~such a~~ system of
 36 differentiation as which will reasonably distinguish
 37 ~~such the~~ classes of loans for the purposes of this
 38 chapter; ~~and~~.

39 b. ~~To determine~~ Determine and fix by a regulation
 40 ~~such rule the~~ maximum rate of interest or charges upon
 41 each ~~such~~ class of ~~small regulated~~ loans as which will
 42 induce efficiently managed commercial capital to enter
 43 ~~such the~~ business in sufficient amounts to make
 44 available adequate credit facilities to individuals
 45 ~~without the security or financial responsibility~~
 46 ~~usually required by banks~~. Such The maximum rate of
 47 interest or charge shall be stated by the board as an
 48 annual percentage rate calculated according to the
 49 actuarial method and applied to the unpaid balances of
 50 the amount financed.

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1 2. The Except as provided in subsection 7, the
 2 board may ~~from time to time, commencing March 1, 1935,~~
 3 redetermine and refix by a regulation rule, in
 4 accordance with subsection 1 ~~above,~~ any maximum rate
 5 of interest or charges previously fixed by it, but
 6 ~~such the~~ changed maximum rates shall not affect pre-
 7 existing loan contracts lawfully entered into between
 8 ~~any a~~ licensee and ~~any a~~ borrower; ~~all regulations,~~
 9 All rules which the board may make respecting rates of
 10 interest or charges shall ~~fix and contain state~~ the
 11 effective date ~~thereof of the rules,~~ which shall not
 12 be earlier than thirty days after notice to each
 13 licensee by mailing ~~such the~~ notice to each licensed
 14 place of business.

15 3. Before fixing any classification of ~~small~~
 16 regulated loans or any maximum rate of interest or
 17 charges, or changing ~~any such a~~ classification or rate
 18 under authority of this section, the board shall give
 19 reasonable notice of its intention to consider doing
 20 so to all licensees and a reasonable opportunity to be
 21 heard ~~thereon~~ and to introduce evidence with respect
 22 ~~thereto to the change or classification.~~

23 4. Beginning July 4, 1965, and until such time as
 24 a different rate is fixed by the board, the maximum

25 rate of interest or charges upon ~~such the~~ class or
 26 classes of ~~small regulated~~ loans ~~shall be is~~ three
 27 percent per month on any part of the unpaid principal
 28 balance of the loan not exceeding one hundred fifty
 29 dollars and two percent per month on any part of the
 30 loan in excess of one hundred fifty dollars, but not
 31 exceeding three hundred dollars, and one and one-half
 32 percent per month on any part of the unpaid principal
 33 balance of the loan in excess of three hundred
 34 dollars, but not exceeding seven hundred dollars, and
 35 one percent per month on any part of the unpaid
 36 principal balance of the loan in excess of seven
 37 hundred dollars.

38 5. Every A licensee hereunder under this chapter
 39 may lend any sum of money not exceeding two twenty-
 40 five thousand dollars in amount and may charge,
 41 contract for, and receive thereon on the loan interest
 42 or charges at a rate not exceeding the maximum rate of
 43 interest or charges determined and fixed by the board
 44 under authority of this section or by the provisions
 45 of the preceding subsection 4 or pursuant to
 46 subsection 7 for those amounts in excess of ten
 47 thousand dollars.

48 6. The following provision shall apply to all
 49 loans including consumer loans made by a licensee
 50 hereunder: If any interest or charge on a loan

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1 regulated by this chapter in excess of those permitted
 2 by this chapter are is charged, contracted for, or
 3 received, the contract of loan ~~shall be is~~ void as to
 4 interest and charges and the licensee ~~shall have has~~
 5 no right to collect or receive any ~~principal~~ interest
 6 or charges ~~whatsoever~~. In addition, the licensee
 7 shall forfeit the right to collect the lesser of two
 8 thousand dollars of principal of the loan or the total
 9 amount of the principal of the loan.

10 7. The board may establish the maximum rate of
 11 interest or charges as permitted under this chapter
 12 for those loans whose unpaid principal balance is ten
 13 thousand dollars or less. For those loans whose
 14 unpaid principal balance is over ten thousand dollars,
 15 the maximum rate of interest or charges which a
 16 licensee may charge shall be the greater of the rate
 17 permitted by chapter 535 or the rate authorized for
 18 supervised financial organizations by chapter 537.
 19 The provisions of the Iowa consumer credit code
 20 shall apply, chapter 537, applies to a consumer loan
 21 in which the licensee participates or engages, and ~~any~~

22 a violation of the Iowa consumer credit code shall be
23 is a violation of this chapter.
24 Article 2, parts 3, 5 and 6 of chapter 537, and
25 article 3 of chapter 537, sections 537.3203, 537.3206,
26 537.3209, 537.3304, 537.3305 and 537.3306 shall apply
27 to any credit transaction, as defined in section
28 537.1301 in which a licensee participates or engages,
29 and any violation of those parts or sections shall be
30 is a violation of this chapter. For the purpose of
31 applying the provisions of the Iowa consumer credit
32 code to those credit transactions, "consumer loan"
33 shall include includes a loan for a business purpose.
34 A provision of the Iowa consumer credit code
35 applicable to loans regulated by this chapter shall
36 supersede supersedes a conflicting provision of this
37 chapter.
38 Sec. 5. Section 536.15, Code 1985, is amended to
39 read as follows:
40 536.15 USURY -- LIMITATION ON PRINCIPAL LOAN.
41 No A licensee shall not directly or indirectly
42 charge, contract for, or receive any interest or
43 consideration greater than the lender would be
44 permitted by law to charge if the lender were not a
45 licensee hereunder upon the loan, use, or forbearance
46 of money, goods, or things in action, or upon the
47 loan, use, or sale of credit, of the amount or value
48 of more than two twenty-five thousand dollars. The
49 foregoing prohibition shall This section also apply
50 applies to any a licensee who permits any a person, as

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1 borrower or as endorser, guarantor, or surety for any
2 a borrower, or otherwise, to owe directly or
3 contingently or both to the licensee at any time the
4 sum of more than two twenty-five thousand dollars for
5 principal.
6 Sec. 6. Section 536.25, Code 1985, is amended to
7 read as follows:
8 536.25 STATEMENT OF OTHER LOANS BY BORROWER.
9 Every A licensee when making a loan hereunder under
10 this chapter shall require a statement in writing from
11 each applicant setting forth a description of all
12 installment indebtedness of such the applicant by
13 giving the amount of each such loan and the name of
14 the lender. The applicant may orally disclose the
15 information and the licensee shall write down the
16 information, and the applicant shall subsequently sign
17 the statement.
18 Sec. 7. Section 536.26, unnumbered paragraph 1,

19 Code 1985, is amended to read as follows:

20 ~~No~~ A licensee shall not, directly or indirectly,
21 sell or offer for sale any life, or accident and
22 health insurance in connection with ~~any~~ a loan made
23 under this chapter except as and to the extent
24 authorized by this section. Life, accident and health
25 insurance, or any of them, may be written by a
26 licensed insurance agent upon or in connection with
27 any loan for a term not extending beyond the final
28 maturity date of the loan contract but only upon one
29 obligor on any one loan contract.

30 Sec. 8. Section 536.28, Code 1985, is amended by
31 adding the following new subsections:

32 NEW SUBSECTION. 3. "Board" means the state
33 banking board.

34 NEW SUBSECTION. 4. "Consumer loan" means a loan
35 as defined in section 537.1301.

36 NEW SUBSECTION. 5. "Superintendent" means the
37 state superintendent of banking.

38 Sec. 9. NEW SECTION. 536.30 INSURANCE RELATED TO
39 PROPERTY OF BORROWER.

40 A licensee may sell the borrower insurance against
41 loss of or damage to property owned by the borrower or
42 loss from liability arising out of the ownership or
43 use of property owned by the borrower. When the
44 transaction is a consumer credit transaction as
45 defined in section 537.1301 the sale of property
46 insurance is subject to the requirements of sections
47 537.2501 and 537.2510 and the rules adopted under
48 those sections by the administrator of the Iowa
49 consumer credit code.

50 Sec. 10. Section 536A.5, Code 1985, is amended by

Page 6

1 striking the section and inserting in lieu thereof the
2 following:

3 536A.5 EXEMPTIONS.

4 This chapter does not apply to any of the
5 following:

6 1. Businesses organized or operating as permitted
7 under the authority of a law of this state or the
8 United States relating to banks, trust companies,
9 building and loan associations, savings and loan
10 associations, insurance companies, regulated loan
11 companies organized under chapter 536, or credit
12 unions.

13 2. Persons that make loans only on notes secured
14 by first mortgages on real estate.

15 3. Licensed real estate brokers or salespersons.

- 16 4. A person engaged exclusively in the business of
 17 purchasing commodity financing or commercial paper.
 18 5. A pawnbroker.
 19 6. A person engaged in the mercantile business.
 20 7. Loans made to a domestic or foreign
 21 corporation."
 22 2. Title page, line 3, by striking the word
 23 "twenty-five" and inserting the following: "ten".
 24 3. Title page, line 7, by striking the word
 25 "repealing" and inserting the following: "modifying".

MICHAEL GRONSTAL

S-3664

- 1 Amend Senate File 559 as follows:
 2 1. Page 1, line 4, by striking the words
 3 "which are not part of a household".

CHARLES BRUNER

S-3665

- 1 Amend House File 696 as passed by the House as
 2 follows:
 3 1. Page 1, line 16, by striking the word "twenty-
 4 five" and inserting the following: "thirty-five".

C. JOSEPH COLEMAN

S-3666

- 1 Amend Senate File 491 as follows:
 2 1. Page 2, line 32, by inserting after the word
 3 "nonprofit" the following: "or profit".

CALVIN O. HULTMAN

HOUSE AMENDMENT TO
 SENATE FILE 79

S-3667

- 1 Amend Senate File 79, as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by striking lines 22 through 27 and
 4 inserting the following:
 5 "1. The powers of the the authority are vested in
 6 and exercised by a board consisting of five members,
 7 including the treasurer of state, the superintendent

8 of public instruction, and the state comptroller, and
9 two members appointed by the governor, subject to
10 confirmation by the senate. The state officials may
11 designate representatives to serve on the board for
12 them. As far as”.

13 2. Page 3, by striking lines 3 through 5 and
14 inserting the following:

15 “3. Three members of the board constitute a
16 quorum.”

17 3. Page 3, line 14, by striking the words “two
18 appointed” and inserting the following: “a majority
19 of the”.

20 4. Page 3, line 15, by striking the word
21 “appointed”.

22 5. Page 9, by inserting after line 27 the
23 following:

24 “Sec. . NEW SECTION. 12.25 LEGISLATIVE
25 FINDINGS.

26 The general assembly finds and declares that
27 because of differences in the timing of the receipt of
28 tax and other revenues and the expenditure of funds by
29 the state, the state has been unable to remain timely
30 on its obligations, including its payments of school
31 aid; the untimely payment of state aid has created a
32 hardship for schools by increasing their costs and
33 hindering their ability to remain timely on their
34 obligations; it would be advantageous to the state to
35 be able to issue notes in anticipation of its tax and
36 other revenues in order to coordinate its cash flow;
37 and pending their use, the proceeds of notes issued in
38 anticipation of tax and other revenues should be
39 invested in order to pay the cost of issuing the notes
40 and as a benefit to the state. It is the purpose of
41 this section and section 12.26 to enable the state to
42 make timely payments of its obligations, including its
43 school aid payments, by securing funds through the
44 issuance of notes in anticipation of the state’s tax
45 and other revenues.

46 Sec. . NEW SECTION. 12.26 ISSUANCE OF TAX AND
47 REVENUE ANTICIPATION NOTES.

48 1. In anticipation of the collection of revenues
49 in and for a fiscal year, the treasurer of state may
50 borrow money, and issue notes for the money, in an

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1 amount not exceeding the estimated state revenues for
2 that year. The sums so anticipated are appropriated
3 for the payment of the notes with interest at
4 maturity. The notes may be issued prior to the

5 beginning of a fiscal year, but the notes shall be
6 payable not later than the end of the fiscal year for
7 which they are issued. More than one series of notes
8 may be issued in a fiscal year and the proceeds of
9 notes may be used to retire a prior issue of notes
10 provided that the total outstanding at any one time
11 shall not exceed the limit prescribed in this section.
12 The proceeds from the issuance of notes shall be
13 invested in the same manner as other public funds and
14 shall be used only for the purposes for which the
15 anticipated tax revenues were levied, collected, and
16 appropriated.

17 2. The principal of and the interest on notes
18 shall be payable solely out of the taxes and revenues
19 of the state for the fiscal year for which the notes
20 are issued. The notes of each issue shall be dated,
21 shall bear interest at the rate or rates which may be
22 variable according to a method approved by the
23 treasurer of state, without regard to any limit
24 contained in chapter 74A or any other law of this
25 state, and shall mature at such time or times not
26 later than the end of the fiscal year, all as may be
27 determined by the treasurer of state. The notes may
28 be made redeemable before maturity, at the option of
29 the treasurer of state, at the price and under the
30 terms and conditions as provided by the treasurer of
31 state. The treasurer of state shall determine the
32 form of the notes and shall fix the denomination of
33 the notes and the place of payment of principal and
34 interest which may be at any bank within or without
35 the state. The notes shall be executed by the manual
36 or facsimile signatures of the treasurer of state and
37 the state comptroller. If any official whose
38 signature or a facsimile of whose signature appears on
39 any notes ceases to hold office before the delivery of
40 the notes, the signature or the facsimile is valid and
41 sufficient for all purposes the same as if the
42 official had remained in office until the delivery.
43 All notes issued under this section have the qualities
44 and incidents of negotiable instruments under the laws
45 of this state and without regard to any other law.
46 The notes shall be issued in registered form. The
47 notes may be sold in the manner, at public or private
48 sale, as the treasurer of state may determine without
49 regard to chapter 75.
50 3. Notes may be issued under this section without

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1 obtaining the consent of any officer or agency of this
2 state, and without any other proceedings or conditions
3 other than those proceedings and conditions which are
4 specifically required by this section. The treasurer
5 of state or the state comptroller is not liable
6 personally on the notes or subject to any personal
7 liability or accountability by reason of the issuance
8 of the notes.

9 4. As used in this section, "notes" means notes
10 and other obligations, including short term
11 obligations backed by a commercial letter of credit,
12 issued by the treasurer of state pursuant to this
13 section."

14 6. Page 9, by striking line 32 and inserting the
15 following: "1987 and one".

16 7. Amend the title, line 3, by inserting after
17 the word "duties," the following: "and providing for
18 the issuance of tax and revenue anticipation notes for
19 certain purposes,".

S-3668

1 Amend Senate File 473 as follows:

2 1. Page 4, by inserting after line 2 the
3 following:

4 "Sec. ____ NEW SECTION. 225C.30 ADDITIONAL
5 COSTS.

6 Additional costs incurred under this Act which a
7 county is obligated to pay under the provision of
8 section 222.49, 222.60, 222.77, 229.42, or 230.1,
9 chapter 252, or section 331.424, subsection 1,
10 paragraph "a", subparagraph (1), (2), or (3), or
11 paragraph "b", "c", "d", "e", "f", "g", or "h" shall
12 be paid by the state from funds not otherwise
13 appropriated. The counties shall apply for
14 reimbursement to the division, which shall prescribe
15 rules and forms to implement this section. The
16 division shall notify the state comptroller of the
17 reimbursement and the state comptroller shall
18 reimburse the county the amount designated.

19 Sec. ____ . The commissioner of human services shall
20 create an advisory committee to develop a bill of
21 rights implementation plan and process for individuals
22 pursuant to section 225C.28. The advisory committee
23 shall include no more than twenty members, including
24 representatives of the association for retarded
25 citizens of Iowa, the Iowa association of
26 rehabilitation and residential facilities, the mental
27 health association of Iowa, the mental health centers
28 association of Iowa, and the state developmental

29 disabilities planning council; state departments and
30 agencies affected by the bill of rights, including but
31 not limited to, the department of public instruction,
32 the department of health, and the university of Iowa;
33 the Iowa state association of counties; and one state
34 representative and one senator who are members of the
35 human services joint appropriations subcommittee. The
36 advisory committee shall advise the mental health and
37 mental retardation commission and the council on human
38 services regarding proposed rules or standards
39 relating to implementation of the bill of rights.
40 The implementation plan and process shall include
41 establishing definitions of the services system, the
42 defining of individual assessment, a service
43 inventory, and uniform individual assessments. The
44 commissioner may require completion of an individual
45 assessment form by known providers or caretakers for
46 individuals covered under this Act served by the
47 provider or caretaker since July 1, 1984 and
48 individual assessments for clients currently entering
49 into the delivery system. The commissioner may take
50 appropriate action in the event of noncompliance of

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1 the requirement. Confidentiality rules pursuant to
2 section 217.30 shall apply to this section.
3 The director of the division of mental health,
4 mental retardation, and developmental disabilities is
5 responsible for the completion of the implementation
6 plan and process. The director may utilize available
7 services and publicly-funded agencies for the purpose
8 of carrying out the uniform individual assessment
9 process. It is the intent of the general assembly
10 that additional expense will not be incurred when
11 publicly funded agencies are carrying out their normal
12 evaluation and assessment function. The director
13 shall submit a report to the general assembly by April
14 1, 1986 regarding the results of the implementation
15 plan and process, establishing the level of function
16 and specific appropriate services of the receiving
17 populations and selected subgroups thereof, the
18 estimated costs to implement the services, and
19 required legislation.
20 As appropriate, the council on human services, the
21 mental health and mental retardation commission, the
22 department of health, and other appropriate agencies
23 shall develop rules by January 1, 1987 to implement
24 the services pursuant to section 225C.28. The rules
25 may permit implementation of the services on a phased-

26 in basis.

27 The legislative council shall establish a two-year
28 interim study committee beginning during the 1985
29 interim to review and monitor actions taken by the
30 commissioner of human services, department of human
31 services, mental health and mental retardation
32 commission, council on human services, division of
33 mental health, mental retardation, and developmental
34 disabilities, the advisory committee, and other
35 agencies affected by this Act regarding the bill of
36 rights pursuant to sections 225C.25 through 225C.28.

37 Sec. ____ . There is appropriated from the general
38 fund of the state to the department of human services
39 for each fiscal year for the fiscal period beginning
40 July 1, 1985 and ending June 30, 1987, the sum of one
41 hundred nine thousand (109,000) dollars, or so much
42 thereof as is necessary, for five full time equivalent
43 positions, to carry out the intent of this Act.

44 Sec. ____ . This Act takes effect July 1, 1985
45 except section 5 which takes effect July 1, 1987."

46 2. Title page, line 3, by inserting after the
47 word "illness" the following: "and providing an
48 effective date and an appropriation".

COMMITTEE ON
APPROPRIATIONS
JOE WELSH, Chair

S-3669

1 Amend Senate File 462 as follows:

2 1. Page 4, line 11, by striking the word

3 "fifteen" and inserting in lieu thereof the word

4 "twenty".

ARTHUR A. SMALL, JR.

S-3670

1 Amend House File 196 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 1 through 27 and

4 inserting the following:

5 "Sec. ____ . Section 533.4, subsection 23, Code
6 1985, is amended by striking the subsection and

7 inserting the following:

8 23. a. Act as agent of the federal government when

9 requested by the secretary of the United States

10 department of treasury; perform such services as may

11 be required in connection with the collection of taxes

12 and other obligations due the United States and the
 13 lending, borrowing and repayment of money by the
 14 United States; and be a depository of public money
 15 when designated for that purpose.

16 b. Act as agent of the state when requested by the
 17 treasurer of state; perform such services as may be
 18 required in connection with the collection of taxes
 19 and other obligations due the state and the lending,
 20 borrowing and repayment of money by the state; and be
 21 a depository of public money when designated for that
 22 purpose.

23 "Sec. ___. Section 533.4, Code 1985, is amended by
 24 adding the following new subsection:

25 NEW SUBSECTION. 26. Pledge its assets to secure
 26 the deposit of public funds pursuant to chapter 453.

27 Sec. ___. Section 533.12, Code 1985, is amended to
 28 read as follows:

29 533.12 CAPITAL.

30 1. The capital of a credit union shall consist of
 31 the payments that have been made to it by the several
 32 members thereof on shares. The credit union shall
 33 have a lien on the shares and deposits of a member for
 34 any sum due to the credit union from ~~said~~ the member
 35 or for any loan endorsed by the member. A credit
 36 union may charge an entrance fee as may be provided by
 37 the bylaws.

38 2. A credit union may establish an equity share
 39 having a par value not to exceed one hundred dollars
 40 which shall be a part of the capital of the credit
 41 union and shall not be withdrawn or transferred except
 42 upon termination of membership in the credit union.
 43 At the option of the credit union, the equity share
 44 may earn a dividend and may be insured."

45 2. Page 1, line 35, by inserting after the figure
 46 "537.2402" the following: "on consumer loans.
 47 Interest rates on business loans shall not exceed the
 48 finance charge permitted by section 535.2."

49 3. Page 2, line 13, by inserting after the word
 50 "plan:" the following: "The administrator may adopt

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1 rules requiring periodic updating of credit or
 2 financial information for all loans or for classes of
 3 loans designated in the rules."

4 4. Page 2, line 18, by striking the word
 5 "regular" and inserting the following: "legal".

6 5. Page 2, line 24, by striking the word
 7 "regular" and inserting the following: "legal".

8 6. Page 2, line 25, by striking the word "or" and

9 inserting the following: "and".
10 7. Page 2, line 27, by striking the word
11 "regular" and inserting the following: "legal".
12 8. Page 2, line 33, by striking the word
13 "regular" and inserting the following: "legal".
14 9. Page 3, line 1, by striking the word "regular"
15 and inserting the following: "legal".
16 10. Page 3, line 4, by striking the word
17 "regular" and inserting the following: "legal".
18 11. Page 3, line 7, by striking the word
19 "regular" and inserting the following: "legal".
20 12. Page 3, line 33, by inserting after the word
21 "member" the following: "of the merging credit
22 union".
23 13. Page 4, line 23, by inserting after the word
24 "rules" the following: "by the administrator pursuant
25 to chapter 17A".
26 14. Page 4, line 26, by striking the words
27 "without restriction".
28 15. Page 4, line 29, by striking the words
29 "without restriction".
30 16. Page 4, line 33, by striking the words
31 "without restriction".
32 17. Page 5, line 8, by striking the words
33 "without limitation".
34 18. Page 5, by inserting after line 24 the
35 following:
36 "Sec. ____ . Section 533.64, unnumbered paragraph 1,
37 Code 1985, is amended to read as follows:
38 Every Except as provided in section 533.12,
39 subsection 2, a credit union organized under this
40 chapter, as a condition of maintaining its privilege
41 of organization after December 31, 1980, shall acquire
42 and maintain insurance to protect each shareholder and
43 each depositor against loss of funds held on account
44 by the credit union. ~~Such~~ The insurance shall be
45 obtained from the national credit union administrator
46 or from some other share guarantor or insurance plan
47 approved by the Iowa commissioner of insurance and the
48 administrator of the credit union department. ~~Every~~
49 credit union not so insured as of January 1, 1979,
50 shall submit an application for share and deposit

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1 insurance not later than July 1, 1979."

2 19. Renumber as necessary.

COMMITTEE ON COMMERCE
GEORGE R. KINLEY, Chair

S-3671

- 1 Amend Senate File 477 as follows:
- 2 1. Page 3, by striking lines 2 through 6.

RAY TAYLOR

S-3672

- 1 Amend the amendment S-3668 to Senate File 473 as
- 2 follows:
- 3 1. Page 1, by striking lines 33 through 35, and
- 4 inserting the following: "the Iowa state association
- 5 of counties; and two state senators, one of each
- 6 political party, and two state representatives, one
- 7 of each political party, appointed by the legislative
- 8 council. The".

LARRY MURPHY

S-3673

- 1 Amend House File 556 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Title page, line 3, by striking the word "ten"
- 4 and inserting the following: "twenty-five".

MICHAEL E. GRONSTAL

S-3674

- 1 Amend House File 572 as amended, passed and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, line 13, by striking the word "forty-
- 4 two" and inserting the word "forty".
- 5 2. Page 2, line 1, by inserting after the word
- 6 "systems." the following: "If a violation occurs
- 7 relating to the weight limitations imposed under this
- 8 paragraph, the weight limitations of section 321.463
- 9 shall apply to the vehicle and the fine shall be
- 10 assessed in accordance with that section."

COMMITTEE ON
TRANSPORTATION
C. JOSEPH COLEMAN, Chair

S-3675

1 Amend Senate File 475 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "Section 1. Section 502.102, subsection 11, Code
5 1985, is amended to read as follows:

6 11. "Securities Act of 1933", "Securities Exchange
7 Act of 1934", "Public Utility Holding Company Act of
8 1935", "Investment Company Act of 1940", "Internal
9 Revenue Code of 1954" and "Agricultural Marketing Act"
10 mean the federal statutes of those names; ~~as amended~~
11 ~~before January 1, 1976.~~

12 Sec. 2. Section 502.102, subsections 14, 15, 16
13 and 17, Code 1985, are amended by striking the
14 subsections and inserting the following:

15 14. For the purposes of sections 502.211 through
16 502.218, unless the context otherwise requires:

17 a. "Associate" means a person acting jointly or in
18 concert with another for the purpose of acquiring,
19 holding or disposing of, or exercising any voting
20 rights attached to the equity securities of a target
21 company.

22 b. "Equity security" means any stock or similar
23 security, and includes the following:

24 (1) Any security convertible, with or without
25 consideration, into a stock or similar security.

26 (2) Any warrant or right to subscribe to or
27 purchase a stock of similar security.

28 (3) Any security carrying a warrant or right to
29 subscribe to or purchase a stock or similar security.

30 (4) Any other security which the administrator
31 deems to be of a similar nature and considers
32 necessary or appropriate, according to rules
33 prescribed by the administrator for the public
34 interest and protection of investors, to be treated as
35 an equity security.

36 c. "Offeror" means a person who makes or in any
37 manner participates in making a takeover offer. It
38 does not include a supervised financial institution or
39 broker-dealer loaning funds to an offeror in the
40 ordinary course of its business, or any supervised
41 financial institution, broker-dealer, attorney,
42 accountant, consultant, employee, or other person
43 furnishing information or advice to or performing
44 ministerial duties for an offeror, and who does not
45 otherwise participate in the takeover offer.

46 d. "Offeree" means the beneficial owner, who is a
47 resident of this state, of equity securities which an
48 offeror offers to acquire in connection with a

49 takeover offer.
50 e. "Takeover offer":

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1 (1) Means the offer to acquire any equity
2 securities of a target company from a resident of this
3 state pursuant to a tender offer or request or
4 invitation for tenders, if after the acquisition of
5 all securities acquired pursuant to the offer either
6 of the following are true:

7 (a) The offeror would be directly or indirectly a
8 beneficial owner of more than ten percent of any class
9 of the outstanding equity securities of the target
10 company.

11 (b) The beneficial ownership by the offeror of any
12 class of the outstanding equity securities of the
13 target company would be increased by more than five
14 percent. However, this provision does not apply if
15 after the acquisition of all securities acquired
16 pursuant to the offer, the offeror would not be
17 directly or indirectly a beneficial owner of more than
18 ten percent of any class of the outstanding equity
19 securities of the target company.

20 (2) Does not include the following:

21 (a) An offer in connection with the acquisition of
22 a security which, together with all other acquisitions
23 by the offeror of securities of the same class of
24 equity securities of the target company, would not
25 result in the offeror having acquired more than two
26 percent of this class of securities during the
27 preceding twelve-month period.

28 (b) An offer by the target company to acquire its
29 own equity securities if such offer is subject to
30 section 13(e) of the Securities Exchange Act of 1934.

31 (c) An offer in which the target company is an
32 insurance company or insurance holding company subject
33 to regulation by the commissioner of insurance, a
34 financial institution subject to regulation by the
35 state superintendent of banking or the state auditor,
36 or a public utility subject to regulation by the
37 commerce commission.

38 f. "Target company" means an issuer of publicly-
39 traded equity securities which has at least twenty
40 percent of its equity securities beneficially held by
41 residents of this state and has substantial assets in
42 this state. For the purposes of this chapter, an
43 equity security is publicly traded if a trading market
44 exists for the security. A trading market exists if
45 the security is traded on a national securities

46 exchange, whether or not registered pursuant to the
47 Securities Exchange Act of 1934, or on the over-the-
48 counter market.

49 g. "Beneficial owner" includes, but is not limited
50 to, any person who directly or indirectly, through any

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1 contract, arrangement, understanding, or relationship,
2 has or shares the power to vote or direct the voting
3 of a security or has or shares the power to dispose of
4 or otherwise direct the disposition of the security.

5 A person is the beneficial owner of securities
6 beneficially owned by any relative or spouse or
7 relative of the spouse residing in the home of the
8 person, any trust or estate in which the person owns
9 ten percent or more of the total beneficial interest
10 or serves as trustee or executor, any corporation or
11 entity in which the person owns ten percent or more of
12 the equity, and any affiliate or associate of the
13 person.

14 h. "Beneficial ownership" includes, but is not
15 limited to, the right, exercisable within sixty days,
16 to acquire securities through the exercise of options,
17 warrants, or rights or the conversion of convertible
18 securities. The securities subject to these options,
19 warrants, rights, or conversion privileges held by a
20 person are outstanding for the purpose of computing
21 the percentage of outstanding securities of the class
22 owned by the person, but are not outstanding for the
23 purpose of computing the percentage of the class owned
24 by any other person.

25 15. "Interest at the legal rate" means the
26 interest rate for judgments specified in section
27 535.3.

28 Sec. 3. Section 502.211, Code 1985, is amended by
29 striking the section and inserting the following:

30 502.211 REGISTRATION REQUIREMENT.

31 1. It is unlawful for a person to make a takeover
32 offer or to acquire any equity securities pursuant to
33 the offer unless the offer is valid under sections
34 502.211 through 502.218. A takeover offer is
35 effective when the offeror files with the
36 administrator a registration statement containing the
37 information prescribed in subsection 6. Not later
38 than the date of filing of the registration statement,
39 the offeror shall deliver a copy of the registration
40 statement by certified mail to the target company at
41 its principal office and publicly disclose the
42 material terms of the proposed offer. Public

43 disclosure shall require, at a minimum, that a copy of
44 the registration statement be supplied to all broker-
45 dealers maintaining an office in this state currently
46 quoting the security.

47 2. The registration statement shall be filed on
48 forms prescribed by the administrator, and shall be
49 accompanied by a consent by the offeror to service of
50 process and filing fee specified in section 502.216,

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1 and contain the following information:

2 a. All information specified in subsection 6.

3 b. Two copies of all solicitation materials
4 intended to be used in the takeover offer, and in the
5 form proposed to be published, sent, or delivered to
6 offerees.

7 c. Additional information as prescribed by the
8 administrator by rule, pursuant to chapter 17A, prior
9 to the making of the offer.

10 3. Registration shall not be considered approval
11 by the administrator, and any representation to the
12 contrary is unlawful.

13 4. Within three calendar days of the date of
14 filing of the registration statement, the
15 administrator may, by order, summarily suspend the
16 effectiveness of the takeover offer if the
17 administrator determines that the registration does
18 not contain all of the information specified in
19 subsection 6 or that the takeover offer materials
20 provided to offerees do not provide full disclosure to
21 offerees of all material information concerning the
22 takeover offer. The suspension shall remain in effect
23 only until the determination following a hearing held
24 pursuant to subsection 5.

25 5. A hearing shall be scheduled by the
26 administrator for each suspension under this section,
27 and the hearing shall be held within ten calendar days
28 of the date of the suspension. The administrator's
29 determination following the hearing shall be made
30 within three calendar days after the hearing has been
31 completed, but not more than sixteen days after the
32 date of the suspension. The administrator may
33 prescribe different time periods than those specified
34 in the subsection by rule or order.

35 If, based upon the hearing, the administrator finds
36 that the registration statement fails to provide for
37 full and fair disclosure of all material information
38 concerning the offer, or that the takeover is in
39 violation of any of the provisions of section 502.211

40 through 502.218, the administrator shall permanently
41 suspend the effectiveness of the takeover offer,
42 subject to the right of the offeror to correct
43 disclosure and other deficiencies identified by the
44 administrator and to reinstate the takeover offer by
45 filing a new or amended registration statement
46 pursuant to this section.

47 6. The form required to be filed by subsection 2,
48 paragraph "a", shall contain all of the following
49 information:

50 a. The identity and background of all persons on

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1 whose behalf the acquisition of any equity security of
2 the target company has been or is to be effected.

3 b. The source and amount of funds or other
4 consideration used or to be used in acquiring any
5 equity security including, if applicable, a statement
6 describing any securities which are being offered in
7 exchange for the equity securities of the target
8 company and, if any part of the acquisition price is
9 or will be represented by borrowed funds or other
10 consideration, a description of the material terms of
11 any financing arrangements and the names of the
12 parties from whom the funds were or are to be
13 borrowed.

14 c. If the offeror is other than a natural person,
15 information concerning its organization and
16 operations, including the year, form and jurisdiction
17 of its organization, a description of each class of
18 equity security and long-term debt, a description of
19 the business conducted by the offeror and its
20 subsidiaries and any material changes in the offeror
21 or subsidiaries during the past three years, a
22 description of the location and character of the
23 principal properties of the offeror and its
24 subsidiaries, a description of any pending and
25 material legal or administrative proceedings in which
26 the offeror or any of its affiliates is a party, the
27 names of all directors and executive officers of the
28 offeror and their material business activities and
29 affiliations during the past five years, and financial
30 statements of the offeror in a form and for periods of
31 time as the administrator may, pursuant to chapter 17A
32 and prior to the making of the offer, prescribe.

33 d. If the offeror is a natural person, information
34 concerning the offeror's identity and background,
35 including business activities and affiliations during
36 the past five years and a description of any pending

37 and material legal or administrative proceedings in
38 which the offeror is a party.
39 e. If the purpose of the acquisition is to gain
40 control of the target company, the material terms of
41 any plans or proposals which the offeror has, upon
42 gaining control, to liquidate the target company, sell
43 its assets, effect its merger or consolidation, change
44 the location of its principal executive office or of a
45 material portion of its business activities, change
46 its management or policies of employment, materially
47 alter its relationship with suppliers or customers or
48 the community in which it operates, or make any other
49 major changes in its business, corporate structure,
50 management or personnel, and other information which

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1 would materially affect the shareholders' evaluation
2 of the acquisition.
3 f. The number of shares or units of any equity
4 security of the target company owned beneficially by
5 the offeror and any affiliate or associate of the
6 offeror, together with the name and address of each
7 affiliate or associate.
8 g. The material terms of any contract,
9 arrangement, or understanding with any other person
10 with respect to the equity securities of the target
11 company by which the offeror has or will acquire any
12 interest in additional equity securities of the target
13 company, or is or will be obligated to transfer any
14 interest in the equity securities to another.
15 h. Information required to be included in a tender
16 offer statement pursuant to section 14(d) of the
17 Securities Exchange Act of 1934 and the rules and
18 regulations of the securities and exchange commission
19 issued pursuant to the Act.
20 Sec. 4. Section 502.212, Code 1985, is amended by
21 striking the section and inserting the following:
22 502.212 FILING OF SOLICITATION MATERIALS.
23 Copies of all advertisements, circulars, letters,
24 or other materials disseminated by the offeror or the
25 target company, soliciting or requesting the
26 acceptance or rejection of a takeover offer shall be
27 filed with the administrator and sent to the target
28 company or offeror not later than the time the
29 solicitation or request materials are first published,
30 sent, or given to the offerees. The administrator may
31 prohibit the use of any materials deemed false or
32 misleading.
33 Sec. 5. Section 502.213, Code 1985, is amended by

34 striking the section and inserting the following:
35 502.213 FRAUDULENT AND DECEPTIVE PRACTICES.
36 It is unlawful for an offeror, target company,
37 affiliate or associate of an offeror or target
38 company, or broker-dealer acting on behalf of an
39 offeror or target company to engage in a fraudulent,
40 deceptive, or manipulative act or practice in
41 connection with a takeover offer. For purposes of
42 this section, an unlawful act or practice includes,
43 but is not limited to, the following:
44 1. The publication or use in connection with a
45 takeover offer of a false statement of a material
46 fact, or the omission of a material fact which renders
47 the statements made misleading.
48 2. The purchase of any of the equity securities of
49 an officer, director, or beneficial owner of five
50 percent or more of the equity securities of the target

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1 company by the offeror or the target company for a
2 consideration greater than that to be paid to other
3 shareholders, unless the terms of the purchase are
4 disclosed in a registration statement filed pursuant
5 to section 502.11.
6 3. The refusal by a target company to permit an
7 offeror who is a shareholder of record to examine or
8 copy its list of shareholders, pursuant to the
9 applicable corporation statutes, for the purpose of
10 making a takeover offer.
11 4. The refusal by a target company to mail any
12 solicitation materials published by the offeror to its
13 security holders with reasonable promptness after
14 receipt from the offeror of the materials, together
15 with the reasonable expenses of postage and handling.
16 5. The solicitation of any offeree for acceptance
17 or rejection of a takeover offer, or acquisition of
18 any equity security pursuant to a takeover offer, when
19 the offer is suspended under sections 502.211,
20 provided, however, that the target company may
21 communicate during a suspension with its equity
22 security holders to the extent required to respond to
23 the takeover offer made pursuant to the Securities
24 Exchange Act of 1934.
25 Sec. 6. Section 502.214, Code 1985, is amended by
26 striking the section and inserting the following:
27 502.214 LIMITATIONS ON OFFERORS.
28 1. A takeover offer shall contain substantially
29 the same terms for shareholders residing within and
30 outside this state.

31 2. An offeror shall provide that any equity
32 securities of a target company deposited or tendered
33 pursuant to a takeover offer may be withdrawn by or on
34 behalf of an offeree within seven days after the date
35 the offer has become effective and after sixty days
36 from the date the offer has become effective, or as
37 otherwise determined by the administrator pursuant to
38 a rule or order issued for the protection of the
39 shareholders.

40 3. If an offeror makes a takeover offer for less
41 than all the outstanding equity securities of any
42 class and, within ten days after the offer has become
43 effective and copies of the offer, or notice of any
44 increase in the consideration offered, are first
45 published or sent or given to equity security holders,
46 the number of securities deposited or tendered
47 pursuant to the offer is greater than the number of
48 securities that the offeror has offered to accept and
49 pay for, the securities shall be accepted pro rata,
50 disregarding fractions, according to the number of

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1 securities deposited or tendered for each offeree.

2 4. If an offeror varies the terms of a takeover
3 offer before the offer's expiration date by increasing
4 the consideration offered to equity security holders,
5 the offeror shall pay the increased consideration for
6 all equity securities accepted, whether the securities
7 have been accepted by the offeror before or after the
8 variation in the terms of the offer.

9 5. An offeror shall not make a takeover offer or
10 acquire any equity securities in this state pursuant
11 to a takeover offer during the period of time that an
12 administrator's proceeding alleging a violation of
13 this chapter is pending against the offeror.

14 6. An offeror shall not acquire, remove, or
15 exercise control, directly or indirectly, over any
16 target company assets located in this state pursuant
17 to a takeover offer during the period of time that an
18 administrator's proceeding alleging a violation of
19 this chapter is pending against the offeror.

20 7. An offeror shall not acquire from a resident of
21 this state an equity security of any class of a target
22 company at any time within two years following the
23 last purchase of securities pursuant to a takeover
24 offer with respect to that class, including, but not
25 limited to, acquisitions made by purchase, exchange,
26 merger, consolidation, partial or complete
27 liquidation, redemption, reverse stock split,

28 recapitalization, reorganization, or any other similar
 29 transaction, unless the holders of the equity
 30 securities are afforded, at the time of the
 31 acquisition, a reasonable opportunity to dispose of
 32 the securities to the offeror upon substantially
 33 equivalent terms as those provided in the earlier
 34 takeover offer.

35 Sec. 7. Section 502.215, Code 1985, is amended by
 36 striking the section and inserting the following:
 37 502.215 ADMINISTRATION -- RULES AND ORDERS.

38 1. The administrator shall make and adopt rules
 39 and forms as the administrator determines are
 40 necessary to carry out the purposes of sections
 41 502.211 through 502.218.

42 2. The administrator may by rule or order exempt
 43 from any provision of sections 502.211 through 502.218
 44 the following:

45 a. A proposed takeover offer or a category or type
 46 of takeover offer which the administrator determines
 47 does not have the purpose or effect of changing or
 48 influencing the control of a target company.

49 b. A proposed takeover offer for which the
 50 administrator determines that compliance with the

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1 sections is not necessary for the protection of the
 2 offerees.

3 c. A person from the requirement of filing
 4 statements.

5 3. In the event of a conflict between the
 6 provisions of chapter 17A and the provisions of
 7 sections 502.211 through 502.218, the provisions of
 8 sections 502.211 through 502.218 shall prevail.

9 Sec. 8. NEW SECTION. 502.216 FEES AND EXPENSES.

10 The administrator shall charge a nonrefundable
 11 filing fee of two hundred fifty dollars for a
 12 registration statement filed by an offeror.

13 Sec. 9. NEW SECTION. 502.217 APPLICATION OF
 14 CORPORATE TAKEOVER LAW.

15 If the target company is a public utility, public
 16 utility holding company, national banking association,
 17 bank holding company, or savings and loan association
 18 which is subject to regulation by a federal agency and
 19 the take over of such company is subject to approval
 20 by the federal agency, sections 502.211 through
 21 502.218 do not apply.

22 Sec. 10. NEW SECTION. 502.218 APPLICATION OF
 23 SECURITIES LAW.

24 All of the provisions of this chapter which are not

25 in conflict with sections 502.211 through 502.218,
26 apply to any takeover offer involving a target
27 company.

28 Sec. 11. Section 502.407, Code 1985, is amended to
29 read as follows:

30 **502.407 MISSTATEMENTS IN PUBLICITY.**

31 It is unlawful for any person to make or cause to
32 be made, in any public report or press release, or in
33 other information which is either made generally
34 available to the public or used in opposition to a
35 tender offer, any statement of a material fact
36 relating to ~~an issuer~~ a target company or made in
37 connection with a tender offer which is, at the time
38 and in the light of the circumstances under which it
39 is made, false or misleading, if it is reasonably
40 foreseeable that such statement will induce other
41 persons to buy, sell or hold securities of the ~~issuer~~
42 target company.

43 Sec. 12. Section 502.501, Code 1985, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 3. In addition to other remedies
46 provided in this chapter, in a proceeding alleging a
47 violation of sections 502.211 through 502.218 the
48 court may provide that all shares acquired from a
49 resident of this state in violation of any provision
50 of this chapter or rule order issued pursuant to this

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1 chapter be denied voting rights for one year after
2 acquisition, that the shares be nontransferable on the
3 books of the target company, or that during this one-
4 year period the target company have the option to call
5 the shares for redemption either at the price at which
6 the shares were acquired or at book value per share as
7 of the last day of the fiscal quarter ended prior to
8 the date of the call for redemption, which redemption
9 shall occur on the date set in the call notice but not
10 later than sixty days after the call notice is given.

11 Sec. 13. There is established a committee to study
12 the laws and penalties relating to corporate takeovers
13 composed of nine members. The members shall be
14 appointed as follows:

15 1. A democratic and a republican member of the
16 senate and a democratic and a republican member of the
17 house, to be appointed by the legislative council.

18 2. The superintendent of securities, or the
19 superintendent's designee.

20 3. The attorney general, or the attorney general's
21 designee.

22 4. Three public members, to be appointed by the
23 office of the governor, who shall have the following
24 qualifications:
25 a. One member to be an attorney currently licensed
26 to practice law in this state and knowledgeable on
27 corporate law matters.
28 b. One member to be a stock broker-dealer
29 currently licensed to buy, sell, or otherwise deal in
30 securities in this state.
31 c. One member to be a professor of law currently
32 teaching in the area of corporate law and procedure.
33 Public members of the study committee shall receive
34 a per diem of forty dollars and be reimbursed for
35 their travel and other necessary expenses actually
36 incurred in the performance of their official duties.
37 Public employees who are members of the study
38 committee shall be reimbursed for travel and other
39 expenses actually incurred in the performance of their
40 official duties.
41 The study committee may request that the
42 legislative council provide staff for the study
43 committee from the staff of the legislative service
44 bureau. The state government agencies shall provide
45 any assistance requested by the study committee.
46 The study committee shall transmit copies of its
47 final report to the general assembly on or before
48 January 13, 1986."

JULIA GENTLEMAN

S-3676

1 Amend House File 128 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 3, line 28, by striking the word "a" and
4 inserting the words "an approved".
5 2. Page 4, line 12, by inserting after the words
6 "begins, the" the word "approved".
7 3. Page 4, line 18, by striking the word "a" and
8 inserting the words "an approved".
9 4. Page 4, line 19, by striking the word "small".
10 5. Page 4, line 28, by inserting after the word
11 "mediator" the words "in an approved center".

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3677

- 1 Amend House File 451 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 32, by striking the words "or
- 4 child care facility" and inserting the following: "or
- 5 child care facility, or public or nonpublic school".

BEVERLY HANNON

S-3678

- 1 Amend Senate File 491 as follows:
- 2 1. Page 1, line 24, by striking the words "~~amount~~
- 3 rate of tax" and inserting the following: "amount".
- 4 2. Page 2, line 32, by striking the words "with
- 5 nonprofit organizations".
- 6 3. Page 5, by striking lines 22 through 25.
- 7 4. Page 5, by inserting after line 25 the
- 8 following:
- 9 "Sec. 13. Section 347A.3, Code 1985, is amended by
- 10 adding the following new unnumbered paragraph:
- 11 NEW UNNUMBERED PARAGRAPH. A tax levied under this
- 12 section for paying the expenses of operation and
- 13 maintenance of a merged area hospital pursuant to the
- 14 authority granted a merged area under section 145A.20,
- 15 shall only be levied on the assessed value of property
- 16 in that portion of a county which is part of the
- 17 merged area, in accordance with the plan or merger
- 18 established, approved, and implemented under sections
- 19 145A.3, 145A.4, 145A.5, and 145A.14."

BEVERLY A. HANNON

S-3679

- 1 Amend S-3534 to Senate File 461 as follows:
- 2 1. Page 1, line 11, by inserting after the word
- 3 "manner." the following: "The study shall include an
- 4 analysis of criteria useful to the general assembly in
- 5 evaluating issues of cost, access, quality, and
- 6 utilization control related to proposals mandating a
- 7 particular health care coverage or provider status."

LARRY MURPHY

S-3680

- 1 Amend amendment S-3668 to Senate File 473 as
- 2 follows:
- 3 1. Page 1, line 29, by inserting after the word
- 4 "council" the following: ", all of which shall be
- 5 designated by their respective bodies".

ROBERT M. CARR

S-3681

- 1 Amend the amendment S-3668 to Senate File 473 as
- 2 follows:
- 3 1. Page 1, by striking lines 4 through 18.
- 4 2. Page 1, line 19, by striking the word "Sec."
- 5 and inserting the following: "'Sec.".

ROBERT M. CARR

S-3682

- 1 Amend the amendment S-3668 to Senate File 473 as
- 2 follows:
- 3 1. Page 1, by striking lines 2 and 3, and
- 4 inserting the following:
- 5 "1. By striking page 1, line 1, through page 4,
- 6 line 2, and inserting the following:".

DOUGLAS RITSEMA
ARTHUR A. SMALL, JR.

S-3683

- 1 Amend amendment S-3648 to House File 694 as
- 2 amended, passed and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking lines 38 through 42, and
- 5 inserting the following: "authorizing condemnation."

ARNE WALDSTEIN

S-3684

- 1 Amend the amendment, S-3668, to Senate File 473 as
- 2 follows:
- 3 1. Page 1, line 43, by inserting after the word
- 4 "assessments." the following: "The mental health and
- 5 mental retardation commission shall identify specific
- 6 core services to assist counties to implement services

7 to comply with sections 225C.25 through 225C.29. The
8 commission shall adopt minimum standards for
9 individualized treatment, habilitation, and program
10 services; least restrictive environment and age-
11 appropriate services; and vocational training and
12 employment options, pursuant to section 225C.28."

JULIA B. GENTLEMAN

S-3685

1 Amend House File 642 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 3, by inserting after line 1 the
4 following:
5 "Sec. ____ . There is appropriated from the general
6 fund of the state to the Iowa lottery agency for the
7 fiscal year beginning July 1, 1984 and ending June 30,
8 1985 the sum of two million six hundred thousand
9 (2,600,000) dollars or so much thereof as may be
10 necessary, for salaries, support, maintenance and
11 other operational purposes of the Iowa lottery
12 agency."
13 2. Renumber as necessary.

JOE J. WELSH

S-3686

1 Amend the amendment S-3655 to Senate File 510 as
2 follows:
3 1. Page 1, line 8, by inserting after the word
4 "laws" the following: "unless their assistance has
5 been requested by a peace officer of the federal
6 government or any city, county or state".

JOE J. WELSH

S-3687

1 Amend House File 498 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, lines 10 and 11, by striking the words
4 "of one year" and inserting the following: "of one
5 year at the discretion of the board of supervisors".
6 2. Page 1, line 15, by striking the word
7 "deputies," and inserting the following: "deputies
8 and the".

9 3. Page 1, line 16, by striking the words "and
10 the applicator employees".

JOHN NEIGHBOUR

S-3688

1 Amend House File 740 as passed by the House as
2 follows:

3 1. Page 1, line 25, by striking the word
4 "certified" and inserting the word "ordinary".
5 2. Page 1, line 29, by striking the words
6 "account is presumed abandoned" and inserting the
7 following: "provisions of subsection 1, paragraph
8 "e", and subsection 2, paragraph "e", of this section
9 shall apply".

COMMITTEE ON COMMERCE
GEORGE KINLEY, Chair

S-3689

1 Amend Senate File 242 as follows:
2 1. By striking everything after the enacting
3 clause and inserting the following:
4 "Section 1. Section 56.17, subsection 2, Code
5 1985, is amended by striking the subsection.
6 Sec. 2. Sections 56.18, 56.19, 56.20, 56.21,
7 56.22, 56.23, 56.24, 56.25, 56.26, and 107.16, Code
8 1985, are repealed."

DOUGLAS RITSEMA

S-3690

1 Amend Senate File 434 as follows:
2 1. Page 2, line 3, by striking the figure
3 "46,600" and inserting the following: "--0--".
4 2. Page 3, line 16, by striking the figure
5 "10,393" and inserting the following: "--0--".
6 3. Page 8, line 9, by striking the figure
7 "51,002" and inserting the following: "--0--".

DOUGLAS RITSEMA

S-3691

1 Amend Senate File 461 as follows:

2 1. Page 7, by inserting after line 31 the
3 following:

4 "This Act takes effect March 15, 1986. However,
5 effective July 1, 1985, group policies of accident and
6 health insurance, group hospital or medical and
7 surgical service contracts, and health maintenance
8 organization health care services plans shall offer
9 and make available to policyholders, subscribers, and
10 enrollees benefits for the necessary care and
11 treatment of chemical dependency as provided in
12 section 514E.2 and of mental disorders as provided in
13 section 514E.3.

14 Sec. 13. COMPREHENSIVE STUDY. The legislative
15 council shall establish an interim study committee to
16 conduct a comprehensive study of public and private
17 third-party coverages of treatment services for
18 chemical dependency and mental disorders, including
19 the study of appropriate utilization review systems to
20 assure that treatment services are being provided in
21 the most effective and efficient manner. The study
22 committee shall be composed of legislators, public and
23 private providers of treatment services for chemical
24 dependency or mental disorders, consumers of treatment
25 services for chemical dependency or mental disorders,
26 and representatives of other interested public or
27 private organizations. The legislative council may
28 conduct the study with the assistance of independent
29 consultants and may accept financial or staff support
30 for the study from any public or private source. The
31 commissioner of insurance shall establish estimates
32 based on actuarial data of the costs of implementing
33 this Act, including the Act's effects on premium and
34 participation costs after taking into consideration
35 the experience of other states. The study committee
36 shall transmit a preliminary report of its findings
37 and recommendations, accompanied by any recommended
38 legislative bill drafts, to the legislative council by
39 December 1, 1985, and shall transmit its final report
40 to the legislative council and the general assembly by
41 January 1, 1986."

LARRY MURPHY
EDGAR H. HOLDEN
CALVIN O. HULTMAN
CHARLES BRUNER

S-3692

- 1 Amend House File 451, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, by inserting after line 17 the
4 following:
5 "Sec. ___. Section 232.69, subsection 1, paragraph
6 a, Code 1985, is amended to read as follows:
7 a. Every health practitioner who examines,
8 attends, or treats a child and who reasonably believes
9 the child has been abused. ~~If, however, the health~~
10 ~~practitioner examines, attends, or treats the child as~~
11 ~~a member of the staff of a hospital or similar~~
12 ~~institution, the examining health practitioner shall~~
13 ~~immediately notify and give complete information to~~
14 ~~the person in charge of the institution or the health~~
15 ~~practitioner's designated agent and the person in~~
16 ~~charge of the institution or designated agent shall~~
17 ~~make the report."~~
18 2. Page 13, by striking lines 15 and 16 and
19 inserting the following: "coordinating a program
20 operated by a board shall be an appropriately
21 certificated".
22 3. By renumbering as necessary.

COMMITTEE ON
HUMAN RESOURCES
JAMES WELLS, Chair

S-3693

- 1 Amend House File 618 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, by striking line 3 and inserting the
4 following:
5 "A county, city, or the state, or an employee of a
6 county, city, or the state, is not".
7 2. Page 1, line 9, by inserting after the figure
8 "356.36" the following: "or the state, or its
9 employees, can show compliance with the applicable
10 statutory requirements".

ALVIN V. MILLER
RICHARD F. DRAKE
DONALD V. DOYLE

S-3694

- 1 Amend House File 642, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 3, by inserting after line 1 the
4 following new section:

5 "Sec. ____ . There is appropriated from the general
 6 fund of the state to the Iowa lottery agency for the
 7 fiscal period beginning on the effective date of this
 8 Act and ending June 30, 1986 the sum of three million
 9 six hundred thousand (3,600,000) dollars, or so much
 10 thereof as is necessary, for salaries, support,
 11 maintenance and other operational purposes of the Iowa
 12 lottery agency."
 13 2. Amend the title, line 3, by inserting after
 14 the word "services," the words "the Iowa lottery
 15 agency."
 16 3. Renumber sections and correct internal
 17 references as necessary in accordance with this
 18 amendment.

JOE J. WELSH

S-3695

1 Amend House File 626 as passed by the House as
 2 follows:
 3 1. Page 1, by inserting after line 15 the
 4 following:
 5 "Sec. 2. Section 83.14, Code 1985, is amended by
 6 adding the following new subsection:
 7 NEW SUBSECTION. 9. When on the basis of an
 8 inspection, or other information available to the
 9 department, the director has reasonable cause to
 10 believe that the operator is unable to complete
 11 reclamation of all or a portion of the permit area as
 12 required by law, the director shall issue an order to
 13 the operator to show cause as to why all or a portion
 14 of the performance bond required by section 83.10
 15 should not be revoked."
 16 2. By striking page 3, line 34 through page 4,
 17 line 6.

COMMITTEE ON
 NATURAL RESOURCES
 HURLEY HALL, Chair

S-3696

1 Amend House File 540 as passed by the House as
 2 follows:
 3 * 1. Page 9, by striking line 16 and inserting the
 4 following: "license. The committee shall notify the
 5 attorney general who shall". -
 6 2. Page 9, by striking line 29 and inserting the

7 following: "committee shall notify the attorney
8 general who shall seek immediate".

COMMITTEE ON
NATURAL RESOURCES
HURLEY HALL, Chair

S-3697

1 Amend the amendment S-3577 to Senate File 549 as
2 follows:
3 1. Page 1, lines 21 and 22, by striking the words
4 " , and the provision of significant managerial
5 assistance to,".
6 2. Page 2, line 17, by striking the words "at
7 a public auction".

ARTHUR A. SMALL, JR.

S-3698

1 Amend amendment S-3475 to Senate File 462 as
2 follows:
3 1. Page 1, lines 30 and 31, by striking the words
4 "By striking page 3, line 23 through page 5, line 24"
5 and inserting the following: "Page 4, by striking
6 lines 9 through 22 and inserting the following:
7 "generating capacity which exceeds the amount
8 reasonably necessary to provide adequate and reliable
9 service as determined by the commission.""

MICHAEL E. GRONSTAL

S-3699

1 Amend House File 523 as amended and passed by the
2 House as follows:

DIVISION S-3699A

3 1. Page 1, by inserting before line 1, the
4 following:
5 "Section 1. Section 331.430, subsection 2, Code
6 1985, is amended by adding the following new lettered
7 paragraph:
8 c. Payments required to be made from the debt
9 service fund under a lease or lease-purchase
10 agreement."

DIVISION S-3699B

- 11 2. Page 2, by inserting after line 20 the
 12 following:
 13 "Sec. ___ . Section 384.4, Code 1985, is amended by
 14 adding the following new subsection:
 15 NEW SUBSECTION. 3. Payments required to be made
 16 from the debt service fund under a lease or lease-
 17 purchase agreement."
 18 3. By renumbering as necessary.

JAMES D. WELLS

S-3700

- 1 Amend Senate File 348 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 554.9307, subsection 1, Code
 5 1985, is amended to read as follows:
 6 1. A Except as provided in subsection 4, a buyer
 7 in ordinary course of business (subsection 9 of
 8 section 554.1201) other than a person buying farm
 9 products from a person engaged in farming operations
 10 as defined in section 554.1201, subsection 9, takes
 11 free of a security interest created by that person's
 12 seller even though the security interest is perfected
 13 and even though the buyer knows of its existence. For
 14 purposes of this section, a buyer or buyer in ordinary
 15 course of business includes any commission merchant,
 16 selling agent, or other person engaged in the business
 17 of receiving livestock as defined in section 189A.2 on
 18 commission for or on behalf of another.
 19 Sec. 2. Section 554.9307, Code 1985, is amended by
 20 adding the following new subsection:
 21 NEW SUBSECTION. 4. a. A buyer in ordinary course
 22 of business buying farm products from a person engaged
 23 in farming operations takes free of a security
 24 interest created by that person's seller even though
 25 the security interest is perfected, unless the buyer
 26 receives prior written notice of the security
 27 interest, or unless the buyer purchases the farm
 28 products outside of the seller's trade area, or the
 29 buyer's principal place of business is located outside
 30 of the seller's trade area. The "seller's trade area"
 31 consists of the county in which the seller resides or
 32 a county that is contiguous to or corners upon the
 33 county where the seller resides. "Written notice"
 34 means a writing which may contain information
 35 regarding more than one debtor and more than one lien

36 and contains all of the following:

37 (1) The full name, address and social security or
38 tax identification number of the debtor.

39 (2) The full name and address of the secured
40 party.

41 (3) A description generally identifying the farm
42 products subject to the security interest.

43 (4) The date and signature of the secured party.

44 b. The written notice expires on the earlier of
45 either of the following dates:

46 (1) Eighteen months after the date the secured
47 party signs the notice.

48 (2) When the debt that appears on the notice is
49 satisfied.

50 c. For the notice to be effective, the buyer of

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1 the farm products must have received the notice prior
2 to the time the buyer has made full payment to the
3 person engaged in farming operations. The notice is
4 not effective against any payments made prior to
5 receipt of the notice.

6 d. A debtor engaged in farming operations who has
7 created a security interest in farm products shall
8 provide the secured party with a written list of
9 potential buyers of the farm products at the time the
10 debt is incurred if the secured party requests such a
11 list. The debtor shall not sell the farm products to
12 a buyer who does not appear on the list or is not in
13 the debtor's trade area unless the secured party has
14 given prior written permission or the debtor applies
15 the proceeds the debtor receives from the sale to the
16 debt within fifteen days of the date of sale or
17 delivery, whichever is later. A debtor who knowingly
18 or intentionally sells the farm products in violation
19 of this paragraph is guilty of an aggravated
20 misdemeanor.

21 e. A buyer of farm products buying from a person
22 engaged in farming operations shall issue a check for
23 payment jointly to the debtor and those secured
24 parties from whom the buyer has received prior written
25 notice of a security interest. A buyer who issues a
26 check jointly payable as specified in this subsection
27 takes the farm products free of a security interest
28 created by that person's seller. A buyer who does not
29 issue a check jointly payable as specified in this
30 subsection does not take farm products free of a
31 security interest created by that person's seller. A
32 buyer shall not withhold all or part of the payment to

33 satisfy a prior debt. However, the buyer may withhold
34 the costs incurred by the purchaser to market or
35 transport the farm products if such costs are part of
36 the agreement to purchase the farm products.

37 Sec. 3. Section 554.9404, subsection 1, Code 1985,
38 is amended to read as follows:

39 1. If a financing statement covering consumer
40 goods is filed on or after January 1, 1975, then
41 within one month or within ten days following written
42 demand by the debtor after there is no outstanding
43 secured obligation and no commitment to make advances,
44 incur obligations or otherwise give value, the secured
45 party must file with each filing officer with whom the
46 financing statement was filed, a termination statement
47 to the effect that the secured party no longer claims
48 a security interest under the financing statement,
49 which shall be identified by file number. If a
50 financing statement covering farm products is filed,

Page 3

1 then within sixty days, or within ten days following
2 written demand by the debtor, after there is no
3 outstanding secured objection and no commitment to
4 make advances, incur obligations, or otherwise give
5 value, the secured party shall file with each filing
6 officer with whom the financing statement was filed, a
7 termination statement to the effect that the secured
8 party no longer claims a security interest under the
9 financing statement which shall be identified by file
10 number. In other cases whenever there is no
11 outstanding secured obligation and no commitment to
12 make advances, incur obligations or otherwise give
13 value, the secured party must on written demand by the
14 debtor send the debtor, for each filing officer with
15 whom the financing statement was filed, a termination
16 statement to the effect that the secured party no
17 longer claims a security interest under the financing
18 statement, which shall be identified by file number.
19 A termination statement signed by a person other than
20 the secured party of record must be accompanied by a
21 separate written statement of assignment signed by the
22 secured party of record complying with section
23 554.9405, subsection 2, including payment of the
24 required fee. If the affected secured party fails to
25 file such a termination statement as required by this
26 subsection, or to send such a termination statement
27 within ten days after proper demand therefor the
28 affected secured party shall be liable to the debtor
29 for one hundred dollars, and in addition for any loss

30 caused to the debtor by such failure.”

31 2. Title page, by striking lines 1 through 4 and
32 inserting the following: “An Act relating to security
33 interest in farm products and providing penalties.”

LEONARD BOSWELL

S-3701

1 Amend S-3577 to Senate File 549 as follows:

2 1. Page 3, by inserting after line 43 the
3 following:

4 “7. The commission may contract with one or more
5 persons to perform any of the administrative functions
6 required to implement this division.”

ARTHUR A. SMALL, Jr.

S-3702

1 Amend House File 451, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 10, by inserting after line 11, the
4 following:

5 “Sec. ____ . Section 237A.4, Code 1985, is amended
6 to read as follows:

7 237A.4 INSPECTION AND EVALUATION.

8 ~~The department shall make periodic inspections of~~
9 ~~licensed centers to insure compliance with licensing~~
10 ~~requirements provided in this chapter, and the local~~
11 ~~boards of health shall may make periodic inspections~~
12 ~~of licensed centers to insure compliance with health-~~
13 ~~related licensing requirements provided in this~~
14 ~~chapter. In those instances where no local board of~~
15 ~~health exists then the director may make periodic~~
16 ~~inspections of licensed centers as necessary to carry~~
17 ~~out the provisions of this chapter.~~ The director may
18 inspect records maintained by a licensed center and
19 may inquire into matters concerning these centers and
20 the persons in charge. The director shall require
21 that the center be inspected by the state fire marshal
22 or a designee for compliance with rules relating to
23 fire safety before a license is granted or renewed.
24 The director or a designee may periodically visit
25 registered family day care homes for the purpose of
26 evaluation of an inquiry into matters concerning
27 compliance with rules ~~promulgated~~ adopted under
28 section 237A.12. Evaluation of family day care homes
29 under this section may include consultative services
30 provided pursuant to section 237A.6.

31 Sec. ____ Section 237A.12, unnumbered paragraph 3,
 32 Code 1985, is amended to read as follows:
 33 Rules relating to fire safety ~~and sanitation~~ shall
 34 be ~~promulgated~~ adopted under this chapter by the state
 35 fire marshal ~~and the commissioner of public health~~
 36 ~~respectively~~, in consultation with the department; ~~and~~
 37 all Rules relating to sanitation shall be adopted by
 38 the department in consultation with the commissioner
 39 of public health. All rules shall be developed in
 40 consultation with the state day care advisory
 41 committee. The state fire marshal shall inspect the
 42 facilities.”
 43 2. By renumbering as necessary.

LARRY MURPHY

S-3703

1 Amend Senate File 473 as follows:
 2 1. Page 3, line 35, by inserting after the word
 3 “damages” the following: “or for injunctive relief
 4 requiring the provision of a service or program”.
 5 2. Page 4, line 1, by inserting after the figure
 6 “613A” the following: “or the state”.
 7 3. Page 4, line 1, by inserting after the word
 8 “municipality” the following: “or the state”.

RAY TAYLOR

S-3704

1 Amend Senate File 562 as follows:
 2 1. Page 7, by inserting after line 7 the
 3 following new section:
 4 “Sec. ____ There is appropriated to the department
 5 of job service from the special employment security
 6 contingency fund for the fiscal year beginning July 1,
 7 1985 and ending June 30, 1986 the sum of seventy
 8 thousand (70,000) dollars, or so much thereof as is
 9 necessary, to develop and implement an older
 10 unemployed Iowa worker program within the department
 11 of job service. The funds shall be used to employ one
 12 additional full-time employee in each of the offices
 13 of the department of job service in Davenport, Cedar
 14 Rapids, and Iowa City to work specifically with older
 15 unemployed residents who are forty-five years of age
 16 or older. The funds appropriated from the special
 17 employment security contingency fund under this
 18 section shall be in addition to the funds authorized
 19 to be expended from this fund under section 96.13,

20 subsection 3, paragraph "a."
21 2. Renumber sections and correct internal
22 references as necessary in accordance with this
23 amendment.

EDGAR H. HOLDEN
JULIA GENTLEMAN
BEVERLY A. HANNON
ARTHUR A. SMALL, JR.
JAMES D. WELLS

S-3705

1 Amend Senate File 562 as follows:

2 1. Page 4, by striking lines 18 through 20 and
3 inserting the following:

- 4 "a. For salaries, support,
- 5 maintenance and other
- 6 operational purposes \$ 524,658
- 7 b. For tick meters for the
- 8 redemption center \$ 18,000".

EDGAR H. HOLDEN

S-3706

1 Amend Senate File 404 as follows:

2 1. Page 1, by inserting after line 12 the
3 following:

4 "Sec. 2. Section 455.64, subsection 2, Code 1985,
5 is amended to read as follows:

6 2. To pay such assessments in not less than ten
7 nor more than twenty equal installments, the number to
8 be fixed by the board and interest at the rate fixed
9 by the board, not exceeding that permitted by chapter
10 74A. One such installment shall be payable at the
11 September semiannual taxpaying date in each year;
12 provided, however, that the county treasurer shall, at
13 the September semiannual taxpaying date, require only
14 the payment of a sufficient portion of the assessments
15 to meet the interest and the amount maturing on bonds
16 or certificates prior to the regular time for the
17 payment of the second installment of taxes and the
18 balance shall be collected with such second
19 installment and without penalty. The first
20 installment of each assessment, or the total amount if
21 less than one hundred dollars is due and payable on
22 July 1 next succeeding the date of the levy, unless
23 the assessment is filed with the county treasurer
24 after May 31 in any year. The first installment shall

25 bear interest on the whole unpaid assessment from the
 26 date of acceptance of the work by the board to the
 27 first day of December following the due date. The
 28 succeeding annual installments, with interest on the
 29 whole unpaid amount, to the first day of December
 30 following the due date, are respectively due on July 1
 31 annually, and must be paid at the same time and in the
 32 same manner as the September semiannual payment of
 33 ordinary taxes. All future installments of an
 34 assessment may be paid on any date by payment of the
 35 then outstanding balance, plus interest to December 1
 36 following the due date of the next maturing
 37 installment. Each installment of an assessment with
 38 interest on the unpaid balance is delinquent after the
 39 thirtieth day of September next after its due date,
 40 and bears the same delinquent interest with the same
 41 penalties as ordinary taxes. When collected, the
 42 interest and penalties must be credited to the same
 43 drainage fund as the drainage special assessment."
 44 2. Page 1, line 22, by striking the word
 45 "certified" and inserting the word "ordinary".
 46 3. Page 1, line 24, by striking the word "five"
 47 and inserting the words "five twenty".
 48 4. Page 2, by striking line 31 through page 3,
 49 line 2 and inserting the following: "original
 50 district. However, the annexation and classification

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2 one hearing. Those parties having an interest in the
 3 lands".
 4 5. Page 3, line 11, by striking the word "shall"
 5 and inserting the words "shall may".
 6 6. Page 3, line 21, by striking the words "repair
 7 or improvement" and inserting the words "repair, or
 8 improvement, or the change of the topographical
 9 conditions".
 10 7. Page 3, by striking lines 30 through 35 and
 11 inserting the following: "conditions, the assessments
 12 levied upon the annexed lands shall be limited to a
 13 proportionate share of the costs of current and future
 14 maintenance, repairs and improvements."
 15 8. Page 5, lines 3 and 4, by striking the words
 16 "describing its boundaries by metes and bounds".
 17 9. Page 6, by inserting after line 7 the
 18 following:
 19 "Sec. 12. Section 462.22, Code 1985, is amended to
 20 read as follows:
 21 462.22 ELECTIONS -- HOW CONDUCTED.

22 After the first election of trustees, the trustees
 23 shall act as judges of election; the however, a
 24 trustee standing for election shall not serve as a
 25 judge and shall be replaced as judge by a person not
 26 standing for election who is eligible to be elected as
 27 a trustee. The clerk of the board shall act as one of
 28 the clerks; and some owner of land in the district
 29 shall be appointed by the board to act as another
 30 clerk. The trustees shall fill all vacancies in the
 31 election board. The result of each election shall be
 32 certified to the auditor or the several county
 33 auditors if the district is located in more than one
 34 county.”

BERL E. PRIEBE
 ARNE WALDSTEIN
 JACK W. HESTER

S-3707

1 Amend House File 292, as amended, passed, and
 2 reprinted by the House as follows;
 3 1. Page 1, line 10, by striking the words “the
 4 following”.
 5 2. Page 1, by striking line 14 and inserting the
 6 following: “~~established~~, including student unions,
 7 recreational”.

COMMITTEE ON
 APPROPRIATIONS
 JOE WELSH, Chair

S-3708

1 Amend House File 450, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 4, by striking the word “of” and
 4 inserting the following: “, but not amend,”.
 5 2. Page 1, line 11, by inserting after the word
 6 “disapprove” the following: “, but not amend,”.
 7 3. Page 1, lines 34 and 35, by striking the words
 8 “or master educator”.
 9 4. Page 2, by striking lines 8 through 13, and
 10 inserting the following:
 11 “3. One member of the faculty of an institution of
 12 higher education under the state board of regents who
 13 is primarily engaged in teacher education.
 14 4. One member of the faculty of a private
 15 university or college that has an approved teacher
 16 education program who is primarily engaged in teacher

- 17 education.”
- 18 5. Page 2, by striking lines 22 and 23 and
19 inserting the following:
20 “Political affiliation shall not be a factor in
21 appointments to the board.”
- 22 6. Page 3, line 3, by striking the words
23 “receiving compensation” and inserting the words
24 “fully compensated”.
- 25 7. Page 3, by striking line 4 and inserting the
26 following: “by the member’s employer; in this case,
27 the per diem payment shall be”.
- 28 8. Page 3, by striking lines 18 through 20, and
29 inserting the following: “colleges and universities
30 in this state. Decisions of the board shall be”.
- 31 9. Page 3, line 22, by striking the word “of” and
32 inserting the following: “, but not amend.”
- 33 10. Page 3, line 28, by inserting after the word
34 “board” the following: “notwithstanding chapter 17A”.
- 35 11. Page 3, line 29, by inserting after the word
36 “Established” the words “, for purposes of
37 certification.”
- 38 12. Page 4, by striking lines 6 through 8.
- 39 13. Page 4, line 23, by striking the word “of”
40 and inserting the following: “, but not amend.”
- 41 14. Page 4, line 28, by striking the word “are”.
- 42 15. Page 4, by striking line 29 and inserting the
43 following: “, while subject to chapter 17A, may be
44 withdrawn only by the board.”
- 45 16. Page 4, by striking lines 30 through 33.
- 46 17. Page 7, line 27, by striking the word
47 “EVALUATION” and inserting the word “ASSESSMENT”.
- 48 18. Page 7, line 29, by striking the word
49 “evaluation” and inserting the word “assessment”.
- 50 19. Page 7, by striking line 35 and inserting the

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- 1 following:
- 2 “b. An ex-”.
- 3 20. Page 8, line 1, by striking the words “master
4 educator or”.
- 5 21. Page 8, line 5, by striking the words “master
6 educators and”.
- 7 22. Page 8, line 7, by striking the words “master
8 educator or”.
- 9 23. Page 8, by striking lines 23 through 26 and
10 inserting the following: “member of the faculty of a
11 college or university having an approved teacher
12 education program who is primarily engaged in teacher
13 education. If the certificate holder is”.

- 14 24. Page 8, by striking lines 29 and 30 and
15 inserting the following: "member should be given to a
16 member of the faculty from that college or university
17 who is primarily engaged in teacher education."
18 25. Page 9, line 1, by striking the word
19 "evaluation" and inserting the word "assessment".
20 26. Page 9, line 5, by striking the word
21 "evaluation" and inserting the word "assessment".
22 27. Page 9, line 21, by striking the word
23 "evaluation" and inserting the word "assessment".
24 28. Page 9, line 27, by striking the word
25 "evaluation" and inserting the word "assessment".
26 29. Page 9, line 32, by striking the word
27 "EVALUATION" and inserting the word "ASSESSMENT".
28 30. Page 9, line 34, by striking the word
29 "evaluation" and inserting the word "assessment".
30 31. Page 10, line 2, by striking the word
31 "evaluation" and inserting the word "assessment".
32 32. Page 10, line 4, by striking the word
33 "evaluation" and inserting the word "assessment".
34 33. Page 10, line 7, by striking the word
35 "evaluation" and inserting the word "assessment".
36 34. Page 10, line 16, by striking the word
37 "evaluation" and inserting the word "assessment".
38 35. Page 10, line 17, by striking the word
39 "evaluation" and inserting the word "assessment".
40 36. Page 10, line 18, by striking the word
41 "evaluation" and inserting the word "assessment".
42 37. Page 10, line 21, by striking the word
43 "evaluation" and inserting the word "assessment".
44 38. Page 10, line 27, by striking the word
45 "evaluation" and inserting the word "assessment".
46 39. Page 10, line 30, by inserting after the word
47 "plan" the following: "or it may be negotiated
48 pursuant to chapter 20".
49 40. Page 10, line 31, by striking the word
50 "Evaluation" and inserting the word "Assessment".

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- 1 41. Page 10, line 32, by striking the word
2 "evaluation" and inserting the word "assessment".
3 42. Page 10, line 33, by striking the word
4 "evaluation" and inserting the word "assessment".
5 43. Page 10, line 34, by striking the word
6 "evaluations" and inserting the word "assessments".
7 44. Page 11, line 7, by striking the word "five"
8 and inserting the word "seven".
9 45. By striking page 11, line 14, through page
10 12, line 18 and inserting the following:

- 11 "Sec. ____ . The board shall conduct a comprehensive
 12 study of the feasibility of establishing and
 13 requirements that should be included in establishing,
 14 a master educator certificate and shall make
 15 recommendations to the general assembly by January 1,
 16 1987. The study shall include, but not be limited to
 17 recommendations relating to the following:
- 18 1. Degree requirements.
 - 19 2. Experience requirements.
 - 20 3. Assessment requirements.
 - 21 4. Receipt of a stipend for attaining a master
 22 educator certificate.
 - 23 5. Procedures for application for and identification
 24 of master education certificate holders."
- 25 46. By striking page 12, line 32, through page
 26 14, line 11.
- 27 47. Page 14, line 20, by striking the figure
 28 "1987" and inserting the figure "1988".
- 29 48. Page 16, line 23, by striking the word "in"
 30 and inserting the following: "as a director of".
- 31 49. Page 16, line 24, by striking the word
 32 "administration" and inserting the following: "in an
 33 area education agency".
- 34 50. Page 16, by striking line 35 and inserting
 35 the following: "administrators continuously holding a
 36 superintendent's endorsement since".
- 37 51. Page 18, by inserting after line 9 the
 38 following:
 39 "e. Knowledge of professional responsibilities and
 40 ethics."
- 41 52. By numbering and renumbering sections as
 42 necessary.

COMMITTEE ON EDUCATION
 JOE BROWN, Chair

S-3709

- 1 Amend House File 643, as amended, passed, and
 2 reprinted by the House, as follows:
- 3 1. Page 5, by striking lines 4 through 29 and
 4 inserting the following:
 5 "f. Specifying an adequate monitoring system to
 6 detect the presence of a leaking underground storage
 7 tank and to provide for protection of the groundwater
 8 resources. In adopting the rules, the commission may
 9 delay the adoption until the United States
 10 environmental protection agency has published final
 11 regulations."
 - 12 2. Page 8, by striking lines 11 through 27 and

13 inserting the following:

14 "d. Rules adopted by the commission shall specify
15 adequate monitoring systems to detect the presence of
16 a leaking underground storage tank and to provide for
17 protection of the groundwater resources. In adopting
18 such rules, the commission may delay the adoption or
19 effective date of the rules until the United States
20 environmental protection agency has published final
21 regulations for the same facilities."

22 3. Page 9, by striking lines 18 through 20 and
23 inserting the following: "underground storage tanks."

COMMITTEE ON ENERGY
AND ENVIRONMENT
CHARLES BRUNER, Chair

S-3710

1 Amend Senate File 560 as follows:

2 1. Page 2, line 22, by striking the word "thirty-
3 five" and inserting the following: "~~thirty five~~
4 fifty".

5 2. Page 2, line 24, by striking the word "thirty-
6 five" and inserting the following: "~~thirty five~~
7 fifty".

JOHN W. JENSEN
MICHAEL E. GRONSTAL

S-3711

1 Amend Senate File 562 as follows:

2 1. Page 8, by inserting after line 24 the
3 following:

4 "For public transit assistance \$ 2,600,000".

5 2. Page 11, by striking lines 7 through 16.

6 3. By renumbering sections as necessary.

THOMAS MANN, Jr.

S-3712

1 Amend House File 729 as follows:

2 1. Page 1, by striking lines 20 through 22 and
3 inserting the following: "shown on the assessment
4 roll used in connection with the taxation of property
5 by the taxing district, last equalized prior to as of
6 January 1 of the calendar year preceding the
7 effective".

8 2. Page 1, by striking lines 34 and 35 and

- 9 inserting the following: "date, the assessment roll
- 10 of the county last equalized on as of January 1 of the
- 11 calendar year preceding the effective date of the".
- 12 3. Page 2, line 6, by inserting after the word
- 13 "auditor" the following: "on or before December 31".
- 14 4. Page 2, line 10, by inserting after the word
- 15 "each" the following: "subsequent".
- 16 5. Page 2, line 15, by striking the word
- 17 "February" and inserting the following: "January".
- 18 6. Page 2, by striking lines 23 through 27 and
- 19 inserting the following:
- 20 "NEW SUBSECTION. 6. Tax collections within each
- 21 taxing district may be allocated to the entire taxing
- 22 district including the taxes on the valuations".

COMMITTEE ON LOCAL
 GOVERNMENT
 ALVIN V. MILLER, Chair

S-3713

- 1 Amend House File 678 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 24, by striking the word "twenty"
- 4 and inserting the following: "ten".

ARNE WALDSTEIN

S-3714

- 1 Amend Senate File 562 as follows:

DIVISION S-3714A

- 2 1. Page 8, by inserting after line 24 the
- 3 following:
- 4 " For public transit assistance \$ 2,600,000".

DIVISION S-3714B

- 5 2. Page 11, by striking lines 7 through 16.
- 6 3. By renumbering sections as necessary.

THOMAS MANN, Jr.

S-3715

- 1 Amend House File 702 as passed by the House as
- 2 follows:

3 1. Page 1, line 7, by striking the words
4 "providing false meter readings or by".

COMMITTEE ON JUDICIARY
DONALD DOYLE, Chair

S-3716

1 Amend House File 701 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 1, line 5, by inserting after the word
4 "adjudicatory" the following: "and dispositional".

5 2. Page 1, line 16, by striking the words "~~five~~
6 ~~ten~~" and inserting the following: "five".

7 3. Page 1, by inserting after line 31 the
8 following:

9 "Sec. ___. Section 232.47, subsection 4, Code
10 1985, is amended by adding the following new
11 unnumbered paragraph:

12 NEW UNNUMBERED PARAGRAPH. The county attorney, in
13 offering evidence at the adjudicatory hearing in
14 support of the petition, shall not be permitted to
15 introduce the evidence of any witness whose testimony
16 was not summarized in the petition as required by
17 section 232.36, subsection 3, paragraph "d". However,
18 additional witnesses may be called by the county
19 attorney to give evidence at the hearing if the county
20 attorney has notified the child, the child's parent,
21 guardian, or custodian, and the child's guardian ad
22 litem, if any, in writing, not less than ten days
23 prior to commencement of the hearing, of the names,
24 cities or counties of residence, and occupations of
25 the witnesses and a full and fair summary of each
26 witness' expected testimony. If the county attorney
27 does not give the parties the required notice of a
28 witness' testimony, the court may require the county
29 attorney to immediately permit the discovery of the
30 witness, grant a continuance, or, if it determines
31 that no less severe remedy is adequate to protect the
32 child's interests in the proceeding, disallow the
33 testimony of the witness."

34 4. By striking page 1, line 32 through page 2,
35 line 3.

36 5. Page 3, line 25, by striking the words "~~a~~"
37 ~~and "b"~~" and inserting the following: "~~a~~", "~~b~~", and
38 ~~"d"~~".

39 6. Page 3, by inserting after line 28 the
40 following:

41 "Sec. ___. Section 232.96, subsection 6, Code
42 1985, is amended to read as follows:

43 6. A report, study, record, or other writing or an
 44 audiotape or videotape recording made by the
 45 department of human services, a juvenile court
 46 officer, a peace officer, or a hospital relating to a
 47 child in a proceeding under this division is
 48 admissible notwithstanding any objection to hearsay
 49 statements contained in it, provided it is relevant
 50 and material, ~~and provided~~ its probative value

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1 substantially outweighs the danger of unfair prejudice
 2 to the child's parent, guardian, or custodian, and it
 3 meets the requirements of section 232.97, subsection
 4 1, paragraphs "a" through "c". The circumstances of
 5 the making of the report, study, record or other
 6 writing or an audiotape or videotape recording,
 7 including the maker's lack of personal knowledge, may
 8 be proved to affect its weight."

9 7. Page 4, line 6, by inserting after the word
 10 "abuse." the following: "The sole purpose of the
 11 report shall be to advise the court of the facts
 12 relating to disposition of the petition. The report
 13 shall meet the following requirements:

14 a. The report shall only contain first level
 15 hearsay.

16 b. The report shall contain the source of the
 17 hearsay or in the case of a hearsay statement, the
 18 identity of the hearsay declarant and the time and
 19 date of the statement.

20 c. The report shall contain the identity of all
 21 persons present when the hearsay statement was made.
 22 If no other persons were present, the report shall so
 23 state."

24 8. Page 4, by inserting after line 6 the
 25 following:

26 "Sec. ____ Section 232.97, Code 1985, is amended
 27 by adding the following new subsection after
 28 subsection 1 and renumbering the subsequent
 29 subsections:

30 NEW SUBSECTION. 2. The court may disregard any
 31 portion of a social report or any report, study,
 32 record, writing, or recording admitted pursuant to
 33 section 232.96, subsection 6, which does not meet the
 34 requirements of subsection 1."

35 9. Page 4, by inserting after line 20 the
 36 following:

37 "Sec. ____ APPLICATION. The provisions of section
 38 232.36, subsection 3, paragraph "d" and section
 39 232.87, subsection 5 contained in this Act apply to

40 all petitions filed under this chapter which come
41 before the court for hearing on or after the effective
42 date of this Act.”

43 10. Title page, line 2, by inserting after the
44 word “petitions,” the following: “witness’
45 testimony,”.

46 11. Title page, lines 4 and 5, by striking the
47 words “juvenile court delinquency dispositions,”.

48 12. Title page, line 10, by striking the words
49 “and transferring guardianships” and inserting the
50 following: “hearsay testimony, and the transferring

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1 of custody or guardianship”.

2 13. By renumbering as necessary.

COMMITTEE ON JUDICIARY
DONALD DOYLE, Chair

S-3717

1 Amend House File 438 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 2, line 8, by striking the words “one
4 week” and inserting the words “two months”.

COMMITTEE ON JUDICIARY
DONALD DOYLE, Chair

S-3718

1 Amend the amendment S-3704 to Senate File 562 as
2 follows:

3 1. Page 1, line 14, by inserting after the word
4 “Rapids,” the following: “Waterloo,”.

THOMAS A. LIND

S-3719

1 Amend Senate File 281 as follows:

2 1. Page 1, line 1, by striking the figure
3 “159.31” and inserting the following: “28.101”.

4 2. Page 1, line 7, by striking the figure
5 “159.32” and inserting the following: “28.102”.

6 3. Page 1, line 11, by striking the word
7 “secretary” and inserting the following: “director of
8 the Iowa development commission”.

9 4. Page 1, by striking lines 12 and 13 and

- 10 inserting the following: "the director and".
 11 5. Page 1, line 14, by striking the word
 12 "secretary" and inserting the following: "director".
 13 6. Page 1, line 15, by striking the word
 14 "secretary" and inserting the following: "director".
 15 7. Page 1, line 17, by striking the word
 16 "department" and inserting the following:
 17 "commission".
 18 8. Page 1, line 20, by striking the word
 19 "department" and inserting the following:
 20 "commission".
 21 9. Page 1, by striking lines 29 and 30 and
 22 inserting the following: "However, the director of
 23 the Iowa development commission shall be an ex-officio
 24 member of".
 25 10. Page 1, lines 31 and 32, by striking the
 26 words "secretary of agriculture" and inserting the
 27 following: "director of the Iowa development
 28 commission".
 29 11. Page 2, line 3, by striking the figure
 30 "159.33" and inserting the following: "28.103".

BERLE E. PRIEBE

S-3720

- 1 Amend Senate File 434 as follows:
 2 1. Page 6, line 7, by striking the figure
 3 "683,711" and inserting the following: "633,111".

WILLIAM DIELEMAN

S-3721

- 1 Amend Senate File 311 as follows:
 2 1. Page 2, line 24, by inserting after the word
 3 "each" the following: "semester of the".
 4 2. Page 2, by striking lines 14 through 16 and
 5 inserting the following: "private instructional
 6 program."
 7 3. Page 3, by inserting after line 4 the
 8 following: "The certificate furnished during the
 9 second semester of the school year shall also include
 10 the results of tests administered by the department of
 11 public instruction."

ARNE WALDSTEIN

S-3722

- 1 Amend House File 451, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 5, line 6, by striking the words
- 4 "psychologist certified under section 154B.7" and
- 5 inserting the following: "mental health professional
- 6 as defined in section 622.10".

LARRY MURPHY

S-3723

- 1 Amend Senate File 564 as follows:
- 2 1. Page 1, by inserting after line 19 the
- 3 following:
- 4 "d. Community mental health centers accredited
- 5 by the department of human services pursuant to
- 6 chapter 225C."

CHARLES P. MILLER

S-3724

- 1 Amend Senate File 434 as follows:
- 2 1. Page 9, by inserting after line 4 the
- 3 following the new section:
- 4 "Sec. ____ . The amount of the funds appropriated
- 5 under this Act for the fiscal year beginning July 1,
- 6 1985 and ending June 30, 1986 shall be reduced by two
- 7 percent and the provisions of this section shall
- 8 prevail over any other provisions of this Act."
- 9 2. Renumber sections and correct internal
- 10 references as necessary in accordance with this
- 11 amendment.

CALVIN O. HULTMAN

S-3725

- 1 Amend Senate File 552 as follows:
- 2 1. Page 14, by inserting after line 21 the
- 3 following the new section:
- 4 "Sec. ____ . The amount of the funds appropriated
- 5 under this Act for the fiscal year beginning July 1,
- 6 1985 and ending June 30, 1986 shall be reduced by two
- 7 percent and the provisions of this section shall
- 8 prevail over any other provisions of this Act."
- 9 2. Renumber sections and correct internal

10 references as necessary in accordance with this
11 amendment.

CALVIN O. HULTMAN

S-3726

1 Amend Senate File 562 as follows:
2 1. Page 11, by inserting after line 6 the
3 following new section:
4 "Sec. ____ . The amount of the funds appropriated
5 under this Act for the fiscal year beginning July 1,
6 1985 and ending June 30, 1986 shall be reduced by two
7 percent and the provisions of this section shall
8 prevail over any other provisions of this Act."
9 2. Renumber sections and correct internal
10 references as necessary in accordance with this
11 amendment.

CALVIN O. HULTMAN

S-3727

1 Amend House File 677 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 8, by inserting after line 3 the
4 following:
5 "The board shall not engage in any political
6 activity, and it shall be a condition of any
7 allocation of funds that any organization receiving
8 funds shall not expend the funds on political activity
9 or on any attempt to influence legislation."

RICHARD VANDE HOEF

S-3728

1 Amend House File 315 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 18, by inserting after the word
4 "selection." the following: "The label on the
5 container containing the generically equivalent
6 product dispensed by the pharmacist shall indicate the
7 chemical name of the product enclosed."

THOMAS LIND

S-3729

- 1 Amend House File 571 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 4, by striking lines 1 through 7.

MILO COLTON

S-3730

- 1 Amend House File 549, as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 5, line 34, by inserting after the word
4 "writing" the following: "or disclosure of the
5 information is compelled by a court pursuant to
6 subsection 7".
7 2. Page 6, by inserting after line 26 the
8 following:
9 "7. Upon the motion of a party, accompanied by a
10 written offer of proof, a court may compel disclosure
11 of certain information if the court determines that
12 all of the following conditions are met:
13 a. The information sought is relevant and material
14 evidence of the facts and circumstances involved in an
15 alleged act of sexual assault or domestic violence
16 which is the subject of a criminal proceeding.
17 b. The probative value of the information
18 outweighs the harmful effect, if any, of disclosure on
19 the victim, the counseling relationship, and the
20 treatment services.
21 c. The information cannot be obtained by
22 reasonable means from any other source.
23 8. In ruling on a motion under subsection 7, the
24 court, or a different judge, if the motion was filed
25 in a criminal proceeding to be tried to the court,
26 shall adhere to the following procedure:
27 a. The court may require the counselor from whom
28 disclosure is sought or the victim claiming the
29 privilege, or both, to disclose the information in
30 chambers out of the presence and hearing of all
31 persons except the victim and any other persons the
32 victim is willing to have present.
33 b. If the court determines that the information is
34 privileged and not subject to compelled disclosure,
35 the information shall not be disclosed by any person
36 without the consent of the victim.
37 c. If the court determines that certain
38 information may be subject to disclosure, as provided
39 in subsection 7, the court shall so inform the party
40 seeking the information and shall order a subsequent

41 hearing out of the presence of the jury, if any, at
 42 which the parties shall be allowed to examine the
 43 counselor regarding the information which the court
 44 has determined may be subject to disclosure. The
 45 court may accept other evidence at that time.
 46 d. At the conclusion of a hearing under paragraph
 47 "c", the court shall determine which information, if
 48 any, shall be disclosed and may enter an order
 49 describing the evidence which may be introduced by the
 50 moving party and prescribing the line of questioning

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1 which may be permitted. The moving party may then
 2 offer evidence pursuant to the court order. However,
 3 no victim counselor is subject to exclusion under Iowa
 4 rule of evidence 615.
 5 9. This section does not relate to the admission
 6 of evidence of the victim's past sexual behavior which
 7 is strictly subject to Iowa rule of evidence 412."

TOM MANN, Jr.

S-3731

1 Amend House File 476 as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 10, by inserting after line 33 the
 4 following new section:
 5 "Sec. ____ . The amount of the funds appropriated
 6 under this Act for the fiscal year beginning July 1,
 7 1985 and ending June 30, 1986 shall be reduced by two
 8 percent and the provisions of this section shall
 9 prevail over any other provisions of this Act."
 10 2. Renumber sections and correct internal
 11 references as necessary in accordance with this
 12 amendment.

CALVIN O. HULTMAN

S-3732

1 Amend Senate File 562 as follows:
 2 1. Page 11, by inserting after line 6 the
 3 following new sections:
 4 "Sec. ____ . Section 307B.23, Code 1985, is amended
 5 to read as follows:
 6 307B.23 SPECIAL RAILROAD FACILITY FUND.
 7 There is created in the office of the state
 8 treasurer a "special railroad facility fund". This

9 fund shall include moneys credited to this fund under
10 sections 307.29, 435.9, ~~324A.9~~, and other funds which
11 by law may be credited to the special railroad
12 facility fund. The moneys in the special railroad
13 facility fund are hereby appropriated to and for the
14 purposes of the authority as provided in this chapter.
15 The funds in the special railroad facility fund shall
16 not be considered as a part of the general fund of the
17 state, shall not be subject to appropriation for any
18 other purpose by the general assembly, and in
19 determining a general fund balance shall not be
20 included in the general fund of the state but shall
21 remain in the special railroad facility fund to be
22 used for the purposes set forth herein. The ~~state~~
23 treasurer of state shall act as custodian of the fund
24 and disburse amounts contained in it as directed by
25 the authority. The ~~state~~ treasurer of state is
26 authorized to invest the funds deposited in the
27 special railroad facility fund at the direction of the
28 authority and subject to any limitations contained in
29 the bond proceedings. The income from such investment
30 shall be credited to and deposited in the special
31 railroad facility fund. This fund shall be
32 administered by the authority and may be used to
33 purchase or upgrade railroad right-of-way and trackage
34 facilities or to purchase general or limited
35 partnership interests in a partnership formed to
36 purchase, upgrade, or operate railroad right-of-way
37 and trackage facilities, to pay or secure obligations
38 issued by the authority, to pay obligations,
39 judgments, or debts for which the authority becomes
40 liable in its capacity as a general partner, or for
41 any other use authorized under this chapter. The fund
42 may also be used to purchase or upgrade railroad
43 right-of-way and trackage facilities for the
44 development of railroad passenger tourism.
45 Any moneys credited to the special railroad
46 facility fund under ~~sections~~ section 435.9 and ~~324A.9~~
47 shall be deposited in a separate account within the
48 special railroad facility fund. The authority may
49 issue obligations under this chapter which are secured
50 solely by the moneys to be deposited in that separate

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1 account and the holders or owners of any such
2 obligations shall have no rights to payment of bond
3 service charges from any other funds in the special
4 railroad facility fund, including any moneys accruing
5 to the authority from the lease, sale or other

6 disposition, or use of railway facilities, or from
 7 payment of the principal of or interest on loans made,
 8 or from any other use of the proceeds of the sale of
 9 the obligations, and no such moneys may be used for
 10 the payment of bond service charges on any such
 11 obligations, except for accrued interest, capitalized
 12 interest, and reserves funded from proceeds received
 13 upon the sale of the obligations.

14 Sec. __. Chapter 324A, Code 1985, is repealed."

15 2. Renumber sections and correct internal
 16 references as necessary in accordance with this
 17 amendment.

RICHARD F. DRAKE
 JOE J. WELSH

S-3733

1 Amend House File 498, as amended, passed and
 2 reprinted by the Senate as follows:

3 1. Page 1, lines 10 and 11, by striking the words
 4 "of one year" and inserting the following: "of one
 5 year at the discretion of the board of supervisors".

6 2. Page 1, by striking lines 12 through 21 and
 7 inserting the following: "provided for by law. The
 8 ~~county weed commissioner may, with the approval of the~~
 9 ~~board of supervisors, appoint a deputy or the number~~
 10 ~~of deputies necessary to carry out the purposes of~~
 11 ~~this chapter. The name and address of the person~~
 12 ~~appointed as~~".

13 3. Page 1, line 27, by striking the word
 14 "Annually" and inserting the following: "At the
 15 discretion of the board of supervisors".

COMMITTEE ON
 LOCAL GOVERNMENT
 ALVIN MILLER, Chair

S-3734

1 Amend House File 732 as passed by the House as
 2 follows:

3 1. Page 1, line 3, by inserting after the word
 4 "'Promote'" the following: ", as used in section
 5 728.12, subsection 2".

COMMITTEE ON JUDICIARY
 DONALD V. DOYLE, Chair

S-3735

1 Amend Senate File 330 as follows:

2 1. Page 1, by inserting after line 28 the
3 following:

4 "Sec. ____ NEW SECTION. 321.210A SUSPENSION FOR
5 FAILURE TO PAY FINE, PENALTY, SURCHARGE, OR COURT
6 COSTS.

7 The department shall suspend the motor vehicle li-
8 cense of a person who has failed to pay a criminal
9 fine, civil penalty, surcharge, or court costs, as
10 follows:

11 1. Upon the failure of a person to timely pay the
12 fine, penalty, surcharge, or court costs the clerk of
13 the district court shall notify the person that if the
14 fine, penalty, surcharge, or court costs remain unpaid
15 after sixty days, the clerk will notify the department
16 of the failure for purposes of instituting suspension
17 procedures.

18 2. Upon the failure of a person to pay the fine,
19 penalty, surcharge, or court costs within sixty days
20 of receiving notice from the clerk of the district
21 court as provided in paragraph "a", the clerk shall
22 report the failure to the department.

23 3. Upon receipt of a report of a failure to pay
24 the fine, penalty, surcharge, or court costs from the
25 clerk of the district court, the department shall in
26 accordance with its rules, suspend the person's motor
27 vehicle license until the fine, penalty, surcharge or
28 court costs are paid, unless the person proves to the
29 satisfaction of the clerk and the department that the
30 person cannot pay the fine, penalty, surcharge, or
31 court costs.

32 Sec. ____ Section 321.212, subsection 1, paragraph
33 a, Code 1985, is amended to read as follows:

34 a. Except as provided in section 321.210A or
35 321.513 the department shall not suspend a license for
36 a period of more than one year, except that a license
37 suspended because of incompetency to drive a motor
38 vehicle shall be suspended until the department
39 receives satisfactory evidence that the former holder
40 is competent to operate a motor vehicle and a refusal
41 to reinstate ~~shall constitute~~ constitutes a denial of
42 license within the ~~provisions~~ of section 321.215; upon
43 revoking a license the department shall not grant an
44 application for a new license until the expiration of
45 one year after the revocation, unless another period
46 is specified by law.

47 Sec. ____ Section 321A.17, subsection 5, Code
48 1985, is amended to read as follows:

49 5. An individual applying for a motor vehicle
50 license following a period of suspension or revocation

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1 under the provisions of section ~~321.210A~~, 321.216 or
2 321.513 ~~shall is not be~~ required to maintain proof of
3 financial responsibility under the provisions of this
4 section.”

5 2. Page 1, by inserting after line 35 the

6 following:

7 “Sec. ____ Section 421.17, Code 1985, is amended
8 by adding the following new subsection after
9 subsection 24 and renumbering the subsequent
10 subsection:

11 NEW SUBSECTION. 25. To establish and maintain a
12 procedure to set off against a debtor's income tax
13 refund or rebate any debt which is in the form of a
14 liquidated sum due, owing, and payable to the clerk of
15 the district court as a criminal fine, civil penalty,
16 surcharge, or court costs. The procedure shall meet
17 the following conditions:

18 a. Before setoff all outstanding tax liabilities
19 collectible by the department shall be satisfied
20 except that no portion of a refund or rebate shall be
21 credited against tax liabilities which are not yet
22 due.

23 b. Before setoff the clerk of the district court
24 shall obtain and forward to the department the full
25 name and social security number of the debtor. The
26 department shall cooperate in the exchange of relevant
27 information with the clerk. However, only relevant
28 information required by the clerk shall be provided by
29 the department. The information shall be held in
30 confidence and shall be used for purposes of setoff
31 only.

32 c. The clerk shall, at least quarterly and monthly
33 if practicable, submit to the department for setoff
34 the debts described in this subsection, which are at
35 least fifty dollars.

36 d. Upon submission of a claim the department shall
37 notify the clerk if the debtor is entitled to a refund
38 or rebate and of the amount of the refund or rebate
39 and the debtor's address on the income tax return.

40 e. Upon notice of entitlement to a refund or
41 rebate the clerk shall send written notification to
42 the debtor of the clerk's assertion of its rights to
43 all or a portion of the debtor's refund or rebate and
44 the entitlement to recover the debt through the setoff
45 procedure, the basis of the assertion, the opportunity

46 to request that a joint income tax refund or rebate be
47 divided between spouses, and the debtor's opportunity
48 to give written notice of intent to contest the amount
49 of the claim. The clerk shall send a copy of the
50 notice to the department.

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1 f. Upon the request of a debtor or a debtor's
2 spouse to the clerk, filed within fifteen days from
3 the mailing of the notice of entitlement to a refund
4 or rebate, and upon receipt of the full name and
5 social security number of the debtor's spouse, the
6 clerk shall notify the department of the request to
7 divide a joint income tax refund or rebate. The
8 department shall upon receipt of the notice divide a
9 joint income tax refund or rebate between the debtor
10 and the debtor's spouse in proportion to each spouse's
11 net income as determined under section 422.7.

12 g. The department shall, after notice has been
13 sent to the debtor by the clerk, set off the debt
14 against the debtor's income tax refund or rebate. The
15 department shall transfer at least quarterly and
16 monthly if practicable, the amount set off to the
17 clerk. If the debtor gives timely written notice of
18 intent to contest the amount of the claim, the
19 department shall hold the refund or rebate until final
20 determination of the correct amount of the claim. The
21 clerk shall notify the debtor in writing upon
22 completion of setoff.

23 Sec. ____ . Section 421.17, subsection 25, Code
24 1985, is amended to read as follows:

25 ~~25 26~~. To provide that in the case of multiple
26 claims to refunds or rebates filed under subsections
27 21, ~~and 23, and 25~~ that priority shall be given to
28 claims filed by the child support recovery unit or the
29 foster care recovery unit under subsection 21, next
30 priority shall be given to claims filed by the college
31 aid commission under subsection 23, ~~and last next~~
32 priority shall be given to claims filed by the office
33 of investigations under subsection 21, ~~and last~~
34 priority shall be given to claims filed by a clerk of
35 the district court under subsection 25.

36 3. Page 5, by inserting after line 5 the
37 following:

38 "Sec. ____ . Section 602.8102, Code 1985, is amended
39 by adding the following new subsection after
40 subsection 50:

41 NEW SUBSECTION. 50A. Assist the department of
42 transportation in suspending, pursuant to section

43 321.210A, the motor vehicle licenses of persons who
 44 fail to timely pay criminal fines, civil penalties,
 45 surcharges, or court costs.
 46 Sec. ____ Section 602.8102, Code 1985, is amended
 47 by adding the following new subsection after
 48 subsection 58:
 49 NEW SUBSECTION. 58A. Assist the department of
 50 revenue in setting off against debtors' income tax

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1 refunds or rebates under section 421.17, subsection
 2 25, debts which are due, owing, and payable to the
 3 clerk of the district court as criminal fines, civil
 4 penalties, surcharges, or court costs."
 5 4. By renumbering as necessary.

DONALD V. DOYLE

S-3736

1 Amend House File 549, as amended, passed and
 2 reprinted by the House, as follows:
 3 1. Page 5, line 34, by inserting after the word
 4 "writing" the following: "or disclosure of the
 5 information is compelled by a court pursuant to
 6 subsection 7".
 7 2. Page 6, by inserting after line 26 the
 8 following:
 9 "7. Upon the motion of a party, accompanied by a
 10 written offer of proof, a court may compel disclosure
 11 of certain information if the court determines that
 12 all of the following conditions are met:
 13 a. The information sought is relevant and material
 14 evidence of the facts and circumstances involved in an
 15 alleged act of sexual assault or domestic violence
 16 which is the subject of a criminal proceeding.
 17 b. The probative value of the information
 18 outweighs the harmful effect, if any, of disclosure on
 19 the victim, the counseling relationship, and the
 20 treatment services.
 21 c. The information cannot be obtained by
 22 reasonable means from any other source.
 23 8. In ruling on a motion under subsection 7, the
 24 court, or a different judge, if the motion was filed
 25 in a criminal proceeding to be tried to the court,
 26 shall adhere to the following procedure:
 27 a. The court may require the counselor from whom
 28 disclosure is sought or the victim claiming the
 29 privilege, or both, to disclose the information in

30 chambers out of the presence and hearing of all
31 persons except the victim and any other persons the
32 victim is willing to have present.

33 b. If the court determines that the information is
34 privileged and not subject to compelled disclosure,
35 the information shall not be disclosed by any person
36 without the consent of the victim.

37 c. If the court determines that certain
38 information may be subject to disclosure, as provided
39 in subsection 7, the court shall so inform the party
40 seeking the information and shall order a subsequent
41 hearing out of the presence of the jury, if any, at
42 which the parties shall be allowed to examine the
43 counselor regarding the information which the court
44 has determined may be subject to disclosure. The
45 court may accept other evidence at that time.

46 d. At the conclusion of a hearing under paragraph
47 "c", the court shall determine which information, if
48 any, shall be disclosed and may enter an order
49 describing the evidence which may be introduced by the
50 moving party and prescribing the line of questioning

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1 which may be permitted. The moving party may then
2 offer evidence pursuant to the court order. However,
3 no victim counselor is subject to exclusion under Iowa
4 rule of evidence 615.

5 9. This section does not relate to the admission
6 of evidence of the victim's past sexual behavior which
7 is strictly subject to Iowa rule of evidence 412."

TOM MANN, Jr.

S-3737

1 Amend House File 702 as passed by the House as
2 follows:

3 1. Page 1, line 5, by striking the words "by
4 making" and inserting the word "from".

DONALD V. DOYLE

S-3738

1 Amend House File 648 as passed by the House as
2 follows:

- 3 1. Page 1, line 4, by striking the word "public"
- 4 and inserting the word "public".

COMMITTEE ON EDUCATION
 JOE BROWN, Chair

S-3739

- 1 Amend House File 308 as amended and passed by the
- 2 House as follows:
- 3 1. Page 1, lines 5 and 6, by striking the words
- 4 "or dentists" and inserting the following:
- 5 "chiropractors, optometrists, or dentists".
- 6 2. Page 1, line 6, by inserting after the figure
- 7 "150A," the following: "151,".

CHARLES P. MILLER

S-3740

- 1 Amend Senate File 562 as follows:
- 2 1. Page 7, by striking lines 22 through 31.

DON GETTINGS

S-3741

- 1 Amend House File 476 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 6, by striking line 33 and inserting the
- 4 following:
- 5 "and for miscellaneous purposes \$ 351,620
- 6 The reduction from the proposed expenditures of the
- 7 energy policy council shall be made in operations and
- 8 programs other than the low-income home energy
- 9 assistance program, weatherization assistance program,
- 10 oil overcharge refunds programs, and energy measures
- 11 and energy audit grant programs and technical
- 12 assistance and energy conservation programs for
- 13 schools and hospitals and buildings owned by units of
- 14 local government and public care institutions."
- 15 2. Page 7, by inserting after line 6 the
- 16 following:
- 17 "Sec. 8. Section 93.7, subsection 1, paragraphs a,
- 18 b, c, d, e, and g, and subsections 4 and 11, Code
- 19 1985, are amended by striking those paragraphs and
- 20 subsections."

EDGAR H. HOLDEN

S-3742

- 1 Amend amendment S-3708 to House File 450, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 3, by striking lines 10 through 24 and
- 5 inserting the following: "12, line 18."

BEVERLY A. HANNON

S-3743

- 1 Amend House File 678 as amended, passed and
- 2 reprinted by the House as follows:

DIVISION S-3743A

- 3 1. Page 2, line 30, by inserting after the word
- 4 "the" the word "prior".

DIVISION S-3743B

- 5 2. Page 2, line 32, by striking the word "become"
- 6 and inserting the words "continue to be".

ARTHUR A. SMALL, Jr.

S-3744

- 1 Amend House File 707, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 1, by inserting before line 1 the
- 4 following:
- 5 "Section 1. Section 97B.49, Code 1985, is amended
- 6 by adding the following new subsection:
- 7 NEW SUBSECTION. 14. Notwithstanding sections of
- 8 this chapter relating to eligibility for and
- 9 determination of retirement benefits, a vested member
- 10 who is or has been employed as a peace officer of the
- 11 department of transportation under section 321.477,
- 12 and who retires on or after July 1, 1984 and at the
- 13 time of retirement is at least sixty years of age, and
- 14 has completed at least twenty-five years of service as
- 15 a peace officer in this state, may elect to receive a
- 16 monthly retirement allowance equal to one-twelfth of
- 17 fifty percent of the member's five-year average
- 18 covered wages as a peace officer, with benefits
- 19 payable during the member's lifetime.
- 20 There is appropriated annually from the road use
- 21 tax fund to the Iowa department of job service from

22 funds not otherwise appropriated, an amount sufficient
 23 to pay additional costs above the employer
 24 contributions made under section 97B.11, to finance
 25 the increased benefits to peace officers of the
 26 department of transportation under this subsection.

27 For the purpose of this subsection, "service as a
 28 peace officer" means service as a peace officer of the
 29 department of transportation, marshal or police
 30 officer of a city, sheriff or deputy sheriff, special
 31 agent of the department of public safety, conservation
 32 peace officer, traffic weight officer employed by the
 33 highway commission prior to the creation of the
 34 department of transportation, or peace officer
 35 employed by the Iowa state commerce commission prior
 36 to the creation of the department of transportation."
 37 2. By renumbering sections as necessary.

WILLIAM W. DIELEMAN

S-3745

1 Amend House File 678 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, line 12, by inserting after the word
 4 "inspection." the following: "The owner or lessee
 5 shall be reimbursed for any crop damages incurred in
 6 the maintenance, repair, improvement and inspection."
 7 2. Page 2, line 2, by striking the word
 8 "September" and inserting the word "first".
 9 3. Page 2, by striking lines 5 and 6 and
 10 inserting the words "then outstanding balance plus
 11 interest accrued to the date of payment. Each".

ARNE WALDSTEIN
 BERL E. PRIEBE

S-3746

1 Amend House File 462 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 4, by inserting after line 15 the
 4 following:
 5 "Sec. 9. Section 912.4, subsection 1, Code 1985,
 6 is amended to read as follows:
 7 1. To claim a reparation under the crime victim
 8 reparation program, a person shall apply in writing on
 9 a form prescribed by the commissioner and file the
 10 application with the commissioner within one hundred
 11 eighty days after the date of the crime, or of the
 12 discovery of the crime, or within one hundred twenty

13 days after the date of death of the victim.”
14 2. By renumbering as necessary to conform to this
15 amendment.

TOM MANN, Jr.

S-3747

1 Amend House File 642 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 3, by inserting after line 1 the
4 following:
5 “Sec. ____ . There is appropriated from the general
6 fund of the state to the department of human services
7 for the fiscal year beginning July 1, 1985 and ending
8 June 30, 1986 the sum of forty thousand (40,000)
9 dollars, or so much as is necessary, for an electrical
10 study of the mental health institute at Clarinda.”

JOE WELSH
CALVIN O. HULTMAN

S-3748

1 Amend Senate Resolution 10 as follows:
2 1. Page 1, line 18, by striking the word “receipt”
3 and inserting the following: “review”.

BOB CARR

S-3749

1 Amend Senate File 562 as follows:
2 1. Page 11, by inserting after line 6 the
3 following new sections:
4 “Sec. ____ . Section 28.89, Code 1985, is amended to
5 read as follows:
6 28.89 IOWA PRODUCT DEVELOPMENT CORPORATION FUND.
7 There is created an “Iowa product development
8 corporation fund”. All funds of the corporation
9 including the proceeds from the issuance of notes or
10 sale of bonds under this division, any funds
11 appropriated from the general fund to the corporation,
12 and other income derived from the exercise of powers
13 granted to the corporation under this division shall
14 be paid into the Iowa product development corporation
15 fund notwithstanding section 12.10. The money in the
16 Iowa product development corporation fund , except
17 moneys held by a trustee or a depository pursuant to a
18 bond resolution or indenture relating to the issuance

19 of bonds or notes pursuant to sections 28.90 or 28.91,
20 shall be paid out on the order of the person
21 authorized by the corporation. The money in the Iowa
22 product development corporation fund shall be used for
23 repayment of notes and bonds issued under this
24 division and the extension of financial aid granted by
25 the corporation under this division, and the amount
26 remaining may be used for the payment of the
27 administrative and overhead costs of the corporation
28 to the extent required. Notwithstanding section 8.33,
29 no part of this fund shall revert at or after the
30 close of a fiscal year unless otherwise provided by
31 the general assembly, but shall remain in the fund and
32 appropriated for the purposes of this division. The
33 board shall seek to repay the state for general fund
34 appropriations by recommending to the general assembly
35 reversions from income received from successful
36 ventures. The board shall recommend such action at
37 any time when the revenue available to the board is
38 deemed sufficient to continue existing operations.
39 Sec. ___. Section 28.90, Code 1985, is amended to
40 read as follows:

41 28.90 PRODUCT DEVELOPMENT CORPORATION NOTES.

42 The corporation may issue Iowa product development
43 corporation fund notes, the principal and interest of
44 which shall be payable solely from the Iowa product
45 development corporation fund established by this
46 division. The fund notes of each issue shall be
47 dated, shall mature at such times ~~not exceeding ten~~
48 ~~years from their dates of issue~~, and may be made
49 redeemable before maturity, ~~at the option of the~~
50 ~~corporation~~, at prices and under terms and conditions

Page 2

1 as determined by the corporation. The corporation
2 shall determine the form and manner of execution of
3 the fund notes, including any interest coupons to be
4 attached, and shall fix the denominations and the
5 places of payment of principal and interest, which may
6 be any financial institution within or without the
7 state or any agent, including the lender. If an
8 officer whose signature or a facsimile of whose
9 signature appears on fund notes or coupons ceases to
10 be that officer before the delivery of the notes or
11 coupons, the signature or facsimile is valid and
12 sufficient for all purposes the same as if the officer
13 had remained in office until delivery. The fund notes
14 may be issued in coupon or in registered form, or
15 both, as the corporation determines, and provision may

16 be made for the registration of coupon fund notes as
17 to principal alone and also as to both principal and
18 interest, and for the conversion into coupon fund
19 notes of any fund notes registered as to both
20 principal and interest, and for the interchange of
21 registered and coupon fund notes. Fund notes shall
22 bear interest at rates as determined by the
23 corporation and may be sold in a manner, either at
24 public or private sale, and for a price as the
25 corporation determines to be best to effectuate the
26 purposes of the Iowa product development corporation
27 fund. The proceeds of fund notes shall be used solely
28 for the purposes for which issued and shall be
29 disbursed in a manner and under restrictions as
30 provided in this division and in the resolution of the
31 corporation providing for their issuance. The
32 corporation may provide for the replacement of fund
33 notes which become mutilated or are destroyed or lost.

34 Sec. ___. Section 28.91, subsection 1, Code 1985,
35 is amended to read as follows:

36 1. The corporation may issue its negotiable bonds
37 and notes in principal amounts as, in the opinion of
38 the corporation, are necessary to provide sufficient
39 funds for achievement of its corporate purposes, the
40 payment of interest on its bonds and notes, the
41 establishment of reserves to secure its bonds and
42 notes, and all other expenditures of the corporation
43 incident to and necessary or convenient to carry out
44 its purposes and powers. However, the corporation
45 shall not have a total principal amount of bonds and
46 notes outstanding at any time in excess of one ten
47 million dollars; ~~or the value of the aggregate assets~~
48 ~~of the corporation, as certified by an independent~~
49 ~~certified public accountant.~~ The bonds and notes
50 shall be deemed to be investment securities and

Page 3

1 negotiable instruments within the meaning of and for
2 all purposes of the uniform commercial code.”

3 2. Renumber sections and correct internal
4 references as necessary in accordance with this
5 amendment.

ARTHUR A. SMALL, Jr.

S-3750

1 Amend House File 750 as passed by the House as
2 follows:

- 3 1. Page 2, line 3, by inserting after the word
 4 "cleanup." the following: "However, not more than ten
 5 percent of the fund may be used for this purpose in
 6 any given year without legislative authorization for
 7 that purpose."
 8 2. Page 2, by striking lines 13 through 16 and
 9 inserting the following:
 10 "3. Solid waste disposal facilities with special
 11 provisions which limit the site to the disposal of
 12 construction and demolition waste and solid waste
 13 materials approved by the department for lining or
 14 capping or for construction berms, dikes or roads in a
 15 sanitary disposal project or sanitary landfill are
 16 exempt from the tonnage fees imposed under this
 17 section."
 18 3. Page 2, line 28, by striking the word
 19 "January" and inserting the following: "April".

ALVIN V. MILLER
 CHARLES BRUNER
 TOM MANN, JR.

S-3751

- 1 Amend House File 642 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 3, by inserting after line 1 the
 4 following:
 5 "Sec. ___. There is appropriated from the general
 6 fund of the state to the department of human services
 7 for the fiscal year beginning July 1, 1985 and ending
 8 June 30, 1986 the sum of forty thousand (40,000)
 9 dollars, or so much as is necessary, for engineering
 10 analysis and design of mechanical and electrical
 11 system improvements of the mental health institute at
 12 Clarinda."

JOE WELSH
 CALVIN O. HULTMAN

S-3752

- 1 Amend Senate File 562 as follows:
 2 1. Page 5, by inserting after line 5 the
 3 following:
 4 "It is the intent of the general assembly that
 5 appropriate state agencies assist the Iowa development
 6 commission in marketing and promoting Iowa as a
 7 geographical center for the location of organizations

8 such as the United States institute of peace and the
9 council of state governments.”

ARTHUR A. SMALL, Jr.

S-3753

1 Amend amendment S-3670 to House File 196 as
2 amended, passed, and reprinted by the House as
3 follows:

4 1. Page 1, line 26, by striking the words and
5 figure “pursuant to chapter 453”.

MICHAEL E. GRONSTAL

S-3754

1 Amend House File 571 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 5, by inserting after line 2 the
4 following:

5 “It is the intent of the general assembly that the
6 administrative duties presently performed by the
7 office of the board of cosmetology examiners and the
8 office of the board of barber examiners be
9 consolidated.”

JULIA B. GENTLEMAN
DAVID M. READINGER

S-3755

1 Amend S-3688 to House File 740 as passed by the
2 House as follows:

DIVISION S-3755A

3 1. Page 1, line 4, by striking the word
4 “ordinary” and inserting the following: “first
5 class”.

DIVISION S-3755B

6 2. Page 1, by inserting after line 9 the
7 following:

8 “___. Page 2, line 2, by inserting after the word
9 “years,” the following: “a self-addressed postpaid
10 envelope and”.

11 ___. Page 2, line 10, by inserting after the word

12 "us" the following: "in the enclosed postpaid
13 envelope".
14 3. Renumber as necessary.

JOHN W. JENSEN
PATRICK J. DELUHERY

S-3756

1 Amend House File 452 as passed by the House as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 453.1, Code 1985, is amended
6 to read as follows:
7 453.1 DEPOSITS IN GENERAL.
8 All funds held in the hands of the following
9 officers or institutions shall be deposited in one or
10 more depositories first approved by the appropriate
11 governing body as indicated: For the treasurer of
12 state, by the executive council; for judicial officers
13 and court employees, by the supreme court; for the
14 county treasurer, recorder, auditor, sheriff, by the
15 board of supervisors; for the city treasurer, by the
16 city council; for the county public hospital or merged
17 area hospital, by the board of hospital trustees; for
18 a memorial hospital, by the memorial hospital
19 commission; for a school corporation, by the board of
20 school directors; for a city utility or combined
21 utility system established under chapter 388, by the
22 utility board; for a regional library established
23 under chapter 303B, by the regional board of library
24 trustees; and for an electric power agency as defined
25 in section 28F.2, by the governing body of the
26 electric power agency. However, the treasurer of
27 state and the treasurer of each political subdivision
28 shall invest all funds not needed for current
29 operating expenses in time certificates of deposit in
30 approved depositories pursuant to this chapter or in
31 investments permitted by section 452.10. The list of
32 public depositories and the amounts severally
33 deposited in the depositories are matters of public
34 record. As used in this chapter, "depository" means a
35 bank or any office thereof whose accounts are insured
36 by the federal deposit insurance corporation, or a
37 savings and loan association or any branch thereof or
38 a savings bank or any branch thereof whose accounts
39 are insured by the federal savings and loan insurance
40 corporation, or a credit union insured by the national
41 credit union administration or a bank, savings and

42 loan association, savings bank, or credit union whose
43 deposits are insured by a deposit insurance
44 corporation approved by the state insurance
45 commissioner to do business in the state."

46 2. Page 1, line 11, by inserting after the word
47 "state" the following: "to the same extent and in the
48 same amount as the applicable federal depository
49 insurance for that type of depository".

50 3. Renumber as necessary.

JOHN W. JENSEN

S-3757

1 Amend House File 495, as amended, passed, and re-
2 printed by the House, as follows:

DIVISION S-3757A

3 1. Page 1, by inserting before line 1 the fol-
4 lowing:

5 "Section 1. Section 252C.7, Code 1985, is amended
6 to read as follows:

7 252C.7 EMPLOYERS -- ASSIGNMENTS OF EARNINGS.

8 In addition to other remedies provided by law for
9 the enforcement of a support obligation, the employer
10 of a responsible person owing a support debt shall
11 honor a duly executed assignment of current or future
12 earnings presented by the director to the employer as
13 a plan to satisfy or retire the support debt. The
14 assignment is effective until released in writing by
15 the director. The employer is entitled to receive
16 from the debtor a fee of ~~one dollar~~ two dollars for
17 each remittance under the assignment. Payment of
18 moneys pursuant to the assignment of earnings is a
19 full acquittance under a contract of employment. The
20 director is released from liability for improper
21 receipt of moneys under an assignment of earnings upon
22 the return of the moneys."

23 2. Page 1, line 1, by striking the word "Chapter"
24 and inserting the following: "Section".

DIVISION S-3757B

25 3. Page 1, lines 6 and 7, by striking the words
26 "a spouse who has not remarried or".

27 4. Page 1, line 8, by striking the word
28 "alimony,".

29 5. Page 1, line 9, by inserting after the word

30 "maintenance," the following: "and, if contained in a
31 child support order, spousal support,".

DIVISION S-3757A (cont'd.)

32 6. Page 1, by inserting after line 23 the fol-
33 lowing:

34 "Sec. ____ . Section 252D.4, subsection 1, Code
35 1985, is amended to read as follows:

36 1. The employer, trustee, or other payor who
37 receives an order of assignment by certified mail
38 pursuant to section 252D.1, subsection 2 shall
39 deliver, on the next working day, a copy of the order
40 to the person named in the order. The payor may
41 deduct not more than ~~one dollar~~ two dollars from each
42 payment from the employee's wages as a reimbursement
43 for the payor's costs relating to the assignment. The
44 payor's compliance with the order of assignment
45 satisfies the payor's obligation to the person for the
46 amount of income withheld and transmitted to the clerk
47 of the district court."

48 7. Page 1, line 26, by striking the words "social
49 security number,".

50 8. Page 1, line 29, by striking the words "social

Page 2

DIVISION S-3757A (cont'd.)

1 security number,".

2 9. Page 2, line 8, by striking the words "social
3 security numbers,".

4 10. Page 2, line 15, by striking the words
5 "social security numbers,".

6 11. Page 3, by striking line 12 and inserting the
7 following: "judgments, except as provided for trusts
8 in section 252D.1, 598.22, or 598.23 or for tax
9 refunds or rebates in section 602.8102, subsection
10 47."

DIVISION S-3757B (cont'd.)

11 12. Page 3, line 13, by striking the word "child"
12 and inserting the following: "child".

13 13. Page 3, line 14, by striking the word "child"
14 and inserting the following: "child".

DIVISION S-3757A (cont.d)

15 14. Page 3, line 19, by striking the figures and
16 word "1673b (~~Supp. 1979~~)" and inserting the following:
17 "1673b(b) (~~Supp. 1979~~ 1982)".

18 15. Page 3, line 25, by inserting after the word
19 "clerk." the following: "However, for trusts governed
20 by the federal Retirement Equity Act of 1984, Pub. L.
21 No. 98-397, the payor shall transmit the payments to
22 the alternate payee in accordance with the federal
23 Act."

24 16. Page 3, line 26, by striking the words "one
25 dollar" and inserting the following: "one dollar two
26 dollars".

27 17. Page 4, by striking line 5, and inserting the
28 following: "clerk, except as provided for trusts in
29 section 252D.1, 598.22, or 598.23 or for tax refunds
30 or rebates in section 602.8102, subsection 47."

31 18. Page 4, line 13, by inserting after the word
32 "future." the following: "However, for trusts
33 governed by the federal Retirement Equity Act of 1984,
34 Pub. L. No. 98-397, payments shall be made to the
35 alternate payee in accordance with the federal Act."

36 19. Page 4, line 15, by striking the figures and
37 word "1673b (~~Supp. 1979~~)" and inserting the following:
38 "1673b(b) (~~Supp. 1979~~ 1982)".

DIVISION S-3757B (cont'd.)

39 20. Page 4, line 17, by striking the word "child"
40 and inserting the following: "child".

DIVISION S-3757A (cont'd.)

41 21. Page 4, line 21, by striking the words "one
42 dollar" and inserting the following: "one dollar two
43 dollars".

44 22. Page 5, line 31, by inserting after the
45 figure "1677" the following: "(1982)".

46 23. Page 5, line 34, by striking the figure
47 "627.11".

48 24. Title page, lines 5 and 6, by striking the
49 words "providing exceptions to garnishment
50 limitations,".

Page 3

1 25. By renumbering as necessary.

S-3758

- 1 Amend House File 631, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 30, by inserting after the words
4 "section 225C.19" the words "in order to receive public
5 funding".

DOUGLAS RITSEMA
BEVERLY HANNON

S-3759

- 1 Amend Senate File 552 as follows:

DIVISION S-3759A

- 2 1. Page 9, line 9, by striking the figure
3 "826,586" and inserting the following: "776,586".

DIVISION S-3759B

- 4 2. Page 9, by inserting after line 9 the
5 following:
6 "All individuals attending the basic training
7 course at the academy shall pay twenty-five dollars
8 per day to the academy for tuition. The academy shall
9 also charge each student a reasonable fee for the
10 shoes, uniforms and food provided to that student
11 while the student is enrolled in the basic training
12 program. The employing agency, municipality or
13 organization may reimburse the student for these
14 costs, may pay the tuition and fees directly to the
15 Iowa law enforcement academy, or may do neither. If
16 the employing agency, municipality or organization
17 pays the tuition and fees directly to the Iowa law
18 enforcement academy, the student shall sign and
19 deliver to the employing agency, municipality or
20 organization a promissory note providing for monthly
21 payments through payroll deduction. The repayment
22 period may be up to thirty-six months, and the monthly
23 payment shall be the total amount paid by the Iowa law
24 enforcement academy divided by the number of months in
25 the repayment period chosen by the student.
26 The Iowa law enforcement academy shall study and
27 report back to the general assembly the effect of the
28 reimbursement mandate provided in this subsection on
29 the recruitment and enrollment practices of peace
30 officers. This report shall include recommendations

31 on how Iowa can require law enforcement officers to
32 pay for the full costs of their training.”

CHARLES P. MILLER
BOB CARR

S-3760

1 Amend House File 315 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, line 10, by striking the word
4 “essentially”.
5 2. Page 1, line 11, by inserting after the word
6 “is” the following: “deemed by the pharmacist to be”.
7 3. Page 1, line 30, by striking the word “a” and
8 inserting the word “the”.
9 4. Page 1, line 33, by inserting after the word
10 “prescriber.” the following: “The board of medical
11 examiners and the board of pharmacy examiners shall
12 adopt joint rules to implement and regulate the
13 practice under this subsection.”

BOB CARR

S-3761

1 Amend House File 210, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, by inserting after line 25 the
4 following:
5 “Sec. ____ Notwithstanding section 1 of this Act,
6 for the budget year beginning July 1, 1986 only, the
7 state comptroller shall determine the state aid
8 required to finance the cost of the additional
9 weighting provided in section 1 of this Act. If the
10 state aid required to meet section 1 of this Act
11 exceeds two million dollars, the state comptroller
12 shall reduce the weights proportionally so that the
13 state aid paid under section 1 of this Act does not
14 exceed two million dollars.”

JOE BROWN

S-3762

1 Amend House File 684 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 19, by inserting after line 35 the
4 following:
5 “Sec. ____ Section 524.1202, subsection 1, Code

6 1985, is amended to read as follows:

7 1. Except as otherwise provided in subsection 2 of
8 this section ~~or section 524.1421, no a~~ state bank
9 shall ~~not~~ establish a bank office outside the
10 corporate limits of a municipal corporation or in a
11 municipal corporation in which there is already an
12 established state or national bank or office, ~~however,~~
13 However, the subsequent chartering and establishment
14 of ~~any a~~ state or national bank, through the opening
15 of its principal place of business within the
16 municipal corporation where the bank office is
17 located, shall not affect the right of the bank office
18 to continue in operation in that municipal
19 corporation. The existence and continuing operation
20 of a bank office shall not be affected by the
21 subsequent discontinuance of a municipal corporation
22 pursuant to ~~the provisions of~~ sections 368.11 to
23 368.22. A bank office existing and operating on July
24 1, 1976, which is not located within the confines of a
25 municipal corporation, shall be allowed to continue
26 its existence and operation without regard to this
27 subsection.

28 Sec. ____ . Section 524.1202, Code 1985, is amended
29 by adding the following new subsection:

30 **NEW SUBSECTION.** 3. Notwithstanding subsection 1,
31 if the assets of a state or national bank in existence
32 on January 1, 1985 are transferred to a different
33 state or national bank located in this state, the
34 resulting or acquiring bank may convert to and operate
35 as its bank office any one or more of the business
36 locations occupied as the principal place of business
37 or as a bank office of the bank whose assets are so
38 acquired. The limitations on bank office locations
39 contained in unnumbered paragraph 1 of this section,
40 and the limitation on the number of bank offices
41 within the municipality or urban complex of the
42 resulting or acquiring bank contained in subsection 2
43 shall be applicable to any bank office otherwise
44 authorized by this subsection. A bank office
45 established under the authority of this subsection is
46 subject to the approval of the superintendent, shall
47 be operated in accordance with this chapter relating
48 to the operation of bank offices, and may be augmented
49 by an integral facility when approved under subsection
50 2, paragraph "d".

Page 2

1 2. Page 20, line 5, by striking the word
2 "Section" and inserting the following:
3 "1. Section".

4 3. Page 20, by inserting after line 17 the
5 following:

6 "2. Notwithstanding any other provision of this
7 chapter, the resulting bank of a merger or
8 consolidation of two or more banks, which have been
9 affiliates as defined in section 524.1101 for more
10 than five years prior to the effective date of the
11 merger or consolidation, may retain and operate as its
12 retained bank offices the principal places of business
13 and all bank offices of the affiliate banks which are
14 merged or consolidated into the resulting bank.

15 3. The resulting bank may establish bank offices
16 allowed by other sections of this chapter to the same
17 extent as if the merger or consolidation had not
18 occurred.

19 4. This section does not permit the resulting bank
20 to establish after the effective date of the merger or
21 consolidation any bank offices in addition to those
22 allowed to the resulting bank by other sections of
23 this chapter. However, the resulting bank may
24 establish and operate facilities which in the absence
25 of the merger or consolidation would be considered
26 under section 524.1202, subsection 2, paragraphs "c"
27 and "d", to be an integral part of the former
28 principal places of business of the affiliates which
29 are merged or consolidated into the resulting bank.

30 5. Retained bank offices as provided in subsection
31 2 shall be operated by the resulting bank in the same
32 manner as bank offices established under section
33 524.1201. The banks which are merged or consolidated
34 under this section shall retain an advisory board of
35 directors to advise on the operations of the retained
36 bank office. The board shall be comprised of citizens
37 residing in the area served by the bank office.

38 6. This section does not alter the limitations
39 upon bank holding companies contained in section
40 524.1802.

41 7. The privileges of this section are available on
42 the same conditions to national banks.

43 8. This section shall be strictly construed as an
44 exception to the bank office location limitations
45 contained in section 524.1202 and it is the intent of
46 the general assembly that a court or regulatory agency
47 interpreting this section shall not interpret it to
48 permit statewide branch banking or the location of a

49 bank office in this state other than as provided in
50 this section and in sections 524.312 and 524.1202.

Page 3

1 This section does not authorize the establishment of
2 bank offices at any time or by any bank except when
3 done as the direct and immediate consequence of a
4 merger or consolidation, does not authorize the
5 establishment of the principal place of business of
6 the resulting bank of a merger or consolidation at any
7 location other than one actually occupied and operated
8 as a principal place of business of one of the parties
9 to the merger or consolidation, does not authorize a
10 bank office at any location other than one actually
11 occupied and operated as a principal place of business
12 or bank office by one of the parties to the merger or
13 consolidation, and does not authorize a greater number
14 of bank offices within the municipality or urban
15 complex of the principal place of business of the
16 resulting bank than is expressly permitted by section
17 524.1202, subsection 2."

ARTHUR A. SMALL, Jr.

S-3763

1 Amend amendment S-3609 to House File 315 as
2 amended, passed and reprinted by the House as follows:
3 1. Page 1, line 13, by inserting after the word
4 "handwriting" the following: "or via personal
5 telephone communication".

ARNE WALDSTEIN

S-3764

1 Amend Senate File 563 as follows:
2 1. Page 1, line 6, by inserting after the figure
3 "175.2," the following "or from the sale for one
4 hundred thousand dollars or more of real property to a
5 small business, as defined in chapter 220.1 or to an
6 individual who is starting one,".
7 2. Page 1, line 9, by inserting after the word
8 "authority" the following: "or the Iowa housing
9 finance authority in the case of a small business".

EDGAR H. HOLDEN

S-3765

1 Amend House File 572, as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, by inserting after line 1 the
4 following new section:
5 "Sec. ___. Section 321E.1, Code 1985, is amended
6 to read as follows:
7 321E.1 PERMITS BY DEPARTMENT.
8 The department and local authorities may in their
9 discretion and upon application and with good cause
10 being shown issue permits for the movement of
11 construction machinery or cutler-type asphalt repavers
12 with a gross weight of less than seventy thousand
13 pounds being temporarily moved on streets, roads or
14 highways and for vehicles with indivisible loads which
15 exceed the maximum dimensions and weights specified in
16 sections 321.452 to 321.466, but not to exceed the
17 limitations imposed in sections 321E.1 to 321E.15
18 except as provided in sections 321E.29 and 321E.30.
19 Vehicles permitted to transport indivisible loads may
20 exceed the width and length limitations specified in
21 sections 321.454 and 321.457 for the purpose of
22 picking up an indivisible load or returning from
23 delivery of the indivisible load. Permits issued may
24 be single-trip permits or annual permits. Permits
25 shall be in writing and shall be carried in the cab of
26 the vehicle for which the permit has been issued and
27 shall be available for inspection at all times. The
28 vehicle and load for which the permit has been issued
29 shall be open to inspection by a peace officer or an
30 authorized agent of a permit granting authority. When
31 in the judgment of the issuing local authority in
32 cities and counties the movement of a vehicle with an
33 indivisible load or construction machinery which
34 exceeds the maximum dimensions and weights will be
35 unduly hazardous to public safety or will cause undue
36 damage to streets, avenues, boulevards, thoroughfares,
37 highways, curbs, sidewalks, trees, or other public or
38 private property, the permit shall be denied and the
39 reasons for denial endorsed on the application.
40 Permits issued by local authorities shall designate
41 the days when and routes upon which loads and
42 construction machinery may be moved within the county
43 on other than primary roads."
44 2. Renumber sections and correct internal

45 references as necessary in accordance with this
46 amendment.

RICHARD DRAKE
GEORGE KINLEY

S-3766

1 Amend House File 531 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, line 2, by inserting after the word
4 "information" the following: "that is used for
5 qualifying a person for the purchase of real prop-
6 erty".

BILL HUTCHINS

S-3767

1 Amend Senate File 563 as follows:

DIVISION S-3767A

2 1. Page 1, lines 7 and 8, by striking the words
3 "of nine percent or less" and inserting the following:
4 "which is at least one percentage point lower than the
5 rate in effect under section 421.7 at the time of the
6 sale".

DIVISION S-3767B

7 2. Page 1, line 9, by inserting after the word
8 "authority." the following: "Before approving the
9 transaction, the authority shall determine that the
10 sale price has not been set above the fair market
11 value of the property for the purpose of lowering the
12 interest rate."

CHARLES BRUNER

S-3768

1 Amend House File 315 as amended, passed, and
2 reprinted by the House as follows:

DIVISION S-3768A

3 1. Page 1, line 30, by striking the word "a" and
4 inserting the word "the".

DIVISION S-3768B

5 2. Page 1, line 33, by inserting after the word
6 "prescriber." the following: "The board of medical
7 examiners and the board of pharmacy examiners shall
8 adopt joint rules to implement and regulate the
9 practice under this subsection."

BOB CARR

S-3769

1 Amend House File 575 as passed by the House as
2 follows:
3 1. Page 1, by striking lines 25 through 30.

ARTHUR A. SMALL, JR.

S-3770

1 Amend House File 315 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 11, by inserting after the
4 word "is" the following: "deemed by the pharma-
5 cist to be".

BOB CARR

S-3771

1 Amend House File 244 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 10, by inserting after line 11 the
4 following:
5 "Sec. ____ Sections 1 and 2 of this Act are
6 repealed effective July 1, 1987."

LARRY MURPHY

S-3772

1 Amend House File 231 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, by striking lines 1 through 19, and
4 inserting the following:
5 "Section 1. Section 461.2, Code 1985, is amended
6 by adding the following new unnumbered paragraph:
7 NEW UNNUMBERED PARAGRAPH. However, the board of
8 supervisors may install a temporary portable pumping
9 station to remove flood waters in an emergency. For

10 the purpose of this paragraph an emergency occurs when
 11 ponded or standing water does not freely flow to the
 12 outlet ditch and the capacity of the outlet ditch is
 13 not fully used."

ARNE WALDSTEIN

S-3773

1 Amend House File 700 as passed by the House as
 2 follows:
 3 1. Page 2, by inserting after line 17, the
 4 following:
 5 "g. Notwithstanding any other provision of the
 6 Code, causes or knowingly permits the child or minor
 7 to engage in a street occupation, as defined in
 8 section 92.1, subsection 1, in a city having a
 9 population of ten thousand or more, according to the
 10 most recent federal census, before seven o'clock a.m."
 11 2. Page 2, line 18, by inserting after the word
 12 "endangerment" the following: "by the violation of
 13 subsection 1, paragraphs "a" through "f",".
 14 3. Page 2, line 21, by inserting after the word
 15 "endangerment" the following: "by the violation of
 16 subsection 1, paragraphs "a" through "f",".
 17 4. Page 2, by inserting after line 23, the
 18 following:
 19 "4. A person who commits child endangerment in
 20 violation of subsection 1, paragraph "g", is guilty of
 21 a serious misdemeanor."

EDGAR H. HOLDEN

S-3774

1 Amend House File 451, as amended, passed, and
 2 reprinted by the House, as follows:

DIVISION S-3774A

3 1. Page 11, by striking lines 2 and 3 and
 4 inserting the following:
 5 "Sec. 21. NEW SECTION. 242.16 STANDARDS."

DIVISION S-3774B

6 2. Page 11, by striking lines 21 through 30.

DIVISION S-3774A (cont'd.)

- 7 3. By striking page 11, line 31 through page 12,
8 line 5.
9 4. Page 12, by striking lines 6 and 7 and
10 inserting the following:
11 "Sec. 22. NEW SECTION. 244.15 STANDARDS."

DIVISION S-3774B (cont'd.)

- 12 5. Page 12, by striking lines 25 through 33.

DIVISION S-3774A (cont'd.)

- 13 6. By striking page 12, line 34 through page 13,
14 line 8.

DOUGLAS RITSEMA

S-3775

- 1 Amend House File 244 as amended, passed, and re-
2 printed by the House as follows:
3 1. Page 4, line 6, by striking the words "~~shall~~
4 may" and inserting the following: "shall".
5 2. Page 4, line 8, by striking the words "~~shall~~
6 may" and inserting the following: "shall".
7 3. Page 6, by striking lines 7 through 9 and
8 inserting the following: "preliminary intake and
9 assessment by any facility as defined in section
10 125.2, subsection 2, has confirmed that".
11 4. Page 6, line 22, by inserting after the word
12 "abuser," the following: "including detoxification of
13 indigents".

LARRY MURPHY

HOUSE AMENDMENT TO
SENATE FILE 315

S-3776

- 1 Amend Senate File 315 as passed by the Senate as
2 follows:
3 1. By striking everything after the enacting
4 clause and inserting:
5 "Section 1. Rule of criminal procedure 5, section
6 3, Iowa court rules, second edition, is amended by
7 striking the section and inserting the following:
8 3. MINUTES OF EVIDENCE. The prosecuting attorney
9 shall file with the information the minutes of
10 evidence of the witnesses which shall consist of a

11 written notice stating the names, places of residence,
 12 and occupations of the witnesses whose evidence is
 13 expected to be introduced at trial and setting forth a
 14 full and fair statement of each witness' expected
 15 testimony.
 16 Sec. 2. This Act takes effect July 2 following its
 17 enactment."

HOUSE AMENDMENT TO
 SENATE FILE 328

S-3777

1 Amend Senate File 328 as passed by the Senate as
 2 follows:
 3 1. Page 1, line 16, by striking the word
 4 "successfully".
 5 2. Page 1, line 18, by inserting after the word
 6 "and" the following: "shall require the applicant to
 7 pass an examination to establish the".

HOUSE AMENDMENT TO
 SENATE FILE 377

S-3778

1 Amend Senate File 377 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, by striking lines 16 and 17 and
 4 inserting the following: "or trust company referred
 5 to in section 633.63, subsection 2, is".
 6 2. Page 1, by striking lines 19 and 20 and
 7 inserting the following: "jurisdiction is invoked by
 8 the trustee or beneficiary, or if otherwise provided
 9 by the governing".
 10 3. Page 1, by striking line 26 and inserting the
 11 following: "thereafter invoked by the trustee or
 12 beneficiary."
 13 4. Page 1, by striking lines 27 through 30 and
 14 inserting the following:
 15 "Sec. 2. Section 682.60, Code 1985, is amended to
 16 read as follows:
 17 682.60 POWERS AND DUTIES OF TRUSTEES NOT SUBJECT
 18 TO COURT ADMINISTRATION.
 19 Trustees of ~~express~~ trusts not being administered
 20 in the probate court, shall have all the powers and
 21 shall be subject to all the duties and liabilities as
 22 provided in the probate code, except the duty of
 23 reporting to or obtaining approval of the court."

HOUSE AMENDMENT TO
SENATE FILE 387

S-3779

1 Amend Senate File 387 as passed by the Senate as
2 follows:

DIVISION S-3779A

3 1. Page 1, by inserting after line 22 the
4 following:
5 "Sec. ___. Section 321.40, Code 1985, is amended
6 by adding the following new unnumbered paragraph
7 immediately following unnumbered paragraph 1:
8 NEW UNNUMBERED PARAGRAPH. On or before the
9 fifteenth day of the month of expiration of a
10 vehicle's registration the county treasurer shall send
11 a statement by mail of fees due to the appropriate
12 owner of record. The statement shall be mailed to the
13 most current address of record, showing information
14 sufficient to identify the vehicle and a listing of
15 the various fees as appropriate. Failure to receive a
16 statement shall have no effect upon the accrual of
17 penalty at the appropriate date. This paragraph
18 applies to counties with a population of one hundred
19 thousand or more. This paragraph applies to any
20 county with a population of less than one hundred
21 thousand at the discretion of the county treasurer."

DIVISION S-3779B

22 2. Page 2, by inserting after line 7 the
23 following:
24 "Sec. ___. Section 321.126, unnumbered paragraph
25 1, Code 1985, is amended to read as follows:
26 Refunds of ~~current~~ unexpired vehicle registration
27 fees ~~paid for the registration of motor vehicles~~ shall
28 be allowed in accordance with this section, except
29 that no refund shall be allowed and paid if the unused
30 portion of the fee is less than five dollars.
31 Subsections 1 and 2 ~~shall do~~ not apply to motor
32 vehicles registered by the county treasurer. The
33 refunds shall be made as follows:
34 Sec. ___. Section 321.126, Code 1985, is amended
35 by adding the following new subsection:
36 NEW SUBSECTION. If a vehicle is sold or junked
37 within thirty days after a replacement vehicle has
38 been purchased and the title and registration for the
39 replacement vehicle issued, the owner in whose name

40 the vehicle was registered may within thirty days
 41 after the date of sale or junking make claim to the
 42 department for a refund of the sold or junked
 43 vehicle's registration fee subject to the following
 44 limitations:
 45 a. The refund shall be computed on the basis of
 46 the number of unexpired months remaining in the
 47 registration year at the time the vehicle was sold or
 48 junked and shall be rounded to the nearest whole
 49 dollar. Section 321.127, subsection 1, does not
 50 apply.

Page 2

DIVISION S-3779B (cont'd.)

1 b. The refund shall not exceed the amount of the
 2 registration fee for the replacement vehicle and shall
 3 only be allowed if the replacement vehicle was
 4 registered within the time specified for registration
 5 under section 321.46, subsection 1.

6 c. The refund shall only be allowed if the owner
 7 provides the credit copy of the registration receipt
 8 for the vehicle sold or junked and a photocopy of the
 9 registration receipt for the replacement vehicle.

10 d. This subsection does not apply to vehicles
 11 registered under chapter 326.

12 Sec. ___. Section 321.127, Code 1985, is amended
 13 to read as follows:

14 321.127 AMOUNT PAYMENT OF REFUND.

15 1. The refund of the registration fee for motor
 16 vehicles shall be computed on the basis of one-fourth
 17 of the annual registration fee multiplied by the
 18 number of remaining quarters of unexpired months
 19 remaining in the registration year from date of filing
 20 of the claim for refund with the county treasurer,
 21 computed to the nearest quarter dollar.

22 2. The department, unless reasonable grounds exist
 23 for delay, shall make refund on or before the
 24 fifteenth last day of the quarter month following the
 25 quarter month in which the claim is filed with the
 26 department.

27 3. For trailers or semitrailers issued a multiyear
 28 registration plate a refund shall be paid equal to the
 29 annual fee for twelve months times the remaining
 30 number of complete registration years.

31 4. Refunds for motor vehicles registered for
 32 prorate under chapter 326 shall be paid on the basis
 33 of unexpired complete calendar months remaining in the
 34 registration year from the date the claim is filed

35 with the department.”

36 3. Title page, line 7, by striking the words
37 “vehicle and” and inserting the word “vehicle.”

38 4. Title page, line 9, by inserting after the
39 word “person” the words “, requiring certain counties
40 to send a statement relating to due registration fees
41 to owners of motor vehicles and allowing a refund of
42 unexpired registration fees for certain vehicles”.

43 5. Renumber sections as necessary.

S-3780

1 Amend House File 649 as amended, passed, and
2 reprinted by the House as follows:

3 1. By striking page 1, line 35 through page 2,
4 line 2 and inserting the following: “health shall
5 adopt standards relative to the construction,
6 reconstruction and abandonment of wells that are
7 consistent with and not more restrictive than those
8 adopted by the department.”

9 2. Page 2, line 13, by inserting after the word
10 “rule.” the following: “The standards shall be the
11 same standards as adopted by the department.”

EDGAR H. HOLDEN

HOUSE AMENDMENT TO
SENATE FILE 480

S-3781

1 Amend Senate File 480 as passed by the Senate as
2 follows:

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

5 “Section 1. Section 279.19A, subsections 1 and 2,
6 Code 1985, are amended to read as follows:

7 1. School districts employing individuals to coach
8 interscholastic athletic ~~activities~~ sports shall issue
9 a separate extracurricular contract for each of these
10 ~~activities~~ sports. An extracurricular contract
11 offered under this section shall be separate from the
12 contract issued under section 279.13. Wages for
13 employees who coach these ~~activities~~ sports shall be
14 paid pursuant to established or negotiated
15 supplemental pay schedules. An extracurricular
16 contract shall be in writing, and shall state the
17 number of contract days ~~for that sport~~, the annual
18 compensation to be paid, and any other matters as may
19 be mutually agreed upon. The contract shall be for a

20 single school year.

21 2. An extracurricular contract shall be continued
22 automatically in force and effect for equivalent
23 periods, except as modified or terminated by mutual
24 agreement of the board of directors and the employee,
25 or terminated in accordance with this section. An
26 extracurricular contract shall initially be offered by
27 the employing board to an individual on the same date
28 that contracts are offered to teachers under section
29 279.13. An extracurricular contract may be terminated
30 at the end of a school year pursuant to sections
31 279.15 through 279.19. If the school district offers
32 an extracurricular contract for ~~an activity a~~ sport
33 for the subsequent school year to an employee who is
34 currently performing under an extracurricular contract
35 for that ~~activity~~ sport, and the employee does not
36 wish to accept the extracurricular contract for the
37 subsequent year, the employee may resign from the
38 extracurricular contract within twenty-one days after
39 it has been received.

40 Sec. ____ . Section 279.19A, subsection 4, paragraph
41 c, Code 1985, is amended to read as follows:

42 c. The position has not been filled by June 1 of
43 the year in which the vacancy occurred for the
44 interscholastic athletic ~~activity~~ sport.”

45 2. Title page, line 1, by striking the words “for
46 requiring” and inserting the following: “and
47 requirements for”.

48 3. By numbering and renumbering sections as
49 necessary.

HOUSE AMENDMENT TO
SENATE FILE 526

S-3782

1 Amend Senate File 526 as passed by the Senate as
2 follows:

3 1. Page 1, by striking line 6 and inserting the
4 following: “in the professional education program,
5 preparation that contributes to”.

6 2. Page 1, line 11, by striking the words “a
7 course” and inserting the following: “a professional
8 education program”.

9 3. Title page, line 1, by striking the words “a
10 course” and inserting the following: “a professional
11 education program”.

S-3783

1 Amend House File 451, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 5, by striking lines 5 and 6 and
4 inserting the following: "outpatient physical
5 examination or authorizing a physician, a psychologist
6 certified under section 154B.7, or a community mental
7 health center accredited pursuant to chapter 230A to
8 conduct an".

LARRY MURPHY

HOUSE AMENDMENT TO
SENATE FILE 433

S-3784

1 Amend Senate File 433 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, line 6, by inserting after the word
4 "technician." the following: "Neither term refers to
5 a person currently working in the field of respiratory
6 care who does not become certified under this
7 chapter."
8 2. Page 1, line 11, by striking the words
9 "program and has" and inserting the following:
10 "program,".
11 3. Page 1, line 13, by striking the word "care"
12 and inserting the following: "care and passed a
13 respiratory therapy certification examination approved
14 by the state department of health. Two years of
15 supervised clinical experience in an acceptable
16 location for the practice of respiratory care, as
17 described in section 135F.4, may be substituted for
18 the completion of a respiratory therapy training
19 program."
20 4. Page 1, line 16, by striking the words
21 "program and has" and inserting the following:
22 "program,".
23 5. Page 1, line 18, by striking the word "care"
24 and inserting the following: "care and passed a
25 respiratory therapy technicians' certification
26 examination approved by the state department of
27 health. Two years of supervised clinical experience
28 in an acceptable location for the practice of
29 respiratory care, as described in section 135F.4, may
30 be substituted for the completion of a respiratory
31 therapy training program."
32 6. Page 4, line 13, by striking the words "of the

33 committee”.

34 7. Page 4, by inserting after line 33 the
35 following:

36 “3. The designation of certification examinations
37 for respiratory care practitioners.”

38 8. Page 5, line 10, by inserting after the word
39 “practitioner.” the following: “A person working in
40 the field of respiratory care on the effective date of
41 this Act shall be permitted to continue to do so
42 except that the person shall not be entitled to
43 designate or refer to themselves as a “respiratory
44 care practitioner” or use the letters R.C.P. after the
45 person’s name.”

46 9. Page 5, by inserting after line 24 the
47 following:

48 “Sec. 11. NEW SECTION. 135F.11 CONTINUING
49 EDUCATION.

50 After July 1, 1988, a practitioner shall submit

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1 evidence satisfactory to the department that during
2 the year of certification the practitioner has
3 completed continuing education courses as prescribed
4 by the department. In lieu of the continuing
5 education, a person may successfully complete the most
6 current version of the certification examination.

7 Sec. 12. NEW SECTION. 135F.12 SUSPENSION AND
8 REVOCATION OF CERTIFICATES.

9 The department may suspend, revoke or impose
10 probationary conditions upon a certificate issued
11 pursuant to rules adopted in accordance with section
12 135F.6.

13 Sec. 13. NEW SECTION. 135F.13 ADVISORY
14 COMMITTEE.

15 A respiratory care advisory committee is
16 established to provide advice to the department
17 regarding approval of continuing education programs
18 and drafting of rules pursuant to section 135F.6.

19 The members of the advisory committee shall include
20 two licensed physicians with recognized training and
21 experience in respiratory care, two respiratory care
22 practitioners, and one public member. Not more than a
23 simple majority of the advisory committee shall be of
24 one gender. Members shall be appointed by the
25 governor, subject to confirmation by the senate, and
26 shall serve three year terms beginning and ending in
27 accordance with section 69.19. Members shall also be
28 compensated for their actual and necessary expenses
29 incurred in the performance of their duties. All per.

- 30 diem and expense moneys paid to the members shall be
31 paid from funds appropriated to the department.
32 Sec. 14. Notwithstanding the provisions of section
33 135F.13, of the initial appointees to the advisory
34 committee, two members shall be appointed for one year
35 terms, two members shall be appointed for two year
36 terms and one member shall be appointed for a three
37 year term. The initial appointees' successors shall
38 be appointed to terms of three years each except that
39 a person chosen to fill a vacancy shall be appointed
40 only for the unexpired term of the committee member
41 replaced."
42 10. Title page, lines 2 and 3, by striking the
43 words "and an effective date".
44 11. Renumber sections as necessary.

S-3785

- 1 Amend the Holden and Gentleman amendment, S-3704,
2 to Senate File 562, as follows:
3 1. Page 1, by striking lines 11 through 16 and
4 inserting the words "of job service. The funds
5 appropriated from the special".

DON E. GETTINGS

S-3786

- 1 Amend Senate File 562 as follows:
2 1. Page 3, by striking lines 19 through 30 and
3 inserting the following:
4 "Notwithstanding section 8.33, the unencumbered or
5 unobligated balance remaining as of June 30, 1985 of
6 the appropriation made under 1984 Iowa Acts, chapter
7 1301, section 10, subsection 8, paragraph j, may be
8 used for fund grants to cities and community groups
9 for the development of community programs that would
10 provide local jobs for Iowa residents and promote a
11 city's historical, ethnic, and cultural heritages as
12 provided in 1984 Iowa Acts, chapter 1301, section 10,
13 subsection 8, paragraph j, through December 31, 1985.
14 The unencumbered or unobligated balance of the funds
15 appropriated under 1984 Iowa Acts, chapter 1301,
16 section 10, subsection 8, paragraph j, which remain
17 after December 31, 1985, shall revert to the general
18 fund of the state on January 1, 1986."

DON E. GETTINGS

S-3787

- 1 Amend Senate File 562 as follows:
- 2 1. By striking page 7, line 35 through page 8,
- 3 line 2.

DON E. GETTINGS

S-3788

- 1 Amend Senate File 562 as follows:
- 2 1. Page 10, line 21, by striking the figure
- 3 "500,000" and inserting the figure "600,000".

C. JOSEPH COLEMAN
RICHARD F. DRAKE

S-3789

- 1 Amend House File 572 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, by inserting after line 2, the
- 4 following:
- 5 "A compacted-rubbish vehicle shall display a
- 6 strobe light visible from both the front and the
- 7 rear of the vehicle when the vehicle is being
- 8 operated with axle loadings in excess of those
- 9 allowed in section 321.463."

JOHN W. JENSEN

S-3790

- 1 Amend House File 572 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 30, by inserting after the word
- 4 "operated." the following: "Vehicles operating with
- 5 a permit issued under this paragraph shall not
- 6 exceed the axle weight limits in section 321.463
- 7 unless one inch or more of rain has fallen during
- 8 the preceding twenty-four hours in the county where
- 9 the vehicle is operated."

JOHN W. JENSEN

S-3791

- 1 Amend House File 554 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 31, by striking the words
- 4 "social security or".

THOMAS A. LIND

S-3792

- 1 Amend House File 572 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 1, by inserting after the word
- 4 "systems." the following: "Notwithstanding the
- 5 provisions of section 321.445, subsection 2, paragraph
- 6 "b", the driver and passengers of a vehicle operated
- 7 under a permit issued under this paragraph shall wear
- 8 a properly adjusted and fastened safety belt or safety
- 9 harness when the vehicle is in motion on any road or
- 10 street."
- 11 2. Page 2, by inserting after line 1 the
- 12 following:
- 13 "Sec. __. This Act shall become effective only if
- 14 House File 499 is passed by the Seventy-first General
- 15 Assembly."
- 16 3. Title page, line 2, by inserting after the
- 17 word "applicable" the words "and providing an
- 18 effective date".

THOMAS A. LIND

S-3793

- 1 Amend House File 476 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, by striking line 32 and inserting the
- 4 following:
- 5 "purposes \$3,221,746
- 6 It is the intent of the general assembly that the
- 7 proposed budget allocation to the animal health
- 8 section of the regulatory division be reduced by two
- 9 hundred thousand dollars."

JOE J. WELSH

S-3794

- 1 Amend House File 392 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 28, by striking the words "shall
- 4 create" and inserting the following: "may convene".
- 5 2. Page 2, by striking lines 32 and 33 and
- 6 inserting the following: "center plan. The review
- 7 board may meet to".
- 8 3. By striking page 3, line 13 through page 4,
- 9 line 9.

JULIA B. GENTLEMAN

S-3795

- 1 Amend House File 572 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 15, by inserting after the word
- 4 "pounds," the following: "The driver and any workers
- 5 loading a vehicle operated with a permit issued under
- 6 this paragraph shall wear a safety helmet and orange
- 7 safety vest at all times."

THOMAS A. LIND

S-3796

- 1 Amend House File 736 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 11, by inserting after the word
- 4 "may" the following: "participate and".

HURLEY HALL

S-3797

- 1 Amend House File 730 as passed by the House as
- 2 follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. NEW SECTION. 158A.1 DEFINITIONS.
- 6 As used in this chapter, unless the context
- 7 otherwise requires:
- 8 1. "Registered dietitian" or "dietitian" means a
- 9 person registered with the department of health to
- 10 practice dietetics pursuant to this chapter.
- 11 2. "Registered dietetic nutritionist" or
- 12 "nutritionist" means a person registered with the
- 13 board of health to practice nutrition pursuant to this

14 chapter.

15 3. "Department" means the state department of
16 health.

17 Sec. 2. NEW SECTION. 158A.2 REGISTRATION
18 REQUIREMENTS.

19 1. An applicant for registration as a dietitian
20 shall possess a baccalaureate degree or
21 postbaccalaureate degree with a major course of study
22 in human nutrition, food and nutrition, dietetics, or
23 food systems management, or an equivalent major course
24 of study which meets minimum academic requirements as
25 established by the American dietetic association.

26 2. An applicant for registration as a nutritionist
27 shall possess a minimum of a baccalaureate degree with
28 a major in human nutrition, food and nutrition, or
29 dietetics.

30 Sec. 3. NEW SECTION. 158A.3 TITLE DESIGNATION.

31 A registered dietitian may add after that person's
32 name "R.D."

33 A registered dietetic nutritionist may add after
34 that person's name "R.D.N."

35 A person who is not registered with the department
36 pursuant to this chapter shall not use the
37 designations "R.D." or "R.D.N." or otherwise represent
38 themselves as a dietitian or a nutritionist.

39 Sec. 4. NEW SECTION. 158A.4 REGISTRATION FEES
40 AND REVOCATIONS.

41 Registrants under this chapter shall pay to the
42 department an annual registration fee which shall be
43 set by the department at a level sufficient to defray
44 the costs of issuing the registration certificate.
45 Registrations shall be subject to suspension and
46 revocation pursuant to rules adopted by the department
47 in accordance with chapter 17A."

EDGAR H. HOLDEN

S-3798

1 Amend House File 572 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 2, by inserting after line 2 the
4 following:

5 "A compacted-rubbish vehicle being operated under a
6 special permit shall not be operated when loaded at a
7 speed in excess of thirty-five miles per hour. An
8 amber revolving light visible to the front and to the
9 rear shall be displayed and in operation whenever the
10 compacted-rubbish vehicle is being moved on a road or
11 street either partially or fully loaded. When empty,

12 the vehicle may be operated at legal speeds and the
13 amber revolving light shall not be used."

HURLEY HALL

S-3799

1 Amend House File 572 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, by inserting after line 2 the
4 following:
5 "Every compacted-rubbish vehicle shall display a
6 one foot by two foot rectangular sign on each side and
7 each end of the cargo container when it contains one
8 thousand pounds or more of rubbish. The legend on the
9 sign shall be "caution emergency response personnel -
10 this container may contain miscellaneous hazardous
11 substances". The background and legend on the sign
12 shall be in a contrasting color to each other and to
13 the cargo container. The signs shall be covered or
14 removed at all times when the vehicle contains less
15 than one thousand pounds of rubbish. This provision
16 applies to any vehicle which meets the definition of
17 compacted-rubbish vehicle without regard for the
18 permit provision of this section."

THOMAS A. LIND

S-3800

1 Amend House File 572 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 34, by inserting after the word
4 "vehicles." the following: "Annual special permits
5 shall not be issued until the applicant posts a bond
6 against possible damage to roads and streets. The
7 bond shall be forfeited and the permit revoked if the
8 department or the city or county finds that operation
9 of the permitted vehicle has caused actual damage to
10 the roads or streets."

DON GETTINGS

S-3801

1 Amend House File 572 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 17, by inserting after the word
4 "engineer." the following: "Permits shall be issued
5 only to operators who pay their employees according to

6 a plan which assigns equal pay grades to jobs of
7 comparable worth."

THOMAS LIND

S-3802

1 Amend House File 740 as passed by the House as
2 follows:
3 1. Page 1, by striking lines 22 through 31 and
4 inserting the following: "organization shall not
5 charge a fee against an account on deposit with the
6 organization if there has been no activity in the
7 account for at least twelve consecutive months."

MICHAEL E. GRONSTAL

S-3803

1 Amend House File 451, as amended, passed, and
2 reprinted by the House, as follows:

DIVISION S-3803A

3 1. Page 12, line 5, by striking the word "school"
4 and inserting the following: "school, the rules
5 adopted pursuant to subsection 1, and the review of
6 compliance with the standards conducted pursuant to
7 subsection 2".
8 2. Page 13, line 8, by striking the word "home"
9 and inserting the following: "home, the rules adopted
10 pursuant to subsection 1, and the review of compliance
11 with the standards conducted pursuant to subsection
12 2".

DIVISION S-3803B

13 3. Page 16, by inserting after line 29 the
14 following:
15 "Sec. ____ PROSPECTIVE REPEAL. Sections 242.16
16 and 244.15 contained in sections 21 and 22 of this Act
17 are repealed July 1, 1988. The advisory committees
18 established in those sections shall report to the
19 general assembly by January 1, 1988 their
20 recommendations relating to the prospective repeal of
21 sections 242.16 and 244.15."
22 4. By renumbering as necessary.

CHARLES BRUNER

S-3804

- 1 Amend House File 684 as amended, passed, and
2 reprinted by the House as follows:
- 3 1. Page 6, by striking lines 12 through 28.
4 2. By striking page 7, line 19 through page 9,
5 line 23.
6 3. By striking page 9, line 30 through page 10,
7 line 13.
8 4. By striking page 11, line 22 through page 13,
9 line 24.
10 5. By striking page 13, line 34 through page 15,
11 line 12.
12 6. Page 21, by striking lines 16 through 19.
13 7. By striking page 21, line 30 through page 22,
14 line 1.
15 8. Page 25, by striking lines 16 through 22 and
16 inserting the following:
17 "Sec. ____ . The legislative council shall establish
18 a joint interim committee of the senate and of the
19 house to study the necessity and desirability of
20 initiating a title guarantee program as passed by the
21 house on March 28, 1985 or the establishment or
22 authorization of other title guarantee or insurance
23 programs. The committee shall report its findings and
24 recommendations, including any proposed legislation,
25 to the general assembly by January 15, 1986."
26 9. Title page 1, by striking lines 9 through 12
27 and inserting the following: "private activity bonds
28 for tax exempt purposes, by creating a commitment
29 costs fund to be used by the Iowa".
30 10. Title page 1, by striking lines 14 through 18
31 and inserting the following: "for first time home
32 buyers, by providing for conditions and".
33 11. Title page 2, by striking lines 1 through 6,
34 and inserting the following: "of lienholders under
35 the procedure, mandating a legislative study of the
36 necessity and desirability of establishing or
37 authorizing title guarantee or title insurance
38 programs, and providing for an effective date."
39 12. Renumber as necessary.

COMMITTEE ON COMMERCE
GEORGE R. KINLEY, Chair

S-3805

1 Amend House File 648 as passed by the House as
2 follows:
3 1. Page 1, line 4, by striking the word "~~public~~"
4 and inserting the word "public".

RAY TAYLOR
BILL HUTCHINS
ARTHUR GRATIAS
JOE BROWN

S-3806

1 Amend House File 684 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 19, by inserting after line 18 the
4 following:
5 "Sec. ____ . Section 524.803, subsection 1, Code
6 1985, is amended by adding the following new lettered
7 paragraph:
8 NEW LETTERED PARAGRAPH. f. Subject to the prior
9 approval of the superintendent, a state bank may
10 organize, acquire or invest in a subsidiary for the
11 purpose of engaging in any one or more nondepository
12 activities that a state bank is authorized to engage
13 in directly under this chapter, any activity that a
14 bank service corporation is authorized to engage in
15 under state or federal law or regulation, and any
16 activity authorized pursuant to section 524.816.
17 Sec. ____ . NEW SECTION. 524.825 SECURITIES
18 ACTIVITIES.
19 Subject to the prior approval of the
20 superintendent, a state bank or a subsidiary of a
21 state bank organized or acquired pursuant to section
22 524.803, subsection 1, paragraph "f" may engage in
23 directly, or may organize, acquire or invest in a
24 subsidiary for the purpose of engaging in securities
25 activities and any aspect of the securities industry,
26 including, but not limited to, any of the following:
27 1. Issuing, underwriting, selling or distributing
28 stocks, bonds, debentures, notes, mutual funds, money
29 market type mutual funds, or other securities.
30 2. Organizing, sponsoring and operating one or
31 more mutual funds.
32 3. Acting as a securities broker-dealer licensed
33 under chapter 502. The business relating to
34 securities shall be conducted through, and in the name
35 of, the broker-dealer.
36 The requirements of chapter 502 apply to any
37 business of the broker-dealer transacted in this
38 state. A subsidiary engaging in activities authorized

39 by this section may also engage in any other
40 authorized activities under section 524.803,
41 subsection 1, paragraph "f".

42 2. Page 19, by inserting after line 35 the
43 following:

44 "Sec. ____ Section 524.901, subsection 3,
45 paragraph d, Code 1985, is amended to read as follows:

46 d. Shares in a corporation which the state bank is
47 authorized to acquire and hold pursuant to section
48 524.803, subsection 1, paragraphs "c", "d", and "e",
49 and "f" and section 524.825."

50 3. Title page 1, line 20, by inserting after the

Page 2

1 word "affiliates," the following: "by permitting a
2 state bank to engage in securities activities and to
3 organize, acquire or invest in a subsidiary to engage
4 in nondepository activities permitted by state or
5 federal law,".

6 4. Renumber as necessary.

CALVIN O. HULTMAN

S-3807

1 Amend House File 554 as amended, passed, and
2 reprinted by the House as follows:

3 1. By striking page 1, line 15 through page 4,
4 line 7 and inserting the following:

5 "Sec. 2. Section 554.9307, Code 1985, is amended
6 by adding the following new subsection:

7 **NEW SUBSECTION.** 4. a. A buyer in ordinary course
8 of business buying farm products from a person engaged
9 in farming operations takes free of a security
10 interest created by that person's seller even though
11 the security interest is perfected and even though the
12 buyer knows of its existence, unless the buyer
13 receives prior written notice of the security
14 interest. "Written notice" means a writing which may
15 contain information regarding more than one debtor and
16 more than one lien and shall contain all of the
17 following:

18 (1) The full name, address, and social security or
19 tax identification number of the debtor.

20 (2) The full name and address of the secured
21 party.

22 (3) A description of the collateral.

23 (4) The date and signature of the secured party.

24 b. The written notice expires on the earlier of

25 either of the following dates:

26 (1) Eighteen months after the date the secured
27 party signs the notice.

28 (2) When the debt that appears on the notice is
29 satisfied.

30 c. For the notice to be effective, the buyer of
31 the farm products must have received the notice prior
32 to the time the buyer has made full payment to the
33 person engaged in farming operations. The notice is
34 not effective against any payments made prior to
35 receipt of the notice.

36 d. Within fifteen days of the satisfaction of the
37 debt, the secured party shall inform in writing each
38 potential buyer listed by the debtor to whom the
39 notice provided in paragraph "e" has been sent that
40 the debt has been satisfied.

41 e. A debtor engaged in farming operations who has
42 created a security interest in farm products shall
43 provide the secured party with a written list of
44 potential buyers of the farm products at the time the
45 debt is incurred if the secured party requests such a
46 list. The debtor shall not sell the farm products to
47 a buyer who does not appear on the list unless the
48 secured party has given prior written permission or
49 the debtor applies the proceeds the debtor receives
50 from the sale to the debt within fifteen days of the

Page 2

1 date of sale. A debtor who knowingly or intentionally
2 sells the farm products in violation of this paragraph
3 is guilty of an aggravated misdemeanor.

4 f. A buyer of farm products buying from a person
5 engaged in farming operations shall issue a check for
6 payment jointly to the debtor and those secured
7 parties from whom the buyer has received prior written
8 notice of a security interest. A buyer who issues a
9 check jointly payable as specified in this subsection
10 takes the farm products free of a security interest
11 created by that person's seller. A buyer who does not
12 issue a check jointly payable as specified in this
13 subsection does not take the farm products free of a
14 security interest created by that person's seller. A
15 buyer shall not withhold all or part of the payment to
16 satisfy a prior debt. However, the buyer may withhold
17 the costs incurred by the purchaser to market or
18 transport the farm products if such costs are part of
19 the agreement to purchase the farm products."

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 W. HOLT
 JOHN NEIGHBOUR
 NORMAN J. GOODWIN
 JOE BROWN
 NORMAN G. RODGERS
 JOHN N. NYSTROM
 JAMES D. WELLS
 CHARLES P. MILLER

S-3808

1 Amend House File 451 as amended, passed and
 2 reprinted by the House as follows:
 3 1. By striking page 2, line 18 through page 3,
 4 line 6.

JULIA GENTLEMAN

S-3809

1 Amend House File 552 as passed by the House as
 2 follows:
 3 1. Page 2, by striking lines 1 through 4 and
 4 inserting the following:
 5 "NEW SUBSECTION. 20. Pursuant to rules adopted by
 6 the state board of public instruction, be authorized
 7 to charge user fees for certain materials and services
 8 that are not required by law or by rules of the state
 9 board of public instruction and are specifically
 10 requested by a school district or approved nonpublic
 11 school."
 12 2. Page 2, by striking line 22 and inserting the
 13 following: "elector who is present at the director
 14 district convention may be nominated at the
 15 convention".
 16 3. Page 2, lines 24 and 25, by striking the words
 17 "who is present at the convention".

JOE BROWN
 BERL E. PRIEBE
 WILLIAM W. DIELEMAN
 ARTHUR L. GRATIAS

DOUGLAS RITSEMA
JAMES D. WELLS

S-3810

- 1 Amend House File 730 as passed by the House as
- 2 follows:
- 3 1. Page 1, line 10, by striking the word
- 4 "nutritionist".
- 5 2. Page 1, by striking line 17 and inserting the
- 6 following: "science, ~~or~~ social work or dietetics."
- 7 3. Page 1, line 26, by striking the word
- 8 "nutrition".
- 9 4. Page 2, line 8, by striking the words "work,
- 10 dietetics, or nutrition" and inserting the following:
- 11 "work or dietetics".
- 12 5. Page 2, line 27, by striking the words "and
- 13 nutrition".
- 14 6. Page 2, line 32, by striking the words "or
- 15 licensed nutritionist".
- 16 7. Page 2, line 35, by striking the words "or
- 17 licensed nutritionist".
- 18 8. Page 3, line 2, by striking the words "or
- 19 licensed nutritionists".
- 20 9. Page 3, line 13, by striking the words "and
- 21 nutrition".
- 22 10. By striking page 3, line 35 through page 4,
- 23 line 2.
- 24 11. Page 5, line 29, by striking the words "hold
- 25 themselves out to be" and inserting the following:
- 26 "call themselves".
- 27 12. Page 5, line 30, by striking the words "or
- 28 nutritionists".
- 29 13. Page 5, line 34, by striking the word
- 30 "normal".
- 31 14. Page 5, line 35, by striking the word
- 32 "routine".
- 33 15. Page 6, line 1, by striking the word
- 34 "normal".
- 35 16. Title page, lines 1 and 2, by striking the
- 36 words "and nutritionists".
- 37 17. By renumbering as necessary.

CHARLES P. MILLER
DOUGLAS RITSEMA
BILL HUTCHINS
RAY TAYLOR
JOHN N. NYSTROM
JOHN W. JENSEN
TOM MANN, JR.

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

1 Amend House File 451, as amended, passed, and
 2 reprinted by the House, as follows:

3 1. Page 1, by inserting after line 32 the
 4 following:

5 "Sec. ____ Section 232.68, subsection 6, Code
 6 1985, is amended by adding the following lettered
 7 paragraph:

8 NEW LETTERED PARAGRAPH. d. An employee or agent
 9 of a public or nonpublic school, as defined in section
 10 280.2, but only with respect to acts defined as child
 11 abuse in section 232.68, subsection 2, paragraph "a",
 12 "b", or "d".

13 2. Page 4, by inserting after line 7 the
 14 following:

15 "Sec. ____ Section 232.71, Code 1985, is amended
 16 by adding the following new subsection after
 17 subsection 5 and renumbering the subsequent
 18 subsections:

19 NEW LETTERED PARAGRAPH. 5A. Departmental
 20 investigators shall notify the board of directors or
 21 the authorities in charge of, or the administrator, of
 22 a public or nonpublic school, as defined in section
 23 280.2, before visiting the school to investigate a
 24 report of child abuse, as defined in section 232.68,
 25 subsection 2, paragraph "a", "b", or "d", against a
 26 school employee or agent."

27 3. Page 8, by inserting after line 20 the
 28 following:

29 "m. In an individual case involving an employee or
 30 agent of a public or nonpublic school, as defined in
 31 section 280.2, to the board of directors of the public
 32 school or the authorities in charge of the nonpublic
 33 school.

34 n. In an individual case involving a certificated
 35 employee or agent of a public or nonpublic school, as
 36 defined in section 280.2, where the child abuse report
 37 is founded, to the professional teaching practices

38 commission established in chapter 272A."

39 4. Page 8, line 23, by striking the words "and
40 "l"" and inserting the following: ""l, and "m"".

41 5. Page 13, by inserting after line 8 the

42 following:

43 "Sec. ___. Section 260.23, Code 1985, is amended

44 by adding the following new unnumbered paragraph:

45 NEW UNNUMBERED PARAGRAPH. In a case involving a

46 report alleging the commission of child abuse, as

47 defined in section 232.68, subsection 2, paragraph

48 "a", "b", or "d", by a certificated school employee or

49 agent, the board shall notify the child abuse registry

50 created in chapter 235A and the appropriate county

Page 2

1 attorney within one hundred twenty days of the receipt

2 of a recommendation from the professional teaching

3 practices commission to initiate certification

4 suspension or revocation proceedings, of its actions

5 and if its actions are not yet final, of its final

6 actions when completed.

7 Sec. ___. Section 272A.6, Code 1985, is amended by

8 adding the following new unnumbered paragraph:

9 NEW UNNUMBERED PARAGRAPH. In a case involving a

10 report alleging the commission of child abuse, as

11 defined in section 232.68, subsection 2, paragraph

12 "a", "b", or "d", by a certificated school employee or

13 agent, the commission shall notify the child abuse

14 registry created in chapter 235A and the appropriate

15 county attorney within one hundred twenty days of the

16 receipt of a complaint, of its actions, and if its

17 actions are not yet final, of its final actions when

18 completed."

19 6. Page 13, by inserting after line 28 the

20 following:

21 "Sec. ___. NEW SECTION. 280.16 PROCEDURES FOR

22 HANDLING CHILD ABUSE REPORTS.

23 The board of directors of a public school and the

24 authorities in charge of a nonpublic school shall

25 prescribe procedures for the handling of reports of

26 child abuse, as defined in section 232.68, subsection

27 2, paragraph "a", "b", or "d", alleged to have been

28 committed by an employee or agent of the public or

29 nonpublic school. The procedures shall include

30 provisions for notifying the employee or agent named

31 as the alleged child abuser of the report and for

32 providing the employee or agent, upon request, with

33 the opportunity for an informal investigation of the

34 allegations in the report and for a private hearing on

35 the allegations in the report before the board of
36 directors or the authorities in charge. With respect
37 to the private hearing, the board of directors of a
38 public school is not subject to chapter 21, and
39 information and records of the board compiled pursuant
40 to the hearing are confidential records under section
41 22.7, subsection 11, and are not subject to public
42 examination. The board of directors or authorities in
43 charge shall notify the child abuse registry created
44 in chapter 235A and the appropriate county attorney
45 within one hundred twenty days of the receipt of a
46 report of child abuse, of its actions, and if its
47 actions are not yet final, of its final actions when
48 completed.”
49 7. By renumbering as necessary.

LARRY MURPHY

S-3812

1 Amend Senate File 562 as follows:
2 1. Page 11, by inserting after line 16 the
3 following new section:
4 “Sec. ____ . Section 321E.1, Code 1985, is amended
5 to read as follows:
6 321E.1 PERMITS BY DEPARTMENT.
7 The department and local authorities may in their
8 discretion and upon application and with good cause
9 being shown issue permits for the movement of
10 construction machinery or cutler-type asphalt repavers
11 with a gross weight of less than seventy thousand
12 pounds being temporarily moved on streets, roads or
13 highways and for vehicles with indivisible loads which
14 exceed the maximum dimensions and weights specified in
15 sections 321.452 to 321.466, but not to exceed the
16 limitations imposed in sections 321E.1 to 321E.15
17 except as provided in sections 321E.29 and 321E.30.
18 Vehicles permitted to transport indivisible loads may
19 exceed the width and length limitations specified in
20 sections 321.454 and 321.457 for the purpose of
21 picking up an indivisible load or returning from
22 delivery of the indivisible load. Permits issued may
23 be single-trip permits or annual permits. Permits
24 shall be in writing and shall be carried in the cab of
25 the vehicle for which the permit has been issued and
26 shall be available for inspection at all times. The
27 vehicle and load for which the permit has been issued
28 shall be open to inspection by a peace officer or an
29 authorized agent of a permit granting authority. When
30 in the judgment of the issuing local authority in

31 cities and counties the movement of a vehicle with an
 32 indivisible load or construction machinery which
 33 exceeds the maximum dimensions and weights will be
 34 unduly hazardous to public safety or will cause undue
 35 damage to streets, avenues, boulevards, thoroughfares,
 36 highways, curbs, sidewalks, trees, or other public or
 37 private property, the permit shall be denied and the
 38 reasons for denial endorsed on the application.
 39 Permits issued by local authorities shall designate
 40 the days when and routes upon which loads and
 41 construction machinery may be moved within the county
 42 on other than primary roads.”
 43 2. Renumber sections and correct internal
 44 references as necessary in accordance with this
 45 amendment.

RICHARD DRAKE
 JOE J. WELSH

S-3813

1 Amend Senate File 565 as follows:
 2 1. Page 4, lines 28 and 29, by striking the words
 3 “For the privilege of operating motor vehicles in this
 4 state an” and inserting the following: “~~For the~~
 5 ~~privilege of operating motor vehicles in this state an~~
 6 An”.
 7 2. Page 5, lines 17 and 18, by striking the words
 8 “For the privilege of operating motor vehicles in this
 9 state an” and inserting the following: “~~For the~~
 10 ~~privilege of operating motor vehicles in this state an~~
 11 An”.
 12 3. Page 6, lines 20 and 21, by striking the words
 13 “For the privilege of operating motor vehicles in this
 14 state, there” and inserting the words “~~For the~~
 15 ~~privilege of operating motor vehicles in this state,~~
 16 ~~there~~ There”.

JOE BROWN

S-3814

1 Amend House File 451, as passed and reprinted by
 2 the House as follows:
 3 1. Page 13, by striking line 29 through page 14,
 4 line 7.

DOUGLAS RITSEMA

S-3815

- 1 Amend House File 451 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. BY striking page 16, line 30 through page 17,
- 4 line 19.

RICHARD VANDE HOEF

HOUSE AMENDMENT TO
SENATE FILE 401

S-3816

- 1 Amend Senate File 401 as amended, passed, and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 1, by striking the figure "726.8"
- 4 and inserting the figure "710.8".
- 5 2. Page 1, line 17, by striking the figure
- 6 "726.9" and inserting the figure "710.9".
- 7 3. Page 1, line 21, by striking the figure
- 8 "726.8" and inserting the figure "710.8".
- 9 4. Page 1, by inserting after line 24, the
- 10 following:
- 11 "Sec. 3. NEW SECTION. 710.10. ENTICING AWAY A
- 12 CHILD.
- 13 1. A person commits a class "D" felony when,
- 14 without authority and with the intent to commit an
- 15 illegal act upon the child, the person entices away a
- 16 minor.
- 17 2. A person commits an aggravated misdemeanor
- 18 when, without authority and with the intent to commit
- 19 an illegal act upon the child, the person attempts to
- 20 entice away a child."
- 21 5. Title page, line 1, by striking the words "of
- 22 a runaway child" and inserting the words "or enticing
- 23 away of children".
- 24 6. Title page, line 2, by striking the words "a
- 25 penalty" and inserting the word "penalties".

HOUSE AMENDMENT TO
SENATE FILE 376

S-3817

- 1 Amend Senate File 376 as passed by the Senate as
- 2 follows:
- 3 1. Page 2, by inserting after line 24, the
- 4 following:
- 5 "Sec. 6. Section 204.212, Code 1985, is amended by

6 adding the following new subsection:
7 NEW SUBSECTION. 3. Unless specifically excepted or
8 listed in another schedule, any material, compound,
9 mixture, or preparation containing any of the
10 following narcotic drugs and their salts, as set forth
11 below:
12 a. Buprenorphine.”

S-3818

1 Amend House File 451, as amended, passed and
2 reprinted by the House as follows:
3 1. By striking page 16, line 33 through page 17,
4 line 1 and inserting in lieu thereof the words “imple-
5 mented no later than July 1, 1986. The study shall
6 include”.

DOUGLAS RITSEMA

S-3819

1 Amend House File 451 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, line 27, by inserting after the word
4 “children” the following: “on a regular basis”.

ARTHUR A. SMALL, JR.

HOUSE AMENDMENT TO
SENATE FILE 250

S-3820

1 Amend Senate File 250 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, line 1, by inserting after the word
4 “SECTION.” the following: “303A.1”.
5 2. Page 2, by inserting after line 3 the
6 following: “Not more than three of the members
7 appointed by the governor shall be of the same
8 gender.”
9 3. By renumbering, relettering, or redesignating
10 and correcting internal references as necessary.

HOUSE AMENDMENT TO
SENATE FILE 103

S-3821

1 Amend Senate File 103 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 1, by striking line 6 and inserting the
4 following: "hospital or as a merged area hospital
5 under chapter 145A or sell or lease a county hospital
6 in conjunction with the establishment of a merged area
7 hospital, as provided in that chapter in accordance
8 with procedures set out in chapter 347."

9 2. Page 1, by inserting before line 7 the
10 following:

11 "Sec. __. Section 347.7, Code 1985, is amended by
12 adding the following new unnumbered paragraph:
13 NEW UNNUMBERED PARAGRAPH. In addition to levies
14 otherwise authorized by this section, the board of
15 supervisors may levy a tax at the rate, not to exceed
16 twenty-seven cents per thousand dollars of assessed
17 value, necessary to raise the amount budgeted by the
18 board of hospital trustees for support of ambulance
19 service as authorized in section 347.14, subsection
20 13.

21 Sec. __. Section 347.13, subsection 10, Code
22 1985, is amended to read as follows:

23 10. Fix at its regular February meeting in each
24 year, the amount necessary for the improvement and
25 maintenance of the hospital and for support of
26 ambulance service during the ensuing fiscal year, and
27 cause the president and the secretary to certify the
28 amount to the county auditor before March 1 of each
29 year, subject to any limitation in section 347.7."

30 3. Page 1, line 11, by inserting after the words
31 "private hospital" the following: "or as a merged
32 area hospital under chapter 145A or to sell or lease a
33 county hospital in conjunction with the establishment
34 of a merged area hospital".

35 4. Page 1, line 13, by inserting after the word
36 "may" the following: ", but is not required to,".

37 5. Page 1, line 22, by inserting after the word
38 "county." the following: "Proceeds from the sale or
39 lease of the county hospital or other assets of the
40 board of trustees shall not be used for the prepayment
41 of health care services for residents of the county
42 with the purchaser or lessee of the county hospital or
43 to underwrite the sale or lease of the county
44 hospital."

45 6. By renumbering, relettering, or redesignating
46 and correcting internal references as necessary.

S-3822

1 Amend House File 618 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 1, by striking lines 8 through 11, and
4 inserting the following: "prove all of the following:
5 1. Twenty-four hour supervision of the inmate had
6 been provided.
7 2. If personnel were not within the confinement
8 area, the personnel were in a position to hear inmates
9 in a life threatening or emergency situation.
10 3. At least hourly visual inspection of the inmate
11 was made and documented by written record. If
12 television monitoring were used for the purpose of
13 visual inspection, personal inspection of the inmate
14 at least every four hours was also made, excepting at
15 times of emergency.
16 4. If the inmate should have been considered to be
17 in jeopardy because of a physical or mental condition,
18 the inmate was personally inspected more often than
19 once every hour, which inspections must be confirmed
20 by written record.
21 5. Compliance with all other relevant rules
22 adopted by the department pursuant to section 356.36.
23 However, nothing in this section shall be construed
24 to relieve any person of liability where the person
25 acted in bad faith, with malicious purpose, or in a
26 manner exhibiting willful and wanton disregard for the
27 health or safety of the inmate or to relieve the
28 county, city, or employee of the obligation to provide
29 necessary medical assistance if an injury is
30 discovered."

COMMITTEE ON JUDICIARY
DONALD V. DOYLE, Chair

S-3823

1 Amend House File 495 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 4, line 1, by inserting after the word
4 "payments." the following: "However, if the payments
5 received are to be divided between the person entitled
6 to the support and the state, the clerk shall have
7 fourteen working days from receipt to disburse the
8 payments."
9 2. Page 6, line 16, by inserting after the word
10 "payments." the following: "However, if the payments
11 received are to be divided between the person entitled
12 to the support and the state, the clerk shall have

13 fourteen working days from deposit to disburse the
14 payments.”

TOM MANN, Jr.

HOUSE AMENDMENT TO
SENATE FILE 296

S-3824

1 Amend Senate File 296 as amended, passed and
2 reprinted by the Senate as follows:

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

5 “Section 1. Section 452.10, unnumbered paragraph
6 1, Code 1985, is amended to read as follows:

7 The treasurer of state ~~and the treasurer of each~~
8 ~~political subdivision~~ shall at all times keep all
9 funds coming into ~~their~~ the treasurer's possession as
10 public money, in a vault or safe, to be provided for
11 that purpose, or in one or more depositories.
12 However, the treasurer of state ~~and the treasurer of~~
13 ~~each political subdivision~~ shall invest, unless
14 otherwise provided, any of the public funds not
15 currently needed for operating expenses in notes,
16 certificates, bonds, prime eligible bankers
17 acceptances, commercial paper rated within the two
18 highest classifications of prime as established by at
19 least one of the standard rating services approved by
20 the superintendent of banking pursuant to chapter 17A,
21 perfected repurchase agreements, or other evidences of
22 indebtedness which are obligations of or guaranteed by
23 the United States of America or any of its agencies;
24 or in time deposits in depositories as provided in
25 chapter 453 and receive time certificates of deposit
26 therefor; or in savings accounts in depositories. The
27 total investment in commercial paper of any one
28 corporation is limited to an amount not more than
29 twenty percent of the total stockholders' equity of
30 that corporation. The treasurer of state may invest
31 any of the funds in the treasurer's custody in any of
32 the investments authorized for the Iowa public
33 employees' retirement system in section 97B.7,
34 subsection 2, paragraph “b” except that investment in
35 common stocks is not permitted. As used in this
36 section, “depository” means a financial institution
37 designated as a legal depository under chapter 453.

38 Sec. 2. Section 452.10, is amended by adding the
39 following new unnumbered paragraphs following
40 unnumbered paragraph 1:

41 NEW UNNUMBERED PARAGRAPH. The treasurer of each
42 political subdivision shall at all times keep all
43 funds coming into the treasurer's possession as public
44 money, in a vault or safe, to be provided for that
45 purpose, or in some depository legally designated as a
46 depository for such funds. However, the treasurer of
47 each political subdivision shall invest, unless
48 otherwise provided, any of the public funds not
49 currently needed for operating expenses in notes,
50 certificates, bonds, or other evidences of

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1 indebtedness which are obligations of or guaranteed by
2 the United States of America or any of its agencies;
3 or make time deposits of such funds in depositories as
4 provided in chapter 453 and receive time certificates
5 of deposit therefor; or in savings accounts in
6 depositories.

7 NEW UNNUMBERED PARAGRAPH. Notwithstanding any
8 provision of the Code to the contrary, a treasurer of
9 a city as defined in section 411.1, subsection 18, may
10 invest any public funds of the city not currently
11 needed for operating expenses in investments
12 authorized in section 411.7, subsection 2, and may
13 hold, purchase, sell, assign, transfer or dispose of
14 any of these investments as well as the proceeds of
15 these investments. The city council shall implement
16 appropriate investment policies to be followed by the
17 city treasurer and shall periodically review the
18 performance of the investments made by the city
19 treasurer pursuant to such policies under this
20 paragraph.”

21 2. By striking page 2, line 34 through page 3,
22 line 11.

23 3. Page 3, by striking lines 12 through 16 and
24 inserting the following:

25 “Sec. ___. Section 453.16, subsection 1, paragraph
26 b, Code 1985, is amended to read as follows:

27 b. The depository institution may deposit,
28 maintain, pledge and assign for the benefit of the
29 public officer in the manner provided in this chapter,
30 securities approved by the public officer, the market
31 value of which is not less than one hundred ten
32 percent of the total deposits of public funds placed
33 by that public officer in the depository institution.
34 The securities shall consist of any of the following:

35 (1) Direct obligations of, or obligations that are
36 insured or fully guaranteed as to principal and
37 interest by, the United States of America or an agency

38 or instrumentality of the United States of America.

39 (2) Public bonds or obligations of this state or a
40 political subdivision of this state.

41 (3) Public bonds or obligations of another state
42 or a political subdivision of another state whose
43 bonds are rated within the two highest classifications
44 of prime as established by at least one of the
45 standard rating services approved by the
46 superintendent of banking pursuant to chapter 17A.

47 (3 4) To the extent of the guarantee, loans,
48 obligations, or nontransferable letters of credit upon
49 which the payment of principal and interest is fully
50 secured or guaranteed by the United States of America

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1 or an agency or instrumentality of the United States
2 of America.

3 (5) First lien mortgages which are valued
4 according to practices acceptable to the treasurer of
5 state."

6 4. Page 3, by inserting before line 17 the
7 following:

8 "Sec. __. Section 453.17, subsection 1, paragraph
9 c, Code 1985, is amended to read as follows:

10 c. The securities shall be deposited with the
11 federal reserve bank of Chicago, Illinois or the
12 federal home loan bank of Des Moines, Iowa pursuant to
13 a bailment agreement or a pledge custody agreement."

14 5. Page 5, by striking lines 9 through 20.

15 6. Page 6, by inserting after line 21 the
16 following:

17 "__. The claim of a public depositor for purposes
18 of this section shall be the amount of the depositor's
19 deposits plus interest to the date the funds are
20 distributed to the public depositor at the rate the
21 depository institution agreed to pay on the funds
22 reduced by the portion of the funds which is insured
23 by federal deposit insurance."

24 7. Page 8, by striking lines 22 through 28 and
25 inserting the following: "office."

26 8. Page 9, by striking lines 16 through 19 and
27 inserting the following: "nonfeasance on the part of
28 the official. If the treasurer of state sells a".

29 9. Page 12, by inserting after line 3 the
30 following:

31 "Sec. __. It is the policy of the general
32 assembly that in implementing chapter 452 local public
33 body treasurers shall be granted, commensurate with
34 their experience or training, the authority to

35 prudently invest public funds to maximize return on
36 investments. To this end, it is the intent of the
37 general assembly that only certain cities which
38 currently have specific statutory authority for the
39 investment of pension funds shall be granted
40 equivalent authority for the investment of general
41 funds.”

42 10. Renumber as necessary.

HOUSE AMENDMENT TO
SENATE FILE 398

S-3825

1 Amend Senate File 398 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by striking lines 1 through 12.

4 2. Page 1, by inserting before line 13 the

5 following:

6 “Sec. ___. Section 275.14, Code 1985, is amended
7 by adding the following new unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. Objection forms shall be
9 prescribed by the department of public instruction and
10 may be obtained from the area education agency
11 administrator. Objection forms that request that
12 property be removed from a proposed district shall
13 include the correct legal description of the property
14 to be removed.

15 Sec. ___. Section 275.15, Code 1985, is amended to
16 read as follows:

17 275.15 HEARING -- DECISION -- PUBLICATION OF ORDER -
18 - APPEAL.

19 At the hearing, which shall be held within ten days
20 of the final date set for filing objections,
21 interested parties, both petitioners and objectors,
22 may present evidence and arguments, and the area
23 education agency board shall review the matter on its
24 merits and within five ten days after the conclusion
25 of any hearing, shall rule on the objections and shall
26 enter an order fixing such the boundaries for the
27 proposed school corporation as will in its judgment be
28 for the best interests of all parties concerned,
29 having due regard for the welfare of adjoining
30 districts or dismiss the petition.

31 PARAGRAPH DIVIDED. The area education agency
32 board, when entering the order fixing the boundaries,
33 shall consider all requests timely filed for boundary
34 line changes of property owners who reside on property
35 adjacent to the proposed boundary lines.

36 If the petition is not dismissed and the board

37 determines that additional information is required in
 38 order to fix boundary lines of the proposed school
 39 corporation, the board may continue the hearing for no
 40 more than thirty days. The date of the continued
 41 hearing shall be announced at the original meeting.
 42 Additional objections in the form required in section
 43 275.14 may be considered if filed with the
 44 administrator within five days after the date of the
 45 original board hearing. If the hearing is continued,
 46 the area education agency administrator may conduct
 47 one or more meetings with the boards of directors of
 48 the affected districts. Notice of any such meeting
 49 must be given at least forty-eight hours in advance by
 50 the area education agency administrator in the manner

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1 provided in section 21.4. The area education agency
 2 board may request that the administrator make
 3 alternative recommendations regarding the boundary
 4 lines of the proposed school corporation. The area
 5 education agency board shall make a decision on the
 6 boundary lines within ten days following the
 7 conclusion of the continued hearing.
 8 PARAGRAPH DIVIDED. The agency administrator shall
 9 at once publish ~~this order~~ the decision in the same
 10 newspaper in which the original notice was published.
 11 Within twenty days after the publication ~~thereof~~, the
 12 decision rendered by the area education agency board
 13 may be appealed to the district court in the county
 14 involved by any school district affected. For
 15 purposes of appeal, only those school districts who
 16 filed reorganization petitions are school districts
 17 affected. An appeal from a decision of an area
 18 education agency board or joint area education agency
 19 boards under section 275.4, 275.16, or this section is
 20 subject to appeal procedures under this chapter and is
 21 not subject to appeal under chapter 290.
 22 Sec. ____ . Section 275.16, unnumbered paragraph 1,
 23 Code 1985, is amended to read as follows:
 24 If the territory described in the petition for the
 25 proposed corporation lies in more than one area
 26 education agency, the agency administrator with whom
 27 the petition is filed shall fix the time and place for
 28 a hearing and call a joint meeting of the members of
 29 all the agency boards in which ~~any~~ territory of the
 30 proposed school corporation lies, to act as a single
 31 board for the hearing of the objections, and a
 32 majority of members of each of the agency boards of
 33 the different agencies in which any part of the

34 proposed corporation lies, constitutes a quorum. The
35 president of the board of directors of the area
36 education agency in which the petition has been filed,
37 or a member of the board designated by the president,
38 shall preside at the joint meeting. The joint boards
39 acting as a single board shall determine whether the
40 petition conforms to plans or, if the petition
41 requests a change in plans, whether a change should be
42 made, and may change the plans of any or all the area
43 education agency boards affected by the petition; ~~and~~
44 ~~it.~~ The joint board shall determine and fix
45 boundaries for the proposed corporation as provided in
46 section 275.15 or dismiss the petition. The joint
47 board may continue the hearing as provided in section
48 275.15.
49 PARAGRAPH DIVIDED. Votes of each member of an area
50 education agency board in attendance shall be weighted

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1 so that the total number of votes eligible to be cast
2 by members of each board in attendance shall be equal.
3 However, if the joint boards cast a tie vote and are
4 unable to agree to ~~an order a decision~~ fixing the
5 boundaries for the proposed school ~~district~~
6 corporation or to ~~an order a decision~~ to dismiss the
7 petition, the time during which actions must be taken
8 under section 275.15 shall be extended from five days
9 to fifteen days after the conclusion of the hearing
10 under section 275.15, and the joint board shall
11 reconvene not less than ten and not more than fifteen
12 days after the conclusion of the hearing. At the
13 hearing the joint board shall reconsider its action
14 and if a tie vote is again cast it is ~~an order a~~
15 decision granting the petition and changing the plans
16 of any and all of the agency boards affected by the
17 petition and fixing the boundaries for the proposed
18 school corporation. The agency administrator shall at
19 once publish the decision in the same newspaper in
20 which the original notice was published.
21 Sec. __. Section 275.18, Code 1985, is amended to
22 read as follows:
23 275.18 SPECIAL ELECTION CALLED -- TIME.
24 When the boundaries of the territory to be included
25 in a proposed school corporation and the number and
26 method of the election of the school directors of the
27 proposed school corporation have been determined as
28 provided in this chapter, the area education agency
29 administrator with whom the petition is filed shall
30 give written notice of the proposed date of the

31 election to the county commissioner of elections of
 32 the county in the proposed school corporation which
 33 has the greatest taxable base. The proposed date
 34 shall be as soon as possible pursuant to sections
 35 39.2, subsections 1 and 2, and 47.6, subsections 1 and
 36 2, but not later than November 30 of the calendar year
 37 prior to the calendar year in which the reorganization
 38 will take effect.

39 PARAGRAPH DIVIDED. The county commissioner of
 40 elections shall give notice of the election by one
 41 publication in the same newspaper in which previous
 42 notices have been published regarding the proposed
 43 school reorganization, and in addition, if more than
 44 one county is involved, by one publication in a legal
 45 newspaper in each county other than that of the first
 46 publication. The publication shall be not less than
 47 four nor more than twenty days prior to the election.
 48 If the decision published pursuant to section 275.15
 49 or 275.16 includes a description of the proposed
 50 school corporation and a description of the director

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1 districts, if any, the notice for election and the
 2 ballot do not need to include these descriptions.
 3 Notice for an election shall not be published until
 4 the expiration of time for appeal, which shall be the
 5 same as that provided in section 275.15 or 275.16,
 6 whichever is applicable; and if there is an appeal,
 7 not until the appeal has been disposed of."
 8 3. Page 2, by striking lines 6 and 7.
 9 4. Page 2, lines 17 and 18, by striking the words
 10 "subject to approval by the state comptroller".

S-3826

1 Amend Senate File 562 as follows:
 2 1. Page 3, by striking lines 10 through 13.
 3 2. Renumber sections and correct internal
 4 references as are necessary in accordance with this
 5 amendment.

JOE J. WELSH

S-3827

1 Amend House File 451 as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 2, lines 4 and 5, by striking the words
 4 "certificated school employee," and inserting the

- 5 following: "~~certificated school employee~~";
6 2. By striking page 8, line 24 through page 9,
7 line 12.
8 3. By renumbering as necessary.

THOMAS A. LIND

S-3828

- 1 Amend Senate File 434 as follows:
2 1. Page 8, by inserting after line 34 the
3 following:
4 "Sec. ____ . The amount of the funds appropriated
5 under section 1, except section 1, subsection 4 and
6 subsection 8, paragraph "b", and sections 2, 4, 5, 7,
7 and 8 of this Act for the fiscal year beginning July
8 1, 1985 and ending June 30, 1986 shall be reduced by
9 one percent, rounded to the nearest whole dollar, and
10 the provisions of this section shall prevail over any
11 other provisions of this Act."
12 2. Renumber sections and correct internal
13 references as necessary in accordance with this
14 amendment.

JOE J. WELSH
CHARLES P. MILLER

S-3829

- 1 Amend Senate File 434 as follows:
2 1. Page 1, line 35, by striking the figure
3 "6,485,960" and inserting the figure "5,485,960".
4 2. Page 1, by inserting after line 35 the
5 following:
6 "The state comptroller, through the office of the
7 inspector general, shall assist state agencies in
8 identifying and implementing efficiency and cost-
9 effectiveness measures, as recommended by the
10 governor's task force on efficiencies and cost-
11 effectiveness. Notwithstanding any conflicting
12 provisions of chapter 8, the state comptroller may
13 make the first two quarterly allocations to the state
14 comptroller as if the amount appropriated in paragraph
15 "b" contained one million dollars more than actually
16 specified, and the state comptroller may reduce the
17 last two quarterly allocations in order to offset the
18 first two quarterly allocations. The state
19 comptroller may reduce quarterly allocations of funds
20 appropriated to other agencies to reflect savings made
21 as a result of implementing recommendations of the

22 governor's task force on efficiencies and cost
 23 effectiveness. Not more than one million dollars for
 24 paragraph "b" of the savings resulting from
 25 implementing the recommendations may be transferred by
 26 the state comptroller to the state comptroller to be
 27 used for the purposes provided in that paragraph."
 28 3. Renumber sections and correct internal
 29 references as necessary in accordance with this
 30 amendment.

JOE J. WELSH

S-3830

1 Amend Senate File 434 as follows:
 2 1. Page 8, by inserting after line 34 the
 3 following:
 4 "Sec. ___. Senate File 395, enacted by the
 5 Seventy-first General Assembly, 1985 Session, section
 6 88, is amended to read as follows:
 7 SEC. 88. Section 422.69, Code 1985, is amended by
 8 adding the following new subsection:
 9 NEW SUBSECTION. 3. Of the taxes, interests and
 10 penalties collected under division IV which are
 11 credited to the general fund, an amount equal to the
 12 amount estimated by the department not to exceed
 13 thirty-five million dollars annually, adjusted as the
 14 department deems necessary, shall be set aside into a
 15 separate "machinery and equipment refund account" to
 16 be used to pay the refunds entitled to under sections
 17 422.47A and 422.47B. The moneys in this separate
 18 account shall not be considered part of the state
 19 general fund for purposes of the Iowa economic
 20 emergency fund under section 8.55. This subsection is
 21 repealed April 1, 1988."
 22 2. Renumber sections and correct internal
 23 references in accordance with this amendment.

JOE J. WELSH

S-3831

1 Amend Senate File 434 as follows:
 2 1. Page 8, by inserting after line 34 the
 3 following new section:
 4 "Sec. ___. Senate File 269, enacted by the
 5 Seventy-first General Assembly, 1985 Session, section
 6 2, subsection 3, is amended to read as follows:
 7 3. IOWA BEER AND LIQUOR
 8 CONTROL DEPARTMENT

9 For salaries, support, main-
 10 tenance, and other operational
 11 purposes which includes one
 12 hundred ninety-three thousand
 13 dollars for the establishment
 14 of ministores \$19,362,000
 15 18,863,000
 16 Any amount of the one hundred ninety-three thousand
 17 dollars for the establishment of ministores that
 18 remain unobligated on June 30, 1986 shall revert to
 19 the general fund of the state.”
 20 2. Renumber sections and correct internal
 21 references as are necessary in accordance with this
 22 amendment.

JOE J. WELSH

S-3832

1 Amend House File 476 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 10, by inserting after line 33 the
 4 following:
 5 “Sec. ____ The amount of the funds appropriated
 6 under section 1, subsection 1, paragraph “a”,
 7 subsection 2, and subsection 3, paragraph “a” of this
 8 Act for the fiscal year beginning July 1, 1985 and
 9 ending June 30, 1986 shall be reduced by one percent,
 10 rounded to the nearest whole dollar, and the
 11 provisions of this section shall prevail over any
 12 other provisions of this Act.
 13 The amount of the funds appropriated under section
 14 3, subsection 1, and subsections 3 and 4 of this Act
 15 for the fiscal year beginning on July 1, 1985 and
 16 ending June 30, 1986 shall be reduced by one percent,
 17 rounded to the nearest whole dollar, and the
 18 provisions of this section shall prevail over any
 19 other provisions of this Act.
 20 The amount of the funds appropriated under sections
 21 2, 6, 7, 8, 9, 10, 11, 12, and 13 of this Act for the
 22 fiscal year beginning July 1, 1985 and ending June 30,
 23 1986 shall be reduced by one percent, rounded to the
 24 nearest whole dollar, and the provisions of this
 25 section shall prevail over any other provisions of
 26 this Act.”
 27 2. Renumber sections and correct internal

28 references as necessary in accordance with this
29 amendment.

JOE J. WELSH
EMIL HUSAK

S-3833

- 1 Amend Senate File 552 as follows:
- 2 1. Page 10, by striking lines 24 through 30.

CALVIN O. HULTMAN
JOE J. WELSH

S-3834

- 1 Amend House File 571 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 14, by inserting after line 17 the
- 4 following:
- 5 "Sec. ____ . The amount of the funds appropriated
- 6 under section 1, except section 1, subsection 3, and
- 7 sections 2, 3, and 4 of this Act for the fiscal year
- 8 beginning July 1, 1985 and ending June 30, 1986 shall
- 9 be reduced by one percent, rounded to the nearest
- 10 whole dollar, and the provisions of this section shall
- 11 prevail over any other provisions of this Act."
- 12 2. Renumber sections and correct internal
- 13 references as are necessary in accordance with this
- 14 amendment.

JOE J. WELSH
MILO COLTON

S-3835

- 1 Amend Senate File 552 as follows:
- 2 1. Page 14, by inserting after line 18 the
- 3 following:
- 4 "Sec. ____ . The amount of the funds appropriated
- 5 under section 1, 2, 3, 4, and 6 of this Act for the
- 6 fiscal year beginning July 1, 1985 and ending June 30,
- 7 1986 shall be reduced by one percent, rounded to the
- 8 nearest whole dollar, and the provisions of this
- 9 section shall prevail over any other provisions of
- 10 this Act."
- 11 2. Renumber sections and correct internal

12 references as necessary in accordance with this
13 amendment.

JOE J. WELSH
CHARLES P. MILLER

S-3836

1 Amend Senate File 562 as follows:
2 1. Page 11, by inserting after line 6 the
3 following:
4 "Sec. ____ . The amount of the funds appropriated
5 under sections 1, 2, 3, 4, 7, 14, and 15 of this Act
6 for the fiscal year beginning July 1, 1985 and ending
7 June 30, 1986 shall be reduced by one percent, rounded
8 to the nearest whole dollar, and the provisions of
9 this section shall prevail over any other provisions
10 of this Act."
11 2. Renumber sections and correct internal
12 references as necessary in accordance with this
13 amendment.

JOE J. WELSH
DON E. GETTINGS

S-3837

1 Amend the Drake amendment, S-3812, to Senate File
2 562 as follows:
3 1. Page 1, line 10, by striking the word "cutler-
4 type".

BERL E. PRIEBE

S-3838

1 Amend House File 684 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 22, line 12, by inserting after the word
4 "party." the following: "An amendment showing only a
5 change of the name of the secured party shall be filed
6 without fee."

C. JOSEPH COLEMAN

S-3839

- 1 Amend SCR 40 as follows:
- 2 1. Page 1, line 24, by striking the word
- 3 "thirteen" and inserting in lieu thereof the
- 4 word "fourteen".
- 5 2. Page 1, line 29, by striking the word
- 6 "Three" and inserting in lieu thereof the word
- 7 "Four".

CHARLES BRUNER

S-3840

- 1 Amend the amendment, S-3811, to House File 451, as
- 2 amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 1, line 9, by striking the words "or
- 5 nonpublic school".
- 6 2. Page 1, lines 20 and 21, by striking the words
- 7 "or the authorities in charge of,".
- 8 3. Page 1, line 22, by striking the words "or
- 9 nonpublic school".
- 10 4. Page 1, line 30, by striking the words "or
- 11 nonpublic school".
- 12 5. Page 1, by striking line 32.
- 13 6. Page 1, line 35, by striking the words "or
- 14 nonpublic school".
- 15 7. Page 2, by striking lines 23 and 24 and
- 16 inserting the following:
- 17 "The board of directors of a public school shall".
- 18 8. Page 2, lines 28 and 29, by striking the words
- 19 "or nonpublic school".
- 20 9. Page 2, line 36, by striking the words "or the
- 21 authorities in charge".
- 22 10. Page 2, lines 42 and 43, by striking the
- 23 words "or authorities in charge".

THOMAS A. LIND

HOUSE AMENDMENT TO
SENATE FILE 244

S-3841

- 1 Amend Senate File 244 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 4, by striking lines 28 through 31.
- 4 2. Page 6, by striking lines 6 through 13.

5 3. By renumbering, relettering, or redesignating
6 and correcting internal references as necessary.

S-3842

1 Amend Senate File 434 as follows:

2 1. Page 8, by inserting after line 34 the
3 following:

4 "Sec. _____. The amount of funds appropriated under
5 Senate File 269, enacted by the Seventy-first General
6 Assembly, 1985 Session, sections 1 and 2, except
7 section 2, subsections 3 and 7, for the fiscal year
8 beginning July 1, 1985 and ending June 30, 1986 shall
9 be reduced by one percent, rounded to the nearest
10 whole dollar, and the provisions of this section shall
11 prevail over any other provisions of Senate File 269,
12 enacted by the Seventy-first General Assembly, 1985
13 Session."

14 2. Renumber sections and correct internal
15 references as necessary in accordance with this
16 amendment.

JOE J. WELSH

S-3843

1 Amend Senate File 434 as follows:

2 1. Page 1, by inserting after line 30 the
3 following:

4 "The state comptroller shall recover two million
5 dollars from the governor's recommended budget for
6 furniture and equipment purchases which are subject to
7 the purchasing requirements of the department of
8 general services.

9 The state comptroller shall recover two million
10 dollars from the governor's recommended budget for new
11 motor vehicle purchases, except new motor vehicle
12 purchases by the Iowa highway safety patrol of the
13 department of public safety."

JOE J. WELSH

S-3844

1 Amend Senate File 562 as follows:

DIVISION S-3844A

- 2 1. Page 2, by striking lines 20 through 24.
- 3 2. Page 3, by striking lines 14 through 20.
- 4 3. Page 4, by striking lines 21 through 22.

DIVISION S-3844B

- 5 4. Page 6, by striking lines 1 through 18.

DOUGLAS RITSEMA

S-3845

- 1 Amend the amendment, S-3811, to House File 451 as
- 2 amended, passed and reprinted by the House as follows:
- 3 1. Page 2, line 42, by inserting after the word
- 4 "examination." the following: "However, final action
- 5 by the board of directors involving discipline,
- 6 suspension, or discharge of the employee or agent
- 7 shall be taken as provided in section 21.5, subsection
- 8 3."

LARRY MURPHY
BEVERLY A. HANNON

S-3846

- 1 Amend Senate File 552 as follows:
- 2 1. Page 10, line 11, by striking the figure
- 3 "15,858,000" and inserting the following:
- 4 "14,958,000".
- 5 2. Page 10, line 15, by striking the figure
- 6 "16,492,000" and inserting the following:
- 7 "15,592,000".

CALVIN O. HULTMAN

S-3847

- 1 Amend Senate File 562 as follows:
- 2 1. Page 11, by inserting after line 6 the
- 3 following:
- 4 "The amount appropriated by this section from the
- 5 road use tax fund to the general fund of the state to
- 6 fund the Iowa highway safety patrol shall be reduced
- 7 in the fiscal year beginning July 1, 1986 and ending
- 8 June 30, 1987 and each succeeding fiscal year in an
- 9 amount equal to one fourth of the amount transferred
- 10 in the fiscal year beginning July 1, 1985 and ending
- 11 June 30, 1986. In the fiscal year beginning July 1,
- 12 1989 and ending June 30, 1990, no funds shall be

13 transferred from the road use tax fund to the general
14 fund of the state to fund the Iowa highway safety
15 patrol.”

RICHARD F. DRAKE
JOE J. WELSH

S-3848

1 Amend the amendment, S-3811, to House File 451, as
2 amended, passed, and reprinted by the House, as
3 follows:

4 1. Page 2, by inserting after line 48 the
5 following:

6 “_. Page 17, by inserting after line 19 the
7 following:

8 “Sec. ___. MODEL POLICY FOR THE HANDLING OF CHILD
9 ABUSE REPORTS.

10 The department of public instruction and the
11 department of human services shall develop a model
12 policy for schools for the handling of reports of
13 child abuse, as defined in section 232.68, subsection
14 2, paragraph “a”, or “b”, or “d”, alleged to have been
15 committed by employees or agents of public or
16 nonpublic schools. The department of public
17 instruction shall distribute the model policy to the
18 schools.””

ARTHUR L. GRATIAS
LARRY MURPHY

S-3849

1 Amend House File 684 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 19, by inserting after line 18 the
4 following:

5 “Sec. ___. Section 511.8, subsection 4, Code 1985,
6 is amended to read as follows:

7 4. INTERNATIONAL BANK BONDS. Bonds or other
8 evidence of indebtedness issued, assumed or guaranteed
9 by the International Bank for reconstruction and
10 development, in an amount not to exceed two percent of
11 its total assets as shown by the last annual report,
12 or by the Inter-American Development Bank in an amount
13 not to exceed two percent of its total assets as shown
14 by the last annual report, ~~or~~ by the Asian Development
15 Bank in an amount not to exceed two percent of its
16 total assets as shown by the last annual report or by
17 the African Development Bank in an amount not to

18 exceed two percent of its total assets as shown by the
19 last annual report. However, the combined investment
20 in bonds or evidences of indebtedness permitted by
21 this subsection shall not exceed four percent of its
22 total assets as shown by the last annual report.”

23 2. Title page 1, line 22, by inserting after the
24 word “banks,” the following: “by permitting life
25 insurance companies organized under chapter 508 to
26 invest in bonds or other evidence of indebtedness of
27 the African Development Bank.”

28 3. Renumber as necessary.

TOM MANN, Jr.

S-3850

1 Amend the amendment S-3828 to Senate File 434 as
2 follows:

3 1. Page 1, line 6, by striking the figure “4.”

CALVIN O. HULTMAN

S-3851

1 Amend House File 571 as amended, passed and
2 reprinted by the House as follows:

3 1. Page 14, by inserting after line 17 the
4 following:

5 “Sec. ___. The appropriations for the fiscal year
6 beginning July 1, 1986 and ending June 30, 1987 shall
7 not exceed the appropriations for the fiscal year
8 beginning July 1, 1985 and ending June 30, 1986.”

9 2. Renumber sections and correct internal
10 references as are necessary in accordance with this
11 amendment.

LOWELL L. JUNKINS

S-3852

1 Amend Senate File 552 as follows:

2 1. Page 14, by inserting after line 18 the
3 following:

4 “Sec. ___. The appropriations for the fiscal year
5 beginning July 1, 1986 and ending June 30, 1987 shall
6 not exceed the appropriations for the fiscal year
7 beginning July 1, 1985 and ending June 30, 1986.”

8 2. Renumber sections and correct internal

9 references as are necessary in accordance with this
10 amendment.

LOWELL L. JUNKINS

S-3853

1 Amend Senate File 434 as follows:
2 1. Page 8, by inserting after line 34 the
3 following:
4 "Sec. ____ . The appropriations for the fiscal year
5 beginning July 1, 1986 and ending June 30, 1987 shall
6 not exceed the appropriations for the fiscal year
7 beginning July 1, 1985 and ending June 30, 1986."
8 2. Renumber sections and correct internal
9 references as are necessary in accordance with this
10 amendment.

LOWELL L. JUNKINS

S-3854

1 Amend House File 476 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 10, by inserting after line 33 the
4 following:
5 "Sec. ____ . The appropriations for the fiscal year
6 beginning July 1, 1986 and ending June 30, 1987 shall
7 not exceed the appropriations for the fiscal year
8 beginning July 1, 1985 and ending June 30, 1986."
9 2. Renumber sections and correct internal
10 references as are necessary in accordance with this
11 amendment.

LOWELL L. JUNKINS

S-3855

1 Amend Senate File 562 as follows:
2 1. Page 11, by inserting after line 16 the
3 following:
4 "Sec. ____ . The appropriations for the fiscal year
5 beginning July 1, 1986 and ending June 30, 1987 shall
6 not exceed the appropriations for the fiscal year
7 beginning July 1, 1985 and ending June 30, 1986."
8 2. Renumber sections and correct internal
9 references as are necessary in accordance with this
10 amendment.

LOWELL L. JUNKINS

S-3856

- 1 Amend Senate File 434 as follows:
 2 1. Page 1, line 14, by striking the words “,
 3 notwithstanding section 8.39”.

DALE L. TIEDEN

S-3857

- 1 Amend Senate File 552 as follows:
 2 1. Page 6, by inserting after line 2 the
 3 following:
 4 “Sec. ____ . 1984 Iowa Acts, chapter 1306, section
 5 2, subsection 2, unnumbered paragraph 3, is amended to
 6 read as follows:
 7 The department, by ~~January 15~~ July 1, 1985, shall
 8 provide the general assembly with evidence from
 9 independent experts of the validity and effectiveness
 10 of the inmate classification system and shall suggest
 11 changes in the system to make it more effective. If
 12 the department fails to comply with the requirements
 13 of this paragraph, the state comptroller shall
 14 withhold one percent of the funds appropriated under
 15 section 2, subsection 1 of this Act when the funds are
 16 allocated to the department until the evidence has
 17 been presented to the general assembly. The
 18 validation study shall determine if the classification
 19 instruments accomplish the following objectives:”.

TOM MANN, Jr.

S-3858

- 1 Amend Senate File 562 as follows:
 2 1. Page 11, by inserting after line 21 the
 3 following:
 4 “Sec. ____ . Notwithstanding this bill, the amount
 5 appropriated to the Iowa Academy of Science for
 6 support and maintenance shall be \$20,000.”

DOUGLAS RITSEMA

S-3859

- 1 . Amend House File 701 as amended, passed and
 2 reprinted by the House as follows:

DIVISION S-3859A

3 1. Page 4, by inserting after line 12 the
4 following:

5 "Sec. ____ . Section 232.102, subsection 3, Code
6 1985, is amended by adding the following new
7 unnumbered paragraph:

8 NEW UNNUMBERED PARAGRAPH. If the court transfers
9 custody or guardianship of a child away from a parent,
10 the rights of the parent shall be restricted only to
11 the extent necessary to protect the interests of the
12 child as identified in a petition filed pursuant to
13 this chapter and as adjudicated by the court. The
14 rights of any other person or of the state or its
15 governmental subdivisions or agencies in relation to
16 the child are inferior to the rights of the parent,
17 except as necessary to protect the interests of the
18 child as identified in a petition filed pursuant to
19 this chapter and as adjudicated by the court."

DIVISION S-3859B

20 2. Page 4, by inserting before line 13 the
21 following:

22 "Sec. ____ . Section 232.102, Code 1985, is amended
23 by adding the following new subsection after
24 subsection 3 and renumbering the subsequent
25 subsections:

26 NEW SUBSECTION. 4. If the court transfers custody
27 or guardianship of a child away from a parent who has
28 custody of the child pursuant to court order or who
29 otherwise has custody of the child, or if the court
30 has previously transferred custody or guardianship of
31 the child away from the parent pursuant to section
32 232.95 and the court orders after a dispositional
33 hearing that the child not be returned to the parent,
34 the court shall transfer custody or guardianship of
35 the child to the child's other parent or to a relative
36 of the child, in that order of priority, if the person
37 consents, unless the court determines by clear and
38 convincing evidence that upon such a transfer the
39 child cannot be protected from physical or sexual
40 abuse, the child will not be given reasonable
41 supervision or provided with adequate food, shelter,
42 clothing, or medical care, or the person will not
43 otherwise be able to supply the needs of the child.
44 If the court transfers custody or guardianship to a
45 relative of a child who has been removed from the home
46 pursuant to section 232.95, or has otherwise been
47 removed from the home, the court shall transfer
48 custody or guardianship to the relative to whom the

49 facts show the child was most probably, beneficially
50 emotionally and psychologically bonded before the

Page 2

DIVISION S-3859B (cont'd.)

1 removal of the child from the home and who will
2 provide the best nurturing environment for the child.
3 A party to a proceeding who objects to the transfer
4 of custody of the child to a parent or relative under
5 this subsection shall serve notice of the objection to
6 all parties not less than fifteen days before the
7 dispositional hearing. The notice shall contain the
8 name and occupation of each witness whose testimony
9 the party expects to introduce in the hearing and a
10 full and fair statement of the witness' expected
11 testimony, unless the witness is called pursuant to
12 section 624.1."
13 3. By renumbering as necessary.

RAY TAYLOR

S-3860

1 Amend House File 740 as passed by the House as
2 follows:
3 1. By striking page 1, line 20 through page 2,
4 line 13 and inserting the following: "following new
5 subsection:
6 NEW SUBSECTION. 6. A banking organization or
7 financial organization shall send to the owner of each
8 account, to which none of the actions specified in
9 paragraphs "a" through "d" of subsection 1 or "a"
10 through "d" of subsection 2 have occurred during the
11 preceding five calendar years, a notice by certified
12 mail stating in substance the following:
13 "According to our records, we have had no contact
14 with you regarding (describe account) for more than
15 five years. Under Iowa law, if there is a period of
16 five years without contact, we may be required to
17 transfer this account to the custody of the treasurer
18 of state of Iowa as unclaimed property. You may
19 prevent this by taking some action, such as a deposit
20 or withdrawal, which indicates your interest in this
21 account or by signing this form and returning it to
22 us.
23 I desire to keep the above account open and active.
24
25 _____
YOUR SIGNATURE"

26 The notice required under this section shall be
27 mailed within thirty days of the lapse of the five-
28 year period in which there is no activity. The cost
29 of the certified mail of the notice required in this
30 section may be deducted from the account by the
31 banking or financial organization.”

MICHAEL E. GRONSTAL

S-3861

1 Amend House File 495, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 2, by striking lines 21 through 23 and
4 inserting the following: “~~The court contemplating a~~
5 ~~change in child support because of alleged change in~~
6 ~~circumstances shall consider each parent’s earning~~
7 ~~capacity, economic circumstances and cost of living.~~
8 In determining whether there is a substantial change
9 in circumstances, the court shall consider the
10 following:
11 a. Changes in the employment, earning capacity,
12 income or resources of a party.
13 b. Receipt by a party of an inheritance, pension
14 or other gift.
15 c. Changes in the medical expenses of a party.
16 d. Changes in the number or needs of dependents of
17 a party.
18 e. Changes in the physical or emotional health of
19 a party.
20 f. Changes in the residence of a party.
21 g. Remarriage of a party.
22 h. Possible support of a party by another person.
23 i. Changes in the physical, emotional or
24 educational needs of a child whose support is governed
25 by the order.
26 j. Contempt by a party of existing orders of
27 court.
28 k. Other factors the court determines to be
29 relevant in an individual case.”

WALLY HORN

S-3862

1 Amend Senate File 562 as follows:
2 1. Page 3, by striking lines 12 and 13 and
3 inserting the following:
4 “One million five hundred thousand dollars shall
5 be advanced to the community development loan fund

6 from the general fund. The general fund shall
 7 receive the same amount from the "Community
 8 Betterment Account" created in House File 225 by
 9 June 30, 1986 \$ 1,500,000".

CALVIN O. HULTMAN

S-3863

1 Amend Senate File 562 as follows:
 2 1. Page 11, by inserting after line 16 the
 3 following:
 4 "Sec. ___. There is appropriated for the fiscal
 5 year beginning July 1, 1986 and ending June 30, 1987
 6 to the agencies and for the purposes specified the
 7 same amounts that are appropriated under this Act for
 8 the fiscal year beginning July 1, 1985 and ending June
 9 30, 1986."
 10 2. Renumber sections and correct internal
 11 references as are necessary in accordance with this
 12 amendment.

LOWELL L. JUNKINS

S-3864

1 Amend House File 476 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 10, by inserting after line 33 the
 4 following:
 5 "Sec. ___. There is appropriated for the fiscal
 6 year beginning July 1, 1986 and ending June 30, 1987
 7 to the agencies and for the purposes specified the
 8 same amounts that are appropriated under this Act for
 9 the fiscal year beginning July 1, 1985 and ending June
 10 30, 1986."
 11 2. Renumber sections and correct internal
 12 references as are necessary in accordance with this
 13 amendment.

LOWELL L. JUNKINS

S-3865

1 Amend House File 571 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 14, by inserting after line 17 the
 4 following:
 5 "Sec. ___. There is appropriated for the fiscal
 6 year beginning July 1, 1986 and ending June 30, 1987

7 to the agencies and for the purposes specified the
 8 same amounts that are appropriated under this Act for
 9 the fiscal year beginning July 1, 1985 and ending June
 10 30, 1986.”
 11 2. Renumber sections and correct internal
 12 references as are necessary in accordance with this
 13 amendment.

LOWELL L. JUNKINS

S-3866

1 Amend the Holden et al amendment, S-3704, to Senate
 2 File 562 as follows:
 3 1. Page 1, line 16, by inserting after the word
 4 “older.” the following: “There is appropriated to the
 5 department of job service from the special employment
 6 security contingency fund for the fiscal year
 7 beginning July 1, 1985 and ending June 30, 1986 the
 8 sum of five thousand (5,000) dollars, or so much
 9 thereof as is necessary, for rent, utility costs, and
 10 other office expenses to local self-help employment
 11 placement agencies pursuant to an informal grant
 12 application process established by the department.”

LARRY MURPHY
 JOE J. WELSH
 DON GETTINGS

S-3867

1 Amend House File 571 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 8, line 32, by striking the word “ten”
 4 and inserting the following: “fifteen”.

JOE J. WELSH

S-3868

1 Amend S-3834 to House File 571 as amended, passed
 2 and reprinted by the House as follows:
 3 1. Page 1, by striking lines 6 and 7 and
 4 inserting the following: “under section 1, except
 5 section 1, subsections 3, 4, and 8, and sections 2 and
 6 3 of this Act for the fiscal year”.

MILO COLTON

S-3869

1 Amend Senate File 562 as follows:
2 1. Page 7, by inserting after line 7, the
3 following:
4 "Sec. _____. There is appropriated to the department
5 of job service from the special employment security
6 contingency fund for the fiscal year beginning July 1,
7 1985 and ending June 30, 1986 the sum of five thousand
8 (5,000) dollars, or so much thereof as is necessary,
9 for rent, utility costs, and other office expenses to
10 local self-help employment placement agencies pursuant
11 to an informal grant application process established
12 by the department. The funds appropriated from the
13 special employment security contingency fund under
14 this section shall be in addition to the funds
15 authorized to be expended from this fund under section
16 96.13, subsection 3, paragraph "a".
17 2. Renumber sections and correct internal
18 references as necessary in accordance with this
19 amendment.

LARRY MURPHY
JOE J. WELSH
DON GETTINGS

S-3870

1 Amend the amendment S-3732 to Senate File 562 as
2 follows:
3 1. Page 2, by striking line 14.

RICHARD F. DRAKE
ARTHUR A. SMALL, JR.

S-3871

1 Amend House File 571 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 8, line 32, by striking the word "ten"
4 and inserting the following: "fifteen".
5 2. Page 11, line 8, by striking the word "ten"
6 and inserting the following: "fifteen".

JOE J. WELSH

S-3872

1 Amend House File 495, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 3, by striking lines 9 through 12 and
4 inserting the following: "person for whom the
5 payments have been awarded."

6 2. Page 4, line 1, by inserting after the word
7 "payments" the following: "to the person entitled to
8 the support payments. However, if the payments
9 received are to be divided between the person entitled
10 to the support and the state, the five-working day
11 disbursement requirement is waived".

12 3. Page 4, by striking lines 3 through 5 and
13 inserting the following: "which shall be open to the
14 public."

15 4. By striking page 4, line 27 through page 5,
16 line 2.

17 5. Page 6, line 16, by inserting after the word
18 "payments." the following: "However, if the payments
19 received are to be divided between the person entitled
20 to the support and the state, the five-working-day
21 disbursement requirement is waived."

DONALD V. DOYLE
WALLY HORN
TOM MANN, JR.

S-3873

1 Amend House File 736 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, line 9 by inserting after the word
4 "public." the following: "Of the seven members
5 licensed to practice either medicine and surgery or
6 osteopathic medicine and surgery, at least one shall
7 employ and supervise a physician's assistant. In the
8 event the relationship is terminated, for whatever
9 reason, the member shall replace the physician's
10 assistant within thirty days or be removed from the
11 board and replaced by an identically licensed
12 physician who does employ and supervise a physician's
13 assistant."

14 2. Page 1, line 9, by inserting after the word
15 "assistant" the following: "on the board".

EDGAR H. HOLDEN

S-3874

1 Amend Senate File 565 as follows:

DIVISION S-3874A

2 1. By striking page 1, line 1 through page 4,
3 line 25.

DIVISION S-3874B

4 2. By striking page 5, line 30 through page 6,
5 line 17.

DIVISION S-3874C

6 3. Page 6, line 25, by striking the word
7 "seventeen" and inserting the following: "sixteen".
8 4. Page 6, by striking lines 27 and 28 and
9 inserting the following: "1982 1985 and ending
10 December 31, 1985, is seventeen and one-half cents per
11 gallon for the period beginning January 1, 1986 and
12 ending December 31, 1986, and is eighteen and one-half
13 cents per gallon beginning January 1, 1987. On all".

DIVISION S-3874D

14 5. Page 7, by striking lines 20 through 23.
15 6. Page 7, line 25, by striking the word
16 "subsections" and inserting the following:
17 "subsection".
18 7. By striking page 7, line 34 through page 8,
19 line 8.
20 8. Title page, lines 1 and 2, by striking the
21 words "vehicles, water vessels, and mobile homes" and
22 inserting the following: "vehicles and water
23 vessels".

DIVISION S-3874A (cont'd.)

24 9. Title page, lines 3 through 6, by striking the
25 words "by crediting a portion of the revenue from
26 motor fuel and special fuel taxes to the RISE fund for
27 use in road and street projects which promote economic
28 development in the state,".

DIVISION S-3874B (cont'd.)

29 10. Title page, lines 6 through 8, by striking
 30 the words "by providing for a one cent per gallon
 31 reduction in the excise tax rate on gasohol contingent
 32 upon certain circumstances,".

DIVISION S-3874D (cont'd.)

33 11. Title page, lines 10 through 15, by striking
 34 the words "by exempting from the state use tax the
 35 portion of the purchase price of a mobile home which
 36 is not attributable to the cost of the materials used
 37 in manufacturing the mobile home and exempting from
 38 the state use tax the gross receipts from the
 39 subsequent sale of a mobile home if the use tax had
 40 been paid on a previous sale,".

41 12. Renumber sections as necessary.

RICHARD F. DRAKE
 WILLIAM D. PALMER
 DAVID M. READINGER

S-3875

1 Amend House File 571, as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 5, line 9, by striking the figure
 4 "1,242,427" and inserting the figure "1,314,427".
 5 2. Page 5, line 23, by striking the figure
 6 "252,000" and inserting the figure "324,000".
 7 3. Page 5, by inserting after line 32 the
 8 following new paragraph:
 9 "Of the funds allocated to the mobile and regional
 10 child health speciality clinics under subparagraph one
 11 of this paragraph, seventy-two thousand (72,000)
 12 dollars shall be used for a specialized medical home
 13 care program providing care planning and coordination
 14 of community support services for children who require
 15 technical medical care in the home."

JULIA GENTLEMAN
 C. JOSEPH COLEMAN
 JOY CORNING
 BEVERLY HANNON

S-3876

1 Amend the amendment S-3733 to House File 498 as
 2 amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 1, by striking lines 6 through 12 and

5 inserting the following:
 6 "2. Page 1, by striking lines 13 through 21 and
 7 inserting the following: "the approval of the board
 8 of supervisors, may require that commercial
 9 applicators and their appropriate employees pass the
 10 same standards for noxious weed identification as
 11 established by the department of agriculture. The
 12 name and address of the person appointed as".

ARNE WALDSTEIN
 JOHN A. NEIGHBOUR

S-3877

1 Amend House File 450 as amended, passed, and
 2 reprinted by the House as follows:
 3 1. Page 1, by adding after line 14 the following:
 4 "NEW SUBSECTION. 11C. Establish a certification
 5 structure, to include endorsements, approvals, or
 6 other authorization, for school service professionals
 7 in this state; determine the requirements for these
 8 certificates or authorizations; approve and disapprove.
 9 education programs for school service professionals in
 10 this state; and establish standards for acceptance of
 11 evidences of training and preparation from education
 12 programs located outside this state. "School service
 13 professionals" means psychologists, audiologists,
 14 speech pathologists, social workers, physical
 15 therapists, occupational therapists, and nurses."
 16 2. Page 2, lines 3 and 4 by striking the words
 17 "or school service personnel".
 18 3. Page 2, line 18 by striking the words "school
 19 service person".
 20 4. Page 3, line 14, by inserting after the word
 21 "shall" the following: ", except as provided in
 22 section 257.10, subsection 11C".

ARTHUR A. SMALL, Jr.
 CHARLES BRUNER
 JOHN N. NYSTROM

S-3878

1 Amend Senate File 565 as follows:
 2 1. Page 4, by inserting before line 26 the
 3 following:
 4 "Sec. __. Section 324.2, Code 1985, is amended by

5 adding the following new subsections:

6 NEW SUBSECTION. 8. "Composite index" means a
7 calendar year's annual composite index listed in price
8 trends for federal-aid highway construction as
9 published by the office of engineering, federal-aid
10 division, federal highway administration.

11 NEW SUBSECTION. 9. "Fuel consumption" means the
12 total taxable gallons of motor fuel reported by the
13 department of revenue, whether taxed at full or
14 partial tax rates.

15 NEW SUBSECTION. 10. "Base year" means calendar
16 year 1984.

17 NEW SUBSECTION. 11. "Fuel tax adjustment factor"
18 for a calendar year means the ratio of the composite
19 index for the calendar year to the composite index for
20 the base year multiplied by the ratio of the fuel
21 consumption for the base year to the fuel consumption
22 for the calendar year."

23 2. Page 5, by inserting after line 2 the
24 following:

25 "For the fiscal year beginning July 1, 1986, and
26 ending June 30, 1987, and each fiscal year thereafter
27 the department of revenue shall calculate the motor
28 fuel tax rate for the fiscal year. The calculated
29 motor fuel tax rate for a fiscal year shall be the
30 motor fuel tax rate in effect on July 1, 1985, multi-
31 plied by the fuel tax adjustment factor for the
32 calendar year ending six months prior to the
33 applicable fiscal year, with the result rounded to the
34 nearest one-tenth cent per gallon. However, the motor
35 fuel tax rate shall not be less than the motor fuel
36 tax rate in effect on July 1, 1985 and shall not
37 increase or decrease by more than three cents per
38 gallon from one fiscal year to the next. The
39 department of revenue shall calculate the next
40 applicable motor fuel tax rate by April 1 and cause it
41 to be published in the Iowa administrative code and
42 two newspapers of general circulation. The calculated
43 tax rate shall be submitted to the general assembly by
44 April 1. The general assembly may by joint resolution
45 modify the calculated tax rate within forty-five
46 calendar days of its submission. The calculated tax
47 rate with modifications, if any, shall be the motor
48 fuel tax rate effective July 1."

49 3. Page 6, by inserting after line 30 the
50 following:

Page 2

1 "For the fiscal year beginning July 1, 1986, and
 2 ending June 30, 1987, and each fiscal year thereafter
 3 the department of revenue shall calculate the tax rate
 4 on special fuel for diesel engines for the fiscal
 5 year. The calculated tax rate on this special fuel
 6 for a fiscal year shall be the tax rate on special
 7 fuel for diesel engines in effect on July 1, 1985,
 8 multiplied by the fuel tax adjustment factor, as
 9 defined in section 324.2, subsection 11, for the
 10 calendar year ending six months prior to the
 11 applicable fiscal year, with the result rounded to the
 12 nearest one-tenth cent per gallon. However, the tax
 13 rate on special fuel for diesel engines shall not be
 14 less than the tax rate on this special fuel in effect
 15 on July 1, 1985 and shall not increase or decrease by
 16 more than three cents per gallon from one fiscal year
 17 to the next. The department of revenue shall
 18 calculate the next applicable tax rate on special fuel
 19 for diesel engines by April 1 and cause it to be
 20 published in the Iowa administrative code and two
 21 newspapers of general circulation. The calculated tax
 22 rate shall be submitted to the general assembly by
 23 April 1. The general assembly may by joint resolution
 24 modify the calculated tax rate within forty-five
 25 calendar days of its submission. The calculated tax
 26 rate with modifications, if any, shall be the tax rate
 27 on special fuel for diesel engines effective July 1."

NORMAN G. RODGERS
 RICHARD F. DRAKE
 JOE J. WELSH
 JOE BROWN

S-3879

1 Amend House File 571 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 2, line 15, by striking the word "twenty-
 4 five" and inserting in lieu thereof the word "twenty-
 5 six".
 6 2. Page 2, line 18 by striking the figure "793,054"
 7 and inserting in lieu thereof the figure "825,000".
 8 3. Page 2, by striking lines 19 through 25.
 9 4. Page 2, by striking line 33 through page 4,
 10 line 4.

DOUGLAS RITSEMA

S-3880

1 Amend Senate File 562 as follows:
 2 1. Page 5, line 5, by striking the figure
 3 "4,041,000" and inserting the figure "4,241,000".
 4 2. Page 5, by inserting after line 5 the
 5 following:
 6 "The Iowa development commission shall transfer
 7 from any other funds received for its advertising and
 8 tourism budget an amount up to or equal to two hundred
 9 thousand (200,000) dollars received during the fiscal
 10 year beginning July 1, 1985 and ending June 30, 1986
 11 which funds shall be transferred to the general fund
 12 of the state not later than June 30, 1986."
 13 3. Renumber sections and correct internal
 14 references as necessary in accordance with this
 15 amendment.

JOE J. WELSH
 LOWELL L. JUNKINS

S-3881

1 Amend House File 505 as passed by the House as
 2 follows:
 3 1. Page 1, by striking lines 4 through 6 and
 4 inserting the following: "review all human services
 5 provided or proposed to be provided with state or
 6 county funding to children, youth, and families in the
 7 county and shall annually review the system in the
 8 county for the delivery of the services to determine".

CHARLES P. MILLER
 RICHARD VANDE HOEF
 ALVIN V. MILLER
 JAMES D. WELLS
 HURLEY W. HALL
 THOMAS A. LIND
 NORMAN GOODWIN
 ARNE WALDSTEIN
 JOHN NEIGHBOUR

HOUSE AMENDMENT TO
 SENATE FILE 539

S-3882

1 Amend Senate File 539 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 2, by striking lines 10 through 20.
 4 2. By renumbering as necessary.

HOUSE AMENDMENT TO
SENATE FILE 503

S-3883

1 Amend Senate File 503 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 1, line 2, by striking the word
4 "paragraph" and inserting the following:
5 "paragraphs".
6 2. Page 1, by inserting after line 8 the
7 following:
8 "NEW UNNUMBERED PARAGRAPH. A plan shall be
9 submitted to the commissioner of insurance for review
10 and approval prior to its implementation. The
11 commissioner shall adopt rules for the review and
12 approval of a self-insured group plan provided under
13 this section. The rules shall include, but are not
14 limited to, the following:
15 1. Procedures for submitting a plan for approval
16 including the establishment of a fee schedule to cover
17 the costs of conducting the review.
18 2. Establishment of minimum financial standards to
19 ensure the ability of the plan to adequately cover the
20 reasonably anticipated expenses.
21 Sec. 2. NEW SECTION. 509A.14 APPROVAL OF SELF-
22 INSURANCE PLANS.
23 The commissioner of insurance shall adopt rules for
24 self-insurance plans for life insurance and accident
25 and health insurance for the state, a political
26 subdivision of the state, a school corporation, or any
27 other public body in the state. The rules adopted
28 shall include, but are not limited to, the following:
29 1. A requirement that the plan shall include all
30 coverages and provisions that are required by law in
31 insurance policies for the type of risk that the self-
32 insurance plan is intended to cover.
33 2. A requirement that at least once each twelve
34 months, the governing body of the public body shall
35 obtain from an outside consulting actuary a
36 certification that the plan is able to cover all
37 reasonably anticipated expenses.
38 3. A requirement that if the resources of the plan
39 are inadequate to fully cover a claim under the plan,
40 then the public body is liable for any portion of the
41 claim that is left unpaid.
42 Sec. 3. Section 2 of this Act is effective on
43 January 1, 1986. However, the commissioner of
44 insurance shall commence rulemaking procedures in
45 sufficient time to have the final rules adopted by

46 January 1, 1986.”

47 3. Title page, by striking lines 1 through 3 and
48 inserting the following: “An Act relating to self-
49 insurance plans.”

50 4. Renumber as necessary.

HOUSE AMENDMENT TO
SENATE FILE 455

S-3884

1 Amend Senate File 455 as amended, passed, and re-
2 printed by the Senate as follows:

3 1. Page 4, by inserting after line 5, the fol-
4 lowing:

5 “5. Notwithstanding the provisions of this section
6 to the contrary, seized property which was stolen or
7 otherwise obtained in violation of the law may be re-
8 turned to the owner, if the owner was not the person
9 from whom the property was seized, without hearing if
10 all of the following are true:

11 a. The identity of the owner is not in question.

12 b. The owner’s right to possess the property is
13 not in question.

14 c. The possession of the property is not pro-
15 hibited by law.

16 d. One of the following is also true:

17 (1) Criminal charges have not been filed and are
18 not being contemplated regarding the theft of the
19 property.

20 (2) Evidence regarding the property is not to be
21 introduced in any proceeding.

22 (3) If evidence regarding the property is to be
23 introduced, all of the following are true:

24 (a) The property has been photographed in such a
25 manner as to fairly show the nature and condition of
26 the property.

27 (b) The photographs are available for use in any
28 subsequent proceeding.

29 (c) If the value of the property is in excess of
30 one hundred dollars, the county attorney has notified
31 the attorney for any person against whom the evidence
32 regarding the property may be used of the intention to
33 return the property following its being photographed
34 and the person’s attorney either exercised or waived
35 an opportunity to examine the property within fourteen
36 days.

37 (4) If the property may be introduced as evidence,
38 it is of such a nature that it is not easily alterable
39 without detection and arrangements satisfactory to

40 both the county attorney and the attorneys for any
41 persons against whom evidence regarding the property
42 may be used have been made for its return for use as
43 evidence."

HOUSE AMENDMENT TO
SENATE FILE 450

S-3885

1 Amend Senate File 450 as amended and passed by the
2 Senate as follows:
3 1. Page 1, line 2, by striking the word "PROGRAM"
4 and inserting the following: "PROGRAMS".
5 2. Page 2, line 2, by striking the words "a pilot
6 program" and inserting the following: "pilot
7 programs".
8 3. Page 2, line 5, by striking the word "program"
9 and inserting the following: "programs".
10 4. Page 2, line 9, by striking the word "program"
11 and inserting the following: "programs".
12 5. Page 2, line 11, by striking the word
13 "program" and inserting the following: "programs".
14 6. Page 2, by inserting after line 34 the
15 following:
16 "A loan, credit, rebate or other financial
17 incentive offered or given to a customer for the
18 purchase or installation of an energy conservation
19 improvement pursuant to this section shall not be
20 contingent upon the improvement being performed by the
21 utility.
22 7. The commission shall provide small businesses
23 with an equal opportunity to compete by adopting rules
24 pursuant to chapter 17A which require, where
25 practical, that customers be provided with alternative
26 pricing proposals for energy conservation improvements
27 from small businesses and other persons in addition to
28 the proposals provided by the investor-owned rate-
29 regulated utilities."
30 7. Page 2, line 35, by striking the words "of
31 the" and inserting the following: "of a".
32 8. Page 3, line 4, by inserting after the word
33 "all" the following: "investor-owned,".
34 9. Page 3, by inserting after line 6 the
35 following:
36 "Sec. ____ . By January 1, 1988, the Iowa state
37 commerce commission shall file with the governor and
38 the general assembly a report on the effects section
39 476.61 created under this Act has made on rates
40 charged to customers of investor-owned electric and

41 natural gas utilities in Iowa and the report shall
42 indicate the level of investments in energy
43 conservation improvements made by the public utilities
44 under the provisions of section 476.61.”
45 10. Title page, line 1, by striking the words “an
46 Iowa commerce commission pilot program” and inserting
47 the following: “Iowa commerce commission pilot
48 programs”.

HOUSE AMENDMENT TO
SENATE FILE 295

S-3886

1 Amend Senate File 295 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 1, by striking line 1, and inserting the
4 following:
5 “Section 1. Section 123.28, unnumbered paragraph
6 2, Code 1985, is amended to read as follows:
7 A person driving a motor vehicle shall not
8 knowingly possess in a motor vehicle upon a public
9 street or highway ~~any~~ an open or unsealed bottle, can,
10 jar, or other receptacle containing an alcoholic
11 beverage or beer with the intent to consume the
12 alcoholic beverage or beer while the motor vehicle is
13 upon a public street or highway. Evidence that an
14 open or unsealed receptacle containing an alcoholic
15 beverage or beer was found during an authorized search
16 in the glove compartment, utility compartment,
17 console, front passenger seat, or any unlocked
18 portable device and within the immediate reach of the
19 driver while the motor vehicle is upon a public street
20 or highway is evidence from which the court or jury
21 may infer that the driver intended to consume the
22 alcoholic beverage or beer while upon the public
23 street or highway if the inference is supported by
24 corroborative evidence. However, an open or unsealed
25 receptacle containing an alcoholic beverage or beer
26 may be transported at any time in the trunk of the
27 motor vehicle or in some other area of the interior of
28 the motor vehicle not designed or intended to be
29 occupied by the driver and not readily accessible to
30 the driver while the motor vehicle is in motion. A
31 person convicted of a violation of this paragraph is
32 guilty of a simple misdemeanor.
33 Sec. 2. Section 123.33, Code 1985, is amended to
34 read”.
35 2. Title page, by striking lines 1 and 2, and
36 inserting the following: “An Act relating to the

37 violation of laws concerning alcoholic liquor and beer
 38 by establishing the penalty for transporting an open
 39 container of alcoholic liquor or beer in a motor
 40 vehicle as a simple misdemeanor, and by removing the
 41 duty of a liquor control licensee to break empty
 42 liquor bottles."

HOUSE AMENDMENT TO
 SENATE FILE 157

S-3887

1 Amend Senate File 157 as amended, passed, and
 2 reprinted by the Senate as follows:
 3 1. Page 1, line 12, by striking the figure
 4 "534.505," and inserting the following: "534.506,"

HOUSE AMENDMENT TO
 SENATE FILE 27

S-3888

1 Amend Senate File 27 as passed by the Senate as
 2 follows:
 3 1. Page 2, line 22, by inserting after the figure
 4 "97B.4." the following: "A person who has signed a
 5 contract with the department for investment management
 6 purposes shall meet the requirements for doing
 7 business in Iowa sufficient to be subject to tax under
 8 rules of the department of revenue."
 9 2. Page 3, line 13, by inserting after the word
 10 "fund" the following: ", and the cost of managing the
 11 fund per thousand dollars of assets".
 12 3. Page 4, by inserting after line 16 the
 13 following:
 14 "Sec. ____ . Section 633.123, subsection 1, Code
 15 1985, is amended to read as follows:
 16 1. Investments by fiduciaries. In acquiring,
 17 investing, reinvesting, exchanging, retaining, selling
 18 and managing property for the benefit of another, a
 19 fiduciary shall exercise the judgment and care under
 20 the circumstances then prevailing, which persons of
 21 prudence, discretion and intelligence exercise in the
 22 management of their own affairs, not for the purpose
 23 of speculation, but with regard to the permanent
 24 disposition of their funds, considering the probable
 25 income, as well as the probable safety, of their
 26 capital. Within the limitations of the foregoing
 27 standards, a fiduciary is authorized to acquire and
 28 retain every kind of property and every kind of

29 investment, specifically including, but not by way of
30 limitation, bonds, debentures, and other corporate
31 obligations, and stocks and shares, preferred or
32 common, which persons of prudence, discretion and
33 intelligence acquire or retain for their own account.”
34 4. By renumbering, relettering, or redesignating
35 and correcting internal references as necessary.

S-3889

1 Amend House File 589, as passed by the House as
2 follows:

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

5 “Section 1. Section 331.401, Code 1985, is amended
6 by adding the following new subsection:

7 NEW SUBSECTION. 4. Except as otherwise provided by
8 law, the amount of each fee collected by a county
9 officer under this chapter shall be determined by
10 ordinance of the board. In determining the amount of
11 a fee, the board shall determine the cost of providing
12 the service for which a fee is charged and set the fee
13 at an amount which will recover the cost of service.”

14 2. Page 1, by striking lines 1 and 2 and
15 inserting the following:

16 “Sec. 2. Section 331.507, subsection 2, paragraphs
17 a and b, Code 1985, are amended to read as follows:

18 a. For a transfer of property made in the transfer
19 records, ~~five dollars a fee~~ for each separate platted
20 lot and ~~five dollars~~ for each separate parcel of
21 contiguous land lying within one unplatted section and
22 described in one instrument of transfer as determined
23 under section 331.401, subsection 4. However, the fee
24 shall not exceed fifty dollars for a transfer of
25 platted or unplatted property which is described in
26 one instrument of transfer and which is contiguous or
27 separated only by a public street or highway.

28 b. For indexing a change of name for each parcel
29 of real estate owned in the county, ~~three dollars as~~
30 determined under section 331.401, subsection 4.”

31 3. Page 1, line 4, by striking the words “~~three~~
32 ~~five dollars~~” and inserting the following: “three
33 dollars a fee determined by the board under section
34 331.401, subsection 4”.

35 4. Page 1, by inserting after line 4 the
36 following:

37 “Sec. __. Section 331.552, subsection 23, Code
38 1985, is amended to read as follows:

39 23. Collect a fee of ~~three dollars as determined~~
40 under section 331.401, subsection 4, for issuing a

41 certificate for land sold for nonpayment of taxes or a
 42 certificate of redemption of land sold for taxes.
 43 Sec. ____ Section 331.604, Code 1985, is amended
 44 to read as follows:
 45 331.604 GENERAL RECORDING AND FILING FEE.
 46 Except as otherwise provided by state law or
 47 section 331.605, the recorder shall collect a fee of
 48 five dollars as determined under section 331.401,
 49 subsection 4, for each page or fraction of a page of
 50 an instrument which is filed or recorded in the

Page 2

1 recorder's office."
 2 5. Page 1, by inserting after line 6 the
 3 following:
 4 "Sec. ____ Section 331.655, subsection 1, Code
 5 1985, is amended to read as follows:
 6 1. ~~The Except as otherwise provided, the sheriff~~
 7 shall collect the ~~following~~ fees determined under
 8 section 331.401, subsection 4, for performing the
 9 following services:
 10 a. For serving a notice and returning it, ~~for the~~
 11 ~~first person served, six dollars, and each additional~~
 12 ~~person, six dollars except the fee for serving~~
 13 ~~additional persons in the same household shall be~~
 14 ~~three dollars for each additional service, a fee or if~~
 15 the service of notice cannot be made or several
 16 attempts are necessary, the repayment of all necessary
 17 expenses actually incurred by the sheriff while
 18 attempting in good faith to serve the notice.
 19 b. For each warrant served, ~~six dollars, a fee and~~
 20 the repayment of necessary expenses incurred in
 21 executing the warrant, as sworn to by the sheriff, or
 22 if service of the warrant cannot be made, the
 23 repayment of all necessary expenses actually incurred
 24 by the sheriff while attempting in good faith to serve
 25 the warrant.
 26 c. For serving and returning a subpoena, ~~for each~~
 27 ~~person served, six dollars, a fee and the necessary~~
 28 expenses incurred while serving subpoenas in criminal
 29 cases or relating to the mentally ill process.
 30 d. For summoning a grand or trial jury, all
 31 necessary and actual expenses incurred by the sheriff.
 32 e. For summoning a jury to assess the damages to
 33 the owners of lands taken for works of internal
 34 improvement, and attending them, ~~thirty dollars per~~
 35 ~~day, a fee or per diem~~ and necessary expenses
 36 incurred. This subsection does not allow a sheriff to
 37 make separate charges for different assessments which

38 can be made by the same jury and completed in one day
39 of ten hours.

40 f. For serving an execution, attachment, order for
41 the delivery of personal property, injunction, or any
42 order of court, and returning it; ~~five dollars~~.

43 g. For making and executing a certificate or deed
44 for lands sold on execution, or a bill of sale for
45 personal property sold; ~~five dollars~~.

46 h. For the time necessarily employed in making an
47 inventory of personal property attached or levied
48 upon; ~~three dollars per hour~~.

49 i. For a copy of any paper required by law, made
50 by the sheriff; ~~twenty-five cents~~.

Page 3

1 j. Mileage at the rate specified in section 79.9
2 in all cases required by law, going and returning.
3 Mileage fees do apply where provision is made for
4 expenses, and both mileage and expenses shall not be
5 allowed for the same services and for the same trip.
6 If the sheriff transports one or more persons by auto
7 to a state institution or any other destination
8 required by law or if one or more legal papers are
9 served on the same trip, the sheriff is entitled to
10 one mileage, the mileage cost of which shall be
11 prorated to the persons transported or papers served.
12 However, in serving original notices in civil cases
13 and in serving and returning a subpoena, the sheriff
14 shall be allowed mileage in each action where the
15 original notice or subpoena is served, with a minimum
16 mileage of ~~one dollar fee~~ for each service. The
17 sheriff may refuse to serve original notices in civil
18 cases until the fees and estimated mileage for service
19 have been paid.

20 k. For each day attending sale of property; ~~three~~
21 ~~dollars~~.

22 l. For conveying one or more persons to a state,
23 county, or private institution by order of court or
24 commission, necessary expenses for the sheriff and the
25 person conveyed and ~~three dollars per hour~~ an hourly
26 rate for the time necessarily employed in going to and
27 from the institution, the expenses and hourly rate to
28 be charged and accounted for as fees. If the sheriff
29 needs assistance in taking a person to an institution,
30 the assistance shall be furnished at the expense of
31 the county.

32 m. For serving a warrant for the seizure of
33 intoxicating liquors, ~~one dollar a fee~~; for the
34 removal and custody of the liquor, actual expenses;

35 for the destruction of the liquor under the order of
36 the court, ~~one dollar a fee~~ and actual expenses; for
37 posting and leaving notices in these cases, ~~one dollar~~
38 a fee and actual expenses.

39 n. For each operator's, motorized bicycle or
40 chauffeur's license issued by the sheriff, the fee
41 specified in section 321.192.

42 o. For posting a notice or advertisement, the fee
43 provided in section 618.12.

44 p. For delivering prisoners under a change of
45 venue, the fee authorized under section 815.8."

46 6. Page 1, line 30, by striking the words "in the
47 amount specified" and inserting the following: "as
48 provided".

49 7. Page 2, line 10, by striking the words "in
50 the amount specified" and inserting the following:

Page 4

1 "as provided".

2 8. Page 2, lines 26 and 27, by striking the words
3 "in the amount specified" and inserting the following:

4 "as provided".

5 9. Page 3, line 10, by striking the words "in the
6 amount specified" and inserting the following: "as
7 provided".

8 10. Page 4, line 8, by striking the words "in the
9 amounts specified" and inserting the following: "as
10 provided".

11 11. Page 4, by inserting after line 10 the
12 following:

13 "Sec. _____. This Act takes effect January 1, 1986."

14 12. By renumbering sections as necessary.

CHARLES P. MILLER
GEORGE R. KINLEY
NORMAN J. GOODWINN
JACK RIFE
THOMAS A. LIND
HURLEY W. HALL
DALE L. TIEDEN
BERL E. PRIEBE
ALVIN V. MILLER
ARNE WALDSTEIN
JAMES D. WELLS
JOHN NEIGHBOUR

S-3890

- 1 Amend House File 571 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, line 15, by striking the word "twenty-
4 five" and inserting in lieu thereof the word "twenty-
5 six".
6 2. Page 2, line 18 by striking the figure
7 "793,054" and inserting in lieu thereof the figure
8 "825,000".
9 3. Page 2, by striking lines 19 through 25.
10 4. Page 2, by striking line 33 through page 3,
11 line 4.

DOUGLAS RITSEMA

S-3891

- 1 Amend House File 451 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 13, by striking lines 9 through 28.

RICHARD VANDE HOEF

S-3892

- 1 Amend Senate File 562 as follows:
2 1. Page 11, by inserting after line 6, the
3 following:
4 "Sec. ____ Section 324A.2, subsection 4, Code 1985,
5 is amended to read as follows:
6 4. "Railroad company" means a person responsible
7 for the operation of a railway vehicle within this
8 state, except where the operation of the railway
9 vehicle is limited to operation only within the
10 geographical confines of a manufacturing plant or
11 facility."

RICHARD F. DRAKE
ARTHUR A. SMALL, JR.

S-3893

- 1 Amend Senate File 434 as follows:
2 1. Page 8, by inserting after line 34 the
3 following:
4 "Sec. ____ There is appropriated for the fiscal
5 year beginning July 1, 1986 and ending June 30, 1987
6 to the agencies and for the purposes specified the
7 same amounts that are appropriated under this Act for

8 the fiscal year beginning July 1, 1985 and ending June
 9 30, 1986.”
 10 2. Renumber sections and correct internal
 11 references as are necessary in accordance with this
 12 amendment.

LOWELL L. JUNKINS

S-3894

1 Amend Senate File 552 as follows:
 2 1. Page 14, by inserting after line 18 the
 3 following:
 4 “Sec. ____ . There is appropriated for the fiscal
 5 year beginning July 1, 1986 and ending June 30, 1987
 6 to the agencies and for the purposes specified the
 7 same amounts that are appropriated under this Act for
 8 the fiscal year beginning July 1, 1985 and ending June
 9 30, 1986.”
 10 2. Renumber sections and correct internal
 11 references as are necessary in accordance with this
 12 amendment.

LOWELL L. JUNKINS

S-3895

1 Amend Senate File 565 as follows:
 2 1. Page 2, line 2, by striking the word “The” and
 3 inserting the words “Except as provided in subsection
 4 3, the”.
 5 2. Page 2, by inserting after line 31 the
 6 following:
 7 “3. The treasurer of state shall transfer annually
 8 to the public transit assistance fund created under
 9 section 601J.6 from the RISE fund the sum of three
 10 million dollars.”

TOM MANN, Jr.

S-3896

1 Amend S-3565 to House File 686, as passed by the
 2 House, as follows:
 3 1. Page 1, by striking lines 16 through 25 and
 4 inserting the following:
 5 “Sec. ____ . Section 257.12, Code 1985, is amended
 6 by striking the section and inserting the following:
 7 257.12 QUALIFICATIONS OF COMMISSIONER.
 8 The governor shall appoint as commissioner an

9 individual with a background in education and
 10 administration experience. The deputy commissioner
 11 shall also meet these criteria.”

JOE BROWN

S-3897

1 Amend Senate File 457 as follows:
 2 1. Page 1, by striking lines 9 through 16, and
 3 inserting the following:
 4 “6. When the parent awarded custody or physical
 5 care of the child cannot act as custodian or caretaker
 6 because the parent has djed or has been judicially
 7 adjudged incompetent, the court shall award custody
 8 including physical care of the child to the surviving
 9 parent unless the court finds that such an award is
 10 not in the child’s best interests. When the parent
 11 awarded custody or physical care of the child has
 12 committed child abuse, as defined in section 232.68,
 13 subsection 2, upon the child, the court shall consider
 14 the nature and extent of the abuse and the potential
 15 for future abuse along with all other factors to be
 16 considered in determining the best interests of the
 17 minor child in deciding whether to award custody
 18 including physical care to the other parent.”

MICHAEL E. GRONSTAL

S-3898

1 Amend Senate File 565 as follows:
 2 1. Page 6, by inserting before line 18 the
 3 following:
 4 “Sec. . **NEW SECTION. 324.3A REDUCED RATE OF**
 5 **TAX FOR CERTAIN DEALERS.**
 6 Notwithstanding the rate of tax imposed under
 7 section 324.3, the excise tax on motor fuel delivered
 8 to a qualified dealer is reduced as provided in this
 9 section.
 10 1. The excise tax on motor fuel delivered to a
 11 qualified dealer located not more than eight miles
 12 from the border of a state contiguous to Iowa which
 13 has in effect a motor fuel tax which makes the Iowa
 14 motor fuel tax uncompetitive is reduced to be six
 15 cents per gallon in excess of the motor fuel tax in
 16 effect for the contiguous state.
 17 2. The excise tax on motor fuel delivered to a
 18 qualified dealer located more than eight miles but not
 19 more than sixteen miles from the border of a state

20 contiguous to Iowa which has in effect a motor fuel
21 tax which makes the Iowa motor fuel tax uncompetitive
22 is reduced to be seven cents per gallon in excess of
23 the motor fuel tax in effect for the contiguous state.
24 3. The excise tax on motor fuel delivered to a
25 qualified dealer located more than sixteen miles but
26 not more than twenty-four miles from the border of a
27 state contiguous to Iowa which has in effect a motor
28 fuel tax which makes the Iowa motor fuel tax
29 uncompetitive is reduced to be eight cents per gallon
30 in excess of the motor fuel tax in effect for the
31 contiguous state.

32 As used in this section, a "qualified dealer" means
33 a dealer located within the distances provided under
34 subsections 1 through 3 measured by the shortest
35 distance from the border of the contiguous state. If
36 a qualified dealer is located within the corporate
37 limits of a city, all dealers within the corporate
38 limits of the city are qualified dealers.

39 As used in this section, a "motor fuel tax in
40 effect for the contiguous state" means the total
41 excise, sales or use taxes in effect in the contiguous
42 state on the sale of motor fuel expressed in cents per
43 gallon. The department of revenue shall adopt rules
44 pursuant to chapter 17A establishing the methodology
45 for ascertaining the motor fuel tax in effect for
46 contiguous states. As used in this section, a
47 contiguous state has a "motor fuel tax which makes the
48 Iowa motor fuel tax uncompetitive" if the excise tax
49 on motor fuel under section 324.3 exceeds the motor
50 fuel tax in effect for the contiguous state by more

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1 than six cents per gallon.

2 If more than one contiguous state has in effect a
3 motor fuel tax which makes the Iowa motor fuel tax
4 uncompetitive, the excise tax for a qualified dealer
5 located not more than twenty-four miles from the
6 borders of two such contiguous states is the excise
7 tax under the application of subsections 1 through 3
8 which results in the lowest excise tax to the
9 qualified dealer.

10 A qualified dealer shall be allowed a credit by the
11 distributor for the amount of the reduction in motor
12 fuel tax allowed and a qualified dealer, before
13 receiving the credit, shall be registered by the
14 department of revenue. The department of revenue
15 shall adopt rules pursuant to chapter 17A for
16 registering dealers and accounting for credits by

17 distributors.

18 This section only applies to qualified dealers who
19 would experience a reduction in the excise tax on
20 motor fuel through its application.”

21 2. Page 7, by inserting after line 9 the
22 following:

23 “Sec. . NEW SECTION. 324.34A REDUCED RATE OF
24 TAX FOR CERTAIN DEALERS.

25 Notwithstanding the rate of tax imposed under
26 section 324.34, the excise tax on special fuel for
27 diesel engines delivered to a qualified dealer is
28 reduced as provided in this section.

29 1. The excise tax on special fuel for diesel
30 engines delivered to a qualified dealer located not
31 more than eight miles from the border of a state
32 contiguous to Iowa which has in effect a tax on
33 special fuel for diesel engines which makes the Iowa
34 excise tax on special fuel for diesel engines
35 uncompetitive is reduced to be eight and one-half
36 cents per gallon in excess of the tax on special fuel
37 for diesel engines in effect for the contiguous state.

38 2. The excise tax on special fuel for diesel
39 engines delivered to a qualified dealer located more
40 than eight miles but not more than sixteen miles from
41 the border of a state contiguous to Iowa which has in
42 effect a tax on special fuel for diesel engines which
43 makes the Iowa excise tax on special fuel for diesel
44 engines uncompetitive is reduced to be nine and one-
45 half cents per gallon in excess of the tax on special
46 fuel for diesel engines in effect for the contiguous
47 state.

48 3. The excise tax on special fuel delivered to a
49 qualified dealer located more than sixteen miles but
50 not more than twenty-four miles from the border of a

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1 state contiguous to Iowa which has in effect a tax on
2 special fuel for diesel engines which makes the Iowa
3 excise tax on special fuel for diesel engines
4 uncompetitive is reduced to be ten and one-half cents
5 per gallon in excess of the tax on special fuel for
6 diesel engines in effect for the contiguous state.

7 As used in this section, a “qualified dealer” means
8 a dealer located within the distances provided under
9 subsections 1 through 3 measured by the shortest
10 distance from the border of the contiguous state. If
11 a qualified dealer is located within the corporate
12 limits of a city, all dealers within the corporate
13 limits of the city are qualified dealers.

14 As used in this section, a "tax on special fuel for
15 diesel engines in effect for the contiguous state"
16 means the total excise, sales or use taxes in effect
17 in the contiguous state on the sale of special fuel
18 for diesel engines expressed in cents per gallon.
19 The department of revenue shall adopt rules pursuant
20 to chapter 17A establishing the methodology for
21 ascertaining the tax on special fuel for diesel
22 engines in effect for contiguous states. As used in
23 this section, a contiguous state has a "tax on special
24 fuel for diesel engines which makes the Iowa excise
25 tax on special fuel for diesel engines uncompetitive"
26 if the excise tax on special fuel for diesel engines
27 under section 324.34 exceeds the tax on special fuel
28 for diesel engines in effect for the contiguous state
29 by more than eight and one-half cents per gallon.
30 If more than one contiguous state has in effect a
31 tax on special fuel for diesel engines which makes the
32 Iowa excise tax on special fuel for diesel engines
33 uncompetitive, the excise tax for a qualified dealer
34 located not more than twenty-four miles from the
35 borders of two such contiguous states is the excise
36 tax under the application of subsections 1 through 3
37 which results in the lowest excise tax to the
38 qualified dealer.
39 A qualified dealer shall be allowed a credit by the
40 distributor for the amount of the reduction in excise
41 tax on special fuel for diesel engines allowed and a
42 qualified dealer, before receiving the credit, shall
43 be registered by the department of revenue. The
44 department of revenue shall adopt rules pursuant to
45 chapter 17A for registering dealers and accounting for
46 credits by distributors.
47 This section only applies to qualified dealers who
48 would experience a reduction in the excise tax on
49 special fuel for diesel engines through its
50 application."

Page 4

1 3. Renumber sections as necessary.

LEONARD L. BOSWELL
LOWELL L. JUNKINS
DON E. GETTINGS
JOHN NEIGHBOUR

S-3899

1 Amend House File 686, as passed by the House, as
2 follows:

3 1. Page 1, by inserting after line 8 the
4 following:

5 "Sec. 100. Section 257.25, subsection 6,
6 paragraphs a, f, and g, Code 1985, are amended to read
7 as follows:

8 a. Four units of science including physics and
9 chemistry; ~~the units of physics and chemistry may be~~
10 ~~taught in alternate years.~~ The units of science shall
11 include instruction in environmental awareness and
12 conservation of natural resources.

13 f. Two units of one foreign language; ~~the units of~~
14 ~~foreign language may be taught in alternate years,~~
15 ~~provided there is no break in the progression of~~
16 ~~instruction from one year to the next. However, the~~
17 ~~department may waive on an annual basis the foreign~~
18 ~~language requirement upon the request of the board of~~
19 ~~directors of a school district or the authorities in~~
20 ~~charge of a nonpublic school if the board or~~
21 ~~authorities are able to prove that a certificated~~
22 ~~teacher was employed and assigned a schedule that~~
23 ~~would have allowed students to enroll in a foreign~~
24 ~~language class, the foreign language class was~~
25 ~~properly scheduled, students were aware that a foreign~~
26 ~~language class was scheduled and no students enrolled~~
27 ~~in the class.~~

28 g. All students physically able shall be required
29 to participate in physical education activities during
30 each semester a student is enrolled in school except
31 ~~as otherwise provided in this paragraph.~~ A minimum of
32 one-eighth unit each semester shall be required;
33 ~~except that any student participating in an organized~~
34 ~~and supervised high school athletic program which~~
35 ~~requires at least as much time of participation per~~
36 ~~week as one-eighth unit may be excused from the~~
37 ~~physical education course during the time of the~~
38 ~~student's participation in the athletic program. In~~
39 ~~addition, a twelfth grade student who meets the~~
40 ~~requirements of this paragraph may be excused from the~~
41 ~~physical education requirement by the principal of the~~
42 ~~school in which the student is enrolled if the parent~~
43 ~~or guardian of the student requests in writing that~~
44 ~~the student be excused from the physical education~~
45 ~~requirement. A student who wishes to be excused from~~
46 ~~the physical education requirement must be enrolled in~~
47 ~~a co-operative or work-study program or other~~
48 ~~educational program authorized by the school which~~
49 ~~requires the student to leave the school premises for~~
50 ~~specified periods of time during the school day. The~~

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1 student must seek to be excused from the physical
2 education requirement in order to enroll in academic
3 courses not otherwise available to the student. The
4 principal of the school shall inform the
5 superintendent of the school district or nonpublic
6 school that the student has been excused. Physical
7 education activities shall emphasize leisure time
8 activities which will benefit the student outside the
9 school environment and after graduation from high
10 school."

11 2. Page 8, by inserting after line 6 the
12 following:

13 "Sec. ___. Section 100 takes effect July 1, 1986."

14 3. By numbering and renumbering sections as
15 necessary.

JOE BROWN

S-3900

1 Amend House File 686 as passed by the House as
2 follows:

3 1. Page 1, by inserting after line 8 the
4 following:

5 "Sec. ___. Section 257.25, subsection 2, Code
6 1985, is amended to read as follows:

7 2. If a school offers a kindergarten program, the
8 The kindergarten program shall include experiences
9 designed to develop healthy emotional and social
10 habits and growth in the language arts and
11 communication skills, as well as a capacity for the
12 completion of individual tasks, and protection and
13 development of physical being. A kindergarten teacher
14 shall hold a certificate certifying that the holder is
15 qualified to teach in kindergarten."

16 2. Page 3, by inserting after line 23 the
17 following:

18 "Sec. ___. Section 275.1, unnumbered paragraph 1,
19 Code 1985, is amended to read as follows:

20 It is ~~declared to be~~ the policy of the state to
21 encourage economical and efficient school districts
22 which will ensure an equal educational opportunity to
23 all children of the state. All areas of the state
24 shall be in school districts maintaining kindergarten
25 and twelve grades. If ~~any~~ a school district ceases to
26 maintain kindergarten and twelve grades except as
27 otherwise provided in sections 280.15, 257.28, and
28 282.7, subsection 1, it shall reorganize within six

29 months or the state board shall attach the school
30 district not maintaining kindergarten and twelve
31 grades to one or more adjacent districts. Voluntary
32 reorganizations under this chapter shall be commenced
33 only if the affected school districts are contiguous
34 to one another. A reorganized district shall meet the
35 requirements of section 275.3."

36 3. Page 4, by inserting after line 16 the
37 following:

38 "Sec. ____ Section 280.15, Code 1985, is amended
39 to read as follows:

40 280.15 JOINT EMPLOYMENT AND SHARING.

41 ~~Any two~~ Two or more public school districts may
42 jointly employ and share the services of any school
43 personnel, or acquire and share the use of classrooms,
44 laboratories, equipment and facilities. Classes made
45 available to students in the manner provided in this
46 section shall be considered as complying with the
47 requirements of section 275.1 relating to the
48 maintenance of kindergarten and twelve grades by a
49 school district."

50 4. Page 4, by inserting after line 31 the

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1 following:

2 "Sec. ____ Section 282.7, subsection 1, Code 1985,
3 is amended to read as follows:

4 1. The board of directors of a school district by
5 record action may discontinue any or all of grades
6 seven through twelve and negotiate an agreement for
7 attendance of the pupils enrolled in those grades in
8 the schools of one or more contiguous school districts
9 having approved school systems. If the board
10 designates more than one contiguous district for
11 attendance of its pupils, the board shall draw
12 boundary lines within the school district for
13 determining the school districts of attendance of the
14 pupils. The portion of a district so designated shall
15 be contiguous to the approved school district
16 designated for attendance. Only entire grades may be
17 discontinued under this subsection and if a grade is
18 discontinued, all higher grades in that district shall
19 also be discontinued. A school district that has
20 discontinued one or more grades under this subsection
21 has complied with the requirements of section 275.1
22 relating to the maintenance of kindergarten and twelve
23 grades. A pupil who graduates from another school
24 district under this subsection shall receive a diploma
25 from the receiving district. Tuition shall be paid by

26 the resident district as provided in section 282.24,
 27 subsection 2. The agreement shall provide for
 28 ~~tuition~~, transportation, and authority and liability
 29 of the affected boards."

30 5. By numbering and renumbering sections as
 31 necessary.

JOE BROWN

S-3901

1 Amend amendment S-3565 to House File 686 as
 2 follows:

3 1. Page 1, by striking lines 3 through 25 and
 4 inserting the following:

5 "____. Page 1, line 3, by striking the word
 6 "SUPERINTENDENT" and inserting the word
 7 "SUPERINTENDENT COMMISSIONER".

8 _____. Page 1, line 4, by striking the figure
 9 "1979" and inserting the figure "1979 1987".

10 _____. Page 1, by striking lines 7 and 8 and
 11 inserting the following: "superintendent of public
 12 instruction commissioner of education. The state
 13 board shall evaluate and may dismiss the
 14 commissioner."

15 _____. Page 1, by inserting after line 8 the
 16 following:

17 "Sec. _____. Section 257.12, Code 1985, is amended
 18 by striking the section and inserting the following:

19 257.12 QUALIFICATIONS OF COMMISSIONER.
 20 Commencing July 1, 1987, the commissioner shall be
 21 an individual with a background in education and
 22 administration experience. The deputy commissioner
 23 shall also meet these criteria."

24 2. By numbering and renumbering sections as
 25 necessary.

JOE BROWN

S-3902

1 Amend House File 686 as passed by the House as
 2 follows:

3 1. Page 4, by inserting after line 16 the
 4 following:

5 "Sec. _____. NEW SECTION. 280.16 APPROPRIATE
 6 INSTRUCTIONAL PROGRAM REVIEW.

7 Pursuant to the procedures established in chapter
 8 290, a student's parent or guardian may obtain a
 9 review of an action or omission of the board of

10 directors of the district of residence of the student
11 on either of the following grounds:

12 1. That the student has been or is about to be
13 denied entry or continuance in an instructional
14 program appropriate for that student.

15 2. That the student has been or is about to be
16 required to enter or continue in an instructional
17 program that is inappropriate for that student.

18 If the state board of public instruction finds that
19 a student has been denied an appropriate instructional
20 program, or required to enter an inappropriate
21 instructional program, one remedy available to the
22 state board is to order the district of residence of
23 the student to pay the maximum tuition fee of a school
24 district that can provide an instructional program
25 appropriate for that student. The receiving district
26 must agree to accept the student."

27 2. By numbering and renumbering sections as
28 necessary.

JOE BROWN

S-3903

1 Amend Senate File 563 as follows:

2 1. Page 1, line 5, by striking the words "of
3 eighty acres or more".

BERL E. PRIEBE

S-3904

1 Amend the amendment S-3899 to House File 686 as
2 passed by the House as follows:

3 1. Page 1, line 13, by inserting after the word
4 "language" the following: "including Chinese and
5 Japanese".

THOMAS A. LIND

S-3905

1 Amend House File 450, as amended, passed, and
2 reprinted by the House, as follows:

3 1. Page 6, by striking lines 5 through 7 and
4 inserting the following: "for students as late as

- 5 possible during the school year.”
6 2. Page 6, by striking lines 22 through 24.

JOY CORNING
BEVERLY A. HANNON

S-3906

- 1 Amend House File 450, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 8, line 31, by striking the words “paid
4 by” and inserting the following: “reimbursed by the
5 state to”.

JOY CORNING
BEVERLY A. HANNON

S-3907

- 1 Amend House File 450 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 3, line 14, by inserting after the word
4 “shall” the following: “make recommendations to the
5 state board on the following subjects”.
6 2. Page 3, line 15, by striking the words
7 “Establish a” and inserting the word “A”.
8 3. Page 3, line 17, by striking the words
9 “Approve and disapprove” and inserting the following:
10 “Minimum standards for”.
11 4. Page 3, line 29, by striking the words
12 “Establish standards” and inserting the following:
13 “Standards”.
14 5. Page 3, line 33, by striking the words
15 “Prescribe requirements” and inserting the following:
16 “Requirements”.
17 6. Page 3, line 35, by striking the words
18 “Provide for examinations” and inserting the
19 following: “Examinations”.
20 7. Page 4, by striking line 1.
21 8. Page 4, line 2, by striking the words
22 “Prescribe requirements” and inserting the following:
23 “Requirements”.
24 9. Page 4, line 6, by striking the words
25 “Prescribe requirements” and inserting the following:
26 “Requirements”.
27 10. Page 4, by striking lines 9 and 10.
28 11. Page 4, line 11, by striking the word
29 “Provide” and inserting the following: “Standards”.
30 12. Page 4, line 13, by striking the words “Be
31 authorized to enter into reciprocity” and inserting

- 32 the following: "Reciprocity".
 33 13. Page 4, line 15, by striking the words
 34 "Establish fees" and inserting the following: "Fees".
 35 14. Page 4, line 18, by striking the word
 36 "Receive" and inserting the following: "Make
 37 recommendations to the state board regarding the
 38 receipt of".
 39 15. Page 4, line 20, by striking the figure and
 40 word "14. Propose" and inserting the following: "The
 41 board shall adopt".
 42 16. Page 4, line 21, by striking the word "Rules"
 43 and inserting the following: "Recommended rules".
 44 17. Page 4, line 25, by striking the words "board
 45 disapproves" and inserting the following: "board
 46 amends or disapproves".
 47 18. Page 4, line 27, by striking the words "for
 48 disapproval" and inserting the following: "for
 49 amendment or disapproval".
 50 19. Page 4, by striking lines 28 and 29 and

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- 1 inserting the following: "tions for revision."
 2 20. By renumbering as necessary.

JOY CORNING

S-3908

- 1 Amend House File 450, as amended, passed, and
 2 reprinted by the House as follows:
 3 1. Page 9, by striking lines 18 through 20 and
 4 inserting the following:
 5 "The plan is subject to the approval of the
 6 employing board."

JOY CORNING

S-3909

- 1 Amend House File 684 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 22, by inserting after line 5 the
 4 following:
 5 "Sec. __. Section 537.2402, subsection 3, Code
 6 1985, is amended to read as follows:
 7 3. If the billing cycle is monthly, the charge ~~may~~
 8 shall not exceed an amount equal to one ~~and one-half~~
 9 point sixty-five percent of ~~that part of the maximum~~
 10 ~~amount pursuant to subsection 2 which is five hundred~~

11 dollars or less and one and one-fourth percent of that
 12 part of the maximum amount which is more than five
 13 hundred dollars. If the billing cycle is not monthly,
 14 the maximum charge for the billing cycle shall bear
 15 the same relation to the applicable monthly maximum
 16 charge as the number of days in the billing cycle
 17 bears to three hundred sixty-five divided by twelve.
 18 A billing cycle is monthly if the closing date of the
 19 cycle is the same date each month or does not vary by
 20 more than four days from the regular date."

21 2. Title page 1, line 22, by inserting after the
 22 word "banks," the following: "permitting a creditor
 23 who is authorized to make supervised loans pursuant to
 24 open-end credit to contract for and receive a finance
 25 charge in any amount agreed to by the parties,"

26 3. Renumber as necessary.

JOE WELSH
 EDGAR H. HOLDEN
 GEORGE R. KINLEY
 DALE L. TIEDEN
 CHARLES P. MILLER
 JOHN N. NYSTROM
 EMIL J. HUSAK

S-3910

1 Amend House File 684 as amended, passed, and
 2 reprinted by the House as follows:

3 1. By striking page 7, line 19 through page 9,
 4 line 23.

5 2. By striking page 9, line 30 through page 10,
 6 line 13.

7 3. By striking page 11, line 22 through page 13,
 8 line 24.

9 4. By striking page 13, line 34 through page 15,
 10 line 12.

11 5. Page 19, by inserting after line 18 the
 12 following:

13 "Sec. 101. Section 515.48, Code 1985, is amended
 14 by adding the following new subsection following
 15 subsection 9 and renumbering the subsequent
 16 subsection:

17 NEW SUBSECTION. Insure against loss or damage by
 18 reason of defects in or liens or encumbrances on the
 19 title of real property, or the unmarketability of the
 20 title to real property, or the invalidity or
 21 unenforceability of liens or encumbrances upon real
 22 property, to the extent permitted by, and subject to,
 23 rules adopted by the commissioner. The commissioner

24 shall adopt rules regulating title insurance in this
25 state. The rules shall include, but need not be
26 limited to, the following provisions:
27 a. Minimum capital requirements for title
28 insurers.
29 b. Annual report requirements.
30 c. Regulation of premium charges pursuant to
31 section 515.150.
32 d. Minimum requirements for the establishment and
33 maintenance of reserves.
34 e. Maximum limitations on retained liability.
35 f. Conditions of licensing of agents.
36 g. Approval of policy forms.
37 h. A prohibition against payment of fees to
38 persons other than licensed insurance agents and
39 providing that an officer, director, or employee of a
40 lending institution which extends credit secured by
41 real property shall not, in connection with the credit
42 transaction or during the time the credit is out-
43 standing, receive or become entitled, as a licensed
44 agent, to a fee or commission on title insurance
45 covering an interest in real property.
46 i. A requirement that the title insurance policy
47 be based upon a reasonable search of the appropriate
48 records relating to the title such as disclosed by an
49 abstract of title. Any abstract of title in existence
50 covering the land shall be delivered or returned to

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1 the owner of the land or the party designated by the
2 owner.
3 Sec. 102. Section 515.48, subsection 10, Code
4 1985, is amended to read as follows:
5 10. Insure any additional risk not specifically
6 included within any of the foregoing classes, which is
7 a proper subject for insurance, is not prohibited by
8 law or contrary to sound public policy, and which,
9 after public notice and hearing, is specifically
10 approved by the commissioner of insurance; ~~except~~
11 ~~title insurance or insurance against loss or damage by~~
12 ~~reason of defective title, encumbrances or otherwise.~~
13 When ~~such the~~ additional kind of insurance is approved
14 by the commissioner, the commissioner shall designate
15 within which classification of risks provided for in
16 section 515.49 it shall fall.
17 Sec. 103. NEW SECTION. 515.150 TITLE INSURANCE
18 RATES.
19 1. Title insurance rates shall be set so that:
20 a. Rates are not excessive, inadequate, or

21 unfairly discriminatory.

22 b. Due consideration is given to past and
23 prospective loss experience within and outside Iowa;
24 to a reasonable margin for underwriting profit and
25 contingencies; to dividends, savings, or unabsorbed
26 premium deposits allowed or returned by insurers to
27 their policyholders, members, or subscribers; to past
28 and prospective expenses within and outside Iowa; and
29 to other relevant factors.

30 c. The systems of expense provisions included in
31 the rates for use by an insurer or group of insurers
32 may differ from those of other insurers or groups of
33 insurers to reflect the requirements of the operating
34 methods of the insurer or group of insurers with
35 respect to any kind of insurance, or with respect to a
36 subdivision or a combination of insurers for which
37 separate expense provisions are applicable.

38 2. Except to the extent necessary to comply with
39 subsection 1, paragraph a, uniformity among insurers
40 in a matter within the scope of this section is
41 neither required nor prohibited.

42 3. An insurer shall file with the commissioner all
43 manuals, minimum or class rates, rating schedules, or
44 rating plans, and every other rating rule, and every
45 modification of a rate, schedule, plan, or rule which
46 it proposes to use. A filing shall state the proposed
47 effective date of the filing and indicate the
48 character and extent of the coverage contemplated.

49 4. The commissioner shall review filings as soon
50 as reasonably possible after the filings are made to

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1 determine whether they meet the requirements of this
2 section.

3 5. A filing shall be on file for a waiting period
4 of fifteen days before it becomes effective. The
5 waiting period may be extended by the commissioner for
6 an additional period, not to exceed fifteen days, if
7 the commissioner gives written notice to the insurer
8 which made the filing within the waiting period that
9 the commissioner needs the additional time for the
10 consideration of the filing. Upon written application
11 by the insurer, the commissioner may authorize a
12 filing which the commissioner has reviewed to become
13 effective before the expiration of the waiting period
14 or an extension of the waiting period. A filing shall
15 be deemed to meet the requirements of this section
16 unless disapproved by the commissioner within thirty
17 days of receipt of the filing by the commissioner.

18 6. Upon the written application of the insured,
19 stating reasons, filed with and approved by the com-
20 missioner, a rate in excess of that provided by a
21 filing otherwise applicable may be used on any
22 specific risk.

23 7. An insurer shall not make or issue a contract
24 or policy except in accordance with the filings which
25 are in effect for the insurer as provided in this
26 section.

27 8. If within the waiting period or an extension of
28 the waiting period the commissioner finds that a
29 filing does not meet the requirements of this section,
30 then the commissioner shall send to the insurer which
31 made the filing a written notice of disapproval of the
32 filing. The notice shall specify the reasons the
33 filing fails to meet the requirements of this section
34 and state that the filing shall not become effective.
35 In addition, the notice shall comply with section
36 17A.12.

37 When a filing is not accompanied by the information
38 with which the insurer supports the filing, and the
39 commissioner is unable to determine whether the filing
40 meets the requirements of this chapter, the
41 commissioner shall require the insurer to furnish the
42 supporting information and in that event the waiting
43 period shall commence as of the date the information
44 is furnished. The information furnished in support of
45 a filing may include:

46 a. The experience or judgment of the insurer
47 making the filing.

48 b. The interpretation of the insurer making the
49 filing of any statistical data upon which the insurer
50 relies.

Page 4

1 c. The experience of other insurers.

2 d. Other relevant information.

3 A filing and the supporting information is open to
4 public inspection after the filing becomes effective.

5 9. If at any time subsequent to the waiting period
6 the commissioner determines that there are questions
7 as to whether a filing meets the requirements of this
8 section, the commissioner shall send a written notice
9 to the insurer which made the filing that a hearing
10 will be held to review the filing. The hearing shall
11 be held not less than ten days after the date of
12 mailing the notice. The notice and hearing shall
13 comply with sections 17A.12 and 17A.13. If after the
14 hearing the commissioner finds that the filing does

15 not meet the requirements of this section, then the
 16 decision issued pursuant to sections 17A.15 and 17A.16
 17 shall state when the filing is no longer effective.
 18 The decision shall not affect a contract or policy
 19 made or issued prior to the date when the filing is to
 20 be no longer effective.

21 10. A person alleging to be aggrieved with respect
 22 to a filing which is in effect may make written
 23 application to the commissioner for a hearing on the
 24 filing. The application shall specify the grounds to
 25 be relied upon by the applicant. The application
 26 shall show that the person making the application has
 27 a specific economic interest affected by the filing.
 28 The commissioner shall hold a hearing upon finding
 29 that the application is made in good faith, that the
 30 applicant has a specific economic interest, that the
 31 applicant would be so aggrieved if the applicant's
 32 grounds are established, and that the grounds
 33 otherwise justify holding a hearing. The commissioner
 34 shall send the applicant and the insurer a notice of
 35 the hearing, which shall be held not less than ten
 36 days from the date of mailing the notice and not more
 37 than thirty days from the date the commissioner
 38 receives the application.

39 If after the hearing the commissioner finds that
 40 the filing does not meet the requirements of this
 41 section, then the decision issued pursuant to section
 42 17A.15 shall specify in what respects the commissioner
 43 finds that the filing fails to meet the requirements
 44 of this section, and shall state when the filing is no
 45 longer effective. The decision shall not affect a
 46 contract or policy made or issued prior to the date
 47 when the filing is no longer effective.

48 11. A filing shall not be disapproved if the rates
 49 contained in the filing meet the requirements of this
 50 section."

Page 5

1 6. Page 21, by striking lines 16 through 19 and
 2 inserting the following:

3 Sec. 104. Section 535.8, subsection 2, paragraph
 4 b, subparagraph (4), Code 1985, is amended to read as
 5 follows:

6 (4) ~~Abstracting~~ Title insurance premiums and
 7 ~~abstracting~~ fees paid to a third party, or when the
 8 abstracting is performed by the lender, a fee which is
 9 a reasonable estimate of the expense incurred by the
 10 lender in performing the abstracting."

11 7. By striking page 21, line 30 through page 22,

12 line 1.

- 13 8. Page 25, by striking lines 16 through 22 and
14 inserting the following:
15 "Sec. 105. The commissioner of insurance shall
16 adopt the rules required by section 101 of this Act
17 and make them effective on or before January 1, 1987."
18 9. Title page 1, by striking lines 14 through 18
19 and inserting the following: "for first time home
20 buyers, by authorizing the sale of title insurance for
21 real property, by providing for conditions and".
22 10. Renumber as necessary.

MICHAEL E. GRONSTAL

S-3911

- 1 Amend House File 686 as passed by the House as
2 follows:
3 1. Page 3, by inserting after line 23 the
4 following:
5 "Sec. 4. NEW SECTION. 262.71 DISCRIMINATION.
6 The state board of regents shall not discriminate
7 on the basis of family name or consanguinity for
8 entrance into an institution or into a program
9 within a specific institution under the control of
10 the board."
11 2. By numbering and renumbering as necessary.

THOMAS A. LIND

S-3912

- 1 Amend Senate File 565 as follows:
2 1. Page 5, line 27, by striking the figure "1986"
3 and inserting the figures "~~1986~~ 1992".

NORMAN G. RODGERS

S-3913

- 1 Amend the amendment S-3807 to House File 554 as
2 amended, passed and reprinted by the House as
3 follows:
4 1. Page 1, line 18, by striking the words "social
5 security or".

THOMAS A. LIND

S-3914

- 1 Amend House File 555 as passed by the House as
 2 follows:
 3 1. Page 1, by striking lines 13 through 16 and
 4 inserting the following: "2.32."

ARTHUR A. SMALL, JR.

S-3915

- 1 Amend House File 684 as amended, passed, and
 2 reprinted by the House as follows:
 3 1. Page 14, line 12, by inserting after the word
 4 "dollars." the following: "However, if the real
 5 property is ten acres or more and is agricultural land
 6 as defined in section 172C.1, subsection 5, then the
 7 tax shall be fifty-five cents for each five hundred
 8 dollars or fractional part of five hundred dollars in
 9 excess of five hundred dollars."
 10 2. Page 14, line 29, by striking the word "On"
 11 and inserting the following:
 12 "1. On Except as provided in subsection 2, on".
 13 3. Page 15, by inserting after line 9 the
 14 following:
 15 "2. On the tax collected on real property of ten
 16 acres or more that is agricultural land, then on or
 17 before the tenth day of each month the county recorder
 18 shall determine and pay to the treasurer of state
 19 seventy-five percent of the receipts from the real
 20 estate transfer tax collected during the preceding
 21 month and the treasurer of state shall deposit the
 22 receipts in the general fund of the state.
 23 The county recorder shall deposit the remaining
 24 twenty-five percent of the receipts in the county
 25 general fund."
 26 4. Page 15, line 10, by striking the word "The"
 27 and inserting the following:
 28 "3. The".

JOHN W. JENSEN

S-3916

- 1 Amend amendment S-3807 to House File 554 as
 2 amended, passed, and reprinted by the House as
 3 follows:
 4 1. By striking page 1, line 7 through page 2,
 5 line 19 and inserting the following:
 6 "NEW SUBSECTION. 4. a. At the time a security

7 interest is taken in farm products, the secured party
8 shall issue to the person granting the security
9 interest a certificate evidencing the security
10 interest. The certificate shall contain a statement
11 that, without written permission from the secured
12 party, a person who buys the farm products in which
13 the security interest is taken shall issue all checks
14 jointly to the seller and the secured party.

15 b. At the request of the person selling farm
16 products a lender shall issue a certificate that the
17 person does not have a security interest in the farm
18 products if the person in fact does not have such a
19 security interest.

20 c. A buyer in the ordinary course of business
21 buying farm products from a person selling farm
22 products takes free of a security interest created by
23 that person's seller even though the security interest
24 is perfected if all of the following conditions are
25 met:

26 (1) At the time of sale, the buyer requests that
27 the seller or the seller's designated agent present to
28 the buyer all certificates relating to the farm
29 products being sold which have not been superseded by
30 a more recent certificate.

31 (2) The buyer refuses to issue a check or
32 otherwise pay until the seller or the seller's
33 designated agent has provided the buyer with
34 certificates on the farm products.

35 (3) The buyer issues the check payable jointly to
36 the seller and all persons listed in the certificates
37 presented as having a security interest in the farm
38 products.

39 (4) A person who sells farm products without
40 presentation of a certificate shall sign a statement
41 provided by the buyer stating that there are no
42 security interests in the farm products.

43 d. The secretary of state shall prescribe pursuant
44 to the rulemaking procedures of chapter 17A the form
45 and content of the certificate and statement required
46 by this section.

47 e. A seller of farm products is guilty of an
48 aggravated misdemeanor if the seller does any of the
49 following:

50 (1) Alters a certificate issued under paragraph

Page 2

1 "a" or "b".
 2 (2) Sells farm products without presenting to the
 3 buyer all certificates on the farm products which have
 4 been issued and have not been superseded.
 5 (3) Presents the buyer with a certificate that has
 6 been superseded.
 7 (4) Executes a statement pursuant to paragraph
 8 "c", subparagraph (4), that there are no security
 9 interests on the farm products when the seller knows
 10 that there are security interests on the farm
 11 products."

BERL E. PRIEBE
 RAY TAYLOR
 DALE TIEDEN
 ARNE WALDSTEIN
 ALVIN V. MILLER
 DONALD V. DOYLE
 JOHN SOORHOLTZ
 C. JOSEPH COLEMAN
 WILLIAM D. PALMER
 NORMAN G. RODGERS

S-3917

1 Amend Senate File 565 as follows:
 2 1. Page 4, by inserting before line 26 the
 3 following:
 4 "Sec. ____ Section 321.1, subsection 71, Code
 5 1985, is amended to read as follows:
 6 71. A "special truck" means a motor truck or truck
 7 tractor not used for hire with a gross weight
 8 registration of six through ~~twenty~~ thirty-two tons
 9 used by a person engaged in farming to transport
 10 commodities produced only by the owner, or to
 11 transport commodities purchased by the owner for use
 12 in the owner's own farming operation or occasional use
 13 for charitable purposes. "Special truck" ~~also means a~~
 14 ~~truck tractor which is modified by removal of a fifth~~
 15 ~~wheel and carries the full load on the motor truck and~~
 16 ~~which by reason of its conversion becomes a motor~~
 17 ~~truck. However, a special truck does not include a~~
 18 truck tractor which is driven on the highways more
 19 than seventy-five hundred miles in a year.
 20 Sec. ____ Section 321.121, Code 1985, is amended
 21 to read as follows:
 22 321.121 SPECIAL TRUCKS FOR FARM USE.
 23 The registration fee for a special truck ~~shall be~~
 24 is eighty dollars for a gross weight of six tons, one
 25 hundred dollars for a gross weight of seven tons, one

26 hundred twenty dollars for a gross weight of eight
 27 tons, and in addition, fifteen dollars for each ton
 28 over eight tons and not exceeding eighteen tons. The
 29 registration fee for a special truck with a gross
 30 weight registration exceeding eighteen tons but not
 31 exceeding nineteen tons ~~shall be~~ is three hundred
 32 twenty-five dollars and for a gross weight
 33 registration exceeding nineteen tons but not exceeding
 34 twenty tons the registration fee ~~shall be~~ is three
 35 hundred seventy-five dollars and, in addition, twenty-
 36 five dollars for each ton over twenty tons and not
 37 exceeding thirty-two tons. Any A person convicted of
 38 using a truck motor vehicle registered as a special
 39 truck for any purpose other than permitted by section
 40 321.1, subsection 71, shall, in addition to any other
 41 penalty imposed by law, be required to pay regular
 42 motor truck registration fees upon such truck for the
 43 motor vehicle. The owner of a truck tractor which is
 44 registered as a special truck shall maintain a log
 45 book of the vehicle's highway mileage and such other
 46 information as required by rules adopted by the
 47 department pursuant to chapter 17A.
 48 Sec. ____ . Section 321.122, subsection 1,
 49 unnumbered paragraph 1, Code 1985, is amended to read
 50 as follows:

Page 2

1 The Except for special trucks, the annual
 2 registration fee for truck tractors, road tractors,
 3 and motor trucks; ~~except special trucks, shall be~~ is
 4 based on the combined gross weight of the vehicle or
 5 combination of vehicles. ~~All The motor trucks, truck~~
 6 tractors, or road tractors shall be registered for a
 7 gross weight equal to or in excess of the unladen
 8 weight of the vehicle or combination of vehicles. The
 9 annual registration fee for ~~such the~~ vehicles or
 10 combination of vehicles ~~shall be~~ is:"
 11 2. Title page, line 1, by inserting after the
 12 word "to" the words "use and".
 13 3. Title page, line 18, by inserting before the
 14 word "and" the following: "by allowing certain truck
 15 tractors to be registered as special trucks,".

JOHN W. JENSEN
 BERL E. PRIEBE
 NORMAN G. RODGERS

S-3918

1 Amend Senate File 565 as follows:

2 1. Page 4, by inserting before line 26 the
3 following:

4 "Sec. ____ . Section 312.2, Code 1985, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 16. The treasurer of state,
7 before making the allotments provided for in this
8 section, shall credit annually to the economic
9 development emergency fund created under section
10 315A.2 from the road use tax fund the sum of two
11 million dollars for the fiscal year beginning July 1,
12 1985, and the sum of three million dollars for each
13 fiscal year thereafter.

14 Sec. ____ . NEW SECTION. 315.1 DEFINITIONS.

15 As used in this chapter, unless the context
16 otherwise requires:

17 1. "Department" means the state department of
18 transportation.

19 2. "Fund" means the economic development emergency
20 fund created under section 315A.2.

21 Sec. ____ . NEW SECTION. 315.2 ECONOMIC
22 DEVELOPMENT EMERGENCY FUND.

23 The economic development emergency fund is created.

24 The fund is appropriated for and shall be used in the
25 establishment, construction and improvement of roads
26 and streets which promote economic development in the
27 state. The fund may be used to match funds for road
28 construction projects under 1985 Iowa Acts, House File
29 225, section 301, subsection 2, or may be used for
30 projects having any of the following effects:

31 1. Improving highway access to specific
32 development sites, including existing and future
33 industrial locations.

34 2. Improving highway access between urban centers
35 or between urban centers and the interstate road
36 system as defined in section 306.3.

37 3. Improving highway access to economically
38 depressed areas of the state.

39 4. Improving highway access to points of shipment
40 or processing of products.

41 5. Improving highway access to trucking terminals
42 and places of embarkation or shipment by other
43 transportation modes.

44 6. Improving highway access to scenic,
45 recreational, historic and cultural sites or other
46 locations identified as tourist attractions.

47 Sec. ____ . NEW SECTION. 315.3 ADMINISTRATION OF
48 FUND.

49 The department is responsible for the development
50 of qualifying projects under this chapter. Qualifying

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1 road and street projects shall be selected by the
2 department for full or partial financing from the
3 fund. Cities and counties may make application for
4 qualifying road and street projects with the depart-
5 ment. The proportion of funding shall be determined
6 by the department or, in the case of cooperative
7 projects, by agreement between the department and the
8 city councils of participating cities, or boards of
9 supervisors of participating counties, or other
10 participating public agencies or private parties.

11 Sec. . NEW SECTION. 315.4 MONTHLY
12 CERTIFICATION OF FUNDS.

13 The account of the fund shall be kept by the state
14 comptroller and the treasurer of state and shall show
15 the amount of the fund including all credits to the
16 fund and disbursements. The state comptroller shall
17 report monthly to the department an account of the
18 fund including all credits and disbursements. Upon
19 certification by the department in accordance with
20 rules adopted by the state comptroller, the state
21 comptroller shall issue warrants for disbursements
22 from the fund.

23 Sec. . NEW SECTION. 315.5 ACCOUNTS AND
24 RECORDS REQUIRED.

25 The department shall keep accounts in relation to
26 the allocation of moneys to the fund including all
27 amounts credited to the fund and all amounts of duly
28 and finally approved vouchers for claims chargeable to
29 the fund.

30 Sec. . NEW SECTION. 315.6 RULES.

31 The department shall adopt rules pursuant to
32 chapter 17A as necessary for the administration of
33 this chapter."

34 2. Page 7, by inserting after line 9 the
35 following:

36 "Sec. . Section 324.34, unnumbered paragraph 8,
37 Code 1985, is amended to read as follows:

38 For natural gas used as a special fuel the rate of
39 tax that is equivalent to the motor fuel tax shall be
40 ~~ten and one-half~~ thirteen cents per hundred cubic feet
41 adjusted to a base temperature of sixty degrees
42 Fahrenheit and a pressure of fourteen and seventy-
43 three hundredths pounds per square inch absolute. The
44 tax on natural gas shall attach at the time of
45 delivery into equipment for compressing the gas for

46 subsequent delivery into the fuel supply tank of a
47 motor vehicle and shall be paid over to the department
48 of revenue by the person operating the compressing
49 equipment under the applicable provisions for users or
50 dealers. Natural gas used as a special fuel shall be

Page 3

1 delivered into compressing equipment through sealed
2 meters certified for accuracy by the department of
3 agriculture.”

4 3. Page 7, by inserting after line 33 the
5 following:

6 “Sec. ___. 1985 Iowa Acts, House File 225, section
7 301, subsection 2, unnumbered paragraph 4, is amended
8 to read as follows:

9 The commission shall take applications from state,
10 city, or county government entities for road
11 construction projects. The commission shall
12 prioritize the projects and determine which projects
13 shall be funded. However, the approval of the
14 department of transportation is necessary for
15 planning, design, construction and maintenance and
16 other activities as provided in section 307.24. The
17 commission shall make the final selection of which
18 projects will be funded. Matching funds on a dollar-
19 for-dollar basis for each project funded shall be
20 required. The source of the matching funds shall be
21 determined by the type of project. Thus a match from
22 the primary road fund is required for a project
23 involving a primary road. However, the match may be
24 provided from the economic development emergency fund
25 established under section 315.2. The department of
26 transportation does not have the right to reject a
27 project for which a match of primary road funds is
28 required. If the department of transportation
29 disapproves of a project for which a match of primary
30 road funds is required, the reasons shall be supplied
31 to the applicant and commission. But the commission
32 may still approve such project, and once approved,
33 matching funds are to be provided.”

34 4. Title page, line 3, by inserting after the
35 words “special fuel,” the words “by crediting moneys
36 from the road use tax fund to the economic development
37 emergency fund for use in road or street projects.
38 which promote economic development in the state.”.

39 5. Renumber sections as necessary.

RICHARD DRAKE
WILLIAM D. PALMER

JOE J. WELSH
JOHN N. NYSTROM
DAVID M. READINGER

S-3919

1 Amend House File 648 as passed by the House as
2 follows:
3 1. Page 1, by inserting before line 1 the
4 following:
5 "Section 1. Section 601A.9, unnumbered paragraph
6 1, Code 1985, is amended to read as follows:
7 It shall be an unfair or discriminatory practice
8 for any educational institution to discriminate on the
9 basis of sex or family name in any program or
10 activity. Such discriminatory practices shall include
11 but not be limited to the following practices:
12 Sec. ____ . Section 601A.9, Code 1985, is amended by
13 adding the following new subsection:
14 NEW SUBSECTION. 5. On the basis of family name or
15 consanguinity, the entrance into an institution or
16 into a program within a specific institution."
17 2. Title page, line 2, by inserting after the
18 word "discrimination" the following: "or
19 discrimination based on family name".

THOMAS LIND

S-3920

1 Amend House File 495 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 3, line 35, by striking the word "five"
4 and inserting the following: "ten".
5 2. Page 5, by inserting after line 2 the
6 following:
7 "Sec. ____ . Section 602.8102, Code 1985, is amended
8 by adding the following new subsection:
9 NEW SUBSECTION. Accept a check, share draft,
10 draft, or written order on a bank, savings and loan
11 association, credit union, corporation, or person as
12 payment of a support obligation which is payable to
13 the clerk, in accordance with procedures established
14 by the clerk to assure that such negotiable
15 instruments will not be dishonored. The friend of
16 court may perform the clerk's responsibilities under
17 this subsection."

18 3. Page 6, line 15, by striking the word "five"
19 and inserting the following: "ten".

WALLY HORN
DONALD V. DOYLE

S-3921

1 Amend House File 554 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 4, by inserting after line 7 the
4 following:

5 "Sec. ____ . Section 554.9403, subsection 5, Code
6 1985, is amended to read as follows:

7 5. The uniform fee for filing and indexing and for
8 stamping a copy furnished by the secured party to show
9 the date and place of filing shall be as follows:

10 a. Four dollars for an original financing
11 statement if the statement is in the standard form
12 prescribed by the secretary of state, and otherwise
13 five dollars. However, if the financing statement is
14 for a security interest on farm products then the fee
15 shall be eight dollars if the statement is in the
16 standard form prescribed by the secretary of state and
17 otherwise nine dollars.

18 b. Four dollars for a continuation statement if
19 the statement is in the standard form prescribed by
20 the secretary of state, and otherwise five dollars.
21 However, if the continuation statement is for a
22 security interest on farm products then the fee shall
23 be eight dollars if the statement is in the standard
24 form prescribed by the secretary of state, and
25 otherwise nine dollars.

26 Sec. ____ . Section 554.9407, subsections 2 and 3,
27 Code 1985, are amended to read as follows:

28 2. Upon a verbal request of a person, the filing
29 officer shall verbally give information concerning a
30 presently effective financing statement. The uniform
31 fee for responding to a verbal request is four
32 dollars. The requesting party may request a
33 certificate from the filing officer confirming the
34 information given. The uniform fee for a certificate
35 is one dollar. However, there shall be no charge for
36 a verbal request or a certificate if the request is
37 from a buyer of farm products and the request is in
38 regards to the farm products.

39 3. Upon written request of any person, the filing
40 officer shall issue a certificate showing whether
41 there is on file on the date and hour stated therein,
42 any presently effective financing statement or

43 verified lien statement under chapter 570A naming a
44 particular debtor and any financing statement or
45 verified lien statement changes and if there are,
46 giving the date and hour of filing of each such filing
47 and the names and addresses of each secured party
48 therein. The uniform fee for such a certificate shall
49 be four dollars if the request for the certificate is
50 on a form conforming to standards prescribed by the

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1 secretary of state; otherwise, five dollars. Upon
2 request and the payment of the appropriate fee the
3 filing officer shall furnish a certified copy of any
4 filed financing statement or financing statement
5 changes or verified lien statement or lien statement
6 changes for a uniform fee of one dollar per page.
7 However, there shall be no charge for a verbal request
8 or a certificate if the request is from a buyer of
9 farm products and the request is in regards to the
10 farm products."
11 2. Renumber as necessary.

LARRY MURPHY

S-3922

1 Amend House File 555 as passed by the House as
2 follows:
3 1. Page 1, line 11, by striking the word "two"
4 and inserting the following: "three".
5 2. Page 1, line 16, by inserting after the word
6 "representatives." the following: "The five public
7 members shall consist of an individual from the state
8 historical department, two individuals from the Iowa
9 development commission and two individuals from the
10 Iowa arts council."

JULIA B. GENTLEMAN

S-3923

1 Amend the amendment S-3874 to Senate File 565 as
2 follows:
3 1. Page 1, by inserting after line 19, the
4 following:
5 " ___. Page 8, by inserting after line 8, the
6 following:
7 "Sec. ___. The treasurer of state shall transfer
8 annually to the public transit assistance fund

9 created under 601J.6 from the road use tax fund the
10 sum of three million dollars.””

TOM MANN, JR.

S-3924

- 1 Amend amendment S-3762 to House File 684 as
- 2 amended, passed, and reprinted as follows:
- 3 1. Page 1, line 8, by striking the figure
- 4 “524.1421” and inserting the following: “524.1102”.

ARTHUR A. SMALL, JR.

S-3925

- 1 Amend House File 881 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 1, line 26, by striking the word “two-
- 4 tenths” and inserting the following: “fifteen-
- 5 hundredths”.
- 6 2. Page 1, by striking lines 29 through 31 and
- 7 inserting the following: “greater but less than
- 8 fifteen-hundredths of one percent, unless the
- 9 industrial commissioner receives convincing
- 10 evidence that the volunteer fire fighter was not
- 11 acting in an intoxicated manner immediately prior
- 12 to the volunteer fire fighter's death or injury.”.

DALE L. TIEDEN
JULIA B. GENTLEMAN

S-3926

- 1 Amend Senate File 566 as follows:
- 2 1. Page 1, line 12, by inserting after the word
- 3 “calls.” the following: “The standard charges for
- 4 the use of pay telephones in the state shall not
- 5 exceed twenty cents per phone call.”

LOWELL L. JUNKINS

S-3927

- 1 Amend Senate File 565 as follows:
- 2 1. Page 8, by inserting after line 8 the
- 3 following:
- 4 “Sec. ___ Section 18 is retroactive to July 1,
- 5 1980.”
- 6 2. Amend the title, line 18, by striking the word

7 "applicable." and inserting the following:
8 "applicable and making certain provisions
9 retroactive."
10 3. Renumber sections and correct internal
11 references as necessary in accordance with this
12 amendment.

JACK W. HESTER

S-3928

1 Amend Senate File 565 as follows:
2 1. Page 8, by inserting after line 8, the
3 following:
4 "Sec. ____ . The treasurer of state shall transfer
5 annually to the public transit assistance fund created
6 under 601J.6 from the road use tax fund the sum of
7 three million dollars."

TOM MANN, JR.

S-3929

1 Amend the amendment S-3878 to Senate File 565 as
2 follows:
3 1. Page 1, line 44, by striking the word "may"
4 and inserting the following: "shall".
5 2. Page 1, line 45, by striking the word "modify"
6 and inserting the following: "approve, modify or
7 disapprove".
8 3. Page 2, line 23, by striking the word "may"
9 and inserting the following: "shall".
10 4. Page 2, line 24, by striking the word "modify"
11 and inserting the following: "approve, modify or
12 disapprove".

MICHAEL E. GRONSTAL

S-3930

1 Amend Senate File 565 as follows:
2 1. Page 4, by inserting before line 26 the
3 following:
4 "Sec. ____ . Section 321.1, subsection 71, Code
5 1985, is amended to read as follows:
6 71. A "special truck" means a motor truck or tractor
7 tractor not used for hire with a gross weight
8 registration of six through twenty tons used by a
9 person engaged in farming to transport commodities
10 produced only by the owner, or to transport

11 commodities purchased by the owner for use in the
 12 owner's own farming operation or occasional use for
 13 charitable purposes. "Special truck" also means a
 14 truck tractor which is modified by removal of a fifth
 15 wheel and carries the full load on the motor truck and
 16 which by reason of its conversion becomes a motor
 17 truck.

18 Sec. 2. Section 321.121, Code 1985, is amended to
 19 read as follows:

20 321.121 SPECIAL TRUCKS FOR FARM USE.

21 The registration fee for a special truck shall be
 22 is eighty dollars for a gross weight of six tons, one
 23 hundred dollars for a gross weight of seven tons, one
 24 hundred twenty dollars for a gross weight of eight
 25 tons, and in addition, fifteen dollars for each ton
 26 over eight tons and not exceeding eighteen tons. The
 27 registration fee for a special truck with a gross
 28 weight registration exceeding eighteen tons but not
 29 exceeding nineteen tons shall be is three hundred
 30 twenty-five dollars and for a gross weight
 31 registration exceeding nineteen tons but not exceeding
 32 twenty tons the registration fee shall be is three
 33 hundred seventy-five dollars. Any A person convicted
 34 of using a truck motor vehicle registered as a special
 35 truck for any purpose other than permitted by section
 36 321.1, subsection 71, shall, in addition to any other
 37 penalty imposed by law, be required to pay regular
 38 motor truck registration fees upon such truck for the
 39 motor vehicle.

40 Sec. 3. Section 321.122, subsection 1, unnumbered
 41 paragraph 1, Code 1985, is amended to read as follows:

42 The Except for special trucks, the annual
 43 registration fee for truck tractors, road tractors,
 44 and motor trucks; except special trucks, shall be is
 45 based on the combined gross weight of the vehicle or
 46 combination of vehicles. All The motor trucks, truck
 47 tractors, or road tractors shall be registered for a
 48 gross weight equal to or in excess of the unladen
 49 weight of the vehicle or combination of vehicles. The
 50 annual registration fee for such the vehicles or

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1 combination of vehicles shall be is:"

2 2. Title page, line 1, by inserting after the
 3 word "to" the following: "the use and".

4 3. Title page, line 8, by inserting before the
 5 word "by" the following: "by allowing certain truck

6 tractors to be registered as special trucks.”

7 4. Renumber sections as necessary.

BERL E. PRIEBE
RICHARD F. DRAKE

S-3931

1 Amend House File 684 as amended, passed and

2 reprinted by the House as follows:

3 1. Page 22, by inserting after line 5 the

4 following:

5 “Sec. ____ Section 537.2402, subsection 3, Code

6 1985, is amended to read as follows:

7 3. If the billing cycle is monthly, the charge may

8 shall not exceed an amount equal to one and one-half

9 point sixty-five percent of that part of the maximum

10 amount pursuant to subsection 2 which is five hundred

11 dollars or less and one and one-fourth percent of that

12 part of the maximum amount which is more than five

13 hundred dollars. If the billing cycle is not monthly,

14 the maximum charge for the billing cycle shall bear

15 the same relation to the applicable monthly maximum

16 charge as the number of days in the billing cycle

17 bears to three hundred sixty-five divided by twelve.

18 A billing cycle is monthly if the closing date of the

19 cycle is the same date each month or does not vary by

20 more than four days from the regular date.”

21 2. Title page 1, line 22, by inserting after the

22 word “banks,” the following: “permitting a creditor

23 in a consumer credit transaction who is authorized to

24 make supervised loans pursuant to open-end credit to

25 charge a finance charge not to exceed one point sixty-

26 five percent per month.”

27 3. Renumber as necessary.

JOE WELSH
EDGAR H. HOLDEN
CHARLES P. MILLER
GEORGE R. KINLEY
JOHN N. NYSTROM
EMIL J. HUSAK
DALE L. TIEDEN

S-3932

1 Amend House File 649 as amended, passed and

2 reprinted by the House as follows:

3 1. Page 3, by inserting after line 1 the

4 following:

- 5 "Sec. ____ NEW SECTION. 455B.186B PROVISION FOR
 6 EMERGENCY REPLACEMENT OF WATER WELLS.
 7 Rules adopted to implement section 455B.172,
 8 subsection 3, paragraph "b"; 455B.173, subsection 9;
 9 and section 455B.186A shall specifically provide for
 10 the immediate replacement or reconstruction of water
 11 wells in response to the sudden and unforeseen loss or
 12 serious impairment of a well for its intended use.
 13 These provisions shall include the granting of
 14 emergency authorizations and registration of well
 15 contractors pursuant to section 455B.186A and may
 16 include the granting of variances and exemptions from
 17 technical standards as appropriate."
 18 2. Renumber as necessary.

MILO COLTON
 BERL E. PRIEBE

S-3933

- 1 Amend House File 450 as follows:
 2 1. Page 6, by striking lines 22 through 24.
 3 2. Page 19, line 19, by striking the words and
 4 figures "sections 260.12 and 260.14 are" and inserting
 5 the following: "section 260.14 is".
 6 3. Page 19, line 20, by inserting after the
 7 figure "1986" the following: "and section 260.12 is
 8 repealed effective December 31, 1987".

MILO COLTON

S-3934

- 1 Amend Senate File 566 as follows:
 2 1. Page 1, line 4 by striking the figure
 3 "1986" and inserting the following: "1985".

JOHN N. NYSTROM
 JOE J. WELSH

S-3935

- 1 Amend the amendment S-3930 to Senate File 565 as
 2 follows:
 3 1. Page 1, line 32, by striking the word "twenty"
 4 and inserting in lieu thereof the words "~~twenty~~
 5 thirty-two".

JOHN W. JENSEN

HOUSE AMENDMENT TO
SENATE FILE 515

S-3936

1 Amend Senate File 515 as amended, passed and
2 reprinted by the Senate as follows:
3 1. By striking page 1, line 9 through page 3,
4 line 27 and inserting the following: "retirement."
5 2. Page 3, by inserting after line 27 the
6 following:
7 "Sec. 2. Section 602.9203, subsection 2, Code
8 1985, is amended by adding the following new lettered
9 paragraph:
10 NEW LETTERED PARAGRAPH. e. Submits evidence to
11 the satisfaction of the supreme court that since the
12 date of retirement the judicial officer has not
13 engaged in the practice of law."

S-3937

1 Amend House File 736, as amended, passed and
2 reprinted by the House as follows:
3 1. Page 1, line 6, by striking the words "two
4 members" and inserting the following: "two members
5 one member".

LARRY MURPHY

S-3938

1 Amend the amendment S-3918 to Senate File 565 as
2 follows:
3 1. Page 1, line 10, by striking the word "two"
4 and inserting the following: "five".
5 2. Page 1, line 12, by striking the word "three"
6 and inserting the following: "six".
7 3. Page 3, by inserting after line 33, the
8 following:
9 "___ Page 8, by inserting after line 8, the
10 following:
11 "Sec. ___. The treasurer of state shall transfer
12 annually to the public transit assistance fund
13 created under 601J.6 from the road use tax fund the
14 sum of three million dollars.'"

TOM MANN, JR.

S-3939

- 1 Amend the amendment S-3925 to House File 381 as
2 amended, passed and reprinted by the House as
3 follows:
4 1. Page 1, by striking lines 6 through 12 and
5 inserting the following:
6 "2. Page 1, line 28, by striking the word "~~one-~~
7 tenth" and inserting the following: "thirteen-
8 hundredths".
9 3. Page 1, line 29, by striking the word "~~two-~~
10 tenths" and inserting the following: "fifteen-
11 hundredths"."

BILL HUTCHINS

S-3940

- 1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by a road worker engaged in road
15 maintenance, road blading, or snow and ice removal on
16 a highway shall not be included as part of the
17 operating record of the road worker if the accident
18 occurred on or after the effective date of this Act,
19 and if all of the following criteria are met:
20 a. The road worker was responding to what the road
21 worker reasonably believed to be a bona fide emergency
22 situation when the accident occurred.
23 b. The road worker exercised due care under the
24 circumstances involved in the accident."
25 6. Page 1, line 20, by inserting before the words
26 "The peace" the following: "3."

MILO COLTON

S-3941

1 Amend House File 593 as passed by the House as
2 follows:

- 3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated as an ambulance as defined under
15 section 321.1, paragraph 81, shall not be included as
16 part of the operating record of the ambulance driver
17 if the accident occurred on or after the effective
18 date of this Act, and if all of the following criteria
19 are met:
20 a. The ambulance driver was responding to what the
21 ambulance driver reasonably believed to be a bona fide
22 emergency situation when the accident occurred.
23 b. The ambulance driver exercised due care under
24 the circumstances involved in the accident."
25 6. Page 1, line 20, by inserting before the words
26 "The peace" the following: "3."

MILO COLTON

S-3942

- 1 Amend amendment S-3900 to House File 686 as passed
2 by the House as follows:
3 1. Page 1, line 15, by inserting after the word
4 "kindergarten." the following: "An approved nonpublic
5 school must meet the requirements of this subsection
6 only if the nonpublic school offers a kindergarten
7 program."

JOE BROWN
BILL DIELEMAN

S-3943

- 1 Amend the House amendment S-3821 to Senate File
2 103 as amended, passed and reprinted by the Senate
3 as follows:
4 1. Page 1, by striking lines 11 through 20.

- 5 2. Page 1, line 21, by striking the word "Sec."
6 and inserting the following: "'Sec.".

JOHN W. JENSEN
RICHARD VANDE HOEF

S-3944

1 Amend House File 696, as passed by the House, as
2 follows:

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

5 "Section 1. Section 654.14, Code 1985, is amended
6 to read as follows:

7 654.14 PREFERENCE IN RECEIVERSHIP -- APPLICATION
8 OF RENTS.

9 In any action to foreclose a real estate mortgage,
10 a receiver may be appointed at any time while the
11 foreclosure action is pending, at the time a judgment
12 is rendered, or during the redemption period, where
13 Where a receiver is appointed to take charge of the
14 real estate, the receiver shall be entitled to
15 possession of the real estate notwithstanding the
16 provisions of section 628.3, but preference shall be
17 given to the owner in actual possession, subject to
18 approval of the court, in leasing the mortgaged
19 premises. The rents, profits, ~~avails and/or and~~
20 income derived from ~~said~~ the real estate shall be
21 applied as follows:

22 1. To the cost of receivership.

23 2. To the payment of taxes due or becoming due
24 during ~~said~~ the receivership.

25 3. To pay the insurance on buildings on the
26 premises ~~and/or such and~~ other benefits to the real
27 estate as may be ordered by the court.

28 4. The balance shall be paid and distributed as
29 determined by the court."

30 2. Title page, by striking lines 1 through 4, and
31 inserting the following:

32 "An Act relating to real property, by providing for
33 the appointment of a receiver in actions in
34 foreclosure and by providing a civil action which
35 permits the issuance of injunctions and other orders
36 and the appointment of a receiver in certain cases
37 involving abandoned property."

BERL E. PRIEBE

S-3945

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by a person driving an injured or
15 pregnant person to a hospital or physician shall not
16 be included as part of the operating record of the
17 driver of the vehicle if the accident occurred on or
18 after the effective date of this Act, and if all of
19 the following criteria are met:
20 a. The driver of the vehicle was responding to
21 what the driver of the vehicle reasonably believed to
22 be a bona fide emergency situation when the accident
23 occurred.
24 b. The driver of the vehicle exercised due care
25 under the circumstances involved in the accident."
26 6. Page 1, line 20, by inserting before the words
27 "The peace" the following: "3."

MILO COLTON

S-3946

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by or carrying a physician or
15 surgeon, shall not be included as part of the
16 operating record of the physician or surgeon, or

17 physician or surgeon's driver if the accident occurred
 18 on or after the effective date of this Act, and if all
 19 of the following criteria are met:
 20 a. The driver of the vehicle was responding to
 21 what the driver of the vehicle reasonably believed to
 22 be a bona fide emergency situation when the accident
 23 occurred.
 24 b. The driver of the vehicle exercised due care
 25 under the circumstances involved in the accident."
 26 6. Page 1, line 20, by inserting before the words
 27 "The peace" the following: "3."

MILO COLTON

HOUSE AMENDMENT TO
 SENATE FILE 475

S-3947

1 Amend Senate File 475 as passed by the Senate as
 2 follows:
 3 1. By striking everything after the enacting
 4 clause and inserting the following:
 5 "Section 1. Section 502.102, subsection 11, Code
 6 1985, is amended to read as follows:
 7 11. "Securities Act of 1933", "Securities Exchange
 8 Act of 1934", "Public Utility Holding Company Act of
 9 1935", "Investment Company Act of 1940", "Internal
 10 Revenue Code of 1954" and "Agricultural Marketing Act"
 11 mean the federal statutes of those names; ~~as amended~~
 12 ~~before January 1, 1976.~~
 13 Sec. 2. Section 502.102, subsections 14, 15, 16
 14 and 17, Code 1985, are amended by striking the
 15 subsections and inserting the following:
 16 14. For the purposes of sections 502.211 through
 17 502.218, unless the context otherwise requires:
 18 a. "Associate" means a person acting jointly or in
 19 concert with another for the purpose of acquiring,
 20 holding or disposing of, or exercising any voting
 21 rights attached to the equity securities of a target
 22 company.
 23 b. "Equity security" means any stock or similar
 24 security, and includes the following:
 25 (1) Any security convertible, with or without
 26 consideration, into a stock or similar security.
 27 (2) Any warrant or right to subscribe to or
 28 purchase a stock of similar security.
 29 (3) Any security carrying a warrant or right to
 30 subscribe to or purchase a stock or similar security.
 31 (4) Any other security which the administrator

32 deems to be of a similar nature and considers
33 necessary or appropriate, according to rules
34 prescribed by the administrator for the public
35 interest and protection of investors, to be treated as
36 an equity security.

37 c. "Offeror" means a person who makes or in any
38 manner participates in making a takeover offer. It
39 does not include a supervised financial institution or
40 broker-dealer loaning funds to an offeror in the
41 ordinary course of its business, or any supervised
42 financial institution, broker-dealer, attorney,
43 accountant, consultant, employee, or other person
44 furnishing information or advice to or performing
45 ministerial duties for an offeror, and who does not
46 otherwise participate in the takeover offer.

47 d. "Offeree" means the beneficial owner, who is a
48 resident of this state, of equity securities which an
49 offeror offers to acquire in connection with a
50 takeover offer.

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1 e. "Takeover offer":

2 (1) Means the offer to acquire any equity
3 securities of a target company from a resident of this
4 state pursuant to a tender offer or request or
5 invitation for tenders, if after the acquisition of
6 all securities acquired pursuant to the offer either
7 of the following are true:

8 (a) The offeror would be directly or indirectly a
9 beneficial owner of more than ten percent of any class
10 of the outstanding equity securities of the target
11 company.

12 (b) The beneficial ownership by the offeror of any
13 class of the outstanding equity securities of the
14 target company would be increased by more than five
15 percent. However, this provision does not apply if
16 after the acquisition of all securities acquired
17 pursuant to the offer, the offeror would not be
18 directly or indirectly a beneficial owner of more than
19 ten percent of any class of the outstanding equity
20 securities of the target company.

21 (2) Does not include the following:

22 (a) An offer in connection with the acquisition of
23 a security which, together with all other acquisitions
24 by the offeror of securities of the same class of
25 equity securities of the target company, would not
26 result in the offeror having acquired more than two
27 percent of this class of securities during the
28 preceding twelve-month period.

29 (b) An offer by the target company to acquire its
30 own equity securities if such offer is subject to
31 section 13(e) of the Securities Exchange Act of 1934.
32 (c) An offer in which the target company is an
33 insurance company or insurance holding company subject
34 to regulation by the commissioner of insurance, a
35 financial institution subject to regulation by the
36 state superintendent of banking or the state auditor,
37 or a public utility subject to regulation by the
38 commerce commission.
39 f. "Target company" means an issuer of publicly-
40 traded equity securities which has at least twenty
41 percent of its equity securities beneficially held by
42 residents of this state and has substantial assets in
43 this state. For the purposes of this chapter, an
44 equity security is publicly traded if a trading market
45 exists for the security. A trading market exists if
46 the security is traded on a national securities
47 exchange, whether or not registered pursuant to the
48 Securities Exchange Act of 1934, or on the over-the-
49 counter market.
50 g. "Beneficial owner" includes, but is not limited

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1 to, any person who directly or indirectly, through any
2 contract, arrangement, understanding, or relationship,
3 has or shares the power to vote or direct the voting
4 of a security or has or shares the power to dispose of
5 or otherwise direct the disposition of the security.
6 A person is the beneficial owner of securities
7 beneficially owned by any relative or spouse or
8 relative of the spouse residing in the home of the
9 person, any trust or estate in which the person owns
10 ten percent or more of the total beneficial interest
11 or serves as trustee or executor, any corporation or
12 entity in which the person owns ten percent or more of
13 the equity, and any affiliate or associate of the
14 person.
15 h. "Beneficial ownership" includes, but is not
16 limited to, the right, exercisable within sixty days,
17 to acquire securities through the exercise of options,
18 warrants, or rights or the conversion of convertible
19 securities. The securities subject to these options,
20 warrants, rights, or conversion privileges held by a
21 person are outstanding for the purpose of computing
22 the percentage of outstanding securities of the class
23 owned by the person, but are not outstanding for the
24 purpose of computing the percentage of the class owned
25 by any other person.

26 15. "Interest at the legal rate" means the
27 interest rate for judgments specified in section
28 535.3.
29 Sec. 3. Section 502.211, Code 1985, is amended by
30 striking the section and inserting the following:
31 502.211 REGISTRATION REQUIREMENT.
32 1. It is unlawful for a person to make a takeover
33 offer or to acquire any equity securities pursuant to
34 the offer unless the offer is valid under sections
35 502.211 through 502.218. A takeover offer is
36 effective when the offeror files with the
37 administrator a registration statement containing the
38 information prescribed in subsection 6. Not later
39 than the date of filing of the registration statement,
40 the offeror shall deliver a copy of the registration
41 statement by certified mail to the target company at
42 its principal office and publicly disclose the
43 material terms of the proposed offer. Public
44 disclosure shall require, at a minimum, that a copy of
45 the registration statement be supplied to all broker-
46 dealers maintaining an office in this state currently
47 quoting the security.
48 2. The registration statement shall be filed on
49 forms prescribed by the administrator, and shall be
50 accompanied by a consent by the offeror to service of

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1 process and filing fee specified in section 502.216,
2 and contain the following information:
3 a. All information specified in subsection 6.
4 b. Two copies of all solicitation materials
5 intended to be used in the takeover offer, and in the
6 form proposed to be published, sent, or delivered to
7 offerees.
8 c. Additional information as prescribed by the
9 administrator by rule, pursuant to chapter 17A, prior
10 to the making of the offer.
11 3. Registration shall not be considered approval
12 by the administrator, and any representation to the
13 contrary is unlawful.
14 4. Within three calendar days of the date of
15 filing of the registration statement, the
16 administrator may, by order, summarily suspend the
17 effectiveness of the takeover offer if the
18 administrator determines that the registration does
19 not contain all of the information specified in
20 subsection 6 or that the takeover offer materials
21 provided to offerees do not provide full disclosure to
22 offerees of all material information concerning the

23 takeover offer. The suspension shall remain in effect
24 only until the determination following a hearing held
25 pursuant to subsection 5.

26 5. A hearing shall be scheduled by the
27 administrator for each suspension under this section,
28 and the hearing shall be held within ten calendar days
29 of the date of the suspension. The administrator's
30 determination following the hearing shall be made
31 within three calendar days after the hearing has been
32 completed, but not more than sixteen days after the
33 date of the suspension. The administrator may
34 prescribe different time periods than those specified
35 in the subsection by rule or order.

36 If, based upon the hearing, the administrator finds
37 that the registration statement fails to provide for
38 full and fair disclosure of all material information
39 concerning the offer, or that the takeover is in
40 violation of any of the provisions of section 502.211
41 through 502.218, the administrator shall permanently
42 suspend the effectiveness of the takeover offer,
43 subject to the right of the offeror to correct
44 disclosure and other deficiencies identified by the
45 administrator and to reinstate the takeover offer by
46 filing a new or amended registration statement
47 pursuant to this section.

48 6. The form required to be filed by subsection 2,
49 paragraph "a", shall contain all of the following
50 information:

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1 a. The identity and background of all persons on
2 whose behalf the acquisition of any equity security of
3 the target company has been or is to be effected.

4 b. The source and amount of funds or other
5 consideration used or to be used in acquiring any
6 equity security including, if applicable, a statement
7 describing any securities which are being offered in
8 exchange for the equity securities of the target
9 company and, if any part of the acquisition price is
10 or will be represented by borrowed funds or other
11 consideration, a description of the material terms of
12 any financing arrangements and the names of the
13 parties from whom the funds were or are to be
14 borrowed.

15 c. If the offeror is other than a natural person,
16 information concerning its organization and
17 operations, including the year, form and jurisdiction
18 of its organization, a description of each class of
19 equity security and long-term debt, a description of

20 the business conducted by the offeror and its
21 subsidiaries and any material changes in the offeror
22 or subsidiaries during the past three years, a
23 description of the location and character of the
24 principal properties of the offeror and its
25 subsidiaries, a description of any pending and
26 material legal or administrative proceedings in which
27 the offeror or any of its affiliates is a party, the
28 names of all directors and executive officers of the
29 offeror and their material business activities and
30 affiliations during the past five years, and financial
31 statements of the offeror in a form and for periods of
32 time as the administrator may, pursuant to chapter 17A
33 and prior to the making of the offer, prescribe.

34 d. If the offeror is a natural person, information
35 concerning the offeror's identity and background,
36 including business activities and affiliations during
37 the past five years and a description of any pending
38 and material legal or administrative proceedings in
39 which the offeror is a party.

40 e. If the purpose of the acquisition is to gain
41 control of the target company, the material terms of
42 any plans or proposals which the offeror has, upon
43 gaining control, to liquidate the target company, sell
44 its assets, effect its merger or consolidation, change
45 the location of its principal executive office or of a
46 material portion of its business activities, change
47 its management or policies of employment, materially
48 alter its relationship with suppliers or customers or
49 the community in which it operates, or make any other
50 major changes in its business, corporate structure,

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1 management or personnel, and other information which
2 would materially affect the shareholders' evaluation
3 of the acquisition.

4 f. The number of shares or units of any equity
5 security of the target company owned beneficially by
6 the offeror and any affiliate or associate of the
7 offeror, together with the name and address of each
8 affiliate or associate.

9 g. The material terms of any contract,
10 arrangement, or understanding with any other person
11 with respect to the equity securities of the target
12 company by which the offeror has or will acquire any
13 interest in additional equity securities of the target
14 company, or is or will be obligated to transfer any
15 interest in the equity securities to another.

16 h. Information required to be included in a tender

17 offer statement pursuant to section 14(d) of the
18 Securities Exchange Act of 1934 and the rules and
19 regulations of the securities and exchange commission
20 issued pursuant to the Act.

21 Sec. 4. Section 502.212, Code 1985, is amended by
22 striking the section and inserting the following:
23 502.212 FILING OF SOLICITATION MATERIALS.

24 Copies of all advertisements, circulars, letters,
25 or other materials disseminated by the offeror or the
26 target company, soliciting or requesting the
27 acceptance or rejection of a takeover offer shall be
28 filed with the administrator and sent to the target
29 company or offeror not later than the time the
30 solicitation or request materials are first published,
31 sent, or given to the offerees. The administrator may
32 prohibit the use of any materials deemed false or
33 misleading.

34 Sec. 5. Section 502.213, Code 1985, is amended by
35 striking the section and inserting the following:
36 502.213 FRAUDULENT AND DECEPTIVE PRACTICES.

37 It is unlawful for an offeror, target company,
38 affiliate or associate of an offeror or target
39 company, or broker-dealer acting on behalf of an
40 offeror or target company to engage in a fraudulent,
41 deceptive, or manipulative act or practice in
42 connection with a takeover offer. For purposes of
43 this section, an unlawful act or practice includes,
44 but is not limited to, the following:

45 1. The publication or use in connection with a
46 takeover offer of a false statement of a material
47 fact, or the omission of a material fact which renders
48 the statements made misleading.

49 2. The purchase of any of the equity securities of
50 an officer, director, or beneficial owner of five

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1 percent or more of the equity securities of the target
2 company by the offeror or the target company for a
3 consideration greater than that to be paid to other
4 shareholders, unless the terms of the purchase are
5 disclosed in a registration statement filed pursuant
6 to section 502.11.

7 3. The refusal by a target company to permit an
8 offeror who is a shareholder of record to examine or
9 copy its list of shareholders, pursuant to the
10 applicable corporation statutes, for the purpose of
11 making a takeover offer.

12 4. The refusal by a target company to mail any
13 solicitation materials published by the offeror to its

14 security holders with reasonable promptness after
15 receipt from the offeror of the materials, together
16 with the reasonable expenses of postage and handling.

17 5. The solicitation of any offeree for acceptance
18 or rejection of a takeover offer, or acquisition of
19 any equity security pursuant to a takeover offer, when
20 the offer is suspended under section 502.211,
21 provided, however, that the target company may
22 communicate during a suspension with its equity
23 security holders to the extent required to respond to
24 the takeover offer made pursuant to the Securities
25 Exchange Act of 1934.

26 Sec. 6. Section 502.214, Code 1985, is amended by
27 striking the section and inserting the following:

28 502.214 LIMITATIONS ON OFFERORS.

29 1. A takeover offer shall contain substantially
30 the same terms for shareholders residing within and
31 outside this state.

32 2. An offeror shall provide that any equity
33 securities of a target company deposited or tendered
34 pursuant to a takeover offer may be withdrawn by or on
35 behalf of an offeree within seven days after the date
36 the offer has become effective and after sixty days
37 from the date the offer has become effective, or as
38 otherwise determined by the administrator pursuant to
39 a rule or order issued for the protection of the
40 shareholders.

41 3. If an offeror makes a takeover offer for less
42 than all the outstanding equity securities of any
43 class and, within ten days after the offer has become
44 effective and copies of the offer, or notice of any
45 increase in the consideration offered, are first
46 published or sent or given to equity security holders,
47 the number of securities deposited or tendered
48 pursuant to the offer is greater than the number of
49 securities that the offeror has offered to accept and
50 pay for, the securities shall be accepted pro rata,

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1 disregarding fractions, according to the number of
2 securities deposited or tendered for each offeree.

3 4. If an offeror varies the terms of a takeover
4 offer before the offer's expiration date by increasing
5 the consideration offered to equity security holders,
6 the offeror shall pay the increased consideration for
7 all equity securities accepted, whether the securities
8 have been accepted by the offeror before or after the
9 variation in the terms of the offer.

10 5. An offeror shall not make a takeover offer or

11 acquire any equity securities in this state pursuant
12 to a takeover offer during the period of time that an
13 administrator's proceeding alleging a violation of
14 this chapter is pending against the offeror.

15 6. An offeror shall not acquire, remove, or
16 exercise control, directly or indirectly, over any
17 target company assets located in this state pursuant
18 to a takeover offer during the period of time that an
19 administrator's proceeding alleging a violation of
20 this chapter is pending against the offeror.

21 7. An offeror shall not acquire from a resident of
22 this state an equity security of any class of a target
23 company at any time within two years following the
24 last purchase of securities pursuant to a takeover
25 offer with respect to that class, including, but not
26 limited to, acquisitions made by purchase, exchange,
27 merger, consolidation, partial or complete
28 liquidation, redemption, reverse stock split,
29 recapitalization, reorganization, or any other similar
30 transaction, unless the holders of the equity
31 securities are afforded, at the time of the
32 acquisition, a reasonable opportunity to dispose of
33 the securities to the offeror upon substantially
34 equivalent terms as those provided in the earlier
35 takeover offer.

36 Sec. 7. Section 502.215, Code 1985, is amended by
37 striking the section and inserting the following:

38 502.215 ADMINISTRATION -- RULES AND ORDERS.

39 1. The administrator shall make and adopt rules
40 and forms as the administrator determines are
41 necessary to carry out the purposes of sections
42 502.211 through 502.218.

43 2. The administrator may by rule or order exempt
44 from any provision of sections 502.211 through 502.218
45 the following:

46 a. A proposed takeover offer or a category or type
47 of takeover offer which the administrator determines
48 does not have the purpose or effect of changing or
49 influencing the control of a target company.

50 b. A proposed takeover offer for which the

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1 administrator determines that compliance with the
2 sections is not necessary for the protection of the
3 offerees.

4 c. A person from the requirement of filing
5 statements.

6 3. In the event of a conflict between the
7 provisions of chapter 17A and the provisions of

8 sections 502.211 through 502.218, the provisions of
9 sections 502.211 through 502.218 shall prevail.
10 Sec. 8. NEW SECTION. 502.216 FEES AND EXPENSES.
11 The administrator shall charge a nonrefundable
12 filing fee of two hundred fifty dollars for a
13 registration statement filed by an offeror.
14 Sec. 9. NEW SECTION. 502.217 APPLICATION OF
15 CORPORATE TAKEOVER LAW.
16 If the target company is a public utility, public
17 utility holding company, national banking association,
18 bank holding company, or savings and loan association
19 which is subject to regulation by a federal agency and
20 the take over of such company is subject to approval
21 by the federal agency, sections 502.211 through
22 502.218 do not apply.
23 Sec. 10. NEW SECTION. 502.218 APPLICATION OF
24 SECURITIES LAW.
25 All of the provisions of this chapter which are not
26 in conflict with sections 502.211 through 502.218,
27 apply to any takeover offer involving a target
28 company.
29 Sec. 11. Section 502.407, Code 1985, is amended to
30 read as follows:
31 502.407 MISSTATEMENTS IN PUBLICITY.
32 It is unlawful for any person to make or cause to
33 be made, in any public report or press release, or in
34 other information which is either made generally
35 available to the public or used in opposition to a
36 tender offer, any statement of a material fact
37 relating to ~~an issuer~~ a target company or made in
38 connection with a tender offer which is, at the time
39 and in the light of the circumstances under which it
40 is made, false or misleading, if it is reasonably
41 foreseeable that such statement will induce other
42 persons to buy, sell or hold securities of the ~~issuer~~
43 target company.
44 Sec. 12. Section 502.501, Code 1985, is amended by
45 adding the following new subsection:
46 NEW SUBSECTION. 3. In addition to other remedies
47 provided in this chapter, in a proceeding alleging a
48 violation of sections 502.211 through 502.218 the
49 court may provide that all shares acquired from a
50 resident of this state in violation of any provision

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1 of this chapter or rule order issued pursuant to this
2 chapter be denied voting rights for one year after
3 acquisition, that the shares be nontransferable on the
4 books of the target company, or that during this one-

5 year period the target company have the option to call
 6 the shares for redemption either at the price at which
 7 the shares were acquired or at book value per share as
 8 of the last day of the fiscal quarter ended prior to
 9 the date of the call for redemption, which redemption
 10 shall occur on the date set in the call notice but not
 11 later than sixty days after the call notice is given."

HOUSE AMENDMENT TO
 SENATE FILE 524

S-3948

1 Amend Senate File 524, as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 28, by inserting after the words
 4 "the mentally ill," the following: "advocacy groups
 5 for the brain injured,".
 6 2. Page 1, line 35, by inserting after the word
 7 "ill." the following: "The advisory committee shall
 8 also consider whether a need exists for a special
 9 classification within the residential care facility
 10 category for brain injured individuals."

HOUSE AMENDMENT TO
 SENATE FILE 271

S-3949

1 Amend Senate File 271 as passed by the Senate, as
 2 follows:
 3 1. Page 1, line 5, by inserting after the word
 4 "of" the words "eighty-five percent of the".
 5 2. Page 1, by striking line 8 and inserting the
 6 following: "course. However, if the financial
 7 obligations of a student are for three or fewer months
 8 duration, this section does not apply.
 9 Refunds shall be paid to the appropriate agency
 10 within thirty days following the student's
 11 termination.
 12 If the student terminates later than three weeks
 13 after the course of instruction has commenced, the
 14 person offering the course of instruction cannot admit
 15 a student to replace the student for which a refund
 16 was received for the remaining portion of the school
 17 term or course.
 18 A violation of this section is a simple
 19 misdemeanor."

S-3950

1 Amend Senate File 559 as follows:
2 1. Page 1, by striking line 4 and inserting the
3 following: "tanks, excluding tanks which are part of
4 a household and tanks which are above ground with a
5 capacity of less than five thousand gallons,
6 including, but not".

NORMAN G. RODGERS

S-3951

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by an employee of the Legislative
15 Service Bureau, shall not be included as part of the
16 operating record of the employee if the accident
17 occurred on or after the effective date of this Act,
18 and if the employee exercised due care under the
19 circumstances involved in the accident."
20 6. Page 1, line 20, by inserting before the words
21 "The peace" the following: "3."

MILO COLTON
THOMAS A. LIND

S-3952

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:

13 "2. A motor vehicle accident involving a motor
 14 vehicle operated by a blind or deaf person, shall not
 15 be included as part of the operating record of the
 16 driver of the vehicle if the accident occurred on or
 17 after the effective date of this Act, and if all of
 18 the following criteria are met:
 19 a. The driver of the vehicle was responding to
 20 what the driver of the vehicle reasonably believed to
 21 be a bona fide emergency situation when the accident
 22 occurred.
 23 b. The driver of the vehicle exercised due care
 24 under the circumstances involved in the accident."
 25 6. Page 1, line 20, by inserting before the words
 26 "The peace" the following: "3."

MILO COLTON

S-3953

1 Amend House File 593 as passed by the House as
 2 follows:
 3 1. Page 1, line 3, by inserting before the words
 4 "A motor vehicle accident" the following: "1."
 5 2. Page 1, line 10, by striking the figure "1."
 6 and inserting the following: "a."
 7 3. Page 1, line 13, by striking the figure "2."
 8 and inserting the following: "b."
 9 4. Page 1, line 17, by striking the figure "3."
 10 and inserting the following: "c."
 11 5. Page 1, by inserting after line 19 the
 12 following:
 13 "2. A motor vehicle accident involving a motor
 14 vehicle operated by anyone over sixty-five years of
 15 age, shall not be included as part of the operating
 16 record of the driver of the vehicle if the accident
 17 occurred on or after the effective date of this Act,
 18 and if the driver of the vehicle exercised due care
 19 under the circumstances involved in the accident."
 20 6. Page 1, line 20, by inserting before the words
 21 "The peace" the following: "3."

MILO COLTON
 THOMAS A. LIND

S-3954

1 Amend House File 593 as passed by the House as
 2 follows:
 3 1. Page 1, line 3, by inserting before the words
 4 "A motor vehicle accident" the following: "1."

- 5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by a person going to or from a
15 funeral, shall not be included as part of the
16 operating record of the driver of the vehicle if the
17 accident occurred on or after the effective date of
18 this Act, and if the driver of the vehicle exercised
19 due care under the circumstances involved in the
20 accident."
21 6. Page 1, line 20, by inserting before the words
22 "The peace" the following: "3."

MILO COLTON
THOMAS A. LIND

S-3955

- 1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by a legislator while traveling to or
15 from an official function, shall not be included as
16 part of the operating record of the legislator if the
17 accident occurred on or after the effective date of
18 this Act, and if the legislator exercised due care
19 under the circumstances involved in the accident."
20 6. Page 1, line 20, by inserting before the words
21 "The peace" the following: "3."

MILO COLTON
THOMAS A. LIND

S-3956

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by a truck driver carrying perishable
15 items, shall not be included as part of the operating
16 record of the truck driver if the accident occurred on
17 or after the effective date of this Act, and if the
18 truck driver exercised due care under the
19 circumstances involved in the accident."
20 6. Page 1, line 20, by inserting before the words
21 "The peace" the following: "3."

MILO COLTON
THOMAS A. LIND

S-3957

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by a United States post office
15 employee in the course of duty, shall not be included
16 as part of the operating record of the post office
17 employee if the accident occurred on or after the
18 effective date of this Act, and if the post office
19 employee exercised due care under the circumstances
20 involved in the accident."

21 6. Page 1, line 20, by inserting before the words
22 "The peace" the following: "3."

MILO COLTON
THOMAS A. LIND

S-3958

1 Amend House File 593 as passed by the House as
2 follows:

3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."

5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."

7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."

9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."

11 5. Page 1, by inserting after line 19 the
12 following:

13 "2. A motor vehicle accident involving a motor
14 vehicle operated by a public official in the
15 performance of official duties, shall not be included
16 as part of the operating record of the public official
17 if the accident occurred on or after the effective
18 date of this Act, and if the public official exercised
19 due care under the circumstances involved in the
20 accident."

21 6. Page 1, line 20, by inserting before the words
22 "The peace" the following: "3."

MILO COLTON
THOMAS A. LIND

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 642

S-3959

1 Amend the Senate amendment H-3857 to House File 642
2 as amended, passed, and reprinted by the House as
3 follows:

4 1. Page 1, by striking line 9 and inserting the
5 following: "one hundred fifty-nine thousand seven
6 hundred (3,159,700) dollars, or so much".

7 2. Page 1, by striking line 12 and inserting the
8 following: "lottery agency. All proposals for the
9 operations of the Iowa lottery agency shall be
10 reviewed by the legislative council. The Iowa lottery

11 agency shall submit a budget to the legislative
 12 council covering the period beginning August 1, 1985
 13 and ending January 31, 1986 and a budget to the
 14 general assembly for the period beginning February 1,
 15 1986 through June 30, 1986 and for the 1986-1987
 16 fiscal year.

17 Sec. 9. Section 99E.10, subsection 1, unnumbered
 18 paragraph 1, 1985 Acts, House File 225, section 110,
 19 as amended by 1985 Iowa Acts, Senate File 395, section
 20 114, is amended to read as follows:

21 1. Upon receipt of any revenue, the commissioner
 22 shall deposit the moneys in the lottery fund created
 23 pursuant to section 99E.20. As nearly as is
 24 practicable, fifty percent of the projected annual
 25 revenue, after deduction of the amount of the sales
 26 tax and repayment to the general fund of the loan for
 27 start-up purposes of the Iowa lottery, computed on a
 28 year-round average basis for each type of lottery game
 29 accruing from the sale of tickets or shares is
 30 appropriated for payment of prizes to the holders of
 31 winning tickets. After the payment of prizes, all of
 32 the following shall be deducted from lottery revenue
 33 prior to disbursement:

34 Sec. 10. 1985 Iowa Acts, House File 225, section
 35 301, paragraph d, is amended to read as follows:
 36 d. Before the treasurer makes the allotments under
 37 paragraphs "a", "b", and "c", the treasurer ~~shall~~
 38 ~~repay to the general fund the loan for start-up~~
 39 ~~purposes of the Iowa lottery~~; shall repay to the
 40 general fund the sum of one million twenty thousand
 41 dollars which was appropriated for the fiscal year
 42 beginning July 1, 1985 from the general fund to the
 43 department of general services for capitol building
 44 restoration and major repairs, and shall repay to the
 45 general fund the sum of five million two hundred fifty
 46 thousand dollars which was appropriated for the fiscal
 47 period beginning July 1, 1985 and ending June 30, 1989
 48 from the general fund to the department of general
 49 services for the engineering, planning and
 50 construction of a new state historical building under

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1 1984 Iowa Acts, chapter 1316, section 4."

2 3. Page 1, by inserting after line 12 the
 3 following:

4 "____. Page 3, by inserting after line 1 the
 5 following new section:

6 "Sec. _____. There is appropriated from the general
 7 fund of the state to the Iowa development commission

8 for the fiscal period beginning on the effective date
9 of this Act and ending June 30, 1985 the sum of two
10 hundred thousand (200,000) dollars, or so much thereof
11 as is necessary, for its advertising and tourism
12 budget. The Iowa development commission shall
13 transfer from any other funds received for its
14 advertising and tourism budget an amount up to or
15 equal to two hundred thousand (200,000) dollars
16 received during the fiscal year beginning July 1, 1985
17 and ending June 30, 1986 which funds shall be
18 transferred to the general fund of the state not later
19 than June 30, 1986 to replace those funds received
20 under this section for the fiscal period beginning on
21 the effective date of this Act and ending June 30,
22 1985.”

23 4. Page 1, by inserting after line 12 the
24 following:

25 “___, Page 3, by inserting after line 1 the
26 following:

27 “Sec. ___. 1985 Iowa Acts, House File 225, section
28 303, is amended to read as follows:

29 Sec. 303. For each of the fiscal years beginning
30 July 1, 1986, July 1, 1987, July 1, 1988, and July 1,
31 1989, the Iowa ~~partnership for economic progress~~
32 ~~advisory committee established under division IV of~~
33 ~~this Act~~ development commission shall submit to the
34 general assembly by March 1 preceding the beginning of
35 the fiscal year planned expenditures from the
36 allotment to be made for that fiscal year to the
37 community economic betterment account, the jobs now
38 account, and the education and agriculture research
39 and development account to each of the funds,
40 agencies, boards or commissions for the purposes
41 specified in subsections 2, 3, and 4 of section 302 of
42 this Act. The Iowa ~~partnership for economic progress~~
43 development commission shall include a description of
44 planned expenditures to be made of the moneys in the
45 surplus account.

46 Plans may provide for increased or decreased
47 expenditures if the allotment available for those
48 appropriations is greater than or less than the
49 allotment specified in subsection 1 of section 302 of
50 this Act. In order to enable the Iowa ~~partnership for~~

Page 3

1 ~~economic progress~~ development commission to prepare
2 its plans for future expenditures, it has authority to
3 review applications and uses of the moneys
4 appropriated from each allotment. However, this

5 authorized review does not authorize the Iowa
6 ~~partnership for economic progress development~~
7 ~~commission~~ to veto or deny any application or use and
8 such review shall not cause any delay in the approval
9 of an application or use.

10 Sec. ___ . 1985 Iowa Acts, House File 225, section
11 602, subsection 2, unnumbered paragraph 1, is amended
12 to read as follows:

13 2. To aid in fulfilling the purpose of the primary
14 research and marketing center for business and
15 international trade, the commission may provide grants
16 to establish satellite centers throughout the state.
17 To facilitate establishment of satellite centers, the
18 state is divided up into fifteen regional economic
19 delivery areas which have the same area boundaries as
20 merged areas, as defined in section 280A.2, in
21 existence on the effective date of this section. Each
22 regional delivery area wishing to receive a grant from
23 the commission to establish a satellite center in its
24 area shall create a regional coordinating council
25 which shall develop a plan for the area to coordinate
26 all federal, state, and local economic development
27 services within the area. After developing this plan,
28 the council may seek a grant for a satellite center by
29 submitting the coordinating plan and an application
30 for a grant to the Iowa development commission. A
31 grant shall not be awarded within the regional
32 economic delivery area without the approval of the
33 regional coordinating plan by the ~~Iowa partnership for~~
34 ~~economic progress created in division IV of this Act~~
35 ~~development commission~~. The Iowa ~~partnership for~~
36 ~~economic progress development commission~~ may rescind
37 its approval of a regional coordinating plan upon
38 thirty days notice, if the Iowa ~~partnership for~~
39 ~~economic progress development commission~~ determines
40 that the stated purpose of the plan is not being
41 carried out. The Iowa ~~partnership for economic~~
42 ~~progress development commission~~ may then accept an
43 alternative proposal for a regional coordinating plan.
44 If a regional coordinating council is awarded a grant
45 for a satellite center, it shall employ a center
46 director at the satellite center. The center
47 director's duties and responsibilities include the
48 following:"

49 5. Page 1, by inserting after line 12 the
50 following:

Page 4

1 " ____ Page 3, by inserting after line 1 the
2 following:

3 "Sec. ____ 1985 Iowa Acts, House File 225, section
4 106, is amended to read as follows:

5 SEC. 106. NEW SECTION. 99E.6 BOARD
6 QUALIFICATIONS.

7 Board members shall be residents of this state. ~~At~~
8 Except for the initial appointees, at least one member
9 of the board shall be a person who has been a law
10 enforcement officer for not less than five years, one
11 member shall be an attorney admitted to the practice
12 of law in Iowa for not less than five years, and one
13 member shall be a certified public accountant who has
14 practiced accountancy in Iowa for not less than five
15 years.””

16 6. Page 1, line 15, by inserting after the word
17 “agency,” the words “the Iowa development
18 commission.”.

19 7. By renumbering, relettering, or redesignating
20 and correcting internal references as necessary.

HOUSE AMENDMENT TO
SENATE FILE 547

S-3960

1 Amend Senate File 547 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. Page 1, lines 6 and 7 by striking the words
4 “certifications of employee organizations” and
5 inserting the following: “certifications of employee
6 organizations the certified representative”.

7 2. Page 1, line 7, by striking the word
8 “represent” and inserting the following: “represent
9 represents”.

10 3. Page 1, line 9, by striking the words “in
11 effect” and inserting the following: “in effect the
12 certified representative”.

13 4. Page 1, lines 10 through 13, by striking the
14 words “a public employee files a petition under
15 section 20.14, subsection 3, and the employee
16 organization is decertified in an election held under
17 section 20.15” and inserting the following: “a public
18 employee files a petition under section 20.14,
19 subsection 3, and the public employee organization is
20 decertified in an election held under section 20.15 or
21 amended or absorbed into another certified
22 organization pursuant to chapter 20”.

HOUSE AMENDMENT TO
SENATE FILE 521

S-3961

1 Amend Senate File 521 as passed by the Senate as
2 follows:

3 1. By striking everything after the enacting
4 clause and inserting in lieu thereof the following:
5 "Section 1. Section 507B.4, subsection 1, Code
6 1985, is amended by adding the following new lettered
7 paragraph:

8 NEW LETTERED PARAGRAPH. i. Misrepresents any
9 insurance policy to consumers by using the terms
10 "burial insurance", "funeral insurance", "burial
11 plan", or "funeral plan" in its names or titles,
12 unless the policy is made with a funeral provider as
13 beneficiary who specifies and fixes a price under
14 contract with an insurance company. This paragraph
15 does not prevent insurers from stating or advertising
16 that insurance benefits may provide cash for funeral
17 or burial expenses."

18 2. Title page, by striking lines 1 through 5, and
19 inserting in lieu thereof the following: "An Act
20 relating to insurance trade practices and providing
21 penalties."

HOUSE AMENDMENT TO
SENATE FILE 329

S-3962

1 Amend Senate File 329 as amended, passed and
2 reprinted by the Senate as follows:

3 1. Page 5, by inserting after line 28 the
4 following:

5 "Sec. ____ . Section 113.18, subsection 5, Code
6 1985, is amended to read as follows:

7 5. Any other kind of fence which, ~~in the opinion~~
8 ~~of the fence viewers, shall consider to be equivalent~~
9 thereto to a lawful fence or which meets standards
10 established by the department of transportation by
11 rule as equivalent to a lawful fence.

12 Sec. ____ . Section 113.20, subsection 3, Code 1985,
13 is amended to read as follows:

14 3. Any other kind of a ~~tight partition~~ fence
15 which, ~~in the opinion of the fence viewers, is~~
16 ~~consider to be equivalent thereto to a tight partition~~
17 fence or which meets standards established by the
18 department of transportation by rule as equivalent to

19 a tight partition fence."

20 2. Page 9, by inserting after line 13 the
21 following:

22 "Sec. ____ Section 217A.47, Code 1985, is amended

23 to read as follows:

24 217A.47 DEDUCTION TO PAY COURT COSTS OR DEPENDENTS -
25 - DEPOSITS.

26 If wages allowances are paid pursuant to section
27 217A.46, the director may deduct an amount established
28 by the inmates' inmate's restitution plan of payment
29 or an amount sufficient to pay all or part of the
30 court costs taxed as a result of the inmate's
31 commitment. The amount deducted shall be forwarded to
32 the clerk of the district court or proper official.
33 The director may pay all or any part of remaining
34 wages allowances paid pursuant to section 217A.46
35 directly to a dependent of the inmate, or may deposit
36 the wage allowance to the account of the inmate, or
37 may deposit a portion and allow the inmate a portion
38 for the inmate's personal use."

39 3. By striking page 12, line 25 through page 13,
40 line 15.

41 4. Page 13, by inserting after line 22 the
42 following:

43 "Sec. 34. Section 321.281, subsection 10, Code
44 1985, is amended to read as follows:

45 10. The court shall order a defendant convicted of
46 a violation of this section to make restitution, in an
47 amount not to exceed two thousand dollars, for damages
48 resulting directly from the violation. An amount paid
49 pursuant to this restitution order shall be credited
50 toward any adverse judgment in a subsequent civil pro-

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1 ceeding arising from the same occurrence. However,
2 other than establishing a credit, a restitution
3 proceeding pursuant to this section shall not be given
4 evidentiary or preclusive effect in a subsequent civil
5 proceeding arising from the same occurrence."

6 5. Page 14, line 19, by inserting after the word
7 "resolution" the following: "or ordinance".

8 6. Page 20, by striking lines 19 through 21 and
9 inserting the following: "dollars. Other fees
10 imposed for small claims shall be the same as those
11 required in regular actions in district court, four
12 Four dollars of the docket fee shall remain be".

13 7. By renumbering, relettering, or redesignating
14 and correcting internal references as necessary.

S-3963

1 Amend House File 684 as amended, passed, and
2 reprinted by the House as follows:

DIVISION S-3963B

3 1. Page 6, by inserting after line 28 the
4 following:
5 "Sec. ____ NEW SECTION. 172C.16. EXCEPTION.
6 1. Notwithstanding section 172C.4, until July 1,
7 1987, a corporation or trust may acquire agricultural
8 land in this state if four of the following five state
9 officials sign a joint order permitting such
10 acquisitions:
11 a. The auditor of state.
12 b. The attorney general.
13 c. The secretary of agriculture.
14 d. The treasurer of state.
15 e. The superintendent of banking.
16 2. In determining whether to issue an order, the
17 state officials enumerated in subsection 1 shall meet
18 in a joint meeting. A meeting may be called by any
19 one of the officials. At the meeting, the officials
20 shall consider all of the following factors:
21 a. The economy of this state and in particular the
22 agricultural economy.
23 b. The amount of farmland for sale and the amount
24 of farmland anticipated to be for sale.
25 c. The price of farmland and the anticipated price
26 of farmland.
27 d. The numbers of anticipated purchasers of
28 farmland if the provisions of section 172C.4 remain in
29 effect.
30 e. The anticipated effect on the price of farmland
31 if an order is issued.
32 3. An order issued pursuant to this section may be
33 limited as in time and may be terminated sooner or
34 extended in the same manner in which it was issued."

DIVISION S-3963C

35 2. Page 19, by inserting after line 35 the
36 following:
37 "Sec. ____ . Section 524.910, subsection 2, Code
38 1985, is amended to read as follows:
39 2. Real property purchased by a state bank at
40 sales upon foreclosure of mortgages or deeds of trust
41 owned by it, or acquired upon judgments or decrees
42 obtained or rendered for debts due it, or such real

43 property ~~as shall~~ be conveyed to it in satisfaction of
44 debts previously contracted in the course of its
45 business, or ~~such~~ real property ~~as it may obtain~~
46 obtained by it by redemption as a junior mortgagee or
47 judgment creditor, shall be sold or otherwise disposed
48 of by the state bank within ~~one year~~ five years after
49 title is vested in the state bank, unless the time is
50 extended by the superintendent. The land value of

Page 2

DIVISION S-3963C (cont'd.)

1 agricultural land used for farming, as defined in
2 section 172C.1, held by a state bank pursuant to this
3 subsection may be valued on the books of the bank at a
4 value determined by obtaining the five-year-per-acre
5 average of the valuations for the current year and the
6 four previous years for agricultural land in the
7 county in which the agricultural land is located as
8 published by Iowa state university of science and
9 technology. If an appraisal conducted by an
10 independent real estate appraiser is available for the
11 current year, the five-year county average may be
12 adjusted by either adding or subtracting from the
13 five-year average the percentage by which the
14 particular farm's current appraised value exceeds or
15 is less than the current year's county average value.
16 To the extent permitted by federal law, national banks
17 may value agricultural land on the same basis as state
18 banks."

DIVISION S-3963A

19 3. Page 20, by inserting after line 17 the
20 following:
21 "Sec. ___. Section 524.1805, Code 1985, is amended
22 to read as follows:
23 524.1805 OUT-OF-STATE HOLDING COMPANIES.
24 Nothing in this division shall be construed to
25 authorize a bank holding company which is with respect
26 to the state of Iowa an "out-of-state bank holding
27 company", as defined or referred to in 12 U.S.C.
28 1842(d), as amended to January 1, 1971, to acquire any
29 of the voting shares of, any interest in, all or
30 substantially all of the assets of, or power to
31 control in any manner the election of any of the
32 directors of any bank in this state, unless such bank
33 holding company was on January 1, 1971 registered with
34 the federal reserve board as a bank holding company,

35 and on that date owned at least two banks in this
36 state or unless the bank holding company had entered
37 into a contract on or before July 1, 1984, to directly
38 or indirectly acquire voting shares, an interest in
39 all or substantially all of the assets of, or control
40 of a bank holding company or a bank located in this
41 state."

DIVISION S-3963C (cont'd.)

42 4. Page 20, by inserting before line 18 the
43 following:
44 "Sec. ____ . NEW SECTION. 524.1808 EXCEPTIONS.
45 1. Notwithstanding the restrictions of section
46 524.1805, until July 1, 1987, an out-of-state bank
47 holding company may directly or indirectly acquire all
48 or any portion of the voting securities or other
49 capital stock of, or any interest in all or
50 substantially all of the assets of, or power to

Page 3

DIVISION S-3963C (cont'd.)

1 control in any manner the election of any of the
2 directors of one or more state banks, domestic bank
3 holding companies, or national banks conducting a
4 banking business in this state, subject to the prior
5 express written approval of the superintendent of
6 banking. The approval shall be granted or denied in
7 the sole discretion of the superintendent of banking.
8 2. The out-of-state bank holding company desiring
9 to make an acquisition under subsection 1 and the
10 bank, national banking association, or domestic bank
11 holding company parent of the bank, if any, proposed
12 to be acquired shall file an application in writing
13 with the superintendent of banking. The application
14 shall contain such information as the superintendent
15 of banking may prescribe by rule as necessary or
16 appropriate for the purpose of making a determination
17 under this section. The application and supporting
18 information and all examination reports and
19 information obtained by the superintendent shall be
20 confidential and privileged and not subject to public
21 disclosure except that the application and information
22 may be disclosed to federal bank regulatory agencies.
23 3. In determining whether to approve the
24 application the superintendent of banking shall
25 consider all of the following:
26 a. The financial institution structure of this

27 state.

28 b. The economy of this state and the need for
29 access to credit, financial services and capital.

30 c. The convenience and needs of the public of this
31 state.

32 d. Whether the applicant out-of-state bank holding
33 company has demonstrated an acceptable record of
34 meeting the credit needs of its entire community,
35 consistent with the safe and sound operation of such
36 institution."

DIVISION S-3963B (cont'd.)

37 5. Title page 1, line 20, by inserting after the
38 word "affiliates," the following: "providing for the
39 corporate ownership of agricultural land under certain
40 conditions,".

DIVISION S-3963C (cont'd.)

41 6. Title page 1, line 20, by inserting after the
42 word "affiliates," the following: "providing for the
43 extension of time a state bank may hold foreclosed
44 agricultural land and providing for the agricultural
45 land's valuation,".

DIVISION S-3963A (cont'd.)

46 7. Title page 1, line 20, by inserting after the
47 word "affiliates," the following: "providing for out-
48 of-state bank holding companies to conduct business in
49 this state under certain conditions,".

GEORGE R. KINLEY
EDGAR H. HOLDEN

S-3964

1 Amend Senate File 559 as follows:

2 1. Page 1, by striking line 4 and inserting the
3 following: "tanks, excluding tanks which are above
4 ground with a capacity of less than five thousand
5 gallons, including, but not".

NORMAN G. RODGERS
CHARLES BRUNER

S-3965

- 1 Amend the amendment S-3945 to House File 593 as
- 2 passed by the House as follows:
- 3 1. Page 1, by striking lines 26 and 27 and
- 4 inserting the following:
- 5 "____. Page 1, by striking line 20 and inserting
- 6 the following: "3. The person desiring"."
- 7 2. Page 1, by inserting after line 27 the
- 8 following:
- 9 "____. Page 1, line 21 by striking the words "the
- 10 person's" and inserting the following: "their"."

MILO COLTON

S-3966

- 1 Amend the amendment S-3941 to House File 593 as
- 2 passed by the House as follows:
- 3 1. Page 1, by striking lines 25 and 26 and
- 4 inserting the following:
- 5 "____. Page 1, by striking line 20 and inserting
- 6 the following: "3. The person desiring"."
- 7 2. Page 1, by inserting after line 26 the
- 8 following:
- 9 "____. Page 1, line 21 by striking the words "the
- 10 person's" and inserting the following: "their"."

MILO COLTON

S-3967

- 1 Amend the amendment S-3940 to House File 593 as
- 2 passed by the House as follows:
- 3 1. Page 1, by striking lines 25 and 26 and
- 4 inserting the following:
- 5 "____. Page 1, by striking line 20 and inserting
- 6 the following: "3. The person desiring"."
- 7 2. Page 1, by inserting after line 26 the
- 8 following:
- 9 "____. Page 1, line 21 by striking the words "the
- 10 person's" and inserting the following: "their"."

MILO COLTON

S-3968

- 1 Amend the amendment S-3946 to House File 593 as
2 passed by the House as follows:
3 1. Page 1, by striking lines 26 and 27 and
4 inserting the following:
5 “___. Page 1, by striking line 20 and inserting
6 the following: “3. The person desiring”.
7 2. Page 1, by inserting after line 27 the
8 following:
9 “___. Page 1, line 21 by striking the words “the
10 person’s” and inserting the following: “their”.”

MILO COLTON

S-3969

- 1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 “A motor vehicle accident” the following: “1.”
5 2. Page 1, line 10, by striking the figure “1.”
6 and inserting the following: “a.”
7 3. Page 1, line 13, by striking the figure “2.”
8 and inserting the following: “b.”
9 4. Page 1, line 17, by striking the figure “3.”
10 and inserting the following: “c.”
11 5. Page 1, by inserting after line 19 the
12 following:
13 “2. A motor vehicle accident involving a motor
14 vehicle operated by a media employee, including
15 reporters and photographers, while driving to an
16 emergency event, shall not be included as part of the
17 operating record of the media employee if the accident
18 occurred on or after the effective date of this Act,
19 and if all of the following criteria are met:
20 a. The media employee was responding to what the
21 media employee reasonably believed to be a bona fide
22 emergency situation when the accident occurred.
23 b. The media employee exercised due care under the
24 circumstances involved in the accident.”
25 6. Page 1, line 20, by inserting before the words
26 “The peace” the following: “3.”

MILO COLTON
THOMAS A. LIND

S-3970

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by an animal warden as defined under
15 section 162.2, while in pursuit of dangerous or rabid
16 animals, shall not be included as part of the
17 operating record of the driver of the vehicle if the
18 accident occurred on or after the effective date of
19 this Act, and if all of the following criteria are
20 met:
21 a. The animal warden was responding to what the
22 animal warden reasonably believed to be a bona fide
23 emergency situation when the accident occurred.
24 b. The animal warden exercised due care under the
25 circumstances involved in the accident."
26 6. Page 1, line 20, by inserting before the words
27 "The peace" the following: "3."

MILO COLTON
THOMAS A. LIND

S-3971

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by or carrying a passenger who is a
15 person in need of a restroom, shall not be included as

16 part of the operating record of the driver of the
17 vehicle if the accident occurred on or after the
18 effective date of this Act, and if all of the
19 following criteria are met:
20 a. The driver of the vehicle was responding to
21 what the driver of the vehicle reasonably believed to
22 be a bona fide emergency situation when the accident
23 occurred.
24 b. The driver of the vehicle exercised due care
25 under the circumstances involved in the accident.”
26 6. Page 1, line 20, by inserting before the words
27 “The peace” the following: “3.”

MILO COLTON
THOMAS A. LIND

S-3972

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 “A motor vehicle accident” the following: “1.”
5 2. Page 1, line 10, by striking the figure “1.”
6 and inserting the following: “a.”
7 3. Page 1, line 13, by striking the figure “2.”
8 and inserting the following: “b.”
9 4. Page 1, line 17, by striking the figure “3.”
10 and inserting the following: “c.”
11 5. Page 1, by inserting after line 19 the
12 following:
13 “2. A motor vehicle accident involving a motor
14 vehicle operated by carrying a veterinarian as defined
15 under section 169.3, with the purpose of saving the
16 life of livestock, shall not be included as part of
17 the driver of the vehicle if the accident occurred on
18 or after the effective date of this Act, and if all of
19 the following criteria are met:
20 a. The driver of the vehicle was responding to
21 what the driver of the vehicle reasonably believed to
22 be a bona fide emergency situation when the accident
23 occurred.
24 b. The driver of the vehicle exercised due care
25 under the circumstances involved in the accident.”
26 6. Page 1, line 20, by inserting before the words
27 “The peace” the following: “3.”

MILO COLTON
THOMAS A. LIND

S-3973

1 Amend House File 593 as passed by the House as
2 follows:
3 1. Page 1, line 3, by inserting before the words
4 "A motor vehicle accident" the following: "1."
5 2. Page 1, line 10, by striking the figure "1."
6 and inserting the following: "a."
7 3. Page 1, line 13, by striking the figure "2."
8 and inserting the following: "b."
9 4. Page 1, line 17, by striking the figure "3."
10 and inserting the following: "c."
11 5. Page 1, by inserting after line 19 the
12 following:
13 "2. A motor vehicle accident involving a motor
14 vehicle operated by or carrying a passenger who is a
15 clergyman while traveling to save lives or souls,
16 shall not be included as part of the operating record,
17 of the driver of the vehicle if the accident occurred
18 on or after the effective date of this Act, and if all
19 of the following criteria are met:
20 a. The driver of the vehicle was responding to
21 what the driver of the vehicle reasonably believed to
22 be a bona fide emergency situation when the accident
23 occurred.
24 b. The driver of the vehicle exercised due care
25 under the circumstances involved in the accident."
26 6. Page 1, line 20, by inserting before the words
27 "The peace" the following: "3."

MILO COLTON
THOMAS A. LIND

S-3974

1 Amend the amendment S-3964 to Senate File 559 as
2 follows:
3 1. Page 1, line 4, by striking the word "five"
4 and inserting the following: "forty".

BILL HUTCHINS

S-3975

1 Amend Senate File 565 as follows:
2 1. Page 5, line 28, by inserting after the word
3 "gasohol" the following: "which contains at least ten
4 percent alcohol distilled in this state by a distiller"

5 whose annual production of alcohol does not exceed
6 thirty million gallons and which is".

JOE WELSH
CHARLES BRUNER

S-3976

1 Amend amendment S-3915 to House File 684 as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, line 5, by inserting after the word
5 "property" the following: "is either property
6 assessed by the department of revenue, assessed as
7 commercial or industrial property under chapter 441,
8 or".
9 2. Page 1, line 15, by inserting after the word
10 "property" the following: "which is either property
11 assessed by the department of revenue, assessed as
12 commercial or industrial property under chapter 441,
13 or property".

EDGAR H. HOLDEN

S-3977

1 Amend House File 684 as amended, passed, and
2 reprinted by the House as follows:
3 1. Page 19, by inserting after line 18 the
4 following:
5 "Sec. 101. Section 515.48, Code 1985, is amended
6 by adding the following new subsection following
7 subsection 9 and renumbering the subsequent
8 subsection:
9 NEW SUBSECTION. Insure against loss or damage by
10 reason of defects in or liens or encumbrances on the
11 title of real property, or the unmarketability of the
12 title to real property, or the invalidity or
13 unenforceability of liens or encumbrances upon real
14 property, to the extent permitted by, and subject to,
15 rules adopted by the commissioner. The commissioner
16 shall adopt rules regulating title insurance in this
17 state. The rules shall include, but need not be
18 limited to, the following provisions:
19 a. Minimum capital requirements for title
20 insurers.
21 b. Annual report requirements.
22 c. Regulation of premium charges pursuant to
23 section 515.150.
24 d. Minimum requirements for the establishment and

25 maintenance of reserves.
 26 e. Maximum limitations on retained liability.
 27 f. Conditions of licensing of agents.
 28 g. Approval of policy forms.
 29 h. A prohibition against payment of fees to
 30 persons other than licensed insurance agents and
 31 providing that an officer, director, or employee of a
 32 lending institution which extends credit secured by
 33 real property shall not, in connection with the credit
 34 transaction or during the time the credit is out-
 35 standing, receive or become entitled, as a licensed
 36 agent, to a fee or commission on title insurance
 37 covering an interest in real property.
 38 i. A requirement that the title insurance policy
 39 be based upon a reasonable search of the appropriate
 40 records relating to the title such as disclosed by an
 41 abstract of title. Any abstract of title in existence
 42 covering the land shall be delivered or returned to
 43 the owner of the land or the party designated by the
 44 owner.
 45 j. A prohibition against premium discounts in
 46 order to retire the abstract.
 47 Sec. 102. Section 515.48, subsection 10, Code
 48 1985, is amended to read as follows:
 49 10. Insure any additional risk not specifically
 50 included within any of the foregoing classes, which is

Page 2

1 a proper subject for insurance, is not prohibited by
 2 law or contrary to sound public policy, and which,
 3 after public notice and hearing, is specifically
 4 approved by the commissioner of insurance; ~~except~~
 5 ~~title insurance or insurance against loss or damage by~~
 6 ~~reason of defective title, encumbrances or otherwise.~~
 7 When ~~such the~~ additional kind of insurance is approved
 8 by the commissioner, the commissioner shall designate
 9 within which classification of risks provided for in
 10 section 515.49 it shall fall.
 11 Sec. 103. NEW SECTION. 515.150 TITLE INSURANCE
 12 RATES.
 13 1. Title insurance rates shall be set so that:
 14 a. Rates are not excessive, inadequate, or
 15 unfairly discriminatory.
 16 b. Due consideration is given to past and
 17 prospective loss experience within and outside Iowa;
 18 to a reasonable margin for underwriting profit and
 19 contingencies; to dividends, savings, or unabsorbed
 20 premium deposits allowed or returned by insurers to
 21 their policyholders, members, or subscribers; to past

22 and prospective expenses within and outside Iowa; and
23 to other relevant factors.

24 c. The systems of expense provisions included in
25 the rates for use by an insurer or group of insurers
26 may differ from those of other insurers or groups of
27 insurers to reflect the requirements of the operating
28 methods of the insurer or group of insurers with
29 respect to any kind of insurance, or with respect to a
30 subdivision or a combination of insurers for which
31 separate expense provisions are applicable.

32 2. Except to the extent necessary to comply with
33 subsection 1, paragraph a, uniformity among insurers
34 in a matter within the scope of this section is
35 neither required nor prohibited.

36 3. An insurer shall file with the commissioner all
37 manuals, minimum or class rates, rating schedules, or
38 rating plans, and every other rating rule, and every
39 modification of a rate, schedule, plan, or rule which
40 it proposes to use. A filing shall state the proposed
41 effective date of the filing and indicate the
42 character and extent of the coverage contemplated.

43 4. The commissioner shall review filings as soon
44 as reasonably possible after the filings are made to
45 determine whether they meet the requirements of this
46 section.

47 5. A filing shall be on file for a waiting period
48 of fifteen days before it becomes effective. The
49 waiting period may be extended by the commissioner for
50 an additional period, not to exceed fifteen days, if

Page 3

1 the commissioner gives written notice to the insurer
2 which made the filing within the waiting period that
3 the commissioner needs the additional time for the
4 consideration of the filing. Upon written application
5 by the insurer, the commissioner may authorize a
6 filing which the commissioner has reviewed to become
7 effective before the expiration of the waiting period
8 or an extension of the waiting period. A filing shall
9 be deemed to meet the requirements of this section
10 unless disapproved by the commissioner within thirty
11 days of receipt of the filing by the commissioner.

12 6. Upon the written application of the insured,
13 stating reasons, filed with and approved by the com-
14 missioner, a rate in excess of that provided by a
15 filing otherwise applicable may be used on any
16 specific risk.

17 7. An insurer shall not make or issue a contract
18 or policy except in accordance with the filings which

19 are in effect for the insurer as provided in this
20 section.

21 8. If within the waiting period or an extension of
22 the waiting period the commissioner finds that a
23 filing does not meet the requirements of this section,
24 then the commissioner shall send to the insurer which
25 made the filing a written notice of disapproval of the
26 filing. The notice shall specify the reasons the
27 filing fails to meet the requirements of this section
28 and state that the filing shall not become effective.
29 In addition, the notice shall comply with section
30 17A.12.

31 When a filing is not accompanied by the information
32 with which the insurer supports the filing, and the
33 commissioner is unable to determine whether the filing
34 meets the requirements of this chapter, the
35 commissioner shall require the insurer to furnish the
36 supporting information and in that event the waiting
37 period shall commence as of the date the information
38 is furnished. The information furnished in support of
39 a filing may include:

40 a. The experience or judgment of the insurer
41 making the filing.

42 b. The interpretation of the insurer making the
43 filing of any statistical data upon which the insurer
44 relies.

45 c. The experience of other insurers.

46 d. Other relevant information.

47 A filing and the supporting information is open to
48 public inspection after the filing becomes effective.

49 9. If at any time subsequent to the waiting period
50 the commissioner determines that there are questions

Page 4

1 as to whether a filing meets the requirements of this
2 section, the commissioner shall send a written notice
3 to the insurer which made the filing that a hearing
4 will be held to review the filing. The hearing shall
5 be held not less than ten days after the date of
6 mailing the notice. The notice and hearing shall
7 comply with sections 17A.12 and 17A.13. If after the
8 hearing the commissioner finds that the filing does
9 not meet the requirements of this section, then the
10 decision issued pursuant to sections 17A.15 and 17A.16
11 shall state when the filing is no longer effective.
12 The decision shall not affect a contract or policy
13 made or issued prior to the date when the filing is to
14 be no longer effective.

15 10. A person alleging to be aggrieved with respect

16 to a filing which is in effect may make written
17 application to the commissioner for a hearing on the
18 filing. The application shall specify the grounds to
19 be relied upon by the applicant. The application
20 shall show that the person making the application has
21 a specific economic interest affected by the filing.
22 The commissioner shall hold a hearing upon finding
23 that the application is made in good faith, that the
24 applicant has a specific economic interest, that the
25 applicant would be so aggrieved if the applicant's
26 grounds are established, and that the grounds
27 otherwise justify holding a hearing. The commissioner
28 shall send the applicant and the insurer a notice of
29 the hearing, which shall be held not less than ten
30 days from the date of mailing the notice and not more
31 than thirty days from the date the commissioner
32 receives the application.

33 If after the hearing the commissioner finds that
34 the filing does not meet the requirements of this
35 section, then the decision issued pursuant to section
36 17A.15 shall specify in what respects the commissioner
37 finds that the filing fails to meet the requirements
38 of this section, and shall state when the filing is no
39 longer effective. The decision shall not affect a
40 contract or policy made or issued prior to the date
41 when the filing is no longer effective.

42 11. A filing shall not be disapproved if the rates
43 contained in the filing meet the requirements of this
44 section."

45 2. Page 21, by inserting after line 15 the
46 following:

47 "Sec. 104. Section 535.8, subsection 2, paragraph
48 b, subparagraph (4), Code 1985, is amended to read as
49 follows:

50 (4) Abstracting Title insurance premiums and

Page 5

1 abstracting fees paid to a third party, or when the
2 abstracting is performed by the lender, a fee which is
3 a reasonable estimate of the expense incurred by the
4 lender in performing the abstracting."

5 3. Page 21, by inserting after line 19 the
6 following:

7 "Sec. 105. NEW SECTION. 535.14 TITLE INSURANCE
8 OR GUARANTEES.

9 A lender which takes an interest in real property
10 to secure a loan shall not require as a condition of
11 granting the loan or granting more favorable loan
12 terms that the borrower obtain title insurance or a

13 title guarantee under the title guarantee program run
14 by the Iowa finance authority. The lender shall
15 clearly and conspicuously disclose in writing to the
16 borrower that Iowa law requires that title insurance
17 or participation in the title guarantee program is
18 entirely voluntary.”

19 4. Page 25, by inserting after line 22 the
20 following:

21 “Sec. 106. The commissioner of insurance shall
22 adopt the rules required by section 101 of this Act
23 and make them effective on or before January 1, 1987.”

24 5. Title page, line 18, by inserting after the
25 word “tax,” the following: “by authorizing the sale
26 of title insurance for real property, by making title
27 insurance and participation in the title guarantee
28 program optional.”

29 6. Renumber as necessary.

MICHAEL E. GRONSTAL

S-3978

1 Amend House File 593 as passed by the House as
2 follows:

3 1. Page 1, line 3, by inserting before the words
4 “A motor vehicle accident” the following: “1.”

5 2. Page 1, line 10, by striking the figure “1.”
6 and inserting the following: “a.”

7 3. Page 1, line 13, by striking the figure “2.”
8 and inserting the following: “b.”

9 4. Page 1, line 17, by striking the figure “3.”
10 and inserting the following: “c.”

11 5. Page 1, by inserting after line 19 the
12 following:

13 “2. A motor vehicle accident involving a motor
14 vehicle operated by a person whose license has been
15 suspended, revoked, or cancelled, shall not be
16 included as part of the operating record of the person
17 driving the vehicle if the accident occurred on or
18 after the effective date of this Act, and if all of
19 the following criteria are met:

20 a. The person driving the vehicle was responding
21 to what the person driving the vehicle reasonably
22 believed to be a bona fide emergency situation when
23 the accident occurred.

24 b. The person driving the vehicle exercised due
25 care under the circumstances involved in the
26 accident.”

27 6. Page 1, by striking lines 20 through 21 and
28 inserting the following:

29 "3. The person desiring that an accident be
30 excluded from their re-".

MILO COLTON
THOMAS A. LIND

S-3979

1 Amend Senate File 565 as follows:
2 1. Page 7, by inserting after line 9 the
3 following:
4 "Sec. ____ . Section 324.38, Code 1985, is amended
5 by adding the following new subsection immediately
6 following subsection 4 and renumbering succeeding
7 subsections:
8 NEW SUBSECTION. 5. CREDIT. A special fuel dealer
9 and distributor shall receive a credit on the monthly
10 or quarterly tax return of one-half cent per gallon on
11 the first one hundred thousand gallons on the excise
12 tax imposed under this division on the use of special
13 fuel for diesel engines to cover the distributor's
14 expenses and losses in collection, accounting for and
15 paying over the excise tax on special fuel for diesel
16 engines."
17 2. Renumber sections as necessary.

EDGAR H. HOLDEN

S-3980

1 Amend amendment S-3824 to Senate File 296 as
2 amended, passed, and reprinted by the Senate as
3 follows:

DIVISION S-3980A

4 1. By striking page 1, line 5 through page 2,
5 line 6 and inserting the following:
6 "Section 1. Section 452.10, Code 1985, is amended
7 by adding the following new unnumbered paragraph
8 following unnumbered paragraph 1:"
9 2. Page 2, by striking line 12 and inserting the
10 following: "authorized in section 411.7, subsection
11 2, and pursuant to section 97B.7, subsection 2,
12 paragraph "b", and section 511.8, except common,
13 preferred, or guaranteed stock and may".

DIVISION S-3980B

14 3. Page 2, by striking lines 21 through 22.

DIVISION S-3980A (cont'd.)

- 15 4. Page 3, by striking lines 29 through 41.
 16 5. Renumber as necessary.

EDGAR H. HOLDEN
 PATRICK J. DELUHERY

S-3981

- 1 Amend House File 451, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 17, by inserting after line 19 the
 4 following:
 5 "Sec. ____ MODEL POLICY FOR THE HANDLING OF CHILD
 6 ABUSE REPORTS.
 7 The department of public instruction and the
 8 department of human services shall develop a model
 9 policy for schools for the handling of reports of
 10 child abuse, as defined in section 232.68, subsection
 11 2, paragraph "a", or "b", or "d", alleged to have been
 12 committed by employees or agents of public schools.
 13 The department of public instruction shall distribute
 14 the model policy to the schools."

ARTHUR L. GRATIAS
 LARRY MURPHY

S-3982

- 1 Amend House File 684 as amended, passed, and
 2 reprinted by the House as follows:
 3 1. Page 20, by inserting before line 18 the
 4 following:
 5 "Sec. ____ Section 524.1805, Code 1985, is amended
 6 to read as follows:
 7 524.1805 OUT-OF-STATE HOLDING COMPANIES.
 8 1. Nothing in this This division shall be
 9 construed to does not authorize a bank holding company
 10 which is with respect to the state of Iowa an "out-of-
 11 state bank holding company", as defined or referred to
 12 in 12 U.S.C. § 1842(d), as amended to January 1, 1971,
 13 to acquire any of the voting shares of, any interest
 14 in, all or substantially all of the assets of, or
 15 power to control in any manner the election of any of
 16 the directors of ~~any a~~ bank in this state, unless such
 17 the bank holding company was on January 1, 1971
 18 registered with the federal reserve board as a bank
 19 holding company, and on that date owned at least two
 20 banks in this state.
 21 2. However, an out-of-state bank holding company
 22 located in a state which is in the upper midwestern

23 region of the United States may acquire, directly or
 24 indirectly, voting shares, an interest in, or control
 25 of banks located in Iowa if the state in which it is
 26 located permits bank holding companies located in Iowa
 27 to acquire voting shares, an interest in, or control
 28 of banks located within that state.

29 3. If it is ultimately determined that the
 30 limitation in subsection 2 restricting reciprocity to
 31 states in the upper midwestern region of the United
 32 States is invalid, then all of subsection 2 is void
 33 and no reciprocity is allowed. However, if subsection
 34 2 becomes void an out-of-state bank holding company,
 35 directly or indirectly, owning voting shares, an
 36 interest in, or control of a bank located in Iowa may
 37 maintain the interest and may expand holdings not to
 38 exceed the limitations contained in section 524.1802.

39 4. For the purposes of this section, a bank
 40 holding company is deemed to be located in the state
 41 in which the operations of its banking subsidiaries
 42 are "principally conducted" as defined in 12 U.S.C. §
 43 1842(d), as amended to January 1, 1971. However, a
 44 bank holding company that is itself owned or
 45 controlled, directly or indirectly, by another bank
 46 holding company shall be deemed to be located in the
 47 state in which the operations of the banking
 48 subsidiaries of its parent bank holding company are
 49 "principally conducted" as defined in 12 U.S.C. § 1842
 50 (d), as amended to January 1.

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1 5. For the purposes of this section, "upper
 2 midwestern region of the United States" includes the
 3 states of Iowa, Minnesota, and Wisconsin."

4 2. Title page 1, line 20, by inserting after the
 5 word "affiliates" the following: "modifying the
 6 limitations on bank holding companies,".

EDGAR H. HOLDEN
 GEORGE R. KINLEY

S-3983

1 Amend House File 736 as amended, passed and
 2 reprinted by the House as follows:

3 1. Page 1, by striking line 10 and inserting the
 4 following: "shall serve as a member of the board but
 5 may participate and".

6 2. Page 1, line 11, by striking the word "may".

7 3. Page 1, by striking line 15 and inserting the

8 following: "a quorum which, for the purposes only of
 9 matters relating to discipline of physicians'
 10 assistants, education of physicians' assistants and
 11 rules or policies directly affecting physicians'
 12 assistants shall include the physician's assistant."

NORMAN G. RODGERS

S-3984

1 Amend the amendment S-3811, to House File 451, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, line 9, by striking the words "or
 5 nonpublic".
 6 2. Page 1, lines 20 and 21, by striking the words
 7 "or the authorities in charge of,".
 8 3. Page 1, line 22, by striking the words "or
 9 nonpublic".
 10 4. Page 1, line 30, by striking the words "or
 11 nonpublic".
 12 5. Page 1, by striking line 32.
 13 6. Page 1, line 35, by striking the words "or
 14 nonpublic".
 15 7. Page 2, by striking lines 23 and 24 and
 16 inserting the following:
 17 "The board of directors of a public school shall".
 18 8. Page 2, lines 28 and 29, by striking the words
 19 "or nonpublic".
 20 9. Page 2, line 36, by striking the words "or the
 21 authorities in charge".
 22 10. Page 2, lines 42 and 43, by striking the
 23 words "or authorities in charge".

THOMAS A. LIND

S-3985

1 Amend House File 438 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 2, line 8, by striking the words "one
 4 week" and inserting the following: "two weeks".
 5 2. Page 2, line 9, by inserting after the word
 6 "is" the following: "presumptive".

ARTHUR A. SMALL, JR.
 WILLIAM W. DIELEMAN

S-3986

1 Amend House File 450 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, by striking line 4 and inserting the
4 following: "personnel. Two members shall be from a
5 school corporation and one member shall be from a
6 nonpublic school."
7 2. Page 2, line 6, by inserting after the word
8 "corporation" the following: "or a nonpublic school".
9 3. Page 7, line 26, by inserting after the word
10 "paid" the following: "to schools and school
11 corporations".
12 4. Page 12, line 23, by inserting after the word
13 "to" the following: "schools,".
14 5. Page 12, line 25, by inserting after the word
15 "responsibilities" the following: "and the
16 evaluations."
17 6. Page 12, line 25, by inserting after the word
18 "the" the following: "schools,".
19 7. Page 12, line 27, by inserting after the word
20 "each" the following: "school and".

WILLIAM DIELEMAN
JOE WELSH
CHARLES MILLER
DON GETTINGS
DOUG RITSEMA
DAVID READINGER
THOMAS LIND

S-3987

1 Amend amendment S-3824 to Senate File 296 as
2 amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 3, by inserting after line 28 the
5 following:
6 "____. Page 10, by inserting after line 19 the
7 following:
8 "Sec. ____ Section 511.8, subsection 4, Code 1985,
9 is amended to read as follows:
10 4. INTERNATIONAL BANK BONDS. Bonds or other
11 evidence of indebtedness issued, assumed or guaranteed
12 by the International Bank for reconstruction and
13 development, in an amount not to exceed two percent of
14 its total assets as shown by the last annual report,
15 or by the Inter-American Development Bank in an amount
16 not to exceed two percent of its total assets as shown
17 by the last annual report, ~~or~~ by the Asian Development

18 Bank in an amount not to exceed two percent of its
 19 total assets as shown by the last annual report or by
 20 the African Development Bank in an amount not to
 21 exceed two percent of its total assets as shown by the
 22 last annual report. However, the combined investment
 23 in bonds or evidences of indebtedness permitted by
 24 this subsection shall not exceed four percent of its
 25 total assets as shown by the last annual report.””
 26 2. Page 3, by inserting after line 41, the
 27 following:
 28 “___ . Title, line 1, by inserting after the word
 29 “funds” the following: “, by permitting life
 30 insurance companies organized under chapter 508 to
 31 invest in bonds or other evidence of indebtedness of
 32 the African Development Bank,””
 33 3. Renumber as necessary.

TOM MANN, Jr.

S-3988

1 Amend the House amendment S-3962 to Senate File
 2 329 as amended, passed and reprinted by the Senate
 3 as follows:
 4 1. Page 1, by striking lines 3 through 19.

JOHN E. SOORHOLTZ
 BERL E. PRIEBE
 EMIL J. HUSAK
 ARNE WALDSTEIN
 BILL HUTCHINS
 DALE L. TIEDEN

HOUSE AMENDMENT TO
 SENATE FILE 562

S-3989

1 Amend Senate File 562 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, line 12, by striking the figure
 4 “6,029,000” and inserting the following: “5,885,720”.
 5 2. Page 1, line 16, by striking the figure
 6 “915,000” and inserting the following: “909,894”.
 7 3. Page 1, line 20, by striking the figure
 8 “1,020,537” and inserting the following: “994,023”.
 9 4. Page 2, line 19, by striking the figure
 10 “590,000” and inserting the following: “580,042”.
 11 5. Page 4, line 17, by striking the figure
 12 “16,500,000” and inserting the following:

13 "16,329,241".

14 6. Page 4, line 21, by striking the figure
15 "524,658" and inserting the following: "512,295".

16 7. Page 5, line 8, by striking the figure
17 "4,041,000" and inserting the figure "3,906,425".

18 8. By striking page 7, line 16 through page 8,
19 line 2.

20 9. Page 8, line 14, by striking the figure
21 "5,100,000" and inserting the following: "4,947,392".

22 10. Page 11, lines 18 and 19, by striking the
23 words and figure "eighteen million one hundred ninety-
24 one thousand four hundred (18,191,400)" and inserting
25 the following: "eighteen million sixty-four thousand
26 (18,064,000)".

27 11. Page 11, line 23, by inserting after the word
28 "highways." the following: "However, the unfunded
29 liability of the peace officers retirement accident
30 and disability system, as of July 1, 1985, shall not
31 be considered a liability of the road use tax fund."

32 12. Page 11, by striking lines 24 through 33.

33 13. Page 15, by inserting after line 33 the
34 following new section:

35 "Sec. ____ . Section 321E.1, Code 1985, is amended
36 to read as follows:

37 321E.1 PERMITS BY DEPARTMENT.

38 The department and local authorities may in their
39 discretion and upon application and with good cause
40 being shown issue permits for the movement of
41 construction machinery or asphalt repavers being
42 temporarily moved on streets, roads or highways and
43 for vehicles with indivisible loads which exceed the
44 maximum dimensions and weights specified in sections
45 321.452 to 321.466, but not to exceed the limitations
46 imposed in sections 321E.1 to 321E.15 except as
47 provided in sections 321E.29 and 321E.30. Vehicles
48 permitted to transport indivisible loads may exceed
49 the width and length limitations specified in sections
50 321.454 and 321.457 for the purpose of picking up an

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1 indivisible load or returning from delivery of the
2 indivisible load. Permits issued may be single-trip
3 permits or annual permits. Permits shall be in
4 writing and shall be carried in the cab of the vehicle
5 for which the permit has been issued and shall be
6 available for inspection at all times. The vehicle
7 and load for which the permit has been issued shall be
8 open to inspection by a peace officer or an authorized
9 agent of a permit granting authority. When in the

10 judgment of the issuing local authority in cities and
 11 counties the movement of a vehicle with an indivisible
 12 load or construction machinery which exceeds the
 13 maximum dimensions and weights will be unduly
 14 hazardous to public safety or will cause undue damage
 15 to streets, avenues, boulevards, thoroughfares,
 16 highways, curbs, sidewalks, trees, or other public or
 17 private property, the permit shall be denied and the
 18 reasons for denial endorsed on the application.
 19 Permits issued by local authorities shall designate
 20 the days when and routes upon which loads and
 21 construction machinery may be moved within the county
 22 on other than primary roads.”
 23 14. Page 16, by striking lines 12 through 26.
 24 15. By renumbering, relettering, or redesignating
 25 and correcting internal references as necessary.

HOUSE AMENDMENT TO
 SENATE FILE 552

S-3990

1 Amend Senate File 552 as amended, passed, and
 2 reprinted by the Senate, as follows:
 3 1. Page 4, line 9, by striking the figure
 4 “53,710,000” and inserting the figure “53,337,662”.
 5 2. Page 4, line 31, by striking the figure
 6 “1,810,000” and inserting the figure “1,786,378”.
 7 3. Page 6, by inserting after line 2 the fol-
 8 lowing:
 9 “The department of corrections shall report to the
 10 general assembly not later than January 15, 1986,
 11 relating to the department’s progress toward
 12 establishing a compensation range for the staff of the
 13 district departments of correctional services pursuant
 14 to section 905.4, subsection 2.”
 15 4. Page 7, line 5, by striking the figure
 16 “233,000” and inserting the figure “231,167”.
 17 5. Page 7, line 7, by striking the figure
 18 “56,000” and inserting the figure “55,239”.
 19 6. Page 7, line 11, by striking the figure
 20 “34,000” and inserting the figure “30,769”.
 21 7. Page 7, line 16, by striking the figure
 22 “3,165,200” and inserting the figure “3,133,582”.
 23 8. Page 9, line 11, by striking the figure
 24 “91,000” and inserting the figure “89,211”.
 25 9. Page 9, line 24, by striking the figure
 26 “776,586” and inserting the figure “768,816”.
 27 10. Page 9, line 28, by striking the figure.
 28 “470,000” and inserting the figure “461,804”.

29 11. Page 10, by striking lines 25 through 30 and
30 inserting the following:
31 "commission, maintenance, equipment
32 and miscellaneous purposes, including
33 implementation of court reorganization
34 according to provisions of 1983 Iowa
35 Acts, chapter 186, section 10301 \$ 31,500,000".
36 12. Page 11, line 18, by striking the figure
37 "4,700,000" and inserting the figure "4,637,711".
38 13. Page 12, line 14, by striking the figure
39 "1,140,000" and inserting the figure "1,090,409".
40 14. Page 12, line 19, by striking the figure
41 "760,000" and inserting the figure "726,939".
42 15. Page 13, line 1, by striking the figure
43 "5,140,000" and inserting the figure "5,003,818".
44 16. Page 14, line 6, by striking the figure
45 "18,191,400" and inserting the figure "18,064,000".
46 17. Page 14, by inserting after line 34 the
47 following:
48 "Sec. ____ . IN-CAR BREATHALIZER PILOT PROJECT.
49 1. The department of public safety, after
50 consultation and subject to rules of the supreme

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1 court, shall conduct a pilot project study of an in-
2 car breathalyzer device if federal funds or other
3 funds are available for that purpose. The department
4 shall provide for the selection of the jurisdiction or
5 jurisdictions in consultation with the supreme court
6 in which the pilot project is to be conducted,
7 establish criteria for operation and completion of the
8 study, and authorize persons to serve as installers
9 and inspectors of the in-car breathalyzer devices.
10 The breathalyzer devices shall not be set to react
11 when a person has an alcohol concentration of more
12 than ten hundredths. The department shall establish a
13 schedule of fees which may be charged by installers
14 and inspectors of the breathalyzer devices. In lieu
15 of conduct of the pilot project study by the
16 department, the department may contract for its
17 conduct.
18 2. If the pilot study is conducted, the department
19 shall report its findings to the legislative council.
20 The report shall include to the extent applicable data
21 indicating the effectiveness of the breathalyzer
22 device in reducing the operation of a motor vehicle
23 while intoxicated and statistical comparisons of the
24 study jurisdiction and other jurisdictions during the
25 same time period and preceding years. Comparative

26 statistics may include, but are not limited to, OMVUI
 27 fatalities, injuries, and repeat offenses while the
 28 breathalyzer devices are utilized.

29 3. To facilitate the pilot project study provided
 30 for under subsection 1, the supreme court may issue
 31 rules authorizing judges in the selected jurisdictions
 32 to require the installation of breathalyzers in
 33 conjunction with other sanctions, as a substitute for
 34 other sanctions, or in conjunction with the issuance
 35 of work permits for persons who plead guilty or are
 36 convicted of violations of sections 321.281. The
 37 costs of the breathalyzer device and its installation
 38 shall be paid by the offender, but the rules may
 39 provide for reduction of specified fines imposed by
 40 law for violations of section 321.281 to displace the
 41 cost of the device and its installation."

42 18. Page 15, by striking lines 6 through 10.

43 19. By renumbering, relettering, or redesignating
 44 and correcting internal references as necessary.

S-3991

1 Amend House File 450 as amended, passed and
 2 reprinted by the House as follows:

3 1. By striking page 7, line 14 through page 11,
 4 line 1.

5 2. Page 12, by striking lines 19 through 31.

ARTHUR L. GRATIAS

S-3992

1 Amend the amendment S-3708 to House File 450
 2 as amended, passed and reprinted by the House as
 3 follows:

4 1. Page 1, line 36, by striking the word
 5 "Established" and inserting the following:
 6 "Establish".

JOE BROWN

S-3993

1 Amend House amendment, S-3962, to Senate File 329
 2 as amended, passed and reprinted by the Senate as
 3 follows:

4 1. Page 2, by inserting after line 7 the
 5 following:

6 "____. Page 16, line 15, by striking the words and
 7 figures "subsection 3, Code 1985, is" and inserting

8 the following: "subsections 3 and 11, Code 1985,
9 are".

10 _____. Page 16, by inserting after line 35 the
11 following:

12 "11. The following enumerated services are subject
13 to the tax imposed on gross taxable services:
14 Alteration and garment repair; armored car; automobile
15 repair; battery, tire and allied; investment
16 counseling, excluding investment services of trust
17 departments; bank service charges; barber and beauty;
18 boat repair; car wash and wax; carpentry; roof,
19 shingle, and glass repair; dance schools and dance
20 studios; dry cleaning, pressing, dyeing, and
21 laundering; electrical and electronic repair and
22 installation; rental of tangible personal property;
23 excavating and grading; farm implement repair of all
24 kinds; flying service; ~~except agricultural aerial~~
25 ~~application services and aerial commercial and charter~~
26 ~~transportation services~~; furniture, rug, upholstery
27 repair and cleaning; fur storage and repair; golf and
28 country clubs and all commercial recreation; house and
29 building moving; household appliance, television, and
30 radio repair; jewelry and watch repair; machine
31 operator; machine repair of all kinds; motor repair;
32 motorcycle, scooter, and bicycle repair; oilers and
33 lubricators; office and business machine repair;
34 painting, papering, and interior decorating; parking
35 facilities; pipe fitting and plumbing; wood
36 preparation; licensed executive search agencies;
37 private employment agencies, excluding services for
38 placing a person in employment where the principal
39 place of employment of that person is to be located
40 outside of the state; sewing and stitching; shoe
41 repair and shoeshine; storage warehousing of raw
42 agricultural products; telephone answering service;
43 test laboratories, except tests on humans; termite,
44 bug, roach, and pest eradicators; tin and sheet metal
45 repair; turkish baths, massage, and reducing salons;
46 weighing; welding; well drilling; wrapping, packing,
47 and packaging of merchandise other than processed
48 meat, fish, fowl and vegetables; wrecking service;
49 wrecker and towing. For purposes of this subsection,
50 gross taxable services from rental includes rents,

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1 royalties, and copyright and license fees.
2 Sec. _____. Section 422.45, Code 1985, is amended by
3 adding the following new subsection:
4 NEW SUBSECTION. 21. The gross receipts from

5 services rendered, furnished or performed by
6 specialized flying implements of husbandry used for
7 agricultural aerial spraying and aerial commercial and
8 charter transportation services.””

DONALD V. DOYLE

S-3994

1 Amend the House amendment S-3947 to Senate File 475
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, by inserting after line 4 the
5 following:
6 “Sec. ____ . Section 496A.2, Code 1985, is amended
7 by adding the following new subsections:
8 NEW SUBSECTION. 15. “Acquiring person” means a
9 person that is required to deliver an information
10 statement under section 496A.74A.
11 NEW SUBSECTION. 16. “Control share acquisition”
12 means an acquisition of shares of an issuing public
13 corporation resulting in beneficial ownership by an
14 acquiring person of a new range of voting power
15 specified in section 496A.74A, subsection 2, paragraph
16 “d”, but does not include any of the following:
17 a. An acquisition before, or pursuant to an
18 agreement entered into before, the effective date of
19 this Act.
20 b. An acquisition by a donee pursuant to an inter
21 vivos gift not made to avoid section 496A.74A or by a
22 distributee as defined in section 633.3.
23 c. An acquisition pursuant to a security agreement
24 not created to avoid section 496A.74A.
25 d. An acquisition under sections 496A.68 through
26 496A.74, if the issuing public corporation is a party
27 to the transaction.
28 e. An acquisition from the issuing public
29 corporation.
30 NEW SUBSECTION. 17. “Issuing public corporation”
31 means a corporation with at least fifty shareholders
32 and having its principal place of business or
33 substantial assets located in this state.
34 Sec. ____ . NEW SECTION. 496A.28A SOLICITATION FOR
35 PROXY IN CONTROL SHARE ACQUISITIONS.
36 Notwithstanding any contrary provision of this
37 chapter, a proxy relating to a meeting of shareholders
38 required under section 496A.74A, subsection 3, shall
39 be solicited separately from the offer to purchase or
40 solicitation of an offer to sell shares of the issuing
41 public corporation and shall not be solicited sooner

42 than thirty days before the meeting unless otherwise
43 agreed in writing by the acquiring person and the
44 issuing public corporation.
45 Sec. . NEW SECTION. 496A.74A CONTROL SHARE
46 ACQUISITIONS.
47 1. AUTHORIZATION IN ARTICLES.
48 a. Unless otherwise expressly provided in the
49 articles of an issuing public corporation, this
50 section applies to a control share acquisition.

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1 b. All shares acquired by an acquiring person in
2 violation of subsection 4 shall be denied voting
3 rights for one year after acquisition, the shares
4 shall be nontransferable on the books of the
5 corporation for one year after acquisition and the
6 corporation, during the one-year period, has the
7 option to call the shares for redemption either at the
8 price at which the shares were acquired or at book
9 value per share as of the last day of the fiscal
10 quarter ended prior to the date of the call for
11 redemption. Such a redemption shall occur on the date
12 set in the call notice but not later than sixty days
13 after the call notice is given.
14 2. INFORMATION STATEMENT. A person proposing to
15 make a control share acquisition shall deliver to the
16 issuing public corporation at its principal executive
17 office an information statement containing all of the
18 following:
19 a. The identity of the person.
20 b. A reference that the statement is made under
21 this section.
22 c. The number of shares of the issuing public
23 corporation beneficially owned by the person.
24 d. A specification of which of the following
25 ranges of voting power in the election of directors
26 would result from consummation of the control share
27 acquisition:
28 (1) At least ten percent but less than twenty
29 percent.
30 (2) At least twenty percent but less than thirty
31 percent.
32 (3) At least thirty percent but less than forty
33 percent.
34 (4) At least forty percent but less than a
35 majority.
36 (5) At least a majority.
37 e. The terms of the proposed control share
38 acquisition, including, but not limited to, the source

39 of funds or other consideration and the material terms
40 of the financial arrangements for the control share
41 acquisition, any plans or proposals of the acquiring
42 person to liquidate the issuing public corporation, to
43 sell all or substantially all of its assets, or merge
44 it or exchange its shares with any other person, to
45 change the location of its principal executive office
46 or of a material portion of its business activities,
47 to change materially its management or policies of
48 employment, to alter materially its relationship with
49 suppliers or customers or the communities in which it
50 operates, or make any other material change in its

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1 business, corporate structure, management or
2 personnel, and other information which would affect
3 the decision of a shareholder with respect to voting
4 on the proposed control share acquisition.
5 3. MEETING OF SHAREHOLDERS. Within five days
6 after receipt of an information statement pursuant to
7 subsection 2, a special meeting of the shareholders of
8 the issuing public corporation shall be called
9 pursuant to section 496A.28 to vote on the proposed
10 control share acquisition. The meeting shall be held
11 no later than fifty-five days after receipt of the
12 information statement, unless the acquiring person
13 agrees to a later date, and no sooner than thirty days
14 after receipt of the information statement, if the
15 acquiring person so requests in writing when
16 delivering the information statement. The notice of
17 the meeting shall at a minimum be accompanied by a
18 copy of the information statement and a statement
19 disclosing that the issuing public company recommends
20 acceptance of, expresses no opinion and is remaining
21 neutral toward, or is unable to take a position with
22 respect to the proposed control share acquisition.
23 The notice of meeting shall be given within twenty-
24 five days after receipt of the information statement.
25 4. CONSUMMATION OF CONTROL SHARE ACQUISITION. The
26 acquiring person may consummate the proposed control
27 share acquisition if and only if both of the following
28 occur:
29 a. The proposed control share acquisition is
30 approved by the affirmative vote of the holders of a
31 majority of the voting power of all shares entitled to
32 vote which are not beneficially owned by the acquiring
33 person. A class or series of shares of the
34 corporation is entitled to vote as a class or series
35 if any provision of the control share acquisition

36 would, if contained in a proposed amendment to the
37 articles, entitle the class or series to vote as a
38 class or series.

39 b. The proposed control share acquisition is
40 consummated within one hundred eighty days after
41 shareholder approval.”

TOM MANN, Jr.

S-3995

1 Amend the amendment S-3953 to House File 593 as
2 passed by the House as follows:

3 1. Page 1, by striking lines 20 through 21 and
4 inserting the following:

5 “ ___. Page 1, by striking lines 20 through 21 and
6 inserting the following:

7 “3. The person desiring that an accident be
8 excluded from their operating re-”.”

MILO COLTON

S-3996

1 Amend the amendment S-3951 to House File 593 as
2 passed by the House as follows:

3 1. Page 1, by striking lines 20 through 21 and
4 inserting the following:

5 “ ___. Page 1, by striking lines 20 through 21 and
6 inserting the following:

7 “3. The person desiring that an accident be
8 excluded from their operating re-”.”

MILO COLTON

S-3997

1 Amend the amendment S-3956 to House File 593 as
2 passed by the House as follows:

3 1. Page 1, by striking lines 20 through 21 and
4 inserting the following:

5 “ ___. Page 1, by striking lines 20 through 21 and
6 inserting the following:

7 “3. The person desiring that an accident be
8 excluded from their operating re-”.”

MILO COLTON

S-3998

- 1 Amend the amendment S-3955 to House File 593 as
- 2 passed by the House as follows:
- 3 1. Page 1, by striking lines 20 through 21 and
- 4 inserting the following:
- 5 " ___. Page 1, by striking lines 20 through 21 and
- 6 inserting the following:
- 7 "3. The person desiring that an accident be
- 8 excluded from their operating re-".

MILO COLTON

S-3999

- 1 Amend the amendment S-3957 to House File 593 as
- 2 passed by the House as follows:
- 3 1. Page 1, by striking lines 21 through 22 and
- 4 inserting the following:
- 5 " ___. Page 1, by striking lines 20 through 21 and
- 6 inserting the following:
- 7 "3. The person desiring that an accident be
- 8 excluded from their operating re-".

MILO COLTON

S-4000

- 1 Amend the amendment S-3954 to House File 593 as
- 2 passed by the House as follows:
- 3 1. Page 1, by striking lines 21 through 22 and
- 4 inserting the following:
- 5 " ___. Page 1, by striking lines 20 through 21 and
- 6 inserting the following:
- 7 "3. The person desiring that an accident be
- 8 excluded from their operating re-".

MILO COLTON

S-4001

- 1 Amend the amendment S-3958 to House File 593 as
- 2 passed by the House as follows:
- 3 1. Page 1, by striking lines 21 through 22 and
- 4 inserting the following:
- 5 " ___. Page 1, by striking lines 20 through 21 and
- 6 inserting the following:

7 "3. The person desiring that an accident be
8 excluded from their operating re-"."

MILO COLTON

S-4002

1 Amend the amendment S-3969 to House File 593 as
2 passed by the House as follows:
3 1. Page 1, by striking lines 25 through 26 and
4 inserting the following:
5 "___ Page 1, by striking lines 20 through 21 and
6 inserting the following:
7 "3. The person desiring that an accident be
8 excluded from their operating re-"."

MILO COLTON

S-4003

1 Amend the amendment S-3952 to House File 593 as
2 passed by the House as follows:
3 1. Page 1, by striking lines 25 through 26 and
4 inserting the following:
5 "___ Page 1, by striking lines 20 through 21 and
6 inserting the following:
7 "3. The person desiring that an accident be
8 excluded from their operating re-"."

MILO COLTON

S-4004

1 Amend the House amendment S-3989 to Senate File 562
2 as amended, passed and reprinted by the Senate, as
3 follows:
4 1. Page 1, by striking line 32.

RICHARD F. DRAKE
JOE WELSH
DON GETTINGS
CALVIN O. HULTMAN
JOHN N. NYSTROM
HURLEY W. HALL

S-4005

1 Amend the amendment S-3973 to House File 593 as
2 passed by the House as follows:
3 1. Page 1, by striking lines 26 through 27 and

4 inserting the following:

5 " ___. Page 1, by striking lines 20 through 21 and

6 inserting the following:

7 "3. The person desiring that an accident be

8 excluded from their operating re-"."

MILO COLTON

S-4006

1 Amend the amendment S-3970 to House File 593 as

2 passed by the House as follows:

3 1. Page 1, by striking lines 26 through 27 and

4 inserting the following:

5 " ___. Page 1, by striking lines 20 through 21 and

6 inserting the following:

7 "3. The person desiring that an accident be

8 excluded from their operating re-"."

MILO COLTON

S-4007

1 Amend the amendment S-3972 to House File 593 as

2 passed by the House as follows:

3 1. Page 1, by striking lines 26 through 27 and

4 inserting the following:

5 " ___. Page 1, by striking lines 20 through 21 and

6 inserting the following:

7 "3. The person desiring that an accident be

8 excluded from their operating re-"."

MILO COLTON

S-4008

1 Amend the amendment S-3971 to House File 593 as

2 passed by the House as follows:

3 1. Page 1, by striking lines 26 through 27 and

4 inserting the following:

5 " ___. Page 1, by striking lines 20 through 21 and

6 inserting the following:

7 "3. The person desiring that an accident be

8 excluded from their operating re-"."

MILO COLTON

S-4009

1 Amend House File 570 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 1, by striking lines 1 through 30.

4 2. Page 1, line 32, by striking the word "A" and
5 inserting the following: "Notwithstanding section
6 432.1, a".

7 3. Page 1, line 35, by inserting after the word
8 "pay" the following: "as taxes".

9 4. Page 2, line 1, by striking the word "one" and
10 inserting the following: "two".

11 5. Page 2, by striking lines 5 and 6 and
12 inserting the following: "rejected applications.
13 Section 432.1, subsections 3 and 4, apply to the tax
14 imposed by this section."

15 6. Page 2, by inserting after line 6 the
16 following:

17 "Sec. 101. NEW SECTION. 432.5 EXEMPTION.

18 The tax imposed by this chapter shall not be
19 payable with respect to premiums or other payments
20 received by domestic or foreign insurance companies,
21 hospital services corporations, medical service
22 corporations, pharmaceutical service corporations,
23 optometric service corporations, and any other service
24 corporations operating under chapter 514 or health
25 maintenance organizations with respect to accident and
26 health insurance or hospital or medical services or
27 health care services provided or furnished to
28 residents of this state who have attained the age of
29 sixty-five years."

30 7. Page 2, by inserting after line 22 the
31 following:

32 "Sec. 102. NEW SECTION. 514.23 MUTUALIZATION
33 PLAN.

34 A corporation organized and governed by this
35 chapter may become a mutual insurer under a plan which
36 is approved by the commissioner of insurance as being
37 in compliance with this section. The commissioner
38 shall approve a plan for mutualization if all of the
39 following conditions are met:

40 1. The plan provides for the protection of all
41 existing contractual rights of the service plan
42 subscribers to health care services or claims for
43 reimbursement, and provides for the mutualizing
44 insurer to assume, without reincorporation, all assets
45 and liabilities of the preceding health care service
46 corporation.

47 2. The plan is subject to approval by the
48 corporation in accordance with the procedures
49 specified in its articles of incorporation and bylaws
50 for the amendment of the articles.

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1 3. The mutualization will leave the insurer with
2 surplus funds reasonably adequate for the security of
3 its policyholders.

4 Notwithstanding section 515.1, the mutualizing
5 insurer shall continue to be organized under chapter
6 504A.

7 This section governs the mutualizing insurer in
8 lieu of law governing the procedures for establishing
9 a new mutual insurer.

10 An insurer mutualized in accordance with this
11 section may contract with health care services
12 providers under the provisions of chapter 504A and
13 offer different levels of benefits to policyholders
14 based upon the provider contracts."

15 8. Page 2, by inserting after line 22 the
16 following:

17 "Sec. 103. For each fiscal year beginning July 1,
18 1985, a sum equal to one third of the premium taxes
19 paid under chapter 432 on premiums and payments on
20 individual and group accident and health insurance
21 policies and certificates and individual and group
22 subscriber contracts under chapter 514 shall be set
23 aside in a separate account within the general fund
24 and reserved solely for the purposes of implementing
25 the programs to be studied as provided in section 104
26 of this Act. The balance of the account shall be
27 considered part of the balance of the general fund of
28 the state except for purposes of determining the
29 annual inflation factor under section 422.4,
30 subsection 17. The funds within the account shall not
31 be expended except as otherwise provided by the
32 general assembly.

33 Sec. 104. The legislative council shall create a
34 study committee composed of members of the senate
35 committee on commerce and the house committee on small
36 business and commerce representing both political
37 parties, citizen members from the insurance industry
38 having expertise in insurance matters, and such other
39 persons as may be deemed appropriate. The committee
40 shall study the manner in which states presently
41 administer guaranty fund laws which provide for the
42 indemnification of losses of policyholders of
43 insolvent life and health insurance companies as well
44 as the manner in which states administer risk-sharing
45 pools which provide accident and health insurance to
46 persons who are uninsurable. The study committee
47 shall review the funding mechanisms of such laws and
48 develop recommendations which specifically address the

49 manner in which the funds deposited in the general
50 fund pursuant to section 103 of this Act shall be used

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1 and administered. Included within the study shall be
2 considerations relating to the administration of the
3 cash flow and funding of the insurance programs,
4 including the collection and deposit of funds,
5 assessments, creation of a permanent state funding
6 mechanism, granting of credits which recognize
7 expenditures to finance guaranty fund and risk-sharing
8 pools, and such other considerations as may assist in
9 providing adequate and protective insurance for the
10 public.

11 The results of the study accompanied by bill drafts
12 designed to carry out recommendations of the
13 committee, shall be submitted to the legislative
14 council, the senate committee on commerce, the house
15 committee on small business and commerce, and to the
16 members of the general assembly prior to convening of
17 the second session of the Seventy-first General
18 Assembly."

19 9. Title page, by striking lines 1 through 3 and
20 inserting the following: "An Act relating to health
21 coverages."

22 10. Renumber as necessary.

COMMITTEE ON
WAYS AND MEANS
WILLIAM D. PALMER, Chair

S-4010

1 Amend Senate Concurrent Resolution 41 as follows:

2 1. Page 1, line 18, by inserting after the word
3 "Safety" the following: "and city and county law
4 enforcement agencies".

5 2. Page 1, line 20, by striking the word "its"
6 and inserting the word "their".

7 3. Page 1, line 23, by inserting after the word
8 "That" the following: ", after consultation with the
9 Iowa State Sheriffs' and Deputies' Association, the
10 Iowa State Policemen's Association, and the Iowa
11 Association of Chiefs of Police and Peace Officers,".

12 4. Page 1, line 25, by striking the word "its"
13 and inserting the word "the".

14 5. Page 1, line 26, by inserting after the word
 15 "laws" the words "in the state".

COMMITTEE ON
 TRANSPORTATION
 C. JOSEPH COLEMAN, Chair

S-4011

1 Amend Senate File 566 as follows:
 2 1. Page 1, by inserting after line 12 the
 3 following:
 4 "The provider of pay telephone services shall not
 5 incur any losses for providing change devices for pay
 6 telephones. If the provider incurs any losses in
 7 providing change devices on pay telephones, a claim to
 8 recover the loss may be filed with the state
 9 comptroller who shall pay all claims in Susan B.
 10 Anthony dollars.
 11 Any past or present member of the general assembly
 12 is prohibited from engaging in the manufacture,
 13 distribution, sale or resale of pay telephone change
 14 devices."

NORMAN RODGERS

S-4012

1 Amend the House amendment S-3947 to Senate File 475
 2 as amended, passed, and reprinted by the Senate as
 3 follows:
 4 1. Page 1, line 50, by inserting after the word
 5 "offer." the following: "However, for the purposes of
 6 section 502.217, if the offeree is a municipal
 7 utility, an offer of either equity securities or
 8 assets are sufficient to make the municipal utility an
 9 offeree, irregardless of any other test within this
 10 definition."
 11 2. Page 2, line 38, by inserting after the word
 12 "commission." the following: "However, for the
 13 purpose of section 502.217, if the public utility is a
 14 municipal utility, the term "take over offer" includes
 15 municipal utilities, notwithstanding any other portion
 16 of or test within this definition."
 17 3. Page 2, line 49, by inserting after the word
 18 "market." the following: "However, for the purposes
 19 of section 502.217, the term "target company" shall
 20 include municipal utilities notwithstanding any other
 21 portion of or test within this definition."
 22 4. Page 3, line 14, by inserting after the word

23 "person." the following: "For the purposes of section
24 502.217, the term "beneficial owner" includes the
25 owner of stock or assets of a municipal utility
26 irregardless of any other portion of or test within
27 this definition."

28 5. Page 3, line 25, by inserting after the word
29 "person." the following: "For the purposes of section
30 502.217, the term "beneficial ownership" includes the
31 ownership of stock or assets of a municipal utility
32 irregardless of any other portion of or test within
33 this definition."

34 6. Page 9, by striking lines 14 through 22 and
35 inserting the following:

36 "Sec. 9. NEW SECTION. 502.17 APPLICATION OF
37 CORPORATE TAKEOVER LAW.

38 If the target company is a public utility, public
39 utility holding company, national banking association,
40 bank holding company, or savings and loan association
41 which is subject to regulation by a federal agency and
42 the take over of such company is subject to approval
43 by the federal agency, sections 502.211 through
44 502.216 and 502.218 do not apply. However, for the
45 purposes of this section, if the target company is a
46 public utility, and a takeover has been consummated,
47 either by stock purchase or purchase of assets and if
48 that offeror is an investor-owned public utility, the
49 successful offeror shall not be allowed by the Iowa
50 state commerce commission to treat as below-the-line

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1 expenditures the purchase cost of stock or assets
2 involved in the acquisition of an existing electric or
3 gas public utility. The purchase cost and associated
4 costs shall be borne by the stockholders of the
5 investor-owned public utility."

MICHAEL E. GRONSTAL

S-4013

1 Amend the House amendment S-3947 to Senate File 475
2 as amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting after line 4 the
5 following:

6 "Section 1. Section 496A.2, Code 1985, is amended
7 by adding the following new subsections:

8 NEW SUBSECTION. 15. "Acquiring person" means a
9 person that is required to deliver an information

10 statement under section 496A.74A.

11 NEW SUBSECTION. 16. "Control share acquisition"

12 means an acquisition of shares of an issuing public
13 corporation resulting in beneficial ownership by an
14 acquiring person of a new range of voting power
15 specified in section 496A.74A, subsection 2, paragraph
16 "d", but does not include any of the following:

17 a. An acquisition before, or pursuant to an
18 agreement entered into before, the effective date of
19 this Act.

20 b. An acquisition by a donee pursuant to an inter
21 vivos gift not made to avoid section 496A.74A or by a
22 distributee as defined in section 633.3.

23 c. An acquisition pursuant to a security agreement
24 not created to avoid section 496A.74A.

25 d. An acquisition under sections 496A.68 through
26 496A.74, if the issuing public corporation is a party
27 to the transaction.

28 e. An acquisition from the issuing public
29 corporation.

30 NEW SUBSECTION. 17. "Issuing public corporation"

31 means a corporation with at least fifty shareholders
32 and having its principal place of business or
33 substantial assets located in this state.

34 Sec. 2. NEW SECTION. 496A.28A SOLICITATION FOR
35 PROXY IN CONTROL SHARE ACQUISITIONS.

36 Notwithstanding any contrary provision of this
37 chapter, a proxy relating to a meeting of shareholders
38 required under section 496A.74A, subsection 3, shall
39 be solicited separately from the offer to purchase or
40 solicitation of an offer to sell shares of the issuing
41 public corporation and shall not be solicited sooner
42 than thirty days before the meeting unless otherwise
43 agreed in writing by the acquiring person and the
44 issuing public corporation.

45 Sec. 3. NEW SECTION. 496A.74A CONTROL SHARE
46 ACQUISITIONS.

47 1. AUTHORIZATION IN ARTICLES.

48 a. Unless otherwise expressly provided in the
49 articles of an issuing public corporation, this
50 section applies to a control share acquisition.

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1 b. All shares acquired by an acquiring person in
2 violation of subsection 4 shall be denied voting
3 rights for one year after acquisition, the shares
4 shall be nontransferable on the books of the
5 corporation for one year after acquisition and the
6 corporation, during the one-year period, has the

7 option to call the shares for redemption either at the
8 price at which the shares were acquired or at book
9 value per share as of the last day of the fiscal
10 quarter ended prior to the date of the call for
11 redemption. Such a redemption shall occur on the date
12 set in the call notice but not later than sixty days
13 after the call notice is given.

14 2. INFORMATION STATEMENT. A person proposing to
15 make a control share acquisition shall deliver to the
16 issuing public corporation at its principal executive
17 office an information statement containing all of the
18 following:

19 a. The identity of the person.

20 b. A reference that the statement is made under
21 this section.

22 c. The number of shares of the issuing public
23 corporation beneficially owned by the person.

24 d. A specification of which of the following
25 ranges of voting power in the election of directors
26 would result from consummation of the control share
27 acquisition:

28 (1) At least ten percent but less than twenty
29 percent.

30 (2) At least twenty percent but less than thirty
31 percent.

32 (3) At least thirty percent but less than forty
33 percent.

34 (4) At least forty percent but less than a
35 majority.

36 (5) At least a majority.

37 e. The terms of the proposed control share
38 acquisition, including, but not limited to, the source
39 of funds or other consideration and the material terms
40 of the financial arrangements for the control share
41 acquisition, any plans or proposals of the acquiring
42 person to liquidate the issuing public corporation, to
43 sell all or substantially all of its assets, or merge
44 it or exchange its shares with any other person, to
45 change the location of its principal executive office
46 or of a material portion of its business activities,
47 to change materially its management or policies of
48 employment, to alter materially its relationship with
49 suppliers or customers or the communities in which it
50 operates, or make any other material change in its

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1 business, corporate structure, management or
2 personnel, and other information which would affect
3 the decision of a shareholder with respect to voting
4 on the proposed control share acquisition.
5 3. MEETING OF SHAREHOLDERS. Within five days
6 after receipt of an information statement pursuant to
7 subsection 2, a special meeting of the shareholders of
8 the issuing public corporation shall be called
9 pursuant to section 496A.28 to vote on the proposed
10 control share acquisition. The meeting shall be held
11 no later than fifty-five days after receipt of the
12 information statement, unless the acquiring person
13 agrees to a later date, and no sooner than thirty days
14 after receipt of the information statement, if the
15 acquiring person so requests in writing when
16 delivering the information statement. The notice of
17 the meeting shall at a minimum be accompanied by a
18 copy of the information statement and a statement
19 disclosing that the issuing public company recommends
20 acceptance of, expresses no opinion and is remaining
21 neutral toward, or is unable to take a position with
22 respect to the proposed control share acquisition.
23 The notice of meeting shall be given within twenty-
24 five days after receipt of the information statement.
25 4. CONSUMMATION OF CONTROL SHARE ACQUISITION. The
26 acquiring person may consummate the proposed control
27 share acquisition if and only if both of the following
28 occur:
29 a. The proposed control share acquisition is
30 approved by the affirmative vote of the holders of a
31 majority of the voting power of all shares entitled to
32 vote which are not beneficially owned by the acquiring
33 person. A class or series of shares of the
34 corporation is entitled to vote as a class or series
35 if any provision of the control share acquisition
36 would, if contained in a proposed amendment to the
37 articles, entitle the class or series to vote as a
38 class or series.
39 b. The proposed control share acquisition is
40 consummated within one hundred eighty days after
41 shareholder approval.”
42 2. Page 10, by inserting after line 11 the
43 following:
44 “Sec. 13. Sections 1 through 3 of this Act take
45 effect July 1, 1986.”

TOM MANN, Jr.

S-4014

- 1 Amend the amendment S-3964 to Senate File 559 as
2 follows:
3 1. Page 1, line 4, by striking the word "five"
4 and inserting the following: "thirty-five".

EDGAR H. HOLDEN

S-4015

- 1 Amend Senate File 565 as follows:
2 1. Page 8, by inserting after line 8 the
3 following:
4 "Sec. __. Moneys appropriated by the general
5 assembly from the road use tax fund to the general
6 fund of the state to fund the Iowa highway safety
7 patrol shall be reduced in the fiscal year beginning
8 July 1, 1986 and ending June 30, 1987 and each
9 succeeding fiscal year in an amount equal to one
10 fourth of the amount transferred in the fiscal year
11 beginning July 1, 1985 and ending June 30, 1986. In
12 the fiscal year beginning July 1, 1989 and ending June
13 30, 1990, no funds shall be transferred from the road
14 use tax fund to the general fund of the state to fund
15 the Iowa highway safety patrol."
16 2. Renumber sections as necessary.

HURLEY W. HALL

S-4016

- 1 Amend House File 700 as passed by the House as
2 follows:
3 1. Page 2, by striking lines 2 through 6 and
4 inserting the following: "emotional health. For
5 purposes of this paragraph, the failure to provide
6 specific medical treatment shall not for that reason
7 alone be considered willful deprivation of health care
8 if the person can show that such treatment would
9 conflict with the tenets and practice of a recognized
10 religious denomination of which the person is an
11 adherent or member. This exception does not in any
12 manner".

BOB CARR
TOM MANN, JR.
JULIA B. GENTLEMAN

HOUSE AMENDMENT TO
SENATE FILE 434

S-4017

1 Amend Senate File 434, as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, line 14, by striking the figure
4 "63,394" and inserting the following: "63,229".

5 2. Page 1, line 20, by striking the figure
6 "3,000" and inserting the following: "2,756".

7 3. Page 1, line 30, by striking the figure
8 "1,703,964" and inserting the following: "1,697,016".

9 4. Page 1, by inserting after line 30 the
10 following:

11 "It is the intent of the general assembly that the
12 individual budgets of state agencies have been reduced
13 two million five hundred thousand (2,500,000) dollars
14 for travel, two million (2,000,000) dollars for
15 equipment purchases, and one million (1,000,000)
16 dollars for motor vehicle depreciation from the
17 governor's recommended budget.

18 It is the further intent of the general assembly
19 that the state comptroller may authorize reallocations
20 within an appropriated fund for vehicle depreciation
21 as necessary for an agency to carry out its assigned
22 functions."

23 5. By striking page 1, line 31, through page 2,
24 line 3.

25 6. Page 2, line 8, by striking the figure
26 "6,485,960" and inserting the figure "6,480,229".

27 7. Page 2, line 20, by striking the figure
28 "1,524,877" and inserting the figure "1,497,438".

29 8. Page 2, line 32, by striking the figure
30 "3,207,705" and inserting the figure "3,193,091".

31 9. Page 3, by inserting after line 4 the
32 following:

33 "Notwithstanding section 29A.57, the proceeds from
34 the sale of the armory in Dubuque shall revert to the
35 general fund of the state and not to the national
36 guard facilities improvement fund."

37 10. Page 3, by inserting after line 4, the
38 following:

39 "It is the intent of the General Assembly that the
40 Adjutant General of the Iowa National Guard present to
41 the members of the State Government Appropriations
42 Subcommittee a detailed report outlining the
43 conditions under which the Selective Retention Program
44 was utilized during the previous year. Such report
45 shall include but not be limited to the ages, ranks

46 and years of service of the guard personnel retained
47 or dismissed.”

48 11. Page 3, line 8, by striking the figure
49 “121,921” and inserting the following: “120,676”.

50 12. Page 3, line 15, by striking the figure

Page 2

1 “161,129” and inserting the following: “160,960”.

2 13. Page 3, line 35, by striking the figure
3 “5,003,081” and inserting the figure “4,957,680”.

4 14. Page 6, line 21, by striking the figure
5 “683,711” and inserting the figure “702,769”.

6 15. Page 9, by inserting after line 13 the fol-
7 lowing:

8 “Sec. __. COMPARABLE WORTH PAY ADJUSTMENTS.

9 There is appropriated from the general fund of the
10 state to the salary adjustment fund established in
11 section 8.43 for the fiscal year beinning July 1, 1985
12 and ending June 30, 1986, the sum of nineteen million
13 (19,000,000) dollars, or so much thereof as is
14 necessary, to be distributed to the various
15 departments to supplement other general fund moneys
16 appropriated by the general assembly to provide salary
17 adjustments resulting from implementing actions taken
18 under 1984 Iowa Acts, chapter 1314 including plans
19 developed for agencies with positions which are exempt
20 or partially exempt from the state merit system
21 pursuant to 1984 Iowa Acts, chapter 1314, section 8.”

22 16. Page 9, by striking lines 14 through 28 and
23 inserting the following:

24 “Sec. __. Senate File 269, enacted by the
25 Seventy-first General Assembly, 1985 Session, section
26 1, subsections 1 through 9, are amended to read as
27 follows:

28 1. BOARD OF ARCHITECTURAL
29 EXAMINERS

30 For salaries, support, main-
31 tenance, and other operational
32 purposes \$ 29,000
33 36,791

34 2. BOARD OF LANDSCAPE ARCHI-
35 TECTURAL EXAMINERS

36 For salaries, support, main-
37 tenance, and other operational
38 purposes \$ 10,000
39 9,770

40 3. BOARD OF ACCOUNTANCY

41 For salaries, support, main-
42 tenance, and other operational

43	purposes		\$ 256,000
44		<u>251,440</u>	
45	4. STATE BOARD OF ENGINEER-		
46	ING EXAMINERS		
47	For salaries, support, main-		
48	tenance, and other operational		
49	purposes		\$ 124,000
50		<u>120,568</u>	

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1	5. IOWA REAL ESTATE COM-		
2	MISSION		
3	For salaries, support, main-		
4	tenance, and other operational		
5	purposes		\$ 323,000
6		<u>312,447</u>	
7	6. BOARD OF MEDICAL		
8	EXAMINERS		
9	For salaries, support,		
10	maintenance, and miscel-		
11	laneous purposes		\$ 639,000
12		<u>620,497</u>	
13	7. BOARD OF NURSE EXAMINERS		
14	For salaries, support,		
15	maintenance, and miscel-		
16	laneous purposes		\$ 558,000
17		<u>550,520</u>	
18	8. BOARD OF PHARMACY		
19	EXAMINERS		
20	For salaries, support,		
21	maintenance, and miscel-		
22	laneous purposes		\$ 367,000
23		<u>345,974</u>	
24	9. BOARD OF DENTAL		
25	EXAMINERS		
26	For salaries, support,		
27	maintenance, and miscel-		
28	laneous purposes		\$ 112,000
29		<u>106,733</u>	
30	Sec. ____ . Senate File 269, enacted by the Seventy-		
31	first General Assembly, 1985 Session, section 2,		
32	subsections 1 through 10, are amended to read as		
33	follows:		
34	1. AUDITOR OF STATE		
35	For salaries, support, main-		
36	tenance, and other operational		
37	purposes		\$ 2,011,000
38		<u>1,980,803</u>	
39	2. DEPARTMENT OF BANKING		

40 For salaries, support, main-
 41 tenance, and other operational
 42 purposes \$ 3,804,000
 43 3,687,250
 44 The department of banking may expend additional
 45 funds, if those additional expenditures are actual
 46 expenses which exceed the funds budgeted for banking
 47 institution examinations and directly result from
 48 examinations of banking institutions. Before the
 49 department expends or encumbers an amount in excess of
 50 the funds budgeted for examinations, the state

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1 comptroller shall approve the expenditure or
 2 encumbrance. Before approval is given, the state
 3 comptroller shall determine that the examination
 4 expenses exceed the funds budgeted by the general
 5 assembly to the department and that the department
 6 does not have other funds from which examination
 7 expenses can be paid. Upon approval of the state
 8 comptroller the department may expend and encumber
 9 funds for excess examination expenses. The amounts
 10 necessary to fund for excess examination expenses
 11 shall be collected from those banking institutions
 12 being examined which caused the excess expenditures
 13 and the collections shall be treated as repayment
 14 receipts as defined in section 8.2, subsection 5.

15 3. IOWA BEER AND LIQUOR
 16 CONTROL DEPARTMENT

17 For salaries, support, main-
 18 tenance, and other operational
 19 purposes which includes one
 20 hundred ninety-three thousand
 21 dollars for the establishment
 22 of agency stores and ministores \$19,363,000
 23 18,074,000

24 Any amount of the one hundred ninety-three thousand
 25 dollars for the establishment of agency stores and
 26 ministores that remain unobligated on June 30, 1986
 27 shall revert to the general fund of the state.

28 4. CAMPAIGN FINANCE DIS-
 29 CLOSURE COMMISSION

30 For salaries, support, main-
 31 tenance, and other operational
 32 purposes \$ 137,034
 33 133,035

34 5. CREDIT UNION DEPARTMENT

35 For salaries, support, main-
 36 tenance, and other operational

37	purposes	\$ 560,000
38		<u>546,500</u>
39	6. INSURANCE DEPARTMENT	
40	OF IOWA	
41	For salaries, support, main-	
42	tenance, and other operational	
43	purposes	\$ 2,987,000
44		<u>2,873,456</u>
45	The insurance department may expend additional	
46	funds, if those additional expenditures are actual	
47	expenses which exceed the funds budgeted for insurance	
48	company examinations and directly result from	
49	examinations of insurance companies. Before the	
50	department expends or encumbers an amount in excess of	

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1 the funds budgeted for examinations, the state
2 comptroller shall approve the expenditure or
3 encumbrance. Before approval is given, the state
4 comptroller shall determine that the examination
5 expenses exceed the funds budgeted by the general
6 assembly to the department and that the department
7 does not have other funds from which examination
8 expenses can be paid. Upon approval of the state
9 comptroller the department may expend and encumber
10 funds for excess examination expenses. The amounts
11 necessary to fund the excess examination expenses
12 shall be collected from those insurance companies
13 being examined which caused the excess expenditures
14 and the collections shall be treated as repayment
15 receipts as defined in section 8.2, subsection 5.

16	7. BUREAU OF LABOR	
17	For salaries, support, main-	
18	tenance, and other operational	
19	purposes	\$ 1,582,422
20		<u>1,521,667</u>
21	8. OCCUPATIONAL SAFETY	
22	AND HEALTH REVIEW COMMISSION	
23	For salaries, support, main-	
24	tenance, and other operational	
25	purposes	\$ 49,505
26		<u>48,203</u>
27	9. PUBLIC EMPLOYMENT RE-	
28	LATIONS BOARD	
29	For salaries, support, main-	
30	tenance, and other operational	
31	purposes	\$ 564,000
32		<u>554,746</u>
33	10. SECRETARY OF STATE	

34 For salaries, support, main-
 35 tenance, and other operational
 36 purposes \$ 1,134,000
 37 1,128,851”.
 38 17. By striking page 10, lines 25 through 29.
 39 18. By renumbering, relettering, or redesignating
 40 and correcting internal references as necessary.

S-4018

1 Amend the House amendment S-3989 to Senate File
 2 562 as amended, passed and reprinted by the Senate
 3 as follows:
 4 1. Page 1, by inserting after line 10 the following:
 5 “___. Page 2, by inserting after line 19 the
 6 following:
 7 “___. State office of volunteerism.
 8 For salaries, support, maintenance,
 9 and miscellaneous purposes\$ 19,000””.

CALVIN O. HULTMAN

S-4019

1 Amend Senate File 559 as follows:
 2 1. Page 1, by inserting after line 6 the
 3 following:
 4 “Sec. 2. This Act is retroactive to January 1,
 5 1985 for assessment years beginning on or after that
 6 date.”
 7 2. Title page, line 2, by inserting after the
 8 word “purposes” the following: “and making it
 9 retroactive”.

DONALD V. DOYLE
NORMAN G. RODGERS

S-4020

1 Amend House File 764, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 2, by inserting after line 15 the
 4 following:
 5 “6. Any rules or written pronouncements
 6 interpreting the revenue laws that were made by the
 7 director of revenue or by the director of any division
 8 of the department of revenue prior to the effective
 9 date of the Iowa Administrative Procedure Act shall be
 10 deemed to have been and continue to be in full force
 11 and effect until reversed, repealed or modified in

- 12 accordance with the provisions of the Iowa
 13 Administrative Procedure Act or by law.”

CALVIN O. HULTMAN

HOUSE AMENDMENT TO
 SENATE FILE 374

S-4021

- 1 Amend Senate File 374 as passed by the Senate as
 2 follows:
 3 1. Page 1, line 5, by striking the words
 4 “donation or” and inserting the word “plasma”.
 5 2. Page 1, line 6, by striking the words “or to
 6 blood-taking” and inserting the words “to blood plasma
 7 taking”.
 8 3. Page 1, line 7, by striking the words “an
 9 aggravated” and inserting the words “a serious”.
 10 4. Title page, by striking line 2, and inserting
 11 the following: “plasma sale application to blood
 12 plasma taking personnel”.
 13 5. By renumbering, relettering, or redesignating
 14 and correcting internal references as necessary.

HOUSE AMENDMENT TO
 SENATE FILE 424

S-4022

- 1 Amend Senate File 424 as amended, passed and
 2 reprinted by the Senate, as follows:
 3 1. Page 2, by striking lines 1 and 2 and
 4 inserting the following: “department. Upon”.

HOUSE AMENDMENT TO
 SENATE FILE 461

S-4023

- 1 Amend Senate File 461 as amended, passed and
 2 reprinted by the Senate as follows:
 3 1. Page 1, line 2, by inserting after the word
 4 “chapter” the following: “and in sections 3 through 5
 5 of this Act”.
 6 2. Page 1, by striking lines 5 through 14.
 7 3. By striking page 1, line 20 through page 2,
 8 line 8.
 9 4. Page 2, by striking lines 19 through 32.
 10 5. Page 3, by striking lines 1 through 3 and

11 inserting the following: "chemical dependency
12 treatment or for treatment for mental disorders by a
13 physician or other designee of the third-party payor,
14 and which".

15 6. By striking page 3, line 6 through page 4,
16 line 27.

17 7. By striking page 5, line 7 through page 6,
18 line 15 and inserting the following:

19 "Sec. 3. Section 509.3, Code 1985, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 7. A provision which offers and
22 makes available to the policyholder under a policy
23 providing hospital and medical coverage on an expense
24 incurred basis, benefits for the necessary care and
25 treatment of chemical dependency and mental disorders.
26 However, the policyholder may reject the coverage, or
27 select alternative coverage offered by or negotiated
28 with the insurer. Benefits provided for care and
29 treatment of chemical dependency in a facility, as
30 defined in section 125.2, subsection 2, other than a
31 hospital, are payable as if the care and treatment is
32 provided in a hospital, if the care and treatment is
33 determined to be necessary and is provided pursuant to
34 a written treatment plan. Benefits for the necessary
35 care and treatment of mental disorders shall cover the
36 mental health services which are medically or
37 psychologically necessary or which are necessary to
38 restore a person's capacity for social or biological
39 functioning, and which are provided pursuant to a
40 written treatment plan. However, this subsection does
41 not apply to a blanket, short-term travel, accident
42 only, limited or specified disease, or individual or
43 group conversion policy, or to a policy designed only
44 for issuance to policyholders eligible for medicare
45 coverage under Title XVIII of the federal Social
46 Security Act.

47 Sec. 4. Section 514.5, Code 1985, is amended by
48 adding the following new unnumbered paragraph after
49 the second unnumbered paragraph:

50 NEW UNNUMBERED PARAGRAPH. A hospital service

Page 2

1 corporation or medical service corporation shall offer
2 and make available to subscribers under a group
3 subscriber contract providing hospital or medical and
4 surgical coverage on an expense incurred basis,
5 benefits for the necessary care and treatment of
6 chemical dependency and mental disorders. However,
7 the group may reject the coverage, or select

8 alternative coverage offered by or negotiated with the
 9 corporation. Benefits provided for care and treatment
 10 of chemical dependency in a facility, as defined in
 11 section 125.2, subsection 2, other than a hospital,
 12 are payable as if the care and treatment is provided
 13 in a hospital, if the care and treatment is determined
 14 to be necessary and is provided pursuant to a written
 15 treatment plan. Benefits for the necessary care and
 16 treatment of mental disorders shall cover the mental
 17 health services which are medically or psychologically
 18 necessary or which are necessary to restore a person's
 19 capacity for social or biological functioning, and
 20 which are provided pursuant to a written treatment
 21 plan. However, this paragraph does not apply to a
 22 contract designed only for issuance to subscribers
 23 eligible for medicare coverage under Title XVIII of
 24 the federal Social Security Act.

25 Sec. 5. Section 514B.5, Code 1985, is amended by
 26 adding the following new subsection after subsection 3
 27 and renumbering the subsequent subsections:

28 **NEW SUBSECTION.** 4. The health maintenance
 29 organization offers to provide to groups of enrollees
 30 and makes available to groups of enrollees the
 31 provision of the necessary care and treatment of
 32 chemical dependency and mental disorders. However,
 33 the enrollees may reject the coverage, or select
 34 alternative coverage offered by or negotiated with the
 35 organization. Care and treatment of chemical
 36 dependency provided in a facility, as defined in
 37 section 125.2, subsection 2, other than a hospital,
 38 shall be provided as if the care and treatment is
 39 provided in a hospital, if the care and treatment is
 40 determined to be necessary and is provided pursuant to
 41 a written treatment plan. Benefits for the necessary
 42 care and treatment of mental disorders shall cover the
 43 mental health services which are medically or
 44 psychologically necessary or which are necessary to
 45 restore a person's capacity for social or biological
 46 functioning, and which are provided pursuant to a
 47 written treatment plan. However, this subsection does
 48 not apply to coverages designed only for issuance to
 49 enrollees eligible for medicare coverage under Title
 50 XVIII of the federal Social Security Act."

Page 3

- 1 8. Page 6, line 16, by striking the words
- 2 "individual and".
- 3 9. Page 6, by striking lines 23 through 30.
- 4 10. Title page, by striking lines 1 through 9,

5 and inserting the following: "An Act requiring group
6 health insurance policies, group nonprofit hospital
7 and medical service contracts, and health maintenance
8 organizations to offer and make available coverage for
9 the care and treatment of chemical dependency and
10 mental disorders."
11 11. By renumbering as necessary.

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 571

S-4024

1 Amend the Senate amendment H-3932 to House File 571
2 as amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, by inserting after line 2 the
5 following:
6 " ____ Page 1, line 13, by striking the figure
7 "267,520" and inserting the figure "260,117".
8 ____ Page 2, line 5, by striking the figure
9 "1,091,931" and inserting the figure "1,080,534".
10 ____ Page 2, line 18, by striking the figure
11 "793,054" and inserting the figure "776,260".
12 ____ Page 2, line 32, by striking the figure
13 "131,719" and inserting the figure "128,051".
14 ____ Page 3, line 4, by striking the figure
15 "100,847" and inserting the figure "98,685".
16 ____ Page 3, line 13, by striking the figure
17 "2,736,741" and inserting the figure "2,723,817".
18 ____ Page 3, line 28, by striking the figure
19 "962,678" and inserting the figure "940,503".
20 ____ Page 3, line 35, by striking the figure
21 "750,153" and inserting the figure "728,895".
22 2. Page 1, by inserting after line 3 the
23 following:
24 " ____ Page 4, line 17, by striking the figure
25 "264,110" and inserting the figure "255,951".
26 ____ Page 4, line 24, by striking the figure
27 "1,226,434" and inserting the figure "1,197,589".
28 ____ Page 4, line 30, by striking the figure
29 "640,109" and inserting the figure "604,108".
30 3. Page 1, by striking lines 4 through 10.
31 4. Page 1, line 12, by striking the figure
32 "1,314,427" and inserting the following: "1,311,431".
33 5. Page 1, by striking lines 24 through 27 and
34 inserting the following:
35 " ____ Page 6, line 19, by striking the figure
36 "1,834,852" and inserting the following:

37 "1,816,897".

38 6. Page 1, by inserting after line 31 the
39 following:

40 "____. Page 13, line 17, by striking the figure
41 "115,963" and inserting the following: "114,866".

42 7. Page 1, by striking lines 32 through 35.

43 8. Page 1, by inserting before line 36 the
44 following:

45 "____. Page 13, line 32, by striking the figure
46 "396,863" and inserting the figure "385,129".

47 9. Page 1, by striking lines 38 through 45 and
48 inserting the following:

49 "Sec. ____ The amount of the funds appropriated
50 under sections 1, 2, 3, and 4 of this Act for the

Page 2

- 1 fiscal year beginning July 1, 1985 and ending June 30,
- 2 1986 shall be reduced by one percent, rounded to the
- 3 nearest whole dollar, and the provisions of this
- 4 section shall prevail over any other provisions of
- 5 this Act. However, the funds appropriated in section
- 6 1, subsection 3, shall not be so reduced."
- 7 10. By striking page 1, line 46 through page 2,
- 8 line 3.

S-4025

- 1 Amend Senate File 572 as follows:
- 2 1. Page 11, lines 25 and 26, by striking the
- 3 words and figure "seven hundred thousand (700,000)"
- 4 and inserting the following: "six hundred twenty-five
- 5 thousand (625,000)".
- 6 2. Page 14, lines 22 and 23, by striking the
- 7 words and figure "five hundred fifty thousand
- 8 (550,000)" and inserting the following: "six hundred
- 9 twenty-five thousand (625,000)".

WALLY HORN

S-4026

- 1 Amend Senate File 572 as follows:
- 2 1. Page 22, by inserting after line 28 the
- 3 following:
- 4 "Sec. ____ There is appropriated for the fiscal
- 5 year beginning July 1, 1986 and ending June 30, 1987
- 6 to the agencies and for the purposes specified the
- 7 same amounts that are appropriated under this Act for
- 8 the fiscal year beginning July 1, 1985 and ending June

9 30, 1986.”
10 2. Renumber sections and correct internal
11 references as necessary in accordance with this
12 amendment.

LOWELL L. JUNKINS

S-4027

1 Amend Senate File 572 as follows:
2 1. By striking page 6, line 31, through page 7,
3 line 1 and inserting the following:
4 “b. The department of public”.
5 2. Page 7, by striking lines 11 through 34 and
6 inserting the following:
7 “(3) The remaining funds appropriated in paragraph
8 “a” after the amounts in subparagraphs (1) and (2)
9 have been allocated shall be allocated to merged area
10 schools in the same proportion that moneys are
11 allocated under subparagraphs (1) and (2).”

DALE TIEDEN

S-4028

1 Amend Senate File 572 as follows:
2 1. Page 1, by inserting after line 28 the
3 following:
4 “It is the intent of the general assembly that the
5 state library conduct a study, at a cost of not to
6 exceed three thousand dollars, to determine the
7 feasibility of using electronic data bases to replace
8 the law library collections in the correctional
9 institutions. A report of the findings and
10 recommendations of the study shall be submitted to the
11 justice system appropriations subcommittee not later
12 than January 31, 1986.”

BOB CARR

S-4029

1 Amend Senate File 571 as follows:
2 1. Page 1, line 11, by striking the figure
3 “7,960,000” and inserting the following: “7,809,250”.
4 2. Page 1, by inserting after line 11 the
5 following:
6 “As a condition of the appropriation made by this
7 section, the department, after consultation with
8 provider and consumer organizations, shall adopt rules

9 pursuant to chapter 17A to approve by April 1, 1986
 10 community, supervised apartment living arrangements
 11 for per diem or per hour purchase-of-service
 12 reimbursements or for grants. For the fiscal year be-
 13 ginning July 1, 1985, and ending June 30, 1986, the
 14 department shall continue to reimburse on a per diem
 15 basis those providers of community, supervised
 16 apartment living arrangements which were reimbursed on
 17 a per diem basis during the fiscal year ending June
 18 30, 1985."

19 3. Page 1, line 26, by striking the figure
 20 "22,800,000" and inserting the following:
 21 "22,319,495".

22 4. Page 2, lines 7 and 8, by striking the words
 23 "level of grant payments" and inserting the following:
 24 "schedule of basic needs".

25 5. Page 4, by inserting after line 34 the
 26 following:

27 "In addition, the department, the university of
 28 Iowa hospitals and clinics, representatives of health
 29 provider organizations, the state department of
 30 health, and the Iowa state association of counties
 31 shall cooperate in a study of the applicability of the
 32 state of Colorado's medically indigent program to the
 33 state of Iowa. The study shall include consideration
 34 of all potential funding sources to defray the costs
 35 of a comprehensive perinatal services and obstetrical
 36 access program if such a program is proven to be
 37 economically feasible for the state of Iowa. The
 38 department shall present the results of the study to
 39 the chairpersons of the general assembly's human
 40 services and education appropriations subcommittees by
 41 January 15, 1986."

42 6. Page 5, line 31, by striking the figure
 43 "1,000,000" and inserting the following: "996,123".

44 7. Page 6, line 35, by striking the figure
 45 "25,250,000" and inserting the following:
 46 "24,846,288".

47 8. Page 10, line 3, by striking the figure
 48 "8,080,000" and inserting the following: "8,024,145".

49 9. Page 10, line 18, by striking the figure
 50 "19,430,000" and inserting the following:

Page 2

1 "19,304,550".

2 10. Page 11, line 19, by striking the figure
 3 "33,200,000" and inserting the following:

4 "33,045,782".

5 11. Page 12, by inserting after line 15 the

6 following:

7 "6. As long as there is a demonstrated need, the
8 department of human services shall continue to operate
9 a geriatric program at the state mental health
10 institute at Mount Pleasant. A reduction in the
11 patient population at the institute necessary as a
12 result of the correctional addition at the institute
13 shall not be achieved by eliminating a specific
14 program, unless the institute's citizens' advisory
15 board or the general assembly determines that there is
16 no longer a demonstrable need for the specific
17 program. If the department decides to reduce the
18 catchment area for Mount Pleasant mental health
19 institute, they shall consider the reduction temporary
20 until further population trends are clarified."

21 12. Page 12, line 32, by striking the figure
22 "50,100,000" and inserting the following:
23 "49,645,014".

24 13. Page 16, lines 13 and 14, by striking the
25 words "sixty-six dollars and fifteen" and inserting
26 the following: "sixty-five dollars and fifty".

27 14. Page 16, line 23, by striking the word
28 "twenty-eight" and inserting the following: "eleven".

29 15. Page 18, line 29, by striking the figure
30 "141,000" and inserting the following: "136,065".

31 16. Page 19, line 6, by striking the figure
32 "100,000" and inserting the following: "98,002".

33 17. Page 19, by inserting after line 18 the
34 following:

35 "Sec. 21. The amount of the funds appropriated
36 under this Act for the fiscal year beginning July 1,
37 1985 and ending June 30, 1986 shall be reduced by one
38 percent, rounded to the nearest whole dollar, and the
39 provisions of this section shall prevail over any
40 other provision of this Act."

PATRICK J. DELUHERY

S-4030

1 Amend House File 771 as follows:

2 1. Page 20, by inserting after line 25 the
3 following:

4 "There is appropriated for the fiscal year
5 beginning July 1, 1986 and ending June 30, 1987 to the
6 agencies and for the purposes specified the same
7 amounts that are appropriated under this Act for the
8 fiscal year beginning July 1, 1985 and ending June 30,
9 1986."

10 2. Renumber sections and correct internal

11 references as necessary in accordance with this
12 amendment.

LOWELL L. JUNKINS

S-4031

- 1 Amend the House amendment S-3989 to Senate
- 2 File 562 as follows:
- 3 1. Page 2, line 23, by striking the figure "26"
- 4 and inserting the following: "21".

LOWELL L. JUNKINS

S-4032

- 1 Amend the House amendment S-3990 to Senate
- 2 File 552 as follows:
- 3 1. Page 2, by striking line 42.

LOWELL L. JUNKINS

S-4033

- 1 Amend the House amendment S-4017 to Senate
- 2 File 434 as follows:
- 3 1. Page 5, by striking line 33.

LOWELL L. JUNKINS

S-4034

- 1 Amend Senate File 252 as follows:
- 2 1. Page 1, by striking lines 5 through 6 and
- 3 inserting the following: "Except for 1985 model year
- 4 or older motor trucks, motor trucks with a
- 5 manufacturer's gross vehicle weight rating of more
- 6 than sixty-five hundred pounds, motor homes,
- 7 multipurpose vehicles, ambulances,"
- 8 2. Page 2, by striking line 9 through 12 and
- 9 inserting the following:
- 10 "The Except for 1986 model year or newer motor
- 11 trucks with a manufacturer's gross vehicle weight
- 12 rating of sixty-five hundred pounds or less and except
- 13 for special trucks, the annual registration fee for
- 14 truck tractors, road tractors, and motor trucks,
- 15 except special trucks, shall be based on the
- 16 combined".
- 17 3. Page 2, line 13, by inserting after the word
- 18 "All" the word "such".

- 19 4. Title page, line 1, by inserting after the
20 word "for" the words "1986 model year or newer".
21 5. Title page; by striking line 2 and inserting
22 the following: "a manufacturer's gross vehicle weight
23 rating of sixty-five hundred pounds or less."

THOMAS A. LIND

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 139

S-4035

- 1 Amend the amendment H-3935 to House File 139 as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, by striking line 5 and inserting the
5 following:
6 "Section 1. Section 709.8, subsection 2, Code
7 1985, is amended to read as follows:
8 2. Permit or cause a child to fondle or touch the
9 person's genitals or pubes.
10 Sec. 2. Section 709.12, Code 1985, is amended".
11 2. Page 1, line 8, by inserting after the figure
12 "709.8" the following: ", subsections 1, 2, or 4".
13 3. By renumbering as necessary.

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 231

S-4036

- 1 Amend Senate amendment H-4006 to House File 231 as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 1, by striking lines 3 through 13 and
5 inserting the following:
6 "___ Page 1, by striking lines 1 through 19 and
7 inserting the following:
8 "Section 1. Section 461.2, Code 1985, is amended
9 by adding the following new unnumbered paragraph:
10 NEW UNNUMBERED PARAGRAPH. However, the board of
11 supervisors may install a temporary portable pumping
12 station to remove flood waters in an emergency. The
13 board of supervisors shall levy and collect the cost
14 of the purchase, operation and maintenance of the
15 pumping station from the lands in the district
16 benefited by the pumping station in the same manner as

17 provided for in the construction and maintenance of a
 18 drainage or levee district. For the purpose of this
 19 paragraph an emergency occurs when ponded or standing
 20 water does not freely flow to the outlet ditch and the
 21 capacity of the outlet ditch is not fully used.””

HOUSE AMENDMENT TO
 SENATE AMENDMENT TO
 HOUSE FILE 476

S-4037

1 Amend the Senate amendment H-3933 to House File 476
 2 as amended, passed and reprinted by the House as
 3 follows:

4 1. Page 1, by inserting after line 2 the
 5 following:

6 “ ____ . Page 1, line 12, by striking the figure
 7 “1,469,313” and inserting the figure “1,451,354”.

8 ____ . Page 1, line 32, by striking the figure
 9 “3,421,746” and inserting the figure “3,254,778”.

10 ____ . Page 2, line 6, by striking the figure
 11 “638,701” and inserting the figure “625,804”.

12 2. Page 1, by inserting after line 46 the
 13 following:

14 “ ____ . Page 3, line 12, by striking the figure
 15 “6,461,683” and inserting the figure “6,146,816”.

16 ____ . Page 4, line 24, by striking the figure
 17 “52,169” and inserting the figure “50,416”.

18 ____ . Page 6, line 33, by striking the figure
 19 “376,620” and inserting the figure “371,186”.

20 ____ . Page 7, by inserting after line 6 the
 21 following:

22 “By January 2, 1986 the energy policy council shall
 23 file with the chief clerk of the house of
 24 representatives and the secretary of the senate a
 25 report of the expenditures made under the
 26 institutional conservation program and the state
 27 buildings energy management program during the fiscal
 28 year beginning July 1, 1983 and ending June 30, 1984
 29 and the energy savings realized by virtue of those
 30 expenditures during that fiscal year.”

31 ____ . Page 7, line 16, by striking the figure
 32 “1,233,454” and inserting the figure “1,209,297”.

33 ____ . Page 8, line 3, by striking the figure
 34 “16,400” and inserting the figure “14,990”.

35 ____ . Page 8, line 14, by striking the figure
 36 “3,879,966” and inserting the figure “3,804,553”.

37 ____ . Page 8, line 31, by striking the figure
 38 “8,728,521” and inserting the figure “9,028,521”.

- 39 3. Page 2, by striking line 3 and inserting the
40 following: "session.
41 g. The financial incentive payments may be used in
42 combination with state conservation commission funds."
43 4. Page 2, by inserting after line 3 the
44 following:
45 " ___. Page 9, line 35, by striking the figure
46 "2,682,324" and inserting the figure "2,643,188"."
47 5. Page 3, by striking lines 12 through 19.
48 6. By renumbering, relettering, or redesignating
49 and correcting internal references as necessary.

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 484

S-4038

- 1 Amend amendment H-3890 to House File 484 as passed
2 by the House as follows:
3 1. Page 1, by inserting after line 2 the
4 following:
5 " ___. Page 10, by striking lines 33 through 35
6 and inserting the following:
7 "3. The developer shall pay a filing fee in an
8 amount set by rule by the commission when filing the
9 property report required in subsection 1 or 2."
10 2. Page 1, line 6, by striking the words
11 "intervals" and inserting the following: "estates".

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 523

S-4039

- 1 Amend the Senate amendment, H-3790 to House File
2 523 as amended, and passed by the House as follows:
3 1. Page 1, by inserting after line 10 the
4 following:
5 " ___. Page 1, by striking lines 19 through 33 and
6 inserting the following:
7 "d. The governing body must follow substantially
8 the same authorization procedure required for the
9 issuance of general obligation bonds issued for the
10 same purpose to authorize a lease or a lease-purchase
11 agreement made payable from the debt service fund, or
12 to authorize any lease or lease-purchase contract
13 which would result in the total of annual lease and
14 lease-purchase payments of the city due from the

15 general fund of the city in any future year for lease
 16 or lease-purchase contracts in force on the date of
 17 the authorization, excluding payments to exercise
 18 purchase options or to pay the expenses of operation
 19 or ownership of the property, to exceed ten percent of
 20 the last certified general fund budget amount. In all
 21 other cases, the authorization procedures of section
 22 384.25 shall apply. Chapter 75 shall not be
 23 applicable. A city utility is a separate entity under
 24 the provisions of this section whether it is governed
 25 by the council or another governing body.””
 26 2. By renumbering as necessary.

S-4040

1 Amend House File 771 as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 1, line 11, by striking the figure
 4 “7,809,250” and inserting the following: “7,960,000”.
 5 2. Page 1, by striking lines 12 through 22.
 6 3. Page 2, line 2, by striking the figure
 7 “22,319,495” and inserting the following:
 8 “22,800,000”.
 9 4. Page 2, lines 18 and 19, by striking the words
 10 “schedule of basic needs” and inserting the following:
 11 “level of grant payments”.
 12 5. Page 5, by striking lines 11 through 23.
 13 6. Page 6, line 20, by striking the figure
 14 “996,123” and inserting the following: “1,000,000”.
 15 7. Page 7, line 24, by striking the figure
 16 “24,846,288” and inserting the following:
 17 “25,250,000”.
 18 8. Page 10, line 27, by striking the figure
 19 “8,024,145” and inserting the following: “8,080,000”.
 20 9. Page 11, line 7, by striking the figure
 21 “19,304,550” and inserting the following:
 22 “19,430,000”.
 23 10. Page 12, line 8, by striking the figure
 24 “33,045,782” and inserting the following:
 25 “33,200,000”.
 26 11. Page 13, by striking lines 5 through 17.
 27 12. Page 13, line 34, by striking the figure
 28 “49,645,014” and inserting the following:
 29 “50,100,000”.
 30 13. Page 17, lines 15 and 16, by striking the
 31 words “sixty-five dollars and fifty” and inserting the
 32 following: “sixty-six dollars and fifteen”.
 33 14. Page 17, line 25, by striking the word
 34 “eleven” and inserting the following: “twenty-eight”.
 35 15. Page 19, line 31, by striking the figure

- 36 "136,065" and inserting the following: "141,000".
 37 16. Page 20, line 8, by striking the figure
 38 "98,002" and inserting the following: "100,000".
 39 17. Page 20, by striking lines 21 through 25.

PATRICK J. DELUHERY

S-4041

- 1 Amend House File 771 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 3, by striking lines 3 through 6.

ARNE WALDSTEIN
 BERL E. PRIEBE
 RICHARD VANDE HOEF
 ALVIN V. MILLER

S-4042

- 1 Amend Senate File 572 as follows:
 2 1. Page 21, line 26, by inserting after the word
 3 "level" the following: "except for Japanese and
 4 Chinese. The state comptroller shall pay to each
 5 school district in this state an amount equal to
 6 seventy-five dollars times the sum of the number of
 7 pupils who successfully complete a year-long course at
 8 any level in Japanese or Chinese."

THOMAS A. LIND

S-4043

- 1 Amend Senate File 572 as follows:
 2 1. Page 15, by inserting after line 23 the
 3 following:
 4 " . It is the intent of the general assembly
 5 that as a condition of the appropriations made under
 6 subsections 2, 3, and 4, the state board of regents
 7 shall not discriminate on the basis of family name or
 8 consanguinity for entrance into an institution, or a
 9 program within an institution, under the control of
 10 the state board of regents receiving moneys under
 11 those subsections."

THOMAS LIND

S-4044

- 1 Amend Senate File 572 as follows:
- 2 1. By striking page 2, line 24 through page 3,
- 3 line 8.
- 4 2. By numbering and renumbering sections as
- 5 necessary.

THOMAS A. LIND

S-4045

- 1 Amend House amendment, S-3989, to Senate File 562,
- 2 as amended, passed, and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 7 and 8 and
- 5 inserting the following:
- 6 "___ . Page 1, by inserting after line 20 the
- 7 following:
- 8 "It is the intent of the general assembly that the
- 9 industrial commissioner shall conduct a study during
- 10 the 1985 interim and submit a report, including
- 11 recommendations, not later than January 1, 1986 to the
- 12 respective standing committees on appropriations and
- 13 the appropriations subcommittees on business, trade
- 14 and transportation for a procedure to expedite and
- 15 reduce the processing of claims filed with the
- 16 industrial commissioner's office."

DON GETTINGS

S-4046

- 1 Amend House File 771 as follows:
- 2 1. Page 2, by striking lines 17 through 28 and
- 3 inserting the following:
- 4 "a. As a condition of the appropriation, effective
- 5 July 1, 1985, the department shall establish the
- 6 schedule of basic needs for one person at one hundred
- 7 fifty-nine dollars, for two persons at three hundred
- 8 fourteen dollars, for three persons at three hundred
- 9 seventy dollars, for four persons at four hundred
- 10 thirty-one dollars, for five persons at four hundred
- 11 seventy-seven dollars, for six persons at five hundred
- 12 thirty dollars, for seven persons at five hundred
- 13 eighty-three dollars, for eight persons at six hundred
- 14 thirty-five dollars, for nine persons at six hundred
- 15 eighty-eight dollars, for ten persons at seven hundred

16 fifty-two dollars, and for each additional person at
17 seventy-five dollars.”

RICHARD VANDE HOEF
JACK W. HESTER
DOUGLAS RITSEMA
ARNE WALDSTEIN

S-4047

- 1 Amend the amendment S-3989 to Senate File 562 as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 1, by striking lines 22 through 26.

JOE WELSH
DON GETTINGS

S-4048

- 1 Amend the amendment S-3989 to Senate File 562 as
- 2 amended, passed and reprinted by the Senate, as
- 3 follows:
- 4 1. Page 2, by striking line 23 and inserting the
- 5 following:
- 6 “___. Page 16, by striking lines 22 through 26.”

JOE WELSH

S-4049

- 1 Amend Senate File 572 as follows:
- 2 1. By striking page 5, line 33 through page 6,
- 3 line 9.

MIKE GRONSTAL

S-4050

- 1 Amend Senate File 572 as follows:
- 2 1. By striking page 20, line 22 through page 21,
- 3 line 11.
- 4 2. By renumbering sections as necessary.

MICHAEL GRONSTAL

S-4051

- 1 Amend Senate File 572 as follows:
- 2 1. Page 11, line 3, by striking the figure

3 "18,165,066" and inserting in lieu thereof the figure
4 "15,111,842".

DOUGLAS RITSEMA

S-4052

1 Amend Senate File 572 as follows:
2 1. Page 11, line 19, by striking the figure
3 "\$124,129,528" and inserting the following:
4 "\$123,926,610".
5 2. Page 14, line 21, by striking the figure
6 "\$101,276,118" and inserting the following:
7 "\$100,194,118".
8 3. Page 15, line 13, by striking the figure
9 "\$39,786,901" and inserting the following:
10 "\$39,742,901".
11 4. Page 15, by inserting after line 13 the
12 following:
13 "It is the intent of the general assembly that the
14 appropriations in subsections 2, 3, and 4, not be used
15 to pay for remedial classes or programs which are
16 designed to correct academic deficiencies of
17 students."

THOMAS A. LIND

S-4053

1 Amend Senate File 572 as follows:

DIVISION S-4053A

2 1. Page 12, line 23, by inserting after the word
3 "liver," the word "pancreas,".

DIVISION S-4053B

4 2. Page 12, by striking lines 27 through 34 and
5 inserting the following:
6 "The joint education appropriations subcommittee
7 and the joint human services appropriations
8 subcommittee shall review state policy regarding the
9 funding of organ transplants for medical assistance
10 recipients and through the university hospitals'
11 indigent patient care program. Included in this
12 review shall be a monitoring of the transplantation
13 experience at the university hospitals, a review of
14 the report and recommendations of the governor's

15 advisory committee on organ transplantations, a review
 16 of other state policies on organ transplantation, and
 17 a review of health technology assessment reports
 18 regarding medicare policy on organ transplants,
 19 including use of a determination of need criteria for
 20 funding organ transplants. The joint appropriations
 21 subcommittees may review alternative public health
 22 funding measures as a contrast to funding of organ
 23 transplants.”.

CHARLES BRUNER

S-4054

1 Amend Senate File 572 as follows:
 2 1. Page 12, line 21, by inserting after the
 3 figure “1984.” the following: “Patients eligible for
 4 reimbursement under the medically-needy program shall
 5 be certified for medicaid reimbursement and shall not
 6 be counted under the county indigent patient quotas.”

JULIA B. GENTLEMAN

S-4055

1 Amend Senate File 572 as follows:
 2 1. Page 6, line 30, by striking the figure
 3 “43,992,818” and inserting the figure “43,192,818”.
 4 2. Page 7, by striking lines 11 through 34 and
 5 inserting the following:
 6 “x. For additional
 7 general state financial aid
 8 to merged area XV above
 9 that received under paragraphs
 10 a and b \$300,000
 11 y. For salary
 12 additional increases for
 13 merged area school employees \$500,000
 14 It is the intent of the general assembly that the
 15 funds appropriated in this paragraph be distributed by
 16 the state comptroller to merged area school employees
 17 under the same formula used to grant salary
 18 adjustments to merged area school employees for the
 19 fiscal year beginning July 1, 1985 and ending June 30,
 20 1986.”

JOHN N. NYSTROM
 WILLIAM D. PALMER
 BILL HUTCHINS
 BERL E. PRIEBE

C. JOSEPH COLEMAN
DONALD V. DOYLE
LEONARD L. BOSWELL
DAVID M. READINGER
BOB CARR

S-4056

1 Amend Senate File 572 as follows:
2 1. Page 15, line 13, by striking the figure
3 "\$39,786,901" and inserting the following:
4 "\$39,578,901".
5 2. Page 15, by inserting after line 23 the
6 following:
7 "Sec. ___. There is appropriated from the general
8 fund of the state for the fiscal year beginning July
9 1, 1985 and ending June 30, 1986 to the state board of
10 regents, the sum of two hundred thousand (200,000)
11 dollars, or as much thereof as is necessary, to be
12 used to conduct a study of the feasibility of
13 continuing the laboratory school established under
14 chapter 165. The study shall determine whether a
15 laboratory school is necessary to meet the purposes
16 stated in section 265.1, the costs of operation of the
17 laboratory school, and the benefits derived from the
18 operation of a laboratory school at an institution of
19 higher education under the state board of regents.
20 The state board of regents shall report the results of
21 the study to the general assembly not later than
22 January 15, 1986."
23 3. By numbering and renumbering sections as
24 necessary.

THOMAS A. LIND

S-4057

1 Amend the Nystrom amendment S-4055 to Se572 as follows:
2 1. Page 1, by inserting after line 20 the
3 following:
4 "The state board of public instruction shall
5 formulate an auditable student counting system
6 that uniformly reports and accounts for student
7 credit hours in all merged area schools. This
8 student counting system should provide the basis
9 for allocating future state general aid and state
10 vocational aid and federal vocational aid on

11 an equitable basis for the fiscal year beginning
12 July 1, 1986.”

ARNE WALDSTEIN
BILL HUTCHINS
JOHN N. NYSTROM

S-4058

1 Amend House amendment, S-3990, to Senate File 552,
2 as amended, passed, and reprinted by the Senate, as
3 follows:
4 1. Page 1, line 45, by striking the figure
5 “18,064,000” and inserting the following:
6 “18,191,400”.

CHARLES P. MILLER
JOE J. WELSH

S-4059

1 Amend the House amendment, S-3990, to Senate File
2 552, as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, by striking lines 29 through 35 and
5 inserting the following:
6 “___ Page 10, line 26, by striking the figure
7 “15,858,000” and inserting the following:
8 “15,433,000”.
9 ___ Page 10, line 30, by striking the figure
10 “16,492,000” and inserting the following:
11 “16,067,000”.
12 ___ Page 11, by inserting after line 3 the
13 following:
14 “Sec. ___ Section 602.1301, subsection 2, Code
15 1985, is amended by striking the subsection and
16 inserting in lieu thereof the following:
17 2. a. As early as possible, but not later than
18 December 1, the supreme court shall submit to the
19 legislative fiscal bureau the annual budget request
20 and detailed supporting information for the judicial
21 department. The submission shall be designed to
22 assist the legislative fiscal bureau in its
23 preparation for legislative consideration of the
24 budget request. The information submitted shall
25 contain and be arranged in a format substantially
26 similar to part II of the governor’s budget message as
27 specified in section 8.22.
28 b. Before December 1, the supreme court shall
29 submit to the state comptroller an estimate of the

30 total expenditure requirements of the judicial
31 department. The state comptroller shall include this
32 estimate in the tentative budget transmitted to the
33 governor pursuant to section 8.25.””

CALVIN O. HULTMAN

S-4060

- 1 Amend Senate File 572 as follows:
- 2 1. Page 12, line 1, by striking the figure
- 3 “25,917,985” and inserting the following:
- 4 “24,758,928”.

JULIA B. GENTLEMAN

S-4061

- 1 Amend Senate File 572 as follows:
- 2 1. Page 20, line 32, by striking the word “and”.
- 3 2. Page 20, line 34, by inserting after the
- 4 figure “601A” the following: “, and which serves all
- 5 of the following: minority, economically
- 6 disadvantaged, gifted and talented, emotionally
- 7 disturbed, physically handicapped, and learning
- 8 disabled children”.

MICHAEL GRONSTAL

S-4062

- 1 Amend Senate File 572 as follows:
- 2 1. Page 8, by inserting after line 27 the
- 3 following:
- 4 “ . EDUCATIONAL
- 5 EXCELLENCE INCENTIVE AWARDS
- 6 For educational excellence
- 7 incentive awards granted under
- 8 section 260A.4 \$150,000”.

CALVIN O. HULTMAN
WALLY HORN

S-4063

- 1 Amend Senate File 572 as follows:
- 2 1. Page 22, by inserting after line 28 the
- 3 following new section:
- 4 “Sec. . Any standing appropriation from the
- 5 general fund of the state for programs under the

6 control or supervision of any agency appropriated
7 funds under this Act shall be reduced by one percent,
8 rounded to the nearest whole dollar, for the fiscal
9 year beginning July 1, 1985 and ending June 30, 1986.
10 Any reduction in funds from the general fund of the
11 state to a political subdivision of the state shall
12 reduce the budget of the political subdivision and the
13 political subdivision shall not replace funds reduced
14 from the general fund of the state with funds received
15 from any property taxes levied by the political
16 subdivision."
17 2. Renumber sections and correcting internal
18 references as necessary in accordance with this
19 amendment.

EDGAR H. HOLDEN
CALVIN O. HULTMAN
RAY TAYLOR
LEE W. HOLT
THOMAS A. LIND
JOHN W. JENSEN
DAVID M. READINGER

S-4064

1 Amend Senate File 572 as follows:
2 1. Page 20, by inserting after line 21 the
3 following:
4 "Sec. ____ Section 262.34, Code 1985, is amended
5 to read as follows:
6 262.34 IMPROVEMENTS -- ADVERTISEMENT FOR BIDS.
7 When the estimated cost of construction, repairs,
8 or improvement of buildings or grounds under charge of
9 the state board of regents exceeds twenty-five
10 thousand dollars, the board shall advertise for bids
11 for the contemplated improvement or construction and
12 shall let the work to the lowest responsible bidder.
13 However, if in the judgment of the board bids received
14 are not acceptable, the board may reject all bids and
15 ~~proceed with the construction, repair, or improvement~~
16 ~~by a method as the board may determine advertise for~~
17 new bids. All plans and specifications for repairs or
18 construction, together with bids on the plans or
19 specifications, shall be filed by the board and be
20 open for public inspection. All bids submitted under
21 this section shall be accompanied by a deposit of
22 money, a certified check or a credit union certified
23 share draft in an amount as the board may prescribe."

24 2. By numbering and renumbering sections as
25 necessary.

JOE WELSH

S-4065

1 Amend House File 771, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 4, by striking lines 17 and 18 and
4 inserting the following: "surgical procedures with
5 high coefficients of variation under the medical".
6 2. Page 4, line 22, by striking the word "The"
7 and inserting the following: "Subject to the
8 limitation of funds available for this purpose, the".
9 3. Page 5, by striking lines 4 through 7 and
10 inserting the following: "for a waiver from the
11 federal government to implement the comprehensive
12 perinatal services and obstetrical access program, if
13 the department determines the program will result in
14 cost savings to the state and provide equivalent or
15 improved levels of care and access for the populations
16 the program would".

CHARLES BRUNER
PATRICK DELUHERY

S-4066

1 Amend House File 771 as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 1, line 11, by striking the figure
4 "7,809,250" and inserting the following: "7,860,000".
5 2. Page 2, line 2, by striking the figure
6 "22,319,495" and inserting the following:
7 "22,500,000".
8 3. Page 3, line 29, by striking the figure
9 "121,600,000" and inserting the following:
10 "120,600,000".
11 4. Page 6, line 20, by striking the figure
12 "996,123" and inserting the following: "1,000,000".
13 5. Page 7, line 24, by striking the figure
14 "24,846,288" and inserting the following:
15 "25,250,000".
16 6. Page 10, line 27, by striking the figure
17 "8,024,145" and inserting the following: "8,080,000".
18 7. Page 11, line 7, by striking the figure
19 "19,304,550" and inserting the following:
20 "19,330,000".
21 8. Page 12, line 8, by striking the figure

22 "33,045,782" and inserting the following:
23 "33,100,000".
24 9. Page 13, line 34, by striking the figure
25 "49,645,014" and inserting the following:
26 "50,000,000".
27 10. Page 17, lines 15 and 16, by striking the
28 words "sixty-five dollars and fifty" and inserting the
29 following: "sixty-six dollars and fifteen".
30 11. Page 17, line 25, by striking the word
31 "eleven" and inserting the following: "twenty-eight".

PATRICK J. DELUHERY

S-4067

1 Amend Senate File 572 as follows:
2 1. Page 20, by inserting after line 21 the
3 following:
4 "Sec. 100. NEW SECTION. 262.71 TUITION WAIVER.
5 When funds have been appropriated or are otherwise
6 available to the state board of regents, the state
7 board of regents shall annually waive the tuition for
8 up to three hours of graduate credit for a course of
9 instruction at one of the institutions of
10 postsecondary education under the control of the state
11 board for a teacher employed in a teaching position by
12 a public school district or an approved nonpublic
13 school in this state.
14 The teacher shall meet all of the following
15 requirements:
16 1. The graduate level course in which the teacher
17 enrolls must be in the subject area for which the
18 teacher possesses endorsement or approval.
19 2. The teacher shall have completed at least five
20 years of teaching.
21 3. Written approval of the board of directors of
22 the employing school district or the authorities in
23 charge of the nonpublic school of employment has been
24 filed with the state board.
25 "Sec. 101. Notwithstanding the provisions of
26 section 301, subsection 4, paragraph "g", of House
27 File 225, enacted by the Seventy-first General
28 Assembly, 1985 Session, the state board of regents may
29 make application to the college aid commission for
30 reimbursement payments for the costs of tuition
31 waivers granted under section 100 of this Act from
32 funds appropriated in section 301, subsection 4,
33 paragraph "g", of House File 225, enacted by the
34 Seventy-first General Assembly, 1985 Session. To the
35 extent that moneys are available under that section,

36 the college aid commission shall make reimbursement
37 payments to the state board of regents for the costs
38 of the tuition waivers.”

WALLY HORN

S-4068

1 Amend Senate File 572 as follows:
2 1. Page 4, by inserting after line 19 the
3 following:
4 “x. For supplemental support
5 for high school geography teachers
6 for purposes of evaluating Iowa’s
7 state boundaries in conjunction with
8 proposals contained in Senate File
9 565 of the Seventy-first General
10 Assembly, 1985 Session, and for
11 developing new curriculum methods
12 and materials to teach the new
13 geography of Iowa \$109,500”.

TOM LIND

S-4069

1 Amend House File 771, as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 20, by inserting after line 25 the
4 following new section:
5 “Sec. ____ . There is appropriated for the fiscal
6 year beginning July 1, 1986 and ending June 30, 1987
7 to the agencies and for the purposes specified the
8 same amounts that are appropriated under this Act for
9 the fiscal year beginning July 1, 1985 and ending June
10 30, 1986.”
11 2. Renumber sections and correct internal
12 references as necessary in accordance with this
13 amendment.

LOWELL L. JUNKINS

S-4070

1 Amend House File 761 as passed by the House as
2 follows:
3 1. Page 3, by inserting after line 31 the
4 following:
5 “Sec. ____ . Section 633.561, subsection 1, 1985
6 Iowa Acts, Senate File 531, section 3, is amended to

7 read as follows:

8 1. In a proceeding for the appointment of a
9 guardian, if the proposed ward is an adult and is not
10 the petitioner, the proposed ward is entitled to
11 representation. In a proceeding for the appointment
12 of a guardian, if the proposed ward is a minor or if
13 the proposed ward is an adult under a standby ~~order~~
14 petition, the court shall determine whether, under the
15 circumstances of the case, the proposed ward is
16 entitled to representation. The determination
17 regarding representation shall be made only after
18 notice to the proposed ward is made as the court deems
19 necessary."

DONALD V. DOYLE

S-4071

1 Amend House File 771 as amended, passed, and
2 reprinted by the House, as follows:
3 1. Page 20, by inserting after line 17 the
4 following new section:
5 "Sec. ____ . Any standing appropriation from the
6 general fund of the state for programs under the
7 control or supervision of any agency appropriated
8 funds under this Act shall be reduced by one percent,
9 rounded to the nearest whole dollar, for the fiscal
10 year beginning July 1, 1985 and ending June 30, 1986.
11 Any reduction in funds from the general fund of the
12 state to a political subdivision of the state shall
13 reduce the budget of the political subdivision and the
14 political subdivision shall not replace funds reduced
15 from the general fund of the state with funds received
16 from any property taxes levied by the political
17 subdivision."
18 2. Renumber sections and correcting internal
19 references as necessary in accordance with this
20 amendment.

EDGAR H. HOLDEN

S-4072

1 Amend the House amendment S-3990 to Senate
2 File 552 as amended, passed and reprinted by
3 the Senate as follows:
4 1. Page 2, by striking lines 10 through 12
5 and inserting the following: "The breathalyzer
6 devices shall be set to react at a predetermined
7 alcohol concentration of ten hundredths or less.

8 The department shall establish a".
 9 2. Page 2, lines 33 and 34, by striking the
 10 words ", as a substitute for other sanctions,".

DOUGLAS RITSEMA

S-4073

1 Amend Senate File 572 as follows:
 2 1. Page 12, line 21, by inserting after the
 3 figure "1984." the following: "Prior to sending
 4 a patient to the university of Iowa hospitals
 5 and clinics under the indigent patient program,
 6 the county shall first determine the patient's
 7 eligibility for medical assistance; and, if the
 8 patient is eligible, provide that medical payments
 9 reimbursable under the medical assistance program
 10 are so reimbursed."

CHARLES BRUNER

S-4074

1 Amend the House amendment S-3947 to Senate File 475
 2 as amended, passed and reprinted by the Senate as
 3 follows:
 4 1. Page 1, by inserting after line 4 the
 5 following:
 6 "Sec. ____ . Section 496A.2, Code 1985, is amended
 7 by adding the following new subsections:
 8 **NEW SUBSECTION. 15.** "Acquiring person" means a
 9 person that is required to deliver an information
 10 statement under section 496A.74A.
 11 **NEW SUBSECTION. 16.** "Control share acquisition"
 12 means an acquisition of shares of an issuing public
 13 corporation resulting in beneficial ownership by an
 14 acquiring person of a new range of voting power
 15 specified in section 496A.74A, subsection 2, paragraph
 16 "d", but does not include any of the following:
 17 a. An acquisition before, or pursuant to an
 18 agreement entered into before, the effective date of
 19 this Act.
 20 b. An acquisition by a donee pursuant to an inter
 21 vivos gift not made to avoid section 496A.74A or by a
 22 distributee as defined in section 633.3.
 23 c. An acquisition pursuant to a security agreement
 24 not created to avoid section 496A.74A.
 25 d. An acquisition under sections 496A.68 through
 26 496A.74, if the issuing public corporation is a party
 27 to the transaction.

28 e. An acquisition from the issuing public
29 corporation.
30 NEW SUBSECTION. 17. "Issuing public corporation"
31 means a corporation with at least fifty shareholders
32 and having its principal place of business or
33 substantial assets located in this state.
34 Sec. ____ NEW SECTION. 496A.28A SOLICITATION FOR
35 PROXY IN CONTROL SHARE ACQUISITIONS.
36 Notwithstanding any contrary provision of this
37 chapter, a proxy relating to a meeting of shareholders
38 required under section 496A.74A, subsection 3, shall
39 be solicited separately from the offer to purchase or
40 solicitation of an offer to sell shares of the issuing
41 public corporation and shall not be solicited sooner
42 than thirty days before the meeting unless otherwise
43 agreed in writing by the acquiring person and the
44 issuing public corporation.
45 Sec. ____ NEW SECTION. 496A.74A CONTROL SHARE
46 ACQUISITIONS.
47 1. AUTHORIZATION IN ARTICLES.
48 a. Unless otherwise expressly provided in the
49 articles of an issuing public corporation, this
50 section applies to a control share acquisition.

Page 2

1 b. All shares acquired by an acquiring person in
2 violation of subsection 4 shall be denied voting
3 rights for one year after acquisition, the shares
4 shall be nontransferable on the books of the
5 corporation for one year after acquisition and the
6 corporation, during the one-year period, has the
7 option to call the shares for redemption either at the
8 price at which the shares were acquired or at book
9 value per share as of the last day of the fiscal
10 quarter ended prior to the date of the call for
11 redemption. Such a redemption shall occur on the date
12 set in the call notice but not later than sixty days
13 after the call notice is given.
14 2. INFORMATION STATEMENT. A person proposing to
15 make a control share acquisition shall deliver to the
16 issuing public corporation at its principal executive
17 office an information statement containing all of the
18 following:
19 a. The identity of the person.
20 b. A reference that the statement is made under
21 this section.
22 c. The number of shares of the issuing public
23 corporation beneficially owned by the person.
24 d. A specification of which of the following

25 ranges of voting power in the election of directors
26 would result from consummation of the control share
27 acquisition:
28 (1) At least ten percent but less than twenty
29 percent.
30 (2) At least twenty percent but less than thirty
31 percent.
32 (3) At least thirty percent but less than forty
33 percent.
34 (4) At least forty percent but less than a
35 majority.
36 (5) At least a majority.
37 e. The terms of the proposed control share
38 acquisition, including, but not limited to, the source
39 of funds or other consideration and the material terms
40 of the financial arrangements for the control share
41 acquisition, any plans or proposals of the acquiring
42 person to liquidate the issuing public corporation, to
43 sell all or substantially all of its assets, or merge
44 it or exchange its shares with any other person, to
45 change the location of its principal executive office
46 or of a material portion of its business activities,
47 to change materially its management or policies of
48 employment, to alter materially its relationship with
49 suppliers or customers or the communities in which it
50 operates, or make any other material change in its

Page 3

1 business, corporate structure, management or
2 personnel, and other information which would affect
3 the decision of a shareholder with respect to voting
4 on the proposed control share acquisition.
5 3. MEETING OF SHAREHOLDERS. Within five days
6 after receipt of an information statement pursuant to
7 subsection 2, a special meeting of the shareholders of
8 the issuing public corporation shall be called
9 pursuant to section 496A.28 to vote on the proposed
10 control share acquisition. The meeting shall be held
11 no later than fifty-five days after receipt of the
12 information statement, unless the acquiring person
13 agrees to a later date, and no sooner than thirty days
14 after receipt of the information statement, if the
15 acquiring person so requests in writing when
16 delivering the information statement. The notice of
17 the meeting shall at a minimum be accompanied by a
18 copy of the information statement and a statement
19 disclosing that the issuing public company recommends
20 acceptance of, expresses no opinion and is remaining
21 neutral toward, or is unable to take a position with

22 respect to the proposed control share acquisition.
23 The notice of meeting shall be given within twenty-
24 five days after receipt of the information statement.
25 4. CONSUMMATION OF CONTROL SHARE ACQUISITION. The
26 acquiring person may consummate the proposed control
27 share acquisition if and only if both of the following
28 occur:
29 a. The proposed control share acquisition is
30 approved by the affirmative vote of the holders of a
31 majority of the voting power of all shares entitled to
32 vote which are not beneficially owned by the acquiring
33 person. A class or series of shares of the
34 corporation is entitled to vote as a class or series
35 if any provision of the control share acquisition
36 would, if contained in a proposed amendment to the
37 articles, entitle the class or series to vote as a
38 class or series.
39 b. The proposed control share acquisition is
40 consummated within one hundred eighty days after
41 shareholder approval."

TOM MANN, Jr.

S-4075

1 Amend Senate File 572 as follows:
2 1. Page 20, by striking lines 22 through 28 and
3 inserting the following:
4 "Sec. 26. Section 422.12, Code 1985, is amended by
5 adding the following new subsection:
6 NEW SUBSECTION. A tuition credit, equal to five
7 percent of the first five hundred dollars which the
8 taxpayer has paid to others for the tax year beginning
9 January 1, 1985, and equal to five percent of the
10 first one thousand dollars which the taxpayer has paid
11 to others for the tax year beginning January 1, 1986
12 and for each tax year thereafter, for each dependent
13 in grades".

CHARLES BRUNER

S-4076

1 Amend the amendment S-4073 to Senate File 572 as
2 follows:
3 1. Page 1, line 6, by inserting after the word
4 "shall" the following: ", when possible,".

ARTHUR A. SMALL, JR.

S-4077

- 1 Amend Senate File 572 as follows:
- 2 1. Page 22, by inserting after line 28 the
- 3 following new section:
- 4 "Sec. ____ . Any standing appropriation from the
- 5 general fund of the state for programs under the
- 6 control or supervision of any agency appropriated
- 7 funds under this Act which are reduced for the fiscal
- 8 year beginning July 1, 1985 and ending June 30, 1986
- 9 shall be appropriated in the same amounts for the
- 10 fiscal year beginning July 1, 1986 and ending June 30,
- 11 1987. Any reduction in funds from the general fund of
- 12 the state to a political subdivision of the state
- 13 shall reduce the budget of the political subdivision
- 14 and the political subdivision shall not replace funds
- 15 reduced from the general fund of the state with funds
- 16 received from any property taxes levied by the
- 17 political subdivision."
- 18 2. Renumber sections and correcting internal
- 19 references as necessary in accordance with this
- 20 amendment.

EDGAR H. HOLDEN
CALVIN O. HULTMAN
TOM LIND
DAVID M. READINGER
RAY TAYLOR
LEE W. HOLT

S-4078

- 1 Amend House File 771 as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 20, by inserting after line 25 the
- 4 following new section:
- 5 "Sec. ____ . Any standing appropriation from the
- 6 general fund of the state for programs under the
- 7 control or supervision of any agency appropriated
- 8 funds under this Act which are reduced for the fiscal
- 9 year beginning July 1, 1985 and ending June 30, 1986
- 10 shall be appropriated in the same amounts for the
- 11 fiscal year beginning July 1, 1986 and ending June 30,
- 12 1987. Any reduction in funds from the general fund of
- 13 the state to a political subdivision of the state
- 14 shall reduce the budget of the political subdivision
- 15 and the political subdivision shall not replace funds
- 16 reduced from the general fund of the state with funds
- 17 received from any property taxes levied by the
- 18 political subdivision."

19 2. Renumber sections and correcting internal
20 references as necessary in accordance with this
21 amendment.

EDGAR H. HOLDEN
CALVIN O. HULTMAN
TOM LIND
DAVID M. READINGER
RAY TAYLOR
LEE W. HOLT

S-4079

1 Amend the amendment S-3989 to Senate File 562 as
2 amended, passed and reprinted by the Senate, as
3 follows:

4 1. Page 1, by inserting after line 32 the
5 following:

6 " ___. Page 11, by inserting after line 33 the
7 following:

8 "Sec. ___. Section 18.3, subsection 1, Code 1985,
9 is amended by adding the following new unnumbered
10 paragraph:

11 NEW UNNUMBERED PARAGRAPH. Establishing and
12 developing a data base by April 1, 1986 on vendors
13 which shall be administered so that a vendor can be
14 placed in the data base by submitting an application
15 to the department or to the state board of regents,
16 department of transportation or the commission for the
17 blind for the use of all agencies having purchasing
18 authority. The director shall adopt rules for the
19 application and placement on the data base and the
20 state comptroller shall provide programming and data
21 processing assistance to maintain and transmit the
22 information contained in the data base. The director
23 shall establish by rule an advisory committee on the
24 data base composed of representatives from the state
25 comptroller, development commission, state board of
26 regents, department of transportation and commission
27 for the blind.

28 Sec. ___. Section 28.17, subsection 1, Code 1985,
29 is amended by striking the subsection and inserting in
30 lieu thereof the following:

31 1. The Iowa development commission shall provide a
32 business license center. The purpose of the center
33 shall be the following:

34 a. Provide a center of information where a person
35 interested in establishing a commercial facility or
36 engaging in a commercial activity may be informed of
37 any registration, license, or other approval of a

38 state regulatory agency that is required for that
39 facility or activity or of the existence of standards,
40 criteria, or requirements which the laws of this state
41 require that facility or activity to meet.
42 b. Develop a plan for a computerized, one-stop
43 system capable of providing to the business community
44 a consolidated application packet concerning the most
45 frequently used licensing and regulatory requirements,
46 and, to the extent feasible, include local and federal
47 information concerning those regulated activities
48 pursuant to the report required under section 28.17,
49 subsection 2.
50 2. By January 15, 1986 the commission shall submit

Page 2

1 a report to the general assembly outlining the costs
2 associated with implementing the following services of
3 the business license center:
4 a. Identification of licenses which are needed to
5 begin most types of businesses in the state and which
6 could be consolidated and processed under a master
7 license system.
8 b. Recommendation of a procedure for implementing
9 the system by providing the following:
10 (1) A list of requirements for major categories of
11 business and industry.
12 (2) A procedure for issuing licenses.
13 c. Formulation of a schedule for implementing the
14 long-range goals of the business license center,
15 including the possibility of developing a master
16 license system, using a common data base with other
17 state agencies, and providing common license renewal
18 dates.
19 d. Provision of a system for the uniform
20 registration of trade names after consultation with
21 the secretary of state and county recorders.
22 Sec. __. Section 28.17, subsection 2, Code 1985,
23 is amended by adding the following new lettered
24 paragraph:
25 NEW LETTERED PARAGRAPH. g. Provide the commission
26 on its request with copies of all applications for
27 permits, licenses or regulatory approvals required by
28 the state agency.
29 Sec. __. NEW SECTION. 28.18 BOARD OF REVIEW --
30 DUTIES.
31 1. The director of the commission shall create a
32 review board consisting of representatives of agencies
33 deemed appropriate to provide policy direction to the
34 commission in its development and implementation of

35 the business license center plan. The review board
36 shall meet at the call of the director to:
37 a. Establish interagency policy guidelines for the
38 system.
39 b. Review the findings, status, and problems of
40 system operations and recommend courses of action.
41 c. Receive reports from industry and agency task
42 forces.
43 d. Determine in questionable cases whether a
44 specific license is to be included in the master
45 license system.
46 e. Review and make recommendations on rules
47 proposed by the business license center and any
48 amendments to or revisions of the center's rules.
49 Sec. ___. Section 28.41, Code 1985, is amended by
50 adding the following new subsection:

Page 3

1 NEW SUBSECTION. 4. To formulate a small business
2 economic policy that will further the economic well-
3 being of small businesses throughout the state.
4 Sec. ___. Section 28.44, Code 1985, is amended by
5 striking subsection 5 and inserting in lieu thereof
6 the following:
7 5. The duties of the advisory council shall
8 include, but are not limited to, the following:
9 a. To advise and consult with the commission and
10 the small business division with respect to matters
11 which are of concern to small business.
12 b. To submit recommendations to the commission
13 relating to actual or proposed activities of the small
14 business division.
15 c. To submit recommendations for legislative or
16 administrative actions.
17 d. To review and monitor small business programs
18 and agencies in order to determine their effectiveness
19 and whether they complement or compete with each
20 other, and to coordinate the delivery of programs and
21 services aimed at small business. For purposes of
22 this subsection, the chairperson of the advisory
23 council shall appoint a subcommittee to meet with one
24 representative each from the commission, the Iowa
25 housing finance authority, the state board of regents,
26 the office for planning and programming, the
27 department of public instruction, the Iowa department
28 of job service, the small business development centers
29 and two members of the general assembly appointed by
30 the legislative council, one from each political
31 party. The subcommittee shall meet as often as deemed

32 necessary. Legislative members of the subcommittee
 33 shall be paid a forty dollar per diem and shall be
 34 reimbursed for actual and necessary expenses incurred
 35 in performance of duties. All per diem and expense
 36 moneys shall be paid from funds appropriated for the
 37 use of the small business division.
 38 e. To initiate special small business economic
 39 studies as deemed necessary including, but not limited
 40 to, analysis of trends and growth opportunities
 41 relative to small business.
 42 Sec. ____ Section 28.46, Code 1985, is amended by
 43 adding the following new unnumbered paragraph:
 44 NEW UNNUMBERED PARAGRAPH. The annual report shall
 45 include a section devoted to a description of
 46 activities relative to the development of a small
 47 business economic policy and recommendations to
 48 further the economic well-being of small business.””

ARTHUR A. SMALL, Jr.

S-4080

1 Amend the House amendment, S-4017, to Senate File
 2 434, as amended, passed and reprinted by the Senate,
 3 as follows:

DIVISION S-4080A

4 1. Page 1, line 28, by striking the figure
 5 “1,497,438” and inserting the following: “1,524,149”.
 6 2. Page 2, line 3, by striking the figure
 7 “4,957,680” and inserting the following: “4,967,680”.
 8 3. Page 2, by striking lines 4 and 5.

DIVISION S-4080B

9 4. Page 4, line 22, by striking the words “agency
 10 stores and”.
 11 5. Page 4, line 25, by striking the words “agency
 12 stores and”.
 13 6. By renumbering sections as necessary.

WILLIAM W. DIELEMAN

S-4081

1 Amend the House amendment, S-4017, to Senate File
 2 434, as amended, passed and reprinted by the Senate,
 3 as follows:
 4 1. Page 3, by striking line 32 and inserting the

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- 5 following: "subsections 1 through 6 and 8 through 10,
6 are amended to read as".
7 2. Page 4, line 23, by striking the number
8 "18,074,000" and inserting the following:
9 "18,374,000".
10 3. Page 5, by striking lines 16 through 20.
11 4. Page 5, by striking line 38.
12 5. By renumbering sections as necessary.

JOE WELSH

S-4082

- 1 Amend Senate File 572 as follows:
2 1. Page 15, by inserting after line 23 the
3 following:
4 " ___. It is the intent of the general assembly
5 that as a condition of the appropriations made under
6 subsections 2, 3, and 4, the state board of regents
7 shall employ an individual at an annual salary of
8 twenty thousand dollars to determine whether an
9 individual is eligible to enroll in an institution, or
10 a program within an institution, under the control of
11 the state board of regents on the basis of family name
12 or consanguinity."

THOMAS LIND

HOUSE AMENDMENT TO
SENATE FILE 110

S-4083

- 1 Amend Senate File 110 as amended, passed, and
2 reprinted by the Senate as follows:
3 1. Page 1, by striking lines 15 and 16 and
4 inserting the following: "state-chartered bank,
5 savings and loan, thrift institution, any other
6 institution, or affiliate of the foregoing permitted
7 by state or federal law to".
8 2. Page 1, by inserting after line 19 the
9 following:
10 " ___. "Affiliate" means any entity controlling,
11 controlled by or under common control with a financial
12 institution."
13 3. Page 2, by striking line 2 and inserting the
14 following: "warehousing or other operations within
15 the Republic of South Africa, except that it shall not
16 mean any company which has adopted the Sullivan
17 principles and has obtained a performance rating in

18 the top two categories of the Sullivan principles
 19 rating system prepared by Arthur D. Little, Inc., or
 20 is in categories four or five of the rating system.
 21 This definition also shall not mean any company that
 22 has been a signatory of the Sullivan principles for at
 23 least five years and has obtained a performance rating
 24 in the top two categories during four of the past five
 25 years."

26 4. Page 2, by striking lines 4 through 6 and
 27 inserting the following: "means directly or
 28 indirectly supplying strategic products or services
 29 for use by the government of South Africa or for use
 30 by the military or police in South Africa. This
 31 includes, but is not limited to, transactions carried
 32 out through intermediary corporations."

33 5. Page 2, by striking lines 14 through 32 and
 34 inserting the following:

35 "1. The treasurer of state shall not invest or
 36 deposit funds belonging to the state of Iowa in a
 37 financial institution which has made a loan, after the
 38 effective date of this Act, to the Republic of South
 39 Africa, or in the stocks, securities, or other
 40 obligations of such a financial institution or of any
 41 company doing business in or with the Republic of
 42 South Africa.

43 2. The state board of regents shall not invest or
 44 deposit funds belonging to the institutions under the
 45 control of the state board of regents in a financial
 46 institution which has made a loan, after the effective
 47 date of this Act, to the Republic of South Africa, or
 48 in the stocks, securities, or other obligations of
 49 such a financial institution or of any company doing
 50 business in or with the Republic of South Africa.

Page 2

1 3. The Iowa department of job service shall not
 2 invest or deposit funds from the Iowa public
 3 employment retirement fund in a financial institution
 4 which has made a loan, after the effective date of
 5 this Act, to the Republic of South Africa, or in the
 6 stocks, securities or other obligations of such a
 7 financial institution or of any company doing business
 8 in or with the Republic of South Africa."

9 6. Page 2, line 33, by striking the word "either"
 10 and inserting the following: "any".

11 7. Page 3, by inserting after line 4 the
 12 following:

13 "c. The deposit of funds with a paying agent for
 14 bonds of the state board of regents issued prior to

15 January 1, 1985.”

16 8. Page 3, by striking lines 14 through 23 and
17 inserting the following:

18 “1. The treasurer of state, the state board of
19 regents, and the department of job service shall make
20 no additional investments of the type prohibited under
21 section 12A.3 subsequent to June 30, 1985. The sale
22 of securities and investments held by the treasurer of
23 state, the state board of regents, and the department
24 of job service on the effective date of this Act that
25 are prohibited under section 12A.3 shall be completed
26 by July 1, 1990, unless prior thereto the general
27 assembly determines that substantial and fundamental
28 progress in establishing human rights policies in the
29 Republic of South Africa has occurred. Subject to any
30 such action of the general assembly not less than one
31 fifth of the value of the investments held on July 1,
32 1985 shall be sold in the year beginning July 1,
33 1988.”

34 9. Page 4, by striking lines 4 through 9.

35 10. Page 4, by striking lines 11 through 20 and
36 inserting the following:

37 “1. The treasurer of state shall maintain a list
38 of companies that do business in or with the Republic
39 of South Africa. The list shall be developed with
40 reference to information obtained from the United
41 States department of commerce and Arthur D. Little,
42 Inc. and other authoritative sources. The treasurer
43 shall mail written notification to each company on the
44 divestiture list.”

S-4084

1 Amend the amendment S-4061 to Senate File 572 as
2 follows:

3 1. Page 1, line 4, by inserting after the word
4 “all” the following: “, in conjunction with an
5 area agency,”.

WILLIAM W. DIELEMAN

S-4085

1 Amend House File 771 as amended, passed, and
2 reprinted by the House as follows:

3 1. Page 16, line 20, by striking the word and
4 figure “September 30” and inserting the following:
5 “December 31”.

BERL E. PRIEBE

S-4086

- 1 Amend the House amendment S-4017, to Senate
- 2 File 434, as amended, passed, and reprinted by the
- 3 Senate as follows:
- 4 1. By striking page 2, line 22 through page 5,
- 5 line 37.

JOE WELSH

S-4087

- 1 Amend Senate File 572 as follows:
- 2 1. Page 20, line 34, by inserting after the figure
- 3 "601A." the following: "As used in this paragraph,
- 4 "school" means a school that does not refuse or deny
- 5 enrollment to any person, or discriminate in any
- 6 program or activity, because of race, creed, color,
- 7 sex, national origin, religion, disability, or
- 8 economic disadvantage. The school may discriminate on
- 9 the basis of sex in athletic programs, except that the
- 10 school shall provide comparable opportunities in
- 11 intramural and interscholastic athletic programs. Any
- 12 school which does not have the capacity to serve the
- 13 categories of students listed in this paragraph shall
- 14 provide services for those students either through
- 15 shared arrangements with other schools or through the
- 16 area education agencies. Nonpublic schools may also
- 17 require different wearing apparel requirements on the
- 18 basis of sex."

MICHAEL GRONSTAL
JOE WELSH
BEVERLY HANNON
BOB CARR

S-4088

- 1 Amend the House amendment, S-3990, to Senate File
- 2 552, as amended, passed, and reprinted by the Senate,
- 3 as follows:
- 4 1. Page 1, line 4, by striking the number
- 5 "53,337,662" and inserting the following:
- 6 "53,437,662".

BOB CARR
RICHARD F. DRAKE

S-4089

1 Amend Senate File 492 as follows:

2 1. By striking everything after the enacting
3 clause and inserting the following:

4 "DIVISION I
5 EDUCATIONAL COSTS

6 Section 1. NEW SECTION. 442A.1 POLICY.

7 It is the policy of this state to provide and
8 require school districts to meet the educational needs
9 and maximize the opportunities of the children of this
10 state. It is the responsibility of this state to
11 provide money for the costs of a basic education for
12 each child and to supplement funds to meet the needs
13 of exceptional children. However, the general
14 assembly believes that costs of educating a child that
15 are not instructional costs should be the
16 responsibility of the school district.

17 Sec. 2. NEW SECTION. 442A.2 DEFINITIONS.

18 As used in this chapter unless the context
19 otherwise requires:

20 1. "School district" means a school district as
21 constituted under chapter 274.

22 2. "Board" means the board of directors of a
23 school district.

24 3. "Committee" means the school budget review
25 committee established in section 442A.35.

26 4. "Base year" means the school year ending during
27 the calendar year in which a budget is certified.

28 5. "Budget year" means the school year beginning
29 during the calendar year in which a budget is
30 certified.

31 6. "Department" means the department of public
32 instruction.

33 7. "Base property tax levy" means the total amount
34 levied in dollars and cents per thousand dollars of
35 assessed valuation by a school district for the budget
36 year beginning July 1, 1985 for the foundation
37 property tax under section 442.2, Code 1985, and the
38 additional property tax under section 442.9, Code
39 1985.

40 8. "Implicit price deflator" means the gross
41 national product implicit price deflator published by
42 the bureau of economic analysis, United States
43 department of commerce. Computations of the implicit
44 price deflator under this division shall be based, to
45 the extent possible, on the latest available values
46 for these deflators published by the bureau of
47 economic analysis.

48

DIVISION II

49 INFRASTRUCTURE POWERS AND DUTIES
50 Sec. 3. NEW SECTION. 442A.5 POLICY.

Page 2

1 It is the policy of this state that expenditures of
2 school districts for needs relating to the basic
3 framework of the district should be determined by the
4 board based upon the needs of the district and should
5 be financed by revenues raised at the local level.
6 Sec. 4. NEW SECTION. 442A.6 DUTIES OF BOARD.
7 The board shall establish a budget for
8 infrastructure expenditures for the budget year and
9 certify the infrastructure budget for property tax
10 levy, or for property tax levy and income surtax
11 imposition if sections 76.20 through 76.27 are used
12 for payments of school district bonds, to the school
13 budget review committee and the state comptroller.
14 The state comptroller shall determine the amount of
15 the infrastructure property tax levy to be made on all
16 taxable property in the district, or the property tax
17 levy and income surtax if sections 76.20 through 76.27
18 are used for payments of school district bonds, based
19 upon the budget submitted and shall transmit the
20 amount of the levy to the appropriate county auditor
21 and county board of supervisors and, if applicable,
22 the rate of the income surtax to the director of
23 revenue.
24 Sec. 5. NEW SECTION. 442A.7 INFRASTRUCTURE
25 EXPENDITURES.
26 Expenditures for the following are infrastructure
27 expenditures and may be included in the infrastructure
28 budget:
29 1. Public educational and recreational places and
30 playgrounds and accommodations authorized in chapter
31 300.
32 2. Community education purposes pursuant to
33 chapter 276.
34 3. Transportation of public school pupils to and
35 from school and other school activities, including
36 purchase and maintenance of transportation equipment,
37 vehicle operation and maintenance, and salaries and
38 benefits of operational and maintenance personnel.
39 4. Purchase and improvement of sites, or for major
40 building repairs.
41 For the purposes of this subsection:
42 a. "Improvement of sites" includes grading,
43 landscaping, seeding and planting of shrubs and trees;
44 constructing new sidewalks, roadways, retaining walls,
45 sewers and storm drains, and installing hydrants;

46 original surfacing and soil treatment of athletic
47 fields and tennis courts; furnishing and installing
48 for the first time, flagpoles, gateways, fences and
49 underground storage tanks which are not parts of
50 building service systems; demolition work; and special

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1 assessments against the school district for capital
2 improvements such as streets, curbs, and drains.
3 b. "Purchase of sites" includes legal costs
4 relating to the site acquisition, costs of surveys of
5 the sites, costs of relocation assistance under state
6 and federal law, and other costs incidental to the
7 site acquisition.
8 c. "Major building repairs" includes
9 reconstruction, repair, improvement or remodeling of
10 an existing schoolhouse and additions to an existing
11 schoolhouse, and expenditures for energy conservation.
12 5. Operation and maintenance of the physical
13 facilities of the district, including grounds,
14 buildings, and equipment. Operation and maintenance
15 also includes minor repairs, expenditures for safety,
16 and utility costs.
17 6. Insurance coverage for property, liability,
18 fidelity, and bond premiums as well as the costs of
19 judgments. Insurance costs for employees are an
20 employee benefit accountable in the appropriate
21 program fund.
22 7. New construction of schoolhouses or buildings
23 if the costs for a project are under one hundred
24 thousand dollars; payment of debts contracted for the
25 erection or construction of schoolhouses or buildings
26 not including interest on bonds; procuring or
27 acquisition of libraries; opening roads to
28 schoolhouses or buildings; purchase of buildings or
29 equipment for buildings or schoolhouses; repairing,
30 remodeling, reconstructing, improving or expanding the
31 schoolhouses or other buildings; landscaping, paving,
32 or improving the schoolhouse or building grounds; or
33 the rental of facilities pursuant to chapter 28E.
34 8. The actual costs of removal or encapsulation of
35 asbestos existing in buildings.
36 9. Equipment, vehicles, vehicle operation and
37 maintenance, and instructional materials for driver
38 education.
39 10. Furnishing buildings.
40 11. Rental or lease of property for school
41 purposes for a period not exceeding ten years.
42 12. Interest due upon lawful bonded indebtedness

43 and payments on principal as the board deems
44 necessary.
45 13. Costs associated with the operation of a
46 nonprofit food service to children in attendance as
47 provided in chapter 283A.
48 14. Community services which include services
49 which are not directly related to the educational
50 programs of the district which include, but are not

Page 4

1 limited to, civic activities, public libraries, and
2 nonpublic school services except for the costs of
3 transportation for nonpublic school pupils.
4 15. A necessary cash reserve.
5 16. The costs of unemployment benefits under
6 chapter 96.
7 17. An amount sufficient for payment of judgments
8 or settlements together with interest accruing on them
9 to the expected date of payment under section 613A.2
10 or 613A.8.
11 18. Extracurricular athletic and sports activities
12 that provide opportunities for developing physical and
13 mental fitness in competitive situations.
14 19. Operation of the office of the board of
15 education of the district, including compensation,
16 travel and materials for board members.
17 20. Costs of school district general
18 administration, executive administration, business
19 administration, fiscal services, and staff services,
20 but not including the costs of school administration.
21 Sec. 6. NEW SECTION. 442A.8 PUBLIC HEARING.
22 The board shall present the budget for
23 infrastructure expenditures during the public hearing
24 required in section 24.9 and shall list each
25 expenditure under section 442A.7 separately.
26 Sec. 7. NEW SECTION. 442A.9 INFRASTRUCTURE
27 ACCOUNT.
28 The money collected by the infrastructure property
29 tax levy, and the money collected by the income
30 surtax, if applicable, shall be placed in the general
31 fund of the school district and credited to the
32 infrastructure account and may be used only for the
33 purposes authorized. The treasurer of the school
34 district shall keep a separate record of the
35 infrastructure account. Other moneys received for any
36 purpose listed in section 442A.7 shall be deposited in
37 the general fund, and credited to the infrastructure
38 account, and may be used for the purposes for which
39 expenditures from the account may be made. The

40 proceeds from the sale of bonds shall be deposited in
41 the general fund of the school district and credited
42 to the infrastructure account.

43 **DIVISION III**
44 **DIRECT INSTRUCTION POWERS AND DUTIES**
45 **Sec. 8. NEW SECTION. 442A.20 FINANCIAL COMMIT-**
46 **MENT -- FUNDING EQUITY.**

47 It is the policy of the state of Iowa that the
48 state make a substantial financial commitment toward
49 the funding of instructional costs of education in the
50 state. It is the goal of the general assembly that

Page 5

1 the state ultimately assume responsibility for funding
2 school districts to the extent that the state
3 instructional support per student would equal the
4 state instructional cost per student. However, budget
5 considerations require that the commitment be phased
6 in as state revenues increase.

7 It is also the policy of the state that there be
8 funding equity among the school districts with regards
9 to the instructional costs of education. Thus a
10 uniform instructional levy shall be required of all
11 school districts and the state shall fund the
12 difference of the state instructional support per
13 student and the amount of money raised by a school
14 district's uniform instructional levy on a per student
15 basis.

16 **Sec. 9. NEW SECTION. 442A.21 BASIC ENROLLMENT.**

17 Basic enrollment for the budget year beginning July
18 1, 1986 and each subsequent budget year is determined
19 by adding the resident pupils who were enrolled on the
20 fourth Friday of September in the base year in public
21 elementary and secondary schools of the district and
22 in public elementary and secondary schools in another
23 district or state for which tuition is paid by the
24 district. However, resident pupils enrolled in
25 preschool or kindergarten programs are included in
26 basic enrollment in the proportion that the time for
27 which they are enrolled or receive instruction for the
28 school year is to the time that full-time pupils
29 carrying a normal course schedule in the same school
30 district, for the same school year, are enrolled and
31 receive instruction.

32 Resident pupils of high school age for which the
33 district pays tuition to attend an Iowa area school
34 are included in basic enrollment on a full-time
35 equivalent basis.

36 Shared-time and part-time pupils of school age,

37 irrespective of the districts in which the pupils
 38 reside, are included in basic enrollment as of the
 39 fourth Friday of September in the base year for the
 40 budget year in the proportion that the time for which
 41 they are enrolled or receive instruction for the
 42 school year is to the time that full-time pupils
 43 carrying a normal course schedule, at the same grade
 44 level, in the same school district, for the same
 45 school year, are enrolled and receive instruction.
 46 Pupils attending a university laboratory school are
 47 not counted in any district's basic enrollment, but
 48 the laboratory school shall report them directly to
 49 the department of public instruction.
 50 A school district shall certify its basic

Page 6

1 enrollment to the department of public instruction by
 2 October 10 of each year, and the department shall
 3 promptly forward the information to the state
 4 comptroller.
 5 A school district's certification of basic
 6 enrollment is subject to audit in accordance with
 7 procedures adopted by rule by the department pursuant
 8 to chapter 17A.
 9 Sec. 10. NEW SECTION. 442A.22 STATE
 10 INSTRUCTIONAL COST PER STUDENT.
 11 The state instructional cost per student for the
 12 budget year beginning July 1, 1986, is two thousand
 13 dollars per student.
 14 The state instructional cost per student for all
 15 subsequent budget years is the product of the state
 16 instructional cost per student for the base year times
 17 the quotient of the value of the implicit price de-
 18 flator for the quarter ending six months prior to the
 19 beginning of the budget year divided by the value of
 20 the implicit price deflator for the quarter ending six
 21 months prior to the beginning of the base year.
 22 Sec. 11. NEW SECTION. 442A.23 STATE INSTRUC-
 23 TIONAL SUPPORT PER STUDENT.
 24 The state instructional support per student for the
 25 budget year equals the state instructional support
 26 level for the budget year times the state
 27 instructional cost per student for the budget year.
 28 However, the state instructional support per student
 29 shall not exceed the state instructional cost per
 30 student.
 31 Sec. 12. NEW SECTION. 442A.24 STATE INSTRUC-
 32 TIONAL SUPPORT LEVEL.
 33 The state instructional support level for the bud-

34 get year beginning July 1, 1986 is ninety percent.
35 For subsequent budget years the state instructional
36 support level shall be computed by the state comp-
37 troller prior to October 20 in the base year and
38 forwarded to the superintendent of public instruction.
39 The state instructional support level shall be
40 computed such that the ratio of the total moneys
41 appropriated under section 442A.30, subsection 1 for
42 the budget year to the total moneys appropriated under
43 section 442A.30, subsection 1 for the base year is
44 equal to the ratio of the state general fund revenues
45 received during the base year to the state general
46 fund revenues received during the year preceding the
47 base year.

48 Sec. 13. NEW SECTION. 442A.25 UNIFORM
49 INSTRUCTIONAL LEVY.

50 Each school district shall cause to be levied each

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1 year, for the school general fund and credited to the
2 instructional account, a uniform instructional levy of
3 property tax equal to the lesser of the following:
4 1. A levy of three dollars and thirty-five cents
5 per thousand dollars of assessed valuation on all
6 taxable property in the district.

7 2. A levy equal to the base property tax levy.

8 Sec. 14. NEW SECTION. 442A.26 BASIC STATE IN-
9 STRUCTIONAL SUPPORT.

10 The basic state instructional support for a budget
11 year provided for each school district under this
12 division is equal to the amount of the state
13 instructional support per student for the budget year
14 provided under section 442A.23, multiplied times the
15 basic enrollment for the budget year for the school
16 district less the amount of the moneys raised by the
17 school district in the budget year by the uniform
18 instructional levy under section 442A.25.

19 Sec. 15. NEW SECTION. 442A.27 ADDITIONAL STATE
20 INSTRUCTIONAL SUPPORT.

21 In addition to the basic state instructional sup-
22 port supplied by the state under section 442A.26,
23 additional state instructional support shall be
24 provided to school districts.

25 1. SPECIAL EDUCATION. In order to provide funds
26 for the excess costs of instruction of children
27 requiring special education, above the costs of
28 instruction of pupils in a regular curriculum, each
29 school district shall receive additional state
30 instructional support for each budget year as follows:

31 a. For each child requiring special education who
32 requires special adaptations while assigned to a
33 regular classroom for basic instructional purposes and
34 for each handicapped pupil placed in a special
35 education class who receives part of the pupil's
36 instruction in regular classrooms, the school district
37 is entitled to receive additional state instructional
38 support per student in the amount of eighteen hundred
39 dollars.

40 b. For each child requiring special education who
41 requires full-time, self-contained special education
42 placement with little integration into a regular
43 classroom, the school district is entitled to receive
44 additional state instructional support per student in
45 the amount of twenty-seven hundred dollars.

46 c. For each child requiring special education who
47 is severely handicapped or who has multiple handicaps,
48 the school district is entitled to receive additional
49 state instructional support per student in the amount
50 of fifty-four hundred dollars.

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1 d. Shared-time and part-time pupils of school age
2 who require special education shall be placed in the
3 proper category and counted in the proportion that the
4 time for which they are enrolled or receive
5 instruction for the school year is to the time that
6 full-time pupils carrying a normal course schedule, in
7 the same school district, for the same school year,
8 are enrolled and receive instruction.

9 e. The classification a child is assigned under
10 this section is dependent upon the required
11 educational modifications necessary to meet the
12 special education needs of the child. Enrollment for
13 the purpose of this division, and all payments to be
14 made pursuant to this division, includes all children
15 for whom a special education program or course is to
16 be provided pursuant to sections 273.1 to 273.9 and
17 chapter 281, whether or not the children are actually
18 enrolled upon the records of a school district, and
19 the enrollment is based on children receiving special
20 education programs or courses on December 1 of the
21 base year.

22 f. The state board of public instruction shall
23 adopt rules under chapter 17A, to implement the
24 classification of children requiring special education
25 and to assist in identification and proper
26 classification of each child in the state who requires
27 special education.

28 g. The division of special education of the
29 department of public instruction shall audit the
30 reports required in section 273.5 to determine that
31 all children in the area who have been identified as
32 requiring special education have received the
33 appropriate special education instructional and
34 support services, and to verify the proper
35 identification of pupils in the area who will require
36 special education instructional services during the
37 school year in which the report is filed. The
38 division shall certify to the state comptroller the
39 correct total enrollment of children requiring special
40 education in each classification for each school
41 district in the state as certified by the directors of
42 special education in each area.

43 2. TALENTED AND GIFTED CHILDREN. In order to pro-
44 vide funds for the excess costs of instruction for
45 talented and gifted children programs approved by the
46 department, each school district is entitled to
47 receive additional state instructional support per
48 student for the budget year in the amount of nine
49 hundred dollars for each talented and gifted child
50 enrolled in the approved talented and gifted children

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1 program.

2 a. "Talented and gifted children" are those
3 identified as possessing outstanding abilities who are
4 capable of high performance. Talented and gifted
5 children are children who require appropriate
6 instruction and educational services commensurate with
7 their abilities and needs beyond those provided by the
8 regular school program.

9 Talented and gifted children include those children
10 with demonstrated achievement or potential ability, or
11 both, in any of the following areas or in combination:

- 12 (1) General intellectual ability.
- 13 (2) Creative thinking.
- 14 (3) Leadership ability.
- 15 (4) Visual and performing arts ability.
- 16 (5) Specific ability aptitude.

17 b. Boards of school districts, individually or
18 jointly with the boards of other school districts,
19 requesting to receive additional state instructional
20 support per student for talented and gifted children
21 programs, shall annually submit the programs, to the
25 department of public instruction.

26 The parent or guardian of a pupil may request that
27 a talented and gifted children program be established

28 for pupils who qualify as talented and gifted children
 29 under paragraph "a", including demonstrated
 30 achievement or potential ability in a single subject
 31 area.

32 The department shall employ a consultant for
 33 talented and gifted children programs.

34 The department of public instruction shall adopt
 35 rules under chapter 17A relating to the administration
 36 of paragraphs "a" through "e". The rules shall
 37 prescribe the format of program plans submitted under
 38 paragraph "c" and shall require that programs fulfill
 39 specified objectives. The department shall encourage
 40 and assist school districts to provide programs for
 41 talented and gifted children.

42 c. The program plans submitted to school districts
 43 shall include all of the following:

44 (1) Program goals, objectives, and activities to
 45 meet the needs of talented and gifted children.

46 (2) Student identification criteria and
 47 procedures.

48 (3) Staff in-service education design.

49 (4) Staff utilization plans.

50 (5) Evaluation criteria and procedures and

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1 performance measures.

2 (6) Program budget.

3 (7) Qualifications required of personnel
 4 administering the program.

5 (8) Other factors the department requires.

6 d. The board of directors of a school district
 7 requesting to receive additional state instructional
 8 support per student for talented and gifted children
 9 programs shall submit applications for approval for
 10 the programs to the department not later than November
 11 1 preceding the fiscal year during which the program
 12 will be offered. The department shall review the
 13 program plans and shall prior to January 15 either
 14 grant approval for the program or return the request
 15 for approval with comments of the department included.
 16 Any unapproved request for a program may be
 17 resubmitted with modifications to the department not
 18 later than February 1. Not later than February 15 the
 19 department shall notify the state comptroller of the
 20 names of the school districts for which talented and
 21 gifted children programs have been approved and the
 22 number of each school district's students identified
 23 as talented and gifted for the approved program for
 24 the budget year.

25 e. The area education agencies in which the school
26 districts having approved talented and gifted children
27 programs are located shall cooperate with the school
28 district in the identification and placement of
29 talented and gifted children and may assist school
30 districts in the establishment of such programs.

31 3. NON-ENGLISH-SPEAKING STUDENTS. In order to
32 provide funds for the excess costs of instruction for
33 non-English-speaking students, each school district is
34 entitled to receive additional state instructional
35 support per student for the budget year in the amount
36 of nine hundred dollars for each non-English-speaking
37 student receiving instruction in the English language,
38 a transitional bilingual or other special instruction
39 program approved by the department under section
40 280.4. As used in this subsection, "non-English-
41 speaking student" means a student whose native
42 language is not English and whose inability or limited
43 ability to speak, write or read English significantly
44 impedes educational progress.

45 a. The department shall adopt rules relating to
46 the identification of non-English-speaking students
47 who require special instruction under section 280.4
48 and to application procedures for funds available
49 under this subsection.

50 b. A public school may receive funds for nonpublic

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1 school students attending the program offered by the
2 public school.

3 c. The additional state instructional support per
4 student for the budget year received by a school
5 district under this subsection shall be based on
6 students receiving instruction in the English
7 language, a transitional bilingual or other special
8 instruction program on December 1 of the base year.
9 The department shall certify to the state comptroller
10 for each school district the correct total number of
11 such students receiving instruction.

12 d. The area education agencies in which the school
13 districts are located shall cooperate with and may
14 assist school districts in the establishment of
15 programs for non-English-speaking students.

16 Sec. 16. NEW SECTION. 442A.28 USE OF MONEYS
17 PROVIDED.

18 Moneys provided to school districts under section
19 442A.26 shall be used for each school's instructional
20 expenditures. As used in this division, a "school's
21 instructional expenditures" means those expenditures

22 which are not included in section 442A.7.

23 Moneys provided to school districts under section
24 442A.27 shall be deposited in the school general fund
25 and credited to the instructional account and shall be
26 spent on the instruction and programs for which the
27 moneys were provided.

28 Sec. 17. NEW SECTION. 442A.29 ADDITIONAL IN-
29 STRUCTIONAL FUNDING.

30 A school district may spend additional moneys for
31 the school's instructional expenditures and for the
32 instruction and programs enumerated in section 442A.27
33 above that which is provided through moneys received
34 pursuant to section 442A.38 and through the state
35 instructional support and the uniform instructional
36 property tax levy under this division. The additional
37 moneys shall be raised through a supplemental
38 instructional levy on taxable property within the
39 district and shall be deposited in the school general
40 fund and credited to the instructional account.
41 Moneys raised through the supplemental instructional
42 levy shall not be spent on infrastructure
43 expenditures.

44 Sec. 18. NEW SECTION. 442A.30 APPROPRIATION.
45 There is appropriated each year from the general
46 fund of the state an amount necessary to pay the
47 following state instructional support:

- 48 1. The basic state instructional support as
- 49 provided under section 442A.26.
- 50 2. The additional state instructional support

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1 provided under section 442A.27.

2 In making computations and payments under this
3 division, the state comptroller shall round amounts to
4 the nearest whole dollar.

5 All state instructional support paid under this
6 division, unless otherwise stated, shall be paid in
7 monthly installments beginning on September 15 of a
8 budget year and ending on June 15 of the budget year
9 and the installments shall be as nearly equal as
10 possible as determined by the state comptroller,
11 taking into consideration the relative budget and cash
12 position of the state resources. Moneys received by a
13 school district under this section shall be deposited
14 in the general fund of the school district and
15 credited to the instructional account.

16 DIVISION IV
17 GENERAL PROVISIONS
18 Sec. 19. NEW SECTION. 442A.35 SCHOOL BUDGET

19 REVIEW COMMITTEE.

20 A nine-member school budget review committee is
21 established, consisting of the superintendent of
22 public instruction, the state comptroller and three
23 members appointed to represent the public by the
24 governor subject to confirmation by the senate in
25 accordance with section 2.32. In addition, the
26 chairpersons and ranking members of the house and
27 senate committees on education of the general assembly
28 shall serve as ex officio nonvoting members of the
29 committee.

30 No more than two of the appointed members shall
31 belong to the same political party. The appointed
32 members shall serve three-year staggered terms which
33 begin and end as provided in section 69.19. The
34 governor shall fill a vacancy in the same manner as an
35 original appointment under the procedures of section
36 2.32.

37 The committee shall meet and hold hearings each
38 year and shall continue in session until it has
39 reviewed budgets of school districts. It may call in
40 school board members and employees as necessary for
41 the hearings. Members of the general assembly shall
42 be notified of hearings concerning school districts in
43 their constituencies.

44 The committee shall adopt its own rules of
45 procedure. The superintendent of public instruction
46 shall serve as chairperson, and the state comptroller
47 shall serve as secretary. The committee members
48 representing the public and the members of the general
49 assembly are entitled to receive a per diem of forty
50 dollars, and their necessary travel and other expenses

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1 while engaged in their official duties. However,
2 members of the general assembly are not entitled to
3 receive per diem or expenses under this section to the
4 extent that the per diem or expenses are otherwise
5 chargeable to their official duties as legislators
6 under section 2.10. The per diem and the necessary
7 travel and other expenses of the members of the
8 general assembly shall be paid from funds appropriated
9 by section 2.12. Expense payments for members repre-
10 senting the public shall be made from appropriations
11 to the department of public instruction.

12 Sec. 20. NEW SECTION. 442A.36 DUTIES OF THE
13 COMMITTEE.

14 1. The school budget review committee may
15 recommend the revision of any rules, directives, or

16 forms relating to school district budgeting and
17 accounting, confer with local school boards or their
18 representatives and make recommendations relating to
19 any budgeting or accounting matters, and may direct
20 the superintendent of public instruction or the state
21 comptroller to make studies and investigations of
22 school costs in any school district.

23 2. The committee shall report to each session of
24 the general assembly, which report shall include any
25 recommended changes in laws relating to school
26 districts, and shall specify the number of hearings
27 held annually, the reasons for the committee's
28 recommendations, information about the amounts of
29 infrastructure property tax levy, uniform
30 instructional levy, supplemental instructional
31 property tax levied by school districts, and other
32 information the committee deems advisable.

33 3. The committee shall review the certified budget
34 of each school district, and may make recommendations
35 to the school district and to the state comptroller.
36 The committee may make decisions affecting budgets to
37 the extent provided in this chapter. The costs and
38 computations referred to in this section relate to the
39 budget year unless otherwise expressly stated.

40 4. The committee shall review for each school
41 district the amount of infrastructure property tax
42 levy and supplemental instructional property tax levy.
43 However, the school budget review committee shall not
44 review the amount of a property tax levy, or if
45 applicable, the amount of property tax levy and income
46 surtax, for the payment of principal and interest on
47 bonds. If in the committee's judgment, either levy is
48 unreasonably high, the committee shall instruct the
49 state comptroller to reduce the district's tax levy
50 for the following budget year by the amount deemed

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1 excessive.

2 5. Decisions by the committee under this chapter
3 shall be made in accordance with reasonable and
4 uniform policies which shall be consistent with this
5 chapter. Policies of general application shall be
6 stated in rules adopted under chapter 17A.

7 6. Failure by a school district to provide
8 information or appear before the committee as
9 requested for the accomplishment of review or hearing
10 is justification for the committee to instruct the
11 state comptroller to withhold state instructional
12 support to that district until the committee's

13 inquiries are satisfied completely.

14 Sec. 21. NEW SECTION. 442A.37 GENERAL FUND.

15 A general fund is created in each school district
16 and area education agency. Moneys received by a
17 school district or area education agency under this
18 chapter shall be deposited in the general fund and
19 credited to an infrastructure account or an
20 instructional account for school districts or to an
21 area education agency infrastructure account or an
22 instructional services account for area education
23 agencies. Interest earned on the fund shall be
24 credited to the accounts in the general fund on the
25 basis of the balances in the accounts at the date of
26 investment. The treasurer of the school district or
27 area education agency shall keep an accounting of the
28 moneys in the general fund and in each account of the
29 general fund.

30 Sec. 22. NEW SECTION. 442A.38 OTHER MONEYS.

31 Federal funds, other state funds, and gifts to a
32 school district or area education agency shall be
33 deposited in the general fund of the school district
34 or area education agency and credited to the account
35 from which an expenditure for the purpose for which
36 the funds are received may be made. Funds received
37 without a designated purpose shall be credited to the
38 instructional account of the general fund.

39

DIVISION V

40

AREA EDUCATION AGENCIES

41 Sec. 23. NEW SECTION. 442A.45 POLICY.

42 It is the policy of this state that area education
43 agencies be financed in a manner similar to the manner
44 in which the elementary and secondary school districts
45 are financed.

46 Sec. 24. NEW SECTION. 442A.46 DUTIES OF BOARD.

47 The area education agency board shall establish a
48 budget for infrastructure expenditures for the budget
49 year and certify the area education agency
50 infrastructure budget to the school budget review

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1 committee and the state comptroller. The state
2 comptroller shall determine the amount of the area
3 education agency infrastructure property tax levy to
4 be made on all taxable property in the area education
5 agency based upon the budget submitted and shall
6 transmit the amount of the area levy to the respective
7 county auditors and county boards of supervisors.

8 Sec. 25. NEW SECTION. 442A.47 AREA EDUCATION
9 AGENCY INFRASTRUCTURE EXPENDITURES.

10 Expenditures of area education agencies for the
11 following are area education agency infrastructure
12 expenditures and may be included in the area education
13 agency budget:

14 1. Community education purposes pursuant to
15 chapter 276.

16 2. Transportation of special education pupils and
17 transportation for the delivery of materials and
18 services, including purchase and maintenance of
19 transportation equipment, vehicle operation and
20 maintenance, and salaries and benefits of operational
21 and maintenance personnel.

22 3. Operation and maintenance of the physical
23 facilities of the area education agency, including
24 grounds, buildings, and equipment. Operation and
25 maintenance also includes repairs, expenditures for
26 safety, and utility costs.

27 4. Insurance coverage for property, liability,
28 fidelity, and bond premiums as well as the costs of
29 judgments. Insurance costs for employees are an
30 employee benefit accountable in the appropriate
31 program fund.

32 5. Furnishing and equipping buildings.

33 6. Rental or lease/purchase of property and
34 buildings for area education agency purposes subject
35 to the approval of the state board of public
36 instruction as provided in sections 273.2, subsection
37 2 and 273.3, subsection 7.

38 7. Equipment purchase and maintenance.

39 8. Administrative data processing.

40 9. Cooperative purchasing.

41 10. The costs of unemployment benefits under
42 chapter 96.

43 11. An amount sufficient for payment of judgments
44 or settlements together with interest accruing on them
45 to the expected date of payment under section 613A.2
46 or 613A.8.

47 12. Costs of area education agency central and
48 divisional administration.

49 13. A necessary cash reserve.

50 14. Operation of the board of education of the

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1 area education agency, including compensation, travel,
2 and materials for area education agency board members.

3 15. Community services which include services not
4 directly related to the instructional services
5 programs of the area education agency which include
6 but are not limited to, civic activities, public

7 libraries, and nonpublic school services except for
8 the costs of transportation for nonpublic school
9 pupils.

10 Sec. 26. NEW SECTION. 442A.48 PUBLIC HEARING.

11 The area education agency board shall present the
12 budget for area education agency infrastructure ex-
13 penditures as a separate item, with separate amounts
14 listed for each infrastructure expenditure during the
15 public hearing required in section 273.3, subsection
16 13.

17 Sec. 27. NEW SECTION. 442A.49 AREA EDUCATION
18 AGENCY INFRASTRUCTURE ACCOUNT.

19 The money collected by the area education agency
20 infrastructure property tax levy shall be placed in
21 the general fund of the area education agency and
22 credited to the area education agency infrastructure
23 account and may be used only for the purposes au-
24 thorized. The treasurer of the area education agency
25 shall keep a separate record of the area education
26 agency infrastructure account. Other moneys received
27 for any purpose listed in section 442A.47 shall be
28 deposited in the general fund and credited to the
29 infrastructure account, and may be used for the
30 purposes for which expenditures from the account may
31 be made.

32 Sec. 28. NEW SECTION. 442A.50 ENROLLMENT SERVED.

33 For the purposes of this division, "enrollment
34 served" means the basic enrollment of all school
35 districts in the area, as defined in section 442A.21,
36 plus the number of nonpublic school pupils served by
37 the area education agency. Each school district shall
38 include in its October enrollment report to the
39 department of public instruction the number of
40 nonpublic school pupils within the school district
41 served by the area education agency.

42 Sec. 29. NEW SECTION. 442A.51 STATE AREA EDUCA-
43 TION AGENCY INSTRUCTIONAL SERVICES COST PER STUDENT.

44 The state area education agency instructional
45 services cost per student for the budget year
46 beginning July 1, 1986, is one hundred thirty-five
47 dollars per student.

48 The state area education agency instructional
49 services cost per student for all subsequent budget
50 years is the product of the state area education

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1 agency instructional services cost per student for the
2 base year times the quotient of the value of the
3 implicit price deflator for the quarter ending six

4 months prior to the beginning of the budget year
 5 divided by the value of the implicit price deflator
 6 for the quarter ending six months prior to the
 7 beginning of the base year.

8 Sec. 30. NEW SECTION. 442A.52 STATE AREA
 9 EDUCATION AGENCY INSTRUCTIONAL SERVICES SUPPORT PER
 10 STUDENT.

11 The state area education agency instructional
 12 services support per student for the budget year
 13 equals the state area education agency instructional
 14 services support level for the budget year times the
 15 state area education agency instructional services
 16 cost per student for the budget year. However, the
 17 state area education agency instructional services
 18 support per student shall not exceed the state area
 19 education agency instructional services cost per
 20 student.

21 Sec. 31. NEW SECTION. 442A.53 STATE AREA
 22 EDUCATION AGENCY INSTRUCTIONAL SERVICES SUPPORT
 23 LEVEL.

24 The state area education agency instructional
 25 services support level for the budget year beginning
 26 July 1, 1986 is one hundred percent.

27 For subsequent budget years the state area
 28 education agency instructional services support level
 29 shall be computed by the state comptroller prior to
 30 October 20 in the base year and forwarded to the
 31 superintendent of public instruction. The state area
 32 education agency instructional services support level
 33 shall be computed such that the ratio of the total
 34 moneys appropriated under section 442A.58 for the
 35 budget year to the total moneys appropriated under
 36 section 442A.58 for the base year is equal to the
 37 ratio of the state general fund revenues received
 38 during the base year to the state general fund
 39 revenues received during the year preceding the base
 40 year.

41 Sec. 32. NEW SECTION. 442A.54 AREA EDUCATION
 42 AGENCY UNIFORM INSTRUCTIONAL SERVICES LEVY.

43 Each school district shall cause to be levied each
 44 year, for the area education agency, an area education
 45 agency uniform levy of property tax of thirty cents
 46 per thousand dollars of assessed valuation on all
 47 taxable property in the district.

48 Moneys collected in a school district pursuant to
 49 this section shall be deposited in the general fund of
 50 the area education agency in which the district is
 located and credited to the agency's instructional

1 services account

2 Sec. 33. NEW SECTION. 442A.55 BASIC STATE AREA
3 EDUCATION AGENCY INSTRUCTIONAL SERVICES SUPPORT.

4 The basic state area education agency instructional
5 services support for a budget year provided for each
6 area education agency under this division is equal to
7 the amount of the state area education agency
8 instructional services support per student for the
9 budget year provided under section 442A.52, multiplied
10 times the enrollment served for the budget year for
11 the area education agency less the amount of the
12 moneys raised for the area education agency in the
13 budget year by the area education agency uniform
14 instructional services levy under section 442A.54.

15 Sec. 34. NEW SECTION. 442A.56 USE OF MONEYS
16 PROVIDED.

17 Moneys provided to an area education agency under
18 sections 442A.54 and 442A.55 shall be used for the
19 area education agency's instructional services
20 expenditures. As used in this division, an "area
21 education agency's instructional services
22 expenditures" means expenditures for special education
23 support services, media services and educational
24 services pursuant to program plans approved under
25 section 273.9 and which are not included as area
26 education agency infrastructure expenditures under
27 section 442A.47.

28 Sec. 35. NEW SECTION. 442A.57 ADDITIONAL AREA
29 EDUCATION AGENCY INSTRUCTIONAL FUNDING.

30 If moneys received by an area education agency
31 under sections 442A.54 and 442A.55 are not sufficient
32 to pay for the area education agency's instructional
33 services expenditures for a budget year approved by
34 the state board of public instruction, the state
35 comptroller shall determine the supplemental area
36 education agency instructional services support levy
37 on taxable property within the school districts lo-
38 cated in the area education agency which is necessary
39 to raise the moneys to pay for the area education
40 agency's instructional services expenditures for the
41 budget year approved by the state board of public
42 instruction. The state comptroller shall transmit the
43 amount of the supplemental area education agency
44 instructional services support levy to the respective
45 county auditors and county boards of supervisors.
46 Moneys raised through the supplemental area education
47 agency instructional services support levy shall be
48 deposited in the general fund and credited to the area
49 education agency's instructional services account and
50 such moneys shall not be spent on infrastructure

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1 expenditures.

2 Sec. 36. NEW SECTION. 442A.58 APPROPRIATION.

3 There is appropriated each year from the general
4 fund of the state an amount necessary to pay the basic
5 state area education agency instructional services
6 support provided under section 442A.55.

7 The basic state area education agency instructional
8 services support paid under this division, unless
9 otherwise stated, shall be paid in monthly
10 installments beginning on September 15 of a budget
11 year and ending on June 15 of the budget year and the
12 installments shall be as nearly equal as possible as
13 determined by the state comptroller, taking into
14 consideration the relative budget and cash position of
15 the state resources. Moneys received by an area
16 education agency under this section shall be deposited
17 in the general fund of the area education agency and
18 credited to the instructional services account.

19 Sec. 37. For the budget year beginning July 1,
20 1986, each certificated individual employed by a
21 school district or area education agency whose salary
22 and benefits are paid from moneys in the general fund
23 and charged to the instructional account or area
24 education agency instructional services account shall
25 receive on a full-time equivalent basis a salary
26 adjustment of one thousand five hundred dollars in
27 addition to any salary increases the certificated
28 employee will receive for the budget year under a
29 salary schedule adopted by the board of directors or
30 negotiated under chapter 20. However, if a
31 certificated employee's annual salary for the budget
32 year on a full-time equivalent basis, after adding the
33 salary adjustment, is less than eighteen thousand dol-
34 lars, the salary adjustment shall be increased to an
35 amount that will provide an annual salary of eighteen
36 thousand dollars for the budget year on a full-time
37 equivalent basis. Costs of providing the salary
38 adjustment under this section shall be paid from the
39 general fund of a school district or area education
40 agency and charged against the instructional account
41 of the school district or the instructional services
42 account of an area education agency. The costs have
43 been provided for in the calculation of the state
44 instructional support per student and the area
45 education agency state instructional services support
46 per student for the budget year beginning July 1,
47 1986.

48 Sec. 38. Section 11.21, unnumbered paragraph 1,

49 Code 1985, is amended to read as follows:
50 Upon payment by the state of the salary and

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1 expenses, the auditor of state shall file with the
2 warrant-issuing officer of the county, municipality or
3 school, whose offices were examined, a sworn statement
4 consisting of the itemized expenses paid and prorated
5 salary costs paid under section 11.20. Upon audit and
6 approval by the board of supervisors, council or
7 school board, the warrant-issuing officer shall draw a
8 warrant for the amount on the county, or on the
9 general fund of the municipality or general fund of
10 the school and charged against the infrastructure
11 account in favor of the auditor of state, which
12 warrant shall be placed to the credit of the general
13 fund of the state. In the event of the disapproval of
14 ~~any~~ items of ~~said~~ the statement by the county,
15 municipality, or school authorities, written
16 objections shall be filed with the auditor of state
17 within thirty days from the filing ~~thereof~~.
18 Disapproved items of the statement shall be paid the
19 auditor of state upon receiving final decisions
20 emanating from public hearing established by the
21 auditor of state.

22 Sec. 39. Section 76.1, Code 1985, is amended to
23 read as follows:

24 76.1 MANDATORY RETIREMENT.

25 Hereafter issues of bonds of every kind and
26 character by counties, cities, and school corporations
27 shall be consecutively numbered. The annual levy, or
28 annual levy and income surtax, if applicable, shall be
29 sufficient to pay the interest and approximately ~~such~~
30 ~~that~~ portion of the principal of the bonds as will
31 retire them in a period not exceeding twenty years
32 from date of issue. Each issue of bonds shall be
33 scheduled to mature serially in the same order as
34 numbered.

35 Sec. 40. Section 76.2, unnumbered paragraphs 1 and
36 2, Code 1985, are amended to read as follows:

37 The governing authority of these political
38 subdivisions before issuing bonds shall, by
39 resolution, provide for the assessment of an annual
40 levy upon all the taxable property in the political
41 subdivision, or the assessment of an annual levy and
42 imposition of an income surtax, sufficient to pay the
43 interest and principal of the bonds within a period
44 named not exceeding twenty years. A certified copy of
45 this resolution shall be filed with the county auditor

46 or the auditors of the counties in which the political
 47 subdivision is located; and the filing shall make
 48 makes it a duty of the auditors to enter annually this
 49 levy for collection from the taxable property within
 50 the boundaries of the political subdivision until

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1 funds are realized to pay the bonds in full. For
 2 school districts using section 76.20, a copy of the
 3 resolution also shall be filed with the state
 4 comptroller and the filing makes it a duty of the
 5 state comptroller to direct the director of revenue to
 6 impose a surtax on the state income tax of individuals
 7 residing within the boundaries of the school district
 8 until funds are realized to pay the bonds in full.
 9 The levy shall continue to be made against property
 10 that is severed from the political subdivision after
 11 the filing of the resolution until funds are realized
 12 to pay the bonds in full.

13 If the resolution is filed prior to April 1 the
 14 annual levy shall begin with the tax levy for
 15 collection commencing July 1 of that year. If the
 16 resolution is filed after April 1, the annual levy
 17 shall begin with the tax levy for collection in the
 18 next succeeding fiscal year. However, the governing
 19 authority of a political subdivision may adjust a levy
 20 of taxes made under this section for the purpose of
 21 adjusting the annual levies and collections for
 22 property severed from the political subdivision,
 23 subject to the approval of the state comptroller.

24 If the resolution includes the imposition of an
 25 income surtax and it is filed prior to April 1, the
 26 imposition of the surtax shall begin retroactive to
 27 January 1 of that calendar year.

28 Sec. 41. Section 76.3, Code 1985, is amended to
 29 read as follows:

30 76.3 TAX LIMITATIONS.

31 Tax limitations in any a law or proposition for the
 32 issuance of bonds or obligations, including any a law
 33 or proposition for the issuance of bonds or
 34 obligations in anticipation of levies or collections
 35 of taxes or both, shall be based on the latest
 36 equalized actual valuation then existing and shall
 37 only restrict the amount of bonds or obligations which
 38 may be issued. For the sole purpose of computing the
 39 amount of bonds which may be issued as a result of the
 40 application of a tax limitation, all interest on the
 41 bonds or obligations in excess of that accruing in the
 42 first twelve months may be excluded from the first

43 annual levy of taxes, so that the need for including
44 more than one year's interest in the first annual levy
45 of taxes to pay the bonds or obligations and interest
46 does not operate to further restrict the amount of
47 bonds or obligations which may be issued, and in
48 certifying the annual levies to the county auditor or
49 auditors the first annual levy of taxes shall be
50 sufficient to pay ~~all~~ the principal of and interest on

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1 the bonds or obligations becoming due prior to the
2 next succeeding annual levy and the full amount of the
3 first annual levy shall be entered for collection by
4 the auditor or auditors, as provided in this chapter.
5 However, if a school district has approved the
6 imposition of an income surtax to pay a portion of the
7 principal and interest on the bonds or obligations,
8 this section applies only for the portion of the
9 principal and interest to be paid from the annual levy
10 of property taxes.

11 Sec. 42. Section 76.4, Code 1985, is amended to
12 read as follows:

13 76.4 PERMISSIVE APPLICATION OF FUNDS.

14 ~~Whenever~~ If the governing authority of ~~such a~~
15 political subdivision ~~shall have~~ has on hand funds
16 derived from ~~any other a~~ source ~~other~~ than taxation
17 which may be appropriated to the payment either of
18 interest or principal, or both principal and interest
19 of ~~such~~ bonds, ~~such~~ the funds may be ~~so~~ appropriated
20 and used and the levy for the payment of the bonds and
21 surtax rate for the income tax, if voted,
22 correspondingly reduced.

23 Sec. 43. Section 76.7, Code 1985, is amended to
24 read as follows:

25 76.7 PARTICULAR BONDS AFFECTED -- PAYMENT.

26 Counties, cities and school corporations may at any
27 time ~~or times~~ extend or renew any legal indebtedness
28 or any part ~~thereof of the~~ indebtedness they ~~may~~ have
29 represented by bonds or certificates where ~~such the~~
30 indebtedness is payable from a limited annual tax or
31 from a voted annual tax or income surtax, and may by
32 resolution fund or refund the ~~same legal~~ indebtedness
33 and issue bonds ~~therefor~~ running not more than twenty
34 years to be known as funding or refunding bonds, and
35 make provision for the payment of the principal and
36 interest ~~thereof~~ from the proceeds of an annual tax or
37 annual tax and income surtax for the period covered by
38 ~~such the~~ bonds similar to the tax authorized by law or
39 by the electors for the payment of the indebtedness ~~so~~

40 extended or renewed.

41 Sec. 44. NEW SECTION. 76.20 PAYMENTS OF SCHOOL
42 DISTRICT BONDS.

43 If the board of directors of a school district
44 calls an election on the issuance of general
45 obligation bonds under section 296.3, the board may
46 vote by resolution to include as a separate
47 proposition at the same election, a proposition to pay
48 the principal and interest of the bonds, one half by
49 pledging the proceeds of a property tax levy and one
50 half by pledging the proceeds of an income surtax. If

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1 the board does not adopt a resolution to include the
2 proposition on the ballot, a petition signed by
3 eligible electors equal in number to twenty percent of
4 the voters at the last preceding school election may
5 be filed with the board directing that the proposition
6 be placed on the ballot as a separate proposition from
7 the vote on the issuance of the bonds. Notice of the
8 separate proposition shall be given by the county
9 commissioner of elections by publication in accordance
10 with section 49.53. The notice shall identify the
11 bonds for which the property tax and income surtax
12 proceeds would be pledged to pay the principal and
13 interest and the number of years that the income
14 surtax and the property tax levy shall be imposed.
15 The separate proposition shall state the question
16 of whether the board of directors is authorized to pay
17 the principal and interest of the bonds one half by
18 pledging the proceeds of a property tax levy and one
19 half by pledging the proceeds of an income surtax.
20 The proposition carries if approved by a majority of
21 those voting on it.

22 The state comptroller shall adjust the levies and
23 income surtax rate to ensure that the total amount of
24 principal and interest will be paid.

25 Sec. 45. NEW SECTION. 76.21 AMOUNT REQUIRED.

26 Except as otherwise provided in section 76.24, the
27 board of directors shall estimate and certify to the
28 board of supervisors of the proper county for the
29 general fund of the school district to be credited to
30 the infrastructure account the amount required from
31 property tax revenues to pay one half the amount of
32 the principal and interest due on the bonds. The
33 board of directors shall estimate and certify to the
34 state comptroller for the infrastructure account of
35 the general fund of the school district the amount
36 required from the income surtax to pay one half the

37 amount of the principal and interest due on the bonds.
38 Annually the state comptroller shall establish the
39 rate of the income surtax based upon an average of the
40 income tax collections in the school district for the
41 three preceding years.
42 Sec. 46. NEW SECTION. 76.22 INCOME SURTAX.
43 The income surtax shall be imposed on the state
44 individual income tax for each calendar year, or for a
45 taxpayer's fiscal year ending during the second half
46 of that calendar year or the first half of the
47 succeeding calendar year, and shall be imposed on all
48 individuals residing in the school district on the
49 last day of the applicable tax year. As used in this
50 section, "state individual income tax" means the tax

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1 computed under section 422.5, less the deductions
2 allowed in sections 422.10, 422.11, and 422.12.
3 The director of revenue shall administer any income
4 surtax imposed under this chapter, and all the
5 provisions of sections 422.20, 422.22 to 422.31,
6 422.68, and 422.72 to 422.75, shall apply in respect
7 to administration of the income surtax.
8 The income surtax shall be made a part of the Iowa
9 individual income tax return subject to the conditions
10 and restrictions set forth in section 422.21.
11 Sec. 47. NEW SECTION. 76.23 DEPOSIT OF INCOME
12 SURTAX.
13 The director of revenue shall deposit all moneys
14 received as income surtax to the credit of each
15 district from which the moneys are received, in an
16 "income surtax fund" which is established in the
17 office of the treasurer of state.
18 Annually, after crediting to the department of
19 revenue a reasonable amount for costs of
20 administration, the treasurer of state shall remit to
21 the school districts which have imposed an income
22 surtax their share of the balance in the income surtax
23 fund. The proceeds of the tax shall be pledged for
24 the payment of one half the principal and interest on
25 the bonds specified on the ballot proposition. The
26 costs of administration shall be determined by the
27 department of revenue, and shall be based on a share
28 of the total cost of administering the department, in
29 the same proportion as the amount of income surtax
30 collected is to the amount of state income taxes
31 collected.
32 Sec. 48. NEW SECTION. 76.24 INCOME SURTAX
33 CERTIFICATION.

34 On or before October 20 each year, the director of
35 revenue shall make an accounting of the income surtax
36 collected under this chapter applicable to tax returns
37 for the last preceding calendar year, or for fiscal
38 year taxpayers, on the last day of their tax year
39 ending during that calendar year, from taxpayers in
40 each school district, and shall certify to the state
41 comptroller the amount of income surtax credited from
42 the taxpayers of each school district. Additional
43 returns in process, if any, at the time of
44 certification shall be completed and the additional
45 amount of income surtax reported to the state
46 comptroller for distribution back to the school
47 district with the first installment of the following
48 school year.

49 Sec. 49. NEW SECTION. 76.25 INCOME SURTAX
50 DISTRIBUTION.

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1 The state comptroller shall draw warrants in
2 payment of the amount of surtax payable to each of the
3 school districts in two installments to be paid on
4 approximately the first day of December and the first
5 day of February, and shall cause the warrants to be
6 delivered to the respective school districts.

7 Sec. 50. NEW SECTION. 76.26 TAX FORMS.

8 The department of revenue shall supply appropriate
9 forms, or provide space on the regular state income
10 tax forms, for reporting school district income tax
11 liability, and shall administer the income surtax as
12 nearly as possible in conjunction with the
13 administration of the state income tax law, for
14 purposes of economy and efficiency. The department of
15 revenue shall adopt rules to carry out the income
16 surtax under sections 76.20 through 76.24.

17 Sec. 51. NEW SECTION. 76.27 INCOME SURTAX
18 ACCOUNT.

19 Notwithstanding section 76.21, the first year in
20 which the income surtax is collected after the
21 issuance of bonds, the percent of income surtax
22 imposed shall be double the percent calculated under
23 section 76.21. The excess collected above the amount
24 necessary to pay principal and interest on the bonds
25 shall be placed in the general fund of the school
26 district and credited to a separate income surtax
27 subaccount in the infrastructure account to be used to
28 supplement the principal and interest payments during
29 years in which the amount of income surtax collected
30 is insufficient to make the required payments.

31 In any year that the amount of income surtax
32 collected plus the amount credited to the separate
33 subaccount are insufficient, the board of directors
34 shall pay the remaining amount due from moneys
35 credited to the infrastructure account of the general
36 fund of the school district and the board of directors
37 shall repay the amount borrowed when funds are
38 available in the separate subaccount.

39 For the last year in which principal and interest
40 are due, an income surtax shall not be imposed and the
41 amount of the property tax levy shall be adjusted so
42 that the proceeds from the property tax levy plus the
43 amount credited to the income surtax subaccount of the
44 school district are sufficient to pay off the bonds.

45 Sec. 52. Section 258.5, unnumbered paragraph 1,
46 Code 1985, is amended to read as follows:

47 Whenever a school corporation maintains an approved
48 vocational school, department, or classes in
49 accordance with the rules ~~and regulations~~ established
50 by the state board and the state plan for vocational

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1 education, adopted by that board and approved by the
2 United States ~~office~~ department of education ~~or other~~
3 ~~federal agency to which its functions are assigned,~~
4 the state board shall reimburse ~~such~~ the school
5 corporation at the end of the fiscal year for its
6 expenditures for salaries and authorized travel of
7 vocational teachers from federal and state funds:
8 ~~Provided, that no.~~ However, a school corporation
9 shall not receive from federal and state funds a
10 larger amount than one-half the sum which has been
11 expended by the school corporation for that particular
12 type of program; further, provided that in the event
13 federal and state funds are not sufficient to make
14 ~~such~~ the reimbursement to the extent ~~herein~~ provided
15 in this section, the state board shall prorate the
16 respective amounts available to the corporations
17 entitled to ~~such~~ reimbursement. Moneys received by a
18 school district pursuant to this section shall be
19 deposited in the general fund and credited to the
20 instructional account.

21 Sec. 53. Section 265.6, Code 1985, is amended to
22 read as follows:

23 265.6 STATE AID APPLICABLE.

24 If the state board of regents has established a
25 laboratory school, it shall receive state ~~aid~~
26 instructional support pursuant to chapters 281 and ~~442~~
27 442A for each pupil enrolled in the laboratory school

28 in the same amount as the public school district in
 29 which the pupil resides would receive ~~aid~~
 30 instructional support for that pupil and shall
 31 transmit the amount received to the institution of
 32 higher education at which the laboratory school has
 33 been established. If the board of a school district
 34 terminates a contract with the state board of regents
 35 for attendance of pupils in a laboratory school, the
 36 school district shall inform the state comptroller of
 37 the number of these pupils who are enrolled in the
 38 district on the ~~second~~ fourth Friday of the following
 39 September. The state comptroller shall pay to the
 40 school district, from funds appropriated in section
 41 ~~442.26~~ 442A.30, an amount equal to the amount of state
 42 aid support paid for each pupil in that school
 43 district for that school year in payments made as
 44 provided in section ~~442.26~~ 442A.30. ~~However, payments~~
 45 ~~shall not be made for pupils for which an advance is~~
 46 ~~received by the district under section 442.28.~~
 47 Sec. 54. Section 273.3, subsections 2, 7, and 13,
 48 Code 1985, are amended to read as follows:
 49 2. Be authorized to receive and expend money for
 50 providing programs and services as provided in

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1 sections 273.1 to 273.9, chapters 281 and ~~442~~ 442A.
 2 All costs incurred in providing the programs and
 3 services, including administrative costs, shall be
 4 paid from funds received pursuant to sections 273.1 to
 5 273.9 and chapters 281 and ~~442~~ 442A.
 6 7. Be authorized to lease, subject to the approval
 7 of the state board of public instruction and to
 8 receive by gift and operate and maintain facilities
 9 and buildings necessary to provide authorized programs
 10 and services. However, a lease ~~for less than ten~~
 11 ~~years and~~ with an annual cost of less than twenty-five
 12 thousand dollars does not require the approval of the
 13 state board. If a lease requires approval, the state
 14 board shall not approve the lease until the state
 15 board is satisfied by investigation that public school
 16 corporations within the area do not have suitable
 17 facilities available.
 18 13. Prepare an annual budget estimating income and
 19 expenditures for programs and services as provided in
 20 sections 273.1 to 273.9 and chapter 281 within the
 21 limits of funds provided under ~~section 281.9 and~~
 22 ~~chapter 442~~ 442A. The board shall give notice of a
 23 public hearing on the proposed budget by publication
 24 in an official county newspaper in each county located

25 wholly or partially in the territory of the area
26 education agency. The notice shall specify the date
27 which shall be not later than November 10 of each
28 year, time, and location of the public hearing. The
29 proposed budget as approved by the board shall then be
30 submitted to the state board of public instruction, on
31 forms provided by the department, no later than
32 December 1 preceding the next fiscal year for
33 approval. The state board shall review the proposed
34 budget of each area education agency and shall prior
35 to January 1 either grant approval or return the
36 budget without approval with comments of the state
37 board included. Any unapproved budget shall be
38 resubmitted to the state board for final approval.

39 Sec. 55. Section 273.5, subsections 3 and 5, Code
40 1985, are amended to read as follows:

41 3. ~~Assign~~ Determine appropriate ~~weights~~ additional
42 state instructional support per student for each child
43 requiring special education programs or services as
44 provided in pursuant to section 281-9 442A.27.

45 5. Provide each school district within the area
46 served and the department of public instruction with a
47 special education ~~weighted~~ enrollment count; including
48 the additional enrollment because of special education
49 for by December 1 of each year by special education
50 category pursuant to section 442A.27.

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1 Sec. 56. Section 273.9, subsections 2, 3, 4, and
2 5, Code 1985, are amended to read as follows:

3 2. School districts shall pay the costs of special
4 education instructional programs with the moneys
5 available to the districts as additional state
6 instructional support for each child requiring special
7 education; by application of the special education
8 weighting plan in section 281-9. Special education
9 instructional programs shall be provided at the local
10 level if practicable, or otherwise by contractual
11 arrangements with the area education agency board as
12 provided in section 273.3, subsection 5, but in each
13 case the ~~total money~~ additional state instructional
14 support available through section 281-9 and chapter
15 442 because of weighted enrollment for each child
16 requiring special education instruction shall be made
17 available to the district or agency which provides the
18 special education instructional program to the child,
19 subject to adjustments for transportation or other
20 costs which may be paid by the school district in
21 which the child is enrolled. Each district shall co-

22 operate with its area education agency to provide an
 23 appropriate special education instructional program
 24 for each child who requires special education
 25 instruction, as identified ~~and counted~~ within the
 26 certification by the area director of special
 27 education or as identified by the area director of
 28 special education subsequent to the certification, and
 29 shall not provide a special education instructional
 30 program to a child who has not been so identified ~~and~~
 31 ~~counted~~ within the certification or identified
 32 subsequent to the certification.

33 3. The costs of special education support services
 34 shall be provided through by the area education agency
 35 shall be funded by an increase in the allowable growth
 36 of each school district, determined as provided in
 37 section 442.7 from funds received under section
 38 442A.55 and other funds that may be available to an
 39 area education agency for special education services.
 40 Special education support services shall not be funded
 41 until the program plans submitted by the special
 42 education directors of each area education agency as
 43 required by section 273.5 are modified as necessary
 44 and approved by the state board of public instruction
 45 according to the criteria and limitations of chapter
 46 281 and section 442.7.

47 4. The costs of media services shall be provided
 48 through by the area education agency shall be funded
 49 as provided in section 442.27 from funds received
 50 under section 442A.55 and other funds that may be

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1 available to an area education agency for media
 2 services. Media services shall not be funded until
 3 the program plans submitted by the administrators of
 4 each area education agency as required by section
 5 273.4 are modified as necessary and approved by the
 6 state board of public instruction according to the
 7 criteria and limitations of section 273.6 and of
 8 section 442.27.

9 5. The costs of educational services shall be
 10 provided through by the area education agency shall be
 11 funded within the limitations in section 442.27 from
 12 funds received under section 442A.55 and other funds
 13 that may be available to an area education agency for
 14 educational services. The state board of public
 15 instruction shall promulgate rules under chapter 17A,
 16 as necessary to implement performance of its approval
 17 duties under this section.

18 Sec. 57. Section 273.12, Code 1985, is amended to

19 read as follows:

20 273.12 FUNDS -- USE RESTRICTED.

21 Funds generated for educational services ~~under the~~
22 ~~provisions of section 442.27 and subject to approval~~
23 ~~under the provisions of section 273.9, subsection 5,~~
24 shall not be expended by an area education agency for
25 the purpose of assisting either a public employer or
26 employee organization in collective bargaining
27 negotiations under chapter 20 if the public employer
28 is a school district, or the employee organization
29 consists of employees of a school district, located
30 within the boundaries of the area education agency.

31 Sec. 58. Section 274.37, unnumbered paragraph 2,
32 Code 1985, is amended to read as follows:

33 The boards in the respective districts, the
34 boundaries of which have ~~been~~ changed under this
35 section, complete in all respects, except for the
36 passage of time prior to the effective date of the
37 change and when all right of appeal of the change has
38 expired, may enter into joint contracts for the
39 construction of buildings for the benefit of the
40 corporations whose boundaries have been changed, using
41 funds accumulated ~~under section 278.1, subsection 7 in~~
42 the respective infrastructure accounts. The district
43 in which the building is to be located may use any
44 funds authorized in accordance with chapter 75.
45 Nothing in this section shall be construed to permit
46 the changed districts to expend any funds jointly
47 which they are not entitled to expend acting
48 individually.

49 Sec. 59. Section 274.41, Code 1985, is amended to
50 read as follows:

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1 274.41 APPLICATION OF PROCEEDS OF SALE.

2 The proceeds of the sale of the property of a
3 school district under the authority granted in
4 sections 274.39 and 274.40 shall be deposited ~~with the~~
5 ~~treasurer of the county and applied so far as~~
6 ~~necessary to the payment of the outstanding~~
7 ~~indebtedness of such school district in the general~~
8 fund of the school district and credited to the
9 infrastructure account.

10 Sec. 60. Section 275.12, subsection 5, Code 1985,
11 is amended by striking the subsection.

12 Sec. 61. Section 275.14, Code 1985, is amended to
13 read as follows:

14 275.14 OBJECTION -- TIME OF FILING -- NOTICE.

15 Within ten days after the petition is filed, the

16 area education agency administrator shall fix a final
 17 date for filing objections to the petition which shall
 18 be not more than sixty days after the petition is
 19 filed and shall fix the date for a hearing on the
 20 objections to the petition. Objections shall be filed
 21 in the office of the administrator who shall give
 22 notice at least ten days prior to the final day for
 23 filing objections, by one publication in a newspaper
 24 published within the territory described in the
 25 petition, or if none is published therein, in a
 26 newspaper published in the county where the petition
 27 is filed, and of general circulation in the territory
 28 described. The notice shall also list the date, time,
 29 and location for the hearing on the petition as
 30 provided in section 275.15. The cost of publication
 31 shall be assessed to each district whose territory is
 32 involved in the ratio that the number of pupils in
 33 basic enrollment, as defined in section ~~442.4~~ 442A.21
 34 in each district bears to the total number of pupils
 35 in basic enrollment in the total area involved.
 36 Objections shall be in writing in the form of an
 37 affidavit and may be made by any person residing or
 38 owning land within the territory described in the
 39 petition, or who would be injuriously affected by the
 40 change petitioned for and shall be on file not later
 41 than twelve o'clock noon of the final day fixed for
 42 filing objections.

43 Sec. 62. Section 275.20, Code 1985, is amended to
 44 read as follows:

45 275.20 SEPARATE VOTE IN EXISTING DISTRICTS.

46 The voters shall vote separately in each existing
 47 school district affected ~~and voters residing in the~~
 48 ~~entire existing district are eligible to vote both~~
 49 upon the proposition to create a new school
 50 corporation ~~and the proposition to levy the~~

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1 schoolhouse tax under section 278.1, subsection 7, if
 2 the petition included a provision for a vote to levy
 3 the schoolhouse tax. If a ~~the~~ proposition receives a
 4 majority of the votes cast in each of at least
 5 seventy-five percent of the districts, and also a
 6 majority of the total number of votes cast in all of
 7 the districts, the proposition is carried.

8 Sec. 63. Section 275.26, unnumbered paragraph 3,
 9 Code 1985, is amended to read as follows:

10 The respective boards to which such expenses are
 11 certified shall audit and order the same paid from the
 12 general fund and charged against the infrastructure

13 account. In the event of failure of ~~any a~~ board to ~~so~~
14 audit and pay the expenses certified to it, the area
15 education agency administrator shall certify the
16 expenses to the county auditor in the same manner as
17 is provided for tuition claims in section 282.21 and
18 the funds shall be transferred by the county treasurer
19 from the debtor district to the agency board for
20 payment of ~~said the~~ expenses.

21 Sec. 64. Section 275.31, Code 1985, is amended to
22 read as follows:

23 275.31 TAXES TO EFFECT EQUALIZATION.

24 If necessary to equalize ~~such a~~ division and
25 distribution, the board or boards may provide for the
26 levy of additional taxes upon the property of ~~any the~~
27 corporation or part of corporation and for the
28 distribution of the same so as to effect such
29 equalization. The proceeds of the levy shall be
30 deposited in the general fund and credited to the
31 infrastructure account.

32 Sec. 65. Section 275.32, Code 1985, is amended to
33 read as follows:

34 275.32 SCHOOL BUILDINGS -- TAX LEVY.

35 The board of any school corporation shall establish
36 attendance centers and provide suitable buildings for
37 each school in the district, and may at the regular or
38 a special meeting call a special election to submit to
39 the qualified electors of the district the question of
40 ~~voting a tax or~~ authorizing the board to issue bonds;
41 ~~or both,~~ in excess of one hundred thousand dollars for
42 any or all of the following purposes:

43 1. To secure sites, build, purchase, or equip
44 school buildings.

45 2. To build or purchase a superintendent's or
46 teacher's house or houses.

47 3. To repair or improve any school building or
48 grounds, or superintendent's or teacher's house or
49 houses, when the cost will exceed five thousand
50 dollars.

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1 All moneys received for such purposes shall be
2 placed in the ~~schoolhouse~~ the general fund and
3 credited to the infrastructure account of said the
4 corporation and shall be used only for the purpose for
5 which voted.

6 Sec. 66. Section 275.33, subsection 2, Code 1985,
7 is amended to read as follows:

8 2. The collective bargaining agreement of the
9 district with the largest basic enrollment, as defined

10 in section ~~442.4~~ 442A.21, in the new district shall
 11 continue in full force and effect until a successor
 12 agreement is negotiated and the employees of the other
 13 districts involved in the formation of the new
 14 district shall automatically be accreted to the
 15 bargaining unit of that collective bargaining
 16 agreement without further action by the public
 17 employment relations board. If only one collective
 18 bargaining agreement is in effect among the districts
 19 which are party to the reorganization, then that
 20 agreement shall continue in full force and effect
 21 until a successor agreement is negotiated, and the
 22 employees of the other districts involved in the
 23 formation of the new district shall automatically be
 24 accreted to the bargaining unit of that collective
 25 bargaining agreement without further action by the
 26 public employment relations board.

27 Sec. 67. Section 277.27, Code 1985, is amended to
 28 read as follows:

29 277.27 QUALIFICATION.

30 A Notwithstanding section 71.1, a school officer or
 31 member of the board shall, at the time of election or
 32 appointment, be an eligible elector of the corporation
 33 or subdistrict. Notwithstanding any contrary
 34 provision of the Code, no member of the board of
 35 directors of any school district, or director's
 36 spouse, shall receive compensation directly from the
 37 school board. No director or spouse affected by this
 38 provision on July 1, 1972, whose term of office for
 39 which elected has not expired, or whose contract of
 40 employment has a fixed date of expiration and has not
 41 expired, shall be affected by this provision until the
 42 expiration of the term of office to which elected, or
 43 the expiration date of the contract for which
 44 employed. A member of the board of directors shall
 45 not be an employee of the school district. A board
 46 member may receive compensation in an amount
 47 determined by the board and necessary expenses
 48 incurred while engaged in official duties.

49 Sec. 68. Section 278.1, subsections 2, 5, and 7,
 50 Code 1985, are amended by striking the subsections.

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1 Sec. 69. Section 278.1, unnumbered paragraph 2,
 2 Code 1985, is amended to read as follows:

3 The board may, with approval of sixty percent of
 4 the voters, voting in a regular or special election in
 5 the school district, make extended time contracts not
 6 to exceed twenty years in duration for rental of

7 buildings to supplement existing schoolhouse
8 facilities; and where it is deemed advisable for
9 buildings to be constructed or placed on real estate
10 owned by the school district, such the contracts may
11 include lease-purchase option agreements, such with
12 the amounts to be paid out of from the schoolhouse
13 general fund and charged against the infrastructure
14 account.

15 Sec. 70. Section 278.1, unnumbered paragraph 4,
16 Code 1985, is amended by striking the unnumbered
17 paragraph.

18 Sec. 71. Section 279.8, unnumbered paragraph 2,
19 Code 1985, is amended to read as follows:

20 Employees of a school corporation maintaining a
21 high school who have the custody of funds belonging to
22 the corporation or funds derived from ~~extracurricular~~
23 ~~activities and~~ other sources in the conduct of their
24 duties, shall be required to furnish suitable bond
25 indemnifying the corporation or any activity group
26 connected with the school against loss, and employees
27 who have the custody of property belonging to the
28 corporation or any activity group connected with the
29 school may be required to furnish such bond. Said
30 bond or bonds may be in such form and penalty as the
31 board may approve and the premiums on same shall be
32 paid from the general fund and charged against the
33 infrastructure account of the corporation.

34 Sec. 72. Section 279.12, unnumbered paragraph 1,
35 Code 1985, is amended to read as follows:

36 The board shall carry into effect ~~any~~ instruction
37 from the regular election upon matters within the
38 control of the voters, and shall elect ~~all~~ teachers
39 and make ~~all~~ contracts necessary or proper for
40 exercising the powers granted and performing the
41 duties required by law, and may establish and pay all
42 or any part thereof ~~from school district funds of~~ the
43 cost of group health insurance plans, nonprofit group
44 hospital service plans, nonprofit group medical
45 service plans and group life insurance plans adopted
46 by the board for the benefit of employees of the
47 school district from the general fund of the school
48 district and charged against the appropriate account,
49 but the board may authorize any subdirector to employ
50 teachers for the school in the subdirector's

1 subdistrict; ~~but no such employment.~~ Employment by a
 2 subdirector ~~shall does not~~ authorize a contract, the
 3 entire period of which is wholly beyond the
 4 subdirector's term of office.

5 Sec. 73. Section 279.26, Code 1985, is amended to
 6 read as follows:

7 279.26 LEASE ARRANGEMENTS.

8 The board of directors of a local school district
 9 ~~for which a schoolhouse tax has been voted pursuant to~~
 10 ~~section 278.1, subsection 7,~~ may enter into a rental
 11 or lease arrangement; ~~consistent with the purposes for~~
 12 ~~which the schoolhouse tax has been voted,~~ for a period
 13 not exceeding ten years ~~and not exceeding the period~~
 14 ~~for which the schoolhouse tax has been authorized by~~
 15 ~~the voters.~~

16 Sec. 74. Section 279.28, Code 1985, is amended to
 17 read as follows:

18 279.28 INSURANCE -- SUPPLIES -- TEXTBOOKS.

19 It may provide and pay ~~out of from~~ the general fund
 20 ~~of the school district and charge against the~~
 21 ~~infrastructure account~~ to insure school property such
 22 sum as may be necessary; ~~and may purchase~~
 23 ~~dictionaries, library books, including books for the~~
 24 ~~purpose of teaching vocal music, maps, charts, and~~
 25 ~~apparatus for the use of the schools thereof as deemed~~
 26 ~~necessary by the board of directors for each school~~
 27 ~~building under its charge; and, The board~~ may furnish
 28 schoolbooks to indigent children ~~when they are likely~~
 29 ~~to be deprived of the proper benefits of the school~~
 30 ~~unless so aided.~~

31 Sec. 75. Section 279.32, unnumbered paragraph 1,
 32 Code 1985, is amended to read as follows:

33 The board shall fix the compensation to be paid the
 34 secretary. ~~No A~~ member of the board shall ~~not~~ receive
 35 compensation for official services ~~except as provided~~
 36 ~~in section 277.27.~~ The board may pay a school
 37 treasurer a reasonable compensation.

38 Sec. 76. Section 279.41, Code 1985, is amended to
 39 read as follows:

40 279.41 SCHOOLHOUSES AND SITES SOLD -- FUNDS.

41 ~~Any fund Moneys~~ received from the condemnation,
 42 sale, or other disposition for public purposes of
 43 schoolhouses, school sites or both schoolhouses and
 44 school sites ~~may shall~~ be deposited in the ~~schoolhouse~~
 45 ~~general fund of the school district and credited to~~
 46 ~~the infrastructure account~~ and may ~~without a vote of~~
 47 ~~the electorate~~ be used for the purchase of school
 48 sites or the erection or repair of schoolhouses or
 49 both as ordered by the board of directors of ~~such the~~
 50 school district; ~~provided, however, that, However,~~

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1 the board shall comply with section 297.7.

2 Sec. 77. Section 279.42, Code 1985, is amended to
3 read as follows:

4 279.42 GIFTS TO SCHOOLS.

5 The board of directors of any school district which
6 receives funds through gifts, devises and bequests may
7 utilize ~~the same them~~, unless limited by the terms of
8 the grant. The gift, devise, or bequest shall be
9 deposited in the general or schoolhouse fund
10 expenditures and credited to the appropriate account
11 pursuant to section 442A.38.

12 Sec. 78. Section 280.4, subsections 1 through 3,
13 Code 1985, are amended by striking the subsections.

14 Sec. 79. Section 280.7, Code 1985, is amended to
15 read as follows:

16 280.7 DENTAL CLINICS.

17 Boards of directors in all public school districts
18 may establish and maintain dental clinics for children
19 and offer courses of instruction on mouth hygiene.
20 The boards may employ ~~such~~ legally qualified dentists
21 and dental hygienists ~~as may be necessary~~ to
22 accomplish the purpose of this section. The cost of
23 the dental clinic shall be paid from the general fund
24 of the school district and charged against the
25 instructional account.

26 Sec. 80. Section 280.10, unnumbered paragraph 3,
27 Code 1985, is amended to read as follows:

28 The board of directors of each local public school
29 district and the authorities in charge of each
30 nonpublic school shall provide the safety devices
31 required herein. Such devices ~~may shall~~ be paid for
32 from the general fund of the school district and
33 charged against the instructional account, but the
34 board may require students and teachers to pay for the
35 safety devices and shall make them available to
36 students and teachers at no more than the actual cost
37 to the district or school.

38 Sec. 81. Section 280.11, unnumbered paragraph 3,
39 Code 1985, is amended to read as follows:

40 The board of directors of each local public school
41 district and the authorities in charge of each
42 nonpublic school shall provide the safety devices
43 required herein. Such devices ~~may shall~~ be paid for
44 from the general fund of the school district and
45 charged against the instructional account, but the
46 board may require students and teachers to pay for the
47 safety devices and shall make them available to
48 students and teachers at no more than the actual cost

49 to the district or school.

50 Sec. 82. NEW SECTION. 280.17 ACCRUAL ACCOUNTING.

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1 The board of directors of each school district
2 shall adopt accounting procedures that provide that
3 receipts and expenditures be recorded on an accrual
4 basis.

5 Sec. 83. Section 281.2, subsection 2, unnumbered
6 paragraphs 4 and 5, Code 1985, are amended to read as
7 follows:

8 Every child requiring special education shall, if
9 reasonably possible, receive a level of education
10 commensurate with the level provided each child who
11 does not require special education. The cost of
12 providing such an education shall be paid as provided
13 in section 273.9, this chapter and chapter ~~442~~ 442A.
14 It ~~shall be~~ is the primary responsibility of each
15 school district to provide special education to
16 children who reside in that district if the children
17 requiring special education are properly identified,
18 the educational program or service has been approved,
19 the teacher or instructor has been certified, the
20 number of children requiring special education needing
21 that educational program or service is sufficient to
22 make offering the program or service feasible, and the
23 program or service cannot more economically and
24 equably be obtained from the area education agency,
25 another school district, another group of school
26 districts, a qualified private agency, or in co-
27 operation with one or more other districts.

28 ~~Any funds~~ Funds received by ~~the a~~ school district
29 of the child's residence for the child's education,
30 derived from funds received through chapter ~~442~~ 442A,
31 this chapter and section 273.9 shall be paid by the
32 school district of the child's residence to the
33 appropriate education agency, private agency, or other
34 school district providing special education for the
35 child pursuant to contractual arrangements as provided
36 in section 273.3, subsections 5 and 7.

37 Sec. 84. Section 281.8, unnumbered paragraph 1,
38 Code 1985, is amended to read as follows:

39 It shall not be incumbent upon the school districts
40 to keep a child requiring special education in regular
41 instruction when the child cannot sufficiently profit
42 from the work of the regular classroom, nor to keep
43 ~~such~~ the child requiring special education in the
44 special class or instruction for children requiring
45 special education when it is determined by the

46 director of special education of an area education
47 agency that the child can no longer benefit from the
48 instruction or needs more specialized instruction
49 available in special schools. However, the school
50 district shall ~~count~~ include the child requiring

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1 special education in the basic enrollment as provided
2 in sections 273.9, 281.9 and ~~442.4~~ 442A.21 and shall
3 ~~insure~~ ensure that appropriate educational provisions
4 are made for the child requiring special education
5 within the limits of funds available under ~~the~~
6 ~~provisions~~ of this chapter and chapters 273 and ~~442~~
7 442A.

8 Sec. 85. Section 281.9, Code 1985, is amended by
9 striking the section and inserting in lieu thereof the
10 following:

11 281.9 EVALUATION.

12 The division of special education may conduct an
13 evaluation of the special education instructional
14 program or special education support services being
15 provided by an area education agency, school district,
16 or private agency, pursuant to sections 273.1 to 273.9
17 and this chapter, to determine if the program or
18 service is adequate and proper to meet the needs of
19 the child; if the child is benefiting from the program
20 or service; if the costs are in proportion to the
21 educational benefits being received; and if there are
22 any improvements that can be made in the program or
23 service. A written report of the evaluation shall be
24 sent to the area education agency, school district, or
25 private agency evaluated and to the president of the
26 senate and speaker of the house of representatives of
27 the general assembly.

28 Sec. 86. Section 282.3, subsection 1, Code 1985,
29 is amended to read as follows:

30 1. The board may exclude from school children
31 under the age of six years when in its judgment such
32 children are not sufficiently mature to be benefited
33 by regular instruction, or any incorrigible child or
34 any child who in its judgment is so abnormal that
35 regular instruction would be of no substantial
36 benefit, or any child whose presence in school may be
37 injurious to the health or morals of other pupils or
38 to the welfare of such school. However, the board
39 shall provide special education programs and services
40 under the provisions of chapters 273, 281, and ~~442~~
41 442A for all children requiring special education.

42 Sec. 87. Section 282.8, Code 1985, is amended to

43 read as follows:

44 282.8 ATTENDING SCHOOL OUTSIDE STATE.

45 The boards of directors of school districts located
46 near the state boundaries may designate schools of
47 equivalent standing across the state line for
48 attendance of both elementary and high school pupils
49 when the public school in the adjoining state is
50 nearer than any appropriate public school in a pupil's

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1 district of residence or in Iowa. Distance shall be
2 measured by the nearest traveled public road.
3 Arrangements shall be subject to reciprocal agreements
4 made between the chief state school officers of the
5 respective states. Notwithstanding section 282.1,
6 arrangements between districts pursuant to the
7 reciprocal agreements made under this section shall
8 establish tuition and transportation fees in an amount
9 acceptable to the affected boards, but the tuition and
10 transportation fees shall not be less than the lower
11 average cost per pupil for the previous school year of
12 the two affected school districts. For the purpose of
13 this section average cost per pupil for the previous
14 school year is determined by dividing the district's
15 operating instructional expenditures for the previous
16 school year by the number of children enrolled in the
17 district on the ~~second~~ third Friday of September of
18 the previous school year. A person attending school
19 in another state shall continue to be treated as a
20 pupil of the district of residence in the
21 apportionment of the current school fund and the
22 payment of state ~~aid~~ instructional support.

23 Sec. 88. Section 282.19, Code 1985, is amended to
24 read as follows:

25 282.19 CHILD LIVING IN FOSTER CARE FACILITY.

26 A child who is living in a licensed child foster
27 care facility as defined in section 237.1 in this
28 state which is located in a school district other than
29 the school district in which the child resided before
30 receiving foster care may enroll in and attend an
31 approved school in the school district in which the
32 child is living. If a child does not require special
33 education and was not counted in the basic enrollment
34 of a school district for a budget year under section
35 ~~442.4~~ 442A.21, the tuition and transportation, when
36 required by law, shall be paid by the treasurer of
37 state from funds in the state treasury not otherwise
38 appropriated, and upon warrants drawn by the state
39 comptroller upon requisition of the superintendent of

40 public instruction.

41 Sec. 89. Section 282.20, unnumbered paragraph 1,
42 Code 1985, is amended to read as follows:

43 The school corporation in which the student resides
44 shall pay from the general fund to the secretary of
45 the corporation in which the student is permitted to
46 enroll, a tuition fee as prescribed in section 282.24.
47 The amount shall be charged against the instructional
48 account.

49 Sec. 90. Section 282.24, subsection 1, unnumbered
50 paragraph 1, Code 1985, is amended to read as follows:

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1 There is established a maximum tuition fee that may
2 be charged for elementary and high school students
3 residing within another school district or corporation
4 except students attending school in another district
5 under section 282.7, subsection 1. That fee is the
6 ~~district cost~~ instructional cost per pupil of the
7 receiving district ~~as computed in section 442.9,~~
8 ~~subsection 1, paragraph "a".~~

9 Sec. 91. Section 282.27, Code 1985, is amended to
10 read as follows:

11 282.27 PAYMENT FOR CERTAIN CHILDREN.

12 When a child requiring special education is living
13 in a state-supported institution, charitable
14 institution, or licensed boarding home as defined in
15 this chapter which does not maintain a school and the
16 residence of the child requiring special education is
17 in a school district other than the school district in
18 which the state-supported institution, charitable
19 institution, or licensed boarding home is located, the
20 child is eligible for special education programs and
21 services provided for children requiring special
22 education who are residents of the school district in
23 which the institution or boarding home is located.
24 The special education instructional costs shall be
25 computed ~~by means of weighted enrollment under section~~
26 442A.27, subsection 1, for that child under the
27 ~~provisions of chapters 273, 281, and 442 442A~~ as if
28 that child were a resident of the school district in
29 which the institution or boarding home is located but
30 the child shall be included in the enrollment count in
31 the district of residence in the manner provided in
32 ~~sections 281.9 and 442.4~~ section 442A.21. The costs
33 as computed shall be paid by the district of
34 residence. ~~No~~ A child requiring special education
35 shall not be denied special education programs and
36 services because of a dispute over determination of

37 residence of that child. If there is a dispute over
 38 the residence of the child, the state board of public
 39 instruction shall determine the residence of the
 40 child. However, if the special education
 41 instructional costs incurred on behalf of the child
 42 exceed the amount which would be allowed if the child
 43 were provided the programs and services in the
 44 district of residence, the treasurer of the school
 45 district of residence shall make payment at the
 46 maximum amount allowed in that district for a child
 47 requiring special education who is similarly
 48 handicapped. If the child requiring special education
 49 is not counted in the ~~weighted~~ enrollment of any
 50 district ~~under section 281.9~~, and payment is not made

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1 by any district, the district in which the institution
 2 or boarding home is located may certify the special
 3 education instructional costs to the superintendent of
 4 public instruction not later than September 1 of each
 5 year for the preceding fiscal year. The state board
 6 of public instruction shall review the costs and
 7 submit a requisition to the state comptroller. The
 8 amount due shall be paid by the treasurer of state to
 9 the district in which the institution or licensed
 10 boarding home is located from any funds in the general
 11 fund of the state not otherwise appropriated upon
 12 warrants drawn and signed by the state comptroller.
 13 For the purposes of this section, the term "district
 14 of residence of the child" means the residence of the
 15 parent or legal guardian, or the location of the
 16 district court if the district court is the legal
 17 guardian, of the child.

18 Sec. 92. Section 283A.9, Code 1985, is amended to
 19 read as follows:

20 **283A.9 BUILDING FOR SCHOOL LUNCH FACILITY.**

21 School districts are authorized to purchase, erect,
 22 or otherwise acquire a building for use as a school
 23 lunch facility, and to equip ~~such a the~~ building for
 24 such use, and pay for same expenditures from
 25 unencumbered funds ~~on hand~~ in the schoolhouse general
 26 fund derived from taxes voted under authority of
 27 section 278.1, subsection 7, or 275.32, subject to the
 28 terms of this section, or may pay for same the
 29 building from the proceeds of the sale of school
 30 property sold under section 297.22, or from surplus
 31 remaining in the schoolhouse general fund after
 32 retirement of a bond issue, ~~or from a tax voted for~~
 33 said purposes. Payments made under this section shall

34 be charged against the infrastructure account.

35 Sec. 93. Section 285.2, unnumbered paragraph 3,
36 Code 1985, is amended to read as follows:

37 The costs of providing transportation to nonpublic
38 school pupils as provided in section 285.1 shall ~~not~~
39 ~~be included in the computation of district cost under~~
40 ~~chapter 442, but shall be shown in the budget as an~~
41 ~~expense from miscellaneous income a separate expense.~~
42 Any transportation reimbursements received by a local
43 school district for transporting nonpublic school
44 pupils shall ~~not affect district cost limitations of~~
45 ~~chapter 442 be recorded as a separate nonpublic~~
46 ~~transportation account in the general fund and be used~~
47 ~~only for expenses relating to nonpublic pupil~~
48 ~~transportation.~~ The reimbursements provided in this
49 section are miscellaneous income as defined in section
50 ~~442.5.~~

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1 Sec. 94. Section 285.10, subsection 7, paragraph
2 a, Code 1985, is amended to read as follows:

3 a. From such funds as may be available in the
4 general fund and charged against the infrastructure
5 account.

6 Sec. 95. Section 291.15, Code 1985, is amended to
7 read as follows:

8 291.15 ANNUAL REPORT.

9 The treasurer shall make an annual report to the
10 board at its regular July meeting, which shall show
11 the amount of each account in the general fund and the
12 schoolhouse fund and the amounts held over, received,
13 paid out, and on hand, the several funds accounts to
14 be separately stated, and the treasurer shall
15 immediately file a copy of this report with the
16 superintendent of public instruction and a copy with
17 the county treasurer.

18 Sec. 96. Section 294.3, Code 1985, is amended to
19 read as follows:

20 294.3 STATE AID AND TUITION.

21 ~~No~~ A school shall ~~not~~ be deprived of its right to
22 be approved for state aid instructional support or
23 approved for tuition ~~by reason because~~ of the
24 employment of ~~any~~ a teacher as authorized under
25 section 294.2.

26 Sec. 97. Section 294.8, Code 1985, is amended to
27 read as follows:

28 294.8 PENSION SYSTEM.

29 ~~Any~~ A school district located in whole or in part
30 within a city having a population of twenty-five

31 thousand one hundred or more may establish a pension
 32 and annuity retirement system for the public school
 33 teachers of ~~such the~~ district ~~provided said system, in~~
 34 ~~cities having a population less than seventy-five~~
 35 ~~thousand, be ratified by a vote of the people at a~~
 36 ~~general election.~~

37 Sec. 98. Section 294.9, subsection 2, Code 1985,
 38 is amended to read as follows:

39 2. From the ~~proceeds of an annual tax levy general~~
 40 ~~fund and charged against the appropriate account.~~

41 Sec. 99. Section 296.1, Code 1985, is amended to
 42 read as follows:

43 296.1 INDEBTEDNESS AUTHORIZED.

44 Subject to the approval of the voters ~~thereof,~~
 45 school districts ~~are hereby authorized to may~~ contract
 46 indebtedness and ~~to~~ issue general obligation bonds ~~in~~
 47 ~~an amount in excess of one hundred thousand dollars~~ to
 48 provide funds to defray the cost of purchasing,
 49 building, furnishing, reconstructing, repairing,
 50 improving or remodeling a schoolhouse or schoolhouses

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1 and additions thereto, gymnasium, stadium, field
 2 house, school bus garage, teachers' or
 3 superintendent's home or homes, and procuring a site
 4 or sites therefor, or purchasing land to add to a site
 5 already owned, or procuring and improving a site for
 6 an athletic field, or improving a site already owned
 7 for an athletic field, and for any one or more of ~~such~~
 8 ~~these~~ purposes. Taxes for the payment of ~~said the~~
 9 bonds shall be levied in accordance with chapter 76,
 10 and ~~said the~~ bonds shall mature within a period not
 11 exceeding twenty years from date of issue, shall bear
 12 interest at a rate or rates not exceeding that
 13 permitted by chapter 74A and shall be of ~~such the~~ form
 14 as the board of directors of ~~such the~~ school district
 15 shall by resolution provide; ~~but the aggregate~~
 16 ~~indebtedness of any school district shall not exceed~~
 17 ~~five percent of the actual value of the taxable~~
 18 ~~property within said school district, as ascertained~~
 19 ~~by the last preceding state and county tax lists.~~

20 Sec. 100. Section 296.2, Code 1985, is amended to
 21 read as follows:

22 296.2 PETITION FOR ELECTION.

23 ~~Before indebtedness can be contracted in excess of~~
 24 ~~one and one-quarter percent of the assessed value of~~
 25 ~~the taxable property, a A~~ petition signed by a number
 26 equal to twenty-five percent of those voting at the
 27 last election of school officials shall be filed with

28 the president of the board of directors, asking that
29 an election be called, stating the amount of bonds
30 proposed to be issued and the purpose or purposes for
31 which the indebtedness is to be created; ~~and that the~~
32 ~~purpose or purposes cannot be accomplished within the~~
33 ~~limit of one and one-quarter percent of the valuation.~~
34 The petition may request the calling of an election on
35 one or more propositions and a proposition may include
36 one or more purposes.

37 Sec. 101. Section 297.9, Code 1985, is amended to
38 read as follows:

39 297.9 USE FOR OTHER THAN SCHOOL PURPOSES.

40 The board of directors of any school district may
41 authorize the use of any schoolhouse and its grounds
42 within ~~such~~ the district for the purpose of meetings
43 of granges, lodges, agricultural societies, and
44 similar societies, for parent-teacher associations,
45 for community recreational activities, community
46 education programs, election purposes, other meetings
47 of public interest, public forums and similar
48 community purposes; ~~provided that such.~~ However, the
49 use shall in no way not interfere with school
50 activities; ~~such.~~ The use to be for such shall

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1 include compensation, ~~and upon such~~ terms, and
2 conditions as may be fixed determined by ~~said the~~
3 board for the proper protection of the schoolhouse and
4 the property ~~belonging therein~~, including that of
5 pupils; ~~except that.~~ However, in the case of
6 community education programs, any compensation
7 necessary for programs provided specifically by
8 community education and not those provided through
9 community education by other agencies or organizations
10 shall be compensated from the funding provided for
11 community education programs general fund and charged
12 against the infrastructure account.

13 Sec. 102. Section 297.10, Code 1985, is amended to
14 read as follows:

15 297.10 COMPENSATION.

16 Any compensation for such use shall be paid into
17 the general fund and credited to the infrastructure
18 account and be expended in the upkeep and repair of
19 such school property, and in purchasing supplies
20 therefor for the property.

21 Sec. 103. Section 297.22, unnumbered paragraphs 1,
22 2, and 7, Code 1985, are amended to read as follows:

23 The board of directors of a school district may
24 sell, lease, or dispose of, in whole or in part, a

25 schoolhouse, site, or other property belonging to the
 26 district for which the value does not exceed twenty-
 27 five thousand dollars. If the value exceeds twenty-
 28 five thousand dollars, the board shall submit the
 29 question at an election under section 278.1,
 30 subsection 2, to authorize the sale, lease or
 31 disposal.

32 Proceeds from the sale, lease or disposition of
 33 real property shall be placed in the schoolhouse fund,
 34 and proceeds from the sale, lease or disposition of
 35 property other than real property, shall be placed in
 36 the general fund and credited to the infrastructure
 37 account.

38 The board of directors of a school corporation may
 39 lease a portion of an existing school building in
 40 which the remaining portion of the building will be
 41 used for school purposes for a period of not to exceed
 42 five years. The lease may be renewed at the option of
 43 the board. Sections 297.15 to 297.20, sections 297.23
 44 and 297.24, and the property value limitations and
 45 appraisal requirements of this section do not apply to
 46 the lease of a portion of an existing school building.

47 Sec. 104. Section 298.1, Code 1985, is amended to
 48 read as follows:

49 298.1 SCHOOL TAXES.

50 The board of each school district shall estimate

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1 the amount of the proposed expenditures and proposed
 2 receipts for ~~the general~~ school purposes at a time and
 3 in a manner to effectuate the provisions of chapter
 4 ~~442~~ 442A and sections 281.9 and 281.11. Compliance
 5 with chapter 24 shall be observed.

6 Sec. 105. Section 298.7, Code 1985, is amended to
 7 read as follows:

8 298.7 CONTRACT FOR USE OF LIBRARY.

9 The board of directors of a school corporation in
 10 which there is no free public library may contract
 11 with a free public library for the free use of the
 12 library by the residents of the school district, and
 13 pay the library the amount agreed upon for the use of
 14 the library as provided by law. During the existence
 15 of the contract, the board shall certify annually a
 16 tax sufficient to pay the library the consideration
 17 agreed upon, not exceeding twenty cents per thousand
 18 dollars of assessed value of the taxable property of
 19 the district include the cost as an instructional
 20 expenditure pursuant to chapter 442A. During the
 21 existence of the contract, the school corporation is

22 relieved from the requirement that the school
23 treasurer withhold funds for library purposes. This
24 section does not apply in townships where a contract
25 for other library facilities is in existence.

26 Sec. 106. Section 298.18, Code 1985, is amended by
27 striking the section and inserting in lieu thereof the
28 following:

29 298.18 BOND TAX -- LEASING BUILDINGS.

30 The board of each school corporation shall, when
31 estimating and certifying the amount of money required
32 for school purposes, estimate and certify to the board
33 of supervisors of the proper county to be included in
34 the general fund and credited to the infrastructure
35 account, the amount required to pay interest due or
36 that may become due for the fiscal year beginning July
37 1, thereafter, upon lawful bonded indebtedness, and in
38 addition an amount as the board may deem necessary to
39 apply on the principal.

40 Interest on the bonds in excess of that accruing in
41 the first twelve months may be excluded from the first
42 annual levy or levy and imposition of taxes, so that
43 the need for including more than one year's interest
44 in the first annual levy of taxes to pay the bonds and
45 interest shall not operate to further restrict the
46 amount of bonds which may be issued, and in certifying
47 the annual levies or annual levies and surtax rates to
48 the county auditor or auditors, and to the director of
49 revenue, if applicable, the first annual levy of taxes
50 and imposition of surtax, if applicable, shall be

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1 sufficient to pay all principal of and interest on the
2 bonds becoming due prior to the next succeeding annual
3 levy and the full amount shall be entered for
4 collection by the auditor or auditors, and for
5 imposition by the director of revenue, if applicable,
6 as provided in chapter 76.

7 Sec. 107. Section 300.2, Code 1985, is amended by
8 striking the section and inserting in lieu thereof the
9 following:

10 300.2 TAX LEVY.

11 The board of directors of a school district may
12 levy a tax for public educational and recreational
13 activities authorized under this chapter. The amount
14 shall be placed in the general fund of the district,
15 used only for the purposes specified in this chapter,
16 and credited to the infrastructure account.

17 Sec. 108. Section 301.1, Code 1985, is amended to
18 read as follows:

19 301.1 ADOPTION -- PURCHASE AND SALE.

20 The board of directors of ~~each and every~~ a school
 21 district ~~is hereby authorized and empowered to~~ may
 22 adopt textbooks for the teaching of all branches that
 23 ~~are now or may hereafter be authorized to be taught in~~
 24 ~~the public schools of the state, and to~~ may contract
 25 for and ~~buy said~~ purchase the books and ~~any and all~~
 26 other necessary school supplies ~~at said contract~~
 27 ~~prices, and to~~ may sell the ~~same~~ books to the pupils
 28 of their respective districts at cost, loan ~~such the~~
 29 textbooks to ~~such~~ pupils free, or rent them to ~~such~~
 30 pupils at ~~such~~ a reasonable fee as the board shall ~~fix~~
 31 determine, and ~~said the~~ money ~~so~~ received shall be
 32 returned to the general fund and credited to the
 33 instructional fund.

34 Textbooks adopted and purchased by a school
 35 district may, and shall to the extent funds are
 36 appropriated by the general assembly, be made
 37 available to pupils attending nonpublic schools upon
 38 request of the pupil or the pupil's parent or guardian
 39 under comparable terms as made available to pupils
 40 attending public schools.

41 Sec. 109. Section 331.512, subsection 12, Code
 42 1985, is amended to read as follows:

43 12. Carry out duties relating to levy of school
 44 taxes as provided in chapter ~~442~~ 442A.

45 Sec. 110. Section 360.3, Code 1985, is amended to
 46 read as follows:

47 360.3 TRANSFER OF FUND.

48 When ~~there are funds in the hands of~~ a township
 49 clerk has funds, raised under this chapter which are
 50 not desired for the purposes for which they were

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1 raised, the funds may be transferred to the general
 2 fund of a school district or districts pro rata in
 3 which the funds were raised and credited to the
 4 infrastructure account, when a petition is presented
 5 to the trustees, signed by a majority of the qualified
 6 electors of the township, as shown by the election
 7 register or registers of the last preceding primary or
 8 general election held in the township. The transfer
 9 of funds shall be made by the township clerk upon
 10 order of the trustees after the filing of the petition
 11 with the clerk.

12 Sec. 111. Section 422.100, Code 1985, is amended
 13 to read as follows:

14 422.100 ALLOCATION TO MONEYS AND CREDITS
 15 REPLACEMENT FUND IN EACH COUNTY.

16 There is created a permanent fund in the office of
17 the treasurer of state to be known as the "moneys and
18 credits replacement fund". The director shall
19 determine the percentage which the aggregate taxable
20 value for the year 1965 of the property described in
21 and subject to taxation under section 429.2, Code
22 1966, owned or held by individuals, administrators,
23 executors, guardians, conservators, trustees or an
24 agent or nominee thereof, and the aggregate taxable
25 value for the year 1965 of the property described in
26 and subject to taxation under section 431.1, Code
27 1966, for the year 1965 but not subject to taxation
28 under that section for the year 1966, in each county
29 bears to the total aggregate taxable value of such
30 property reported from all of the counties in the
31 state and shall certify the percentage for each county
32 to the state comptroller prior to January 1, 1967. In
33 July of each year, the state comptroller shall apply
34 that percentage to the money in the moneys and credits
35 tax replacement fund prior to that July and determine
36 the amount due to each county. The state comptroller
37 shall draw warrants on the moneys and credits tax
38 replacement fund in such amounts payable to the county
39 treasurer of each county and transmit them. The
40 county treasurer shall apportion these amounts as
41 follows: For the amounts received in January 1972,
42 and all previously collected amounts, twenty percent
43 to the county general fund, fifty percent to the
44 school general fund and credited to the instructional
45 account, and the remaining thirty percent to cities
46 and towns in the proportion that the taxable values
47 for each city and town for 1965 of property subject to
48 taxation in 1965 under sections 429.2, Code 1966, and
49 431.1, Code 1966, is to the total of such taxable
50 values for all cities and towns within the county; for

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1 the amounts received in January 1973, and all
2 subsequently collected amounts, forty percent to the
3 county, and the remaining sixty percent to cities and
4 towns in the proportion that the taxable values for
5 each city and town for the year 1965 under sections
6 429.2 and 431.1, Code 1966, is to the total of such
7 taxable values for all the cities and towns within the
8 county.

9 Sec. 112. Section 467B.14, unnumbered paragraph 1,
10 Code 1985, is amended to read as follows:

11 Sixty-five percent of any such payments or payment
12 received from the federal government shall be

13 distributed to the general fund of the school
 14 districts of the county and credited to the
 15 infrastructure account after the county auditor has
 16 determined the districts which are principally
 17 affected by the federal flood control project involved
 18 in an amount deemed to be the equitable share of each
 19 such district and the amount allocated to each school
 20 district shall be paid over to the treasurer of such
 21 school district.

22 Sec. 113. Notwithstanding section 442A.35, the
 23 members of the school budget review committee
 24 appointed by the governor under section 442.12, Code
 25 1985, shall continue as members of the school budget
 26 review committee until April 30 of the year in which
 27 the member's appointment expires.

28 Sec. 114. Chapters 260A, 276, and 442 and sections
 29 276.11, 276.12, 279.43, 291.13, 294.11 through 294.14,
 30 296.2, 297.5, 297.36, 298.9, 298.10, 298.16, 298.17,
 31 300.3, 300.4, 301.4, 301.24, and 301.27, Code 1985,
 32 are repealed.

33 Sec. 115. Unencumbered cash balances of a school
 34 district in the general fund and schoolhouse fund and
 35 an area education agency in the general fund, existing
 36 on June 30, 1986, remain the property of the school
 37 district or area education agency and shall be
 38 deposited in the general fund of the school district
 39 or area education agency and credited to the
 40 appropriate account.

41 Sec. 116. This Act takes effect for computations
 42 and procedures needed for the school year beginning
 43 July 1, 1986. Sections of this Act not required for
 44 computations and procedures needed for the school year
 45 beginning July 1, 1986 take effect July 1, 1986."

JOE BROWN

S-4090

- 1 Amend the House amendment, S-3990, to Senate File
 2 552, as amended, passed and reprinted by the Senate,
 3 as follows:
 4 1. By striking page 1, line 46 through page 2,
 5 line 41.

BOB CARR
 JOE WELSH

S-4091

- 1 Amend the House amendment, S-3989, to Senate
- 2 File 562, as amended, passed, and reprinted by the
- 3 Senate, as follows:
- 4 1. Page 1, by inserting after line 10 the following:
- 5 " ___. Page 3, by striking lines 10 through 13."

JOE WELSH

S-4092

- 1 Amend the amendment S-3989 to Senate File 562
- 2 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 2, by striking line 23.

JOE WELSH

HOUSE AMENDMENT TO
SENATE AMENDMENT TO
HOUSE FILE 462

S-4093

- 1 Amend amendment H-3891 to House File 462 as
- 2 amended, passed, and reprinted by the House as
- 3 follows:
- 4 1. Page 1, by striking line 6, and inserting the
- 5 following:
- 6 " ___. Page 1, line 10, by striking the word "six"
- 7 and inserting the following: "four".
- 8 2. Page 1, by striking lines 17 through 19, and
- 9 inserting the following: "is entitled to have the
- 10 witness' interests represented by a guardian ad litem
- 11 at all stages of the proceedings arising from such
- 12 violation. The guardian ad litem may but need not be
- 13 a practicing attorney and shall be designated by the
- 14 court after due consideration is given to the desires
- 15 and needs of the child and the compatibility of the
- 16 child and the child's interests with the prospective
- 17 guardian ad litem. However, a person who is also a
- 18 prosecuting witness in the same proceeding shall not
- 19 be designated guardian ad litem. The guardian ad
- 20 litem shall receive notice of and may attend all
- 21 depositions, hearings and trial proceedings to support
- 22 the child and advocate for the protection of the child
- 23 but shall not be allowed to separately introduce
- 24 evidence or to directly examine our cross-examine
- 25 witnesses."

- 26 3. Page 1, by striking lines 20 through 24.
 27 4. Page 1, by striking lines 39 and 40, and
 28 inserting the following:
 29 " ___. Page 7, by striking lines 3 through 6, and
 30 inserting the following:
 31 "NEW UNNUMBERED PARAGRAPH. Corroboration of the
 32 testimony of victims shall not be required."
 33 5. Page 1, by striking lines 41 through 43 and
 34 inserting the following:
 35 " ___. Page 7, by striking lines 14 and 15 and
 36 inserting the following:
 37 "However, a child, as defined in section 702.5,
 38 Code 1985, is presumed to be competent. If the
 39 child's competency is questioned the court shall
 40 determine whether the child is mentally capable of
 41 understanding the nature of the questions put to the
 42 child, whether the child is able to formulate
 43 intelligent answers and communicate impressions and
 44 recollections regarding the incident about which the
 45 child is to testify, and whether the child can
 46 understand the responsibility to tell the truth. In
 47 making these determinations, the court may do any
 48 or"
 49 6. By renumbering, relettering, or redesignating
 50 and correcting internal references as necessary.

S-4094

- 1 Amend Senate File 570 as follows:
 2 1. Page 4, by inserting after line 1 the
 3 following:
 4 "Sec. ___. Section 602.6201, subsection 10, Code
 5 1985, is amended to read as follows:
 6 10. Notwithstanding the formula for determining
 7 the number of judgeships in this section, the number
 8 of district judges shall not exceed ~~ninety-nine~~ during
 9 the period commencing July 1, 1988 and ending as the
 10 general assembly shall specify one hundred."
 11 2. By renumbering as necessary.

NORMAN RODGERS
 JOHN SOORHOLTZ
 WILLIAM DIELEMAN

HOUSE AMENDMENT TO
SENATE FILE 561

S-4095

1 Amend Senate File 561 as passed by the Senate as
2 follows:

3 1. By striking page 2, line 33 through page 3,
4 line 1 and inserting the following: "the federal
5 credit for increasing research activities computed
6 under section 30 of the Internal Revenue Code of 1954,
7 as amended to and including January 1, 1983. The
8 research activities credit is applicable for taxable
9 years beginning after December 31, 1985 to the same
10 extent that the credit is applicable for federal
11 income tax purposes for taxable years beginning after
12 December 31, 1985."

13 2. Page 4, by striking lines 8 through 11 and
14 inserting the following: "credit for increasing
15 research activities computed under section 30 of the
16 Internal Revenue Code of 1954, as amended to and
17 including January 1, 1983. The research activities
18 credit is applicable for taxable years beginning after
19 December 31, 1985 to the same extent that the credit
20 is applicable for federal income tax purposes for
21 taxable years beginning after December 31, 1985."

HOUSE AMENDMENT TO
SENATE FILE 406

S-4096

1 Amend Senate File 406 as passed by the Senate as
2 follows:

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

5 "Section 1. Section 317.1, subsection 2, Code
6 1985, is amended to read as follows:

7 2. Secondary noxious weeds, which shall include
8 butterprint (*Abutilon theophrasti*) annual, cocklebur
9 (*Xanthium commune*) annual, wild mustard (*Brassica*
10 *arvensis*) annual, wild carrot (*Daucus carota*)
11 biennial, buckhorn (*Plantago lanceolata*) perennial,
12 sheep sorrel (*Rumex acetosella*) perennial, sour dock
13 (*Rumex crispus*) perennial, smooth dock (*Rumex*
14 *altissimus*) perennial, poison hemlock (*Conium*
15 *maculatum*), multiflora rose (*Rosa multiflora*), wild
16 sunflower (wild strain of *Helianthus annuus* L.) annual,
17 puncture vine (*Tribulus terrestris*) annual, teasel
18 (*Dipsacus*) biennial, and shattercane (*Sorghum bicolor*)

19 annual.

- 20 **PARAGRAPH DIVIDED.** The multiflora rose (Rosa
 21 multiflora) shall not be considered a secondary
 22 noxious weed when cultivated for or used as understock
 23 for cultivated roses or as ornamental shrubs in
 24 gardens, or in any county whose board of supervisors
 25 has by resolution declared it not to be a noxious
 26 weed. Shattercane (*Sorghum bicolor*) shall not be
 27 considered a secondary noxious weed when cultivated or
 28 in any county whose board of supervisors has by
 29 resolution declared it not to be a noxious weed."
 30 2. Page 2, line 15, by striking the word "shall"
 31 and inserting the words "shall may".
 32 3. Page 2, line 22, by inserting after the word
 33 "which" the word "noxious".
 34 4. By renumbering as necessary.

S-4097

- 1 Amend the House amendment, S-3990, to Senate File
 2 552 as amended, passed and reprinted by the Senate
 3 as follows:
 4 1. Page 1, by striking lines 21 and 22.

MICHAEL E. GRONSTAL
 JOE WELSH

S-4098

- 1 Amend Senate File 573 as follows:
 2 1. Page 1, line 9, by striking the words "Hawk
 3 Eye" and inserting the following: "Sac Sun".
 4 2. Page 1, line 10, by striking the word
 5 "Burlington" and inserting the following: "Sac
 6 City".
 7 3. Page 1, lines 10 and 11, by striking the
 8 words "Daily Nonpareil" and inserting the
 9 following: "Denison Bulletin".
 10 4. Page 1, line 11, by striking the words
 11 "Council Bluffs" and inserting the following:
 12 "Denison".

JOE J. WELSH

S-4099

- 1 Amend Senate File 573 as follows:
 2 1. Page 1, line 1, by striking the word

- 3 "subsection" and inserting the following:
4 "paragraph".

JOE WELSH

S-4100

- 1 Amend Senate File 574 as follows:
2 1. Page 1, line 18, by inserting after the word
3 "used" the following: "by a manufacturer".

EDGAR H. HOLDEN

S-4101

- 1 Amend Senate File 570 as follows:
2 1. Page 1, by inserting after line 28 the
3 following:
4 "Sec. . NEW SECTION. 321.210A SUSPENSION FOR
5 FAILURE TO PAY FINE, PENALTY, SURCHARGE, OR COURT
6 COSTS.
7 The department shall suspend the motor vehicle li-
8 cense of a person who has failed to pay a criminal
9 fine, civil penalty, surcharge, or court costs, as
10 follows:
11 1. Upon the failure of a person to timely pay the
12 fine, penalty, surcharge, or court costs the clerk of
13 the district court shall notify the person that if the
14 fine, penalty, surcharge, or court costs remain unpaid
15 after sixty days, the clerk will notify the department
16 of the failure for purposes of instituting suspension
17 procedures.
18 2. Upon the failure of a person to pay the fine,
19 penalty, surcharge, or court costs within sixty days
20 of receiving notice from the clerk of the district
21 court as provided in paragraph "a", the clerk shall
22 report the failure to the department.
23 3. Upon receipt of a report of a failure to pay
24 the fine, penalty, surcharge, or court costs from the
25 clerk of the district court, the department shall in
26 accordance with its rules, suspend the person's motor
27 vehicle license until the fine, penalty, surcharge or
28 court costs are paid, unless the person proves to the
29 satisfaction of the clerk and the department that the
30 person cannot pay the fine, penalty, surcharge, or
31 court costs.
32 Sec. . Section 321.212, subsection 1, paragraph
33 a, Code 1985, is amended to read as follows:
34 a. Except as provided in section 321.210A or
35 321.513 the department shall not suspend a license for

36 a period of more than one year, except that a license
37 suspended because of incompetency to drive a motor
38 vehicle shall be suspended until the department
39 receives satisfactory evidence that the former holder
40 is competent to operate a motor vehicle and a refusal
41 to reinstate ~~shall constitute~~ constitutes a denial of
42 license within the provisions of section 321.215; upon
43 revoking a license the department shall not grant an
44 application for a new license until the expiration of
45 one year after the revocation, unless another period
46 is specified by law.

47 Sec. ___. Section 321A.17, subsection 5, Code
48 1985, is amended to read as follows:

49 5. An individual applying for a motor vehicle
50 license following a period of suspension or revocation

Page 2

1 under the provisions of section 321.210A, 321.216 or
2 321.513 ~~shall is~~ not be required to maintain proof of
3 financial responsibility under the provisions of this
4 section."

5 2. Page 1, by inserting after line 35 the
6 following:

7 "Sec. ___. Section 421.17, Code 1985, is amended
8 by adding the following new subsection after
9 subsection 24 and renumbering the subsequent
10 subsection:

11 **NEW SUBSECTION. 25.** To establish and maintain a
12 procedure to set off against a debtor's income tax
13 refund or rebate any debt which is in the form of a
14 liquidated sum due, owing, and payable to the clerk of
15 the district court as a criminal fine, civil penalty,
16 surcharge, or court costs. The procedure shall meet
17 the following conditions:

18 a. Before setoff all outstanding tax liabilities
19 collectible by the department shall be satisfied
20 except that no portion of a refund or rebate shall be
21 credited against tax liabilities which are not yet
22 due.

23 b. Before setoff the clerk of the district court
24 shall obtain and forward to the department the full
25 name and social security number of the debtor. The
26 department shall cooperate in the exchange of relevant
27 information with the clerk. However, only relevant
28 information required by the clerk shall be provided by
29 the department. The information shall be held in
30 confidence and shall be used for purposes of setoff
31 only.

32 c. The clerk shall, at least quarterly and monthly

33 if practicable, submit to the department for setoff
34 the debts described in this subsection, which are at
35 least fifty dollars.

36 d. Upon submission of a claim the department shall
37 notify the clerk if the debtor is entitled to a refund
38 or rebate and of the amount of the refund or rebate
39 and the debtor's address on the income tax return.

40 e. Upon notice of entitlement to a refund or
41 rebate the clerk shall send written notification to
42 the debtor of the clerk's assertion of its rights to
43 all or a portion of the debtor's refund or rebate and
44 the entitlement to recover the debt through the setoff
45 procedure, the basis of the assertion, the opportunity
46 to request that a joint income tax refund or rebate be
47 divided between spouses, and the debtor's opportunity
48 to give written notice of intent to contest the amount
49 of the claim. The clerk shall send a copy of the
50 notice to the department.

Page 3

1 f. Upon the request of a debtor or a debtor's
2 spouse to the clerk, filed within fifteen days from
3 the mailing of the notice of entitlement to a refund
4 or rebate, and upon receipt of the full name and
5 social security number of the debtor's spouse, the
6 clerk shall notify the department of the request to
7 divide a joint income tax refund or rebate. The
8 department shall upon receipt of the notice divide a
9 joint income tax refund or rebate between the debtor
10 and the debtor's spouse in proportion to each spouse's
11 net income as determined under section 422.7.

12 g. The department shall, after notice has been
13 sent to the debtor by the clerk, set off the debt
14 against the debtor's income tax refund or rebate. The
15 department shall transfer at least quarterly and
16 monthly if practicable, the amount set off to the
17 clerk. If the debtor gives timely written notice of
18 intent to contest the amount of the claim, the
19 department shall hold the refund or rebate until final
20 determination of the correct amount of the claim. The
21 clerk shall notify the debtor in writing upon
22 completion of setoff.

23 Sec. __. Section 421.17, subsection 25, Code
24 1985, is amended to read as follows:

25 ~~25 26~~. To provide that in the case of multiple
26 claims to nds or rebates filed under subsections
27 21, ~~and 23~~, ~~and 25~~ that priority shall be given to
28 claims filed by the child support recovery unit or the
29 foster care recovery unit under subsection 21, next

30 priority shall be given to claims filed by the college
 31 aid commission under subsection 23, ~~and last next~~
 32 priority shall be given to claims filed by the office
 33 of investigations under subsection 21, ~~and last~~
 34 priority shall be given to claims filed by a clerk of
 35 the district court under subsection 25.

36 3. Page 5, by inserting after line 5 the
 37 following:

38 "Sec. ___. Section 602.8102, Code 1985, is amended
 39 by adding the following new subsection after
 40 subsection 50:

41 NEW SUBSECTION. 50A. Assist the department of
 42 transportation in suspending, pursuant to section
 43 321.210A, the motor vehicle licenses of persons who
 44 fail to timely pay criminal fines, civil penalties,
 45 surcharges, or court costs.

46 Sec. ___. Section 602.8102, Code 1985, is amended
 47 by adding the following new subsection after
 48 subsection 58:

49 NEW SUBSECTION. 58A. Assist the department of
 50 revenue in setting off against debtors' income tax

Page 4

1 refunds or rebates under section 421.17, subsection
 2 25, debts which are due, owing, and payable to the
 3 clerk of the district court as criminal fines, civil
 4 penalties, surcharges, or court costs."

5 4. Title page, line 2, by inserting after the
 6 word "fees," the following: "court-imposed fines and
 7 costs and the suspension of motor vehicle licenses and
 8 the setoff of income tax refunds and rebates,".

9 5. By renumbering as necessary.

DONALD V. DOYLE

S-4102

1 Amend House File 244 as amended, passed, and
 2 reprinted by the House as follows:

3 1. Page 10, by inserting after line 11 the
 4 following:

5 "Sec. ___. Sections 1 and 2 of this Act are
 6 repealed effective July 1, 1986."

JOE WELSH

S-4103

- 1 Amend the amendment S-3989 to Senate File 562 as
- 2 amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, by striking lines 18 and 19.

EDGAR H. HOLDEN

S-4104

- 1 Amend Senate amendment, S-4009, to House File 570
- 2 as amended, passed, and reprinted by the House, as
- 3 follows:
- 4 1. Page 1, by striking lines 25 through 29 and
- 5 inserting the following: "maintenance organizations
- 6 with respect to medicare supplement health insurance
- 7 policies. As used in this section, "medicare
- 8 supplement health insurance policy" means a policy
- 9 which provides reasonably comprehensive payments of
- 10 medicare deductibles and co-insurance and which has a
- 11 creditable, anticipated loss ratio of at least
- 12 seventy-five percent, as filed with and approved by
- 13 the commissioner of insurance."

CHARLES BRUNER

S-4105

- 1 Amend Senate File 570 as follows:
- 2 1. Page 12, by inserting after line 23 the
- 3 following:
- 4 "Sec. ___. Section 611.21, Code 1985, is
- 5 amended to read as follows:
- 6 611.21 CIVIL REMEDY NOT MERGED IN CRIME.
- 7 The right of civil remedy is not merged in a
- 8 public offense and is not restricted for other
- 9 violation of law, but may in all cases be
- 10 enforced independently of and in addition to
- 11 the punishment of the ~~latter~~ former."

TOM MANN, JR.

S-4106

- 1 Amend Senate File 577 as follows:

DIVISION S-4106A

- 2 1. Page 22, by inserting after line 5 the
 3 following:
 4 "Sec. ____ . NEW SECTION. 175A.19A LENDING
 5 INSTITUTIONS INCENTIVES.
 6 A lending institution participating in the
 7 operating assistance program may value on its books
 8 the amount collected from it by the authority and held
 9 by the authority at the full face amount thereof."

DIVISION S-4106B

- 10 2. Title page, line 4, by inserting after the
 11 word "duties," the following: "providing for
 12 incentives for lending institutions to participate in
 13 the operating assistance program,".
 14 3. Renumber as necessary.

CALVIN O. HULTMAN

S-4107

- 1 Amend Senate File 577 as follows:
 2 1. Page 22, by inserting after line 5 the
 3 following:
 4 "Sec. ____ . NEW SECTION. 175A.19A LENDING
 5 INSTITUTIONS INCENTIVES.
 6 The superintendent of banking shall certify that a
 7 state bank or national banking association which
 8 participates in the operating assistance program is
 9 meeting its obligations to meet the credit needs of
 10 its community as provided in the federal Community
 11 Reinvestment Act of 1977, 12 U.S.C. § 2901-2905."
 12 2. Title page, line 4, by inserting after the
 13 word "duties," the following: "providing for
 14 incentives for lending institutions to participate in
 15 the operating assistance program,".
 16 3. Renumber as necessary.

CALVIN O. HULTMAN

S-4108

- 1 Amend amendment S-4009 to House File 570 as
 2 amended, passed, and reprinted by the House as
 3 follows:
 4 1. Page 1, by striking lines 38 and 39 and
 5 inserting the following: "shall develop
 6 administrative rules for mutualization addressing all

7 of the following conditions:"

8 2. Page 2, by inserting after line 3 the
9 following:

10 "____. At least seventy-five percent of the initial
11 board of directors of the mutual insurer so formed
12 shall be policyholders who are also nonproviders of
13 health care. All directors comprising this initial
14 board of directors shall be selected by an independent
15 committee appointed by the state commissioner of
16 insurance. This independent committee shall consist
17 of seven to eleven persons who are current
18 policyholders, who are nonproviders of health care,
19 and who are not directors of any corporation subject
20 to this chapter. For purposes of this subsection, a
21 "nonprovider of health care" is an individual who is
22 not any of the following:

23 a. A "provider" as defined in section 514B.1,
24 subsection 5.

25 b. A person who has material financial or
26 fiduciary interest in the delivery of health care
27 services or a related industry.

28 c. An employee of an institution which provides
29 health care services.

30 d. A spouse or a member of the immediate family of
31 a person described in paragraphs "a" through "c."

BERL E. PRIEBE
BILL HUTCHINS
BOB CARR
EDGAR H. HOLDEN
DALE L. TIEDEN
ARNE WALDSTEIN

S-4109

1 Amend Senate File 577 as follows:

2 1. Page 23, by inserting after line 27 the
3 following:

4 "Sec. ____ Section 534.213, subsection 1, Code
5 1985, is amended by adding the following new lettered
6 paragraphs:

7 **NEW LETTERED PARAGRAPH.** 1. In addition to other
8 investments authorized in this section, an association
9 may invest and may continue previous investments in
10 capital stock, obligations, or other securities of
11 finance subsidiaries and may exercise powers with
12 respect to finance subsidiaries to the same extent as
13 a federal association is permitted under the Home
14 Owners' Loan Act of 1933, 12 U.S.C. § 1464, and
15 regulations adopted thereunder by the federal home

16 loan bank board up to and including January 1, 1985.
 17 Investments authorized by this subsection shall not be
 18 counted in applying the limitations on investments in
 19 service corporations in paragraph "j".
 20 NEW LETTERED PARAGRAPH m. In addition to other
 21 investments authorized in this section, an association
 22 may invest and may continue previous investments in
 23 capital stock, obligations, or other securities of
 24 corporations which are wholly owned by the association
 25 and which exercise only those powers which may be
 26 exercised by an association under this chapter.
 27 Investments authorized by this subsection shall not be
 28 counted in applying the limitations on investments in
 29 service corporations in paragraph "j".
 30 Sec. ___. Section 534.213, subsection 3, Code
 31 1985, is amended to read as follows:
 32 3. Investment in EFT organizations. Subject to
 33 the prior approval of the supervisor, in shares in a
 34 corporation engaged ~~solely~~ in providing and operating
 35 facilities through which an association and its
 36 members may engage, by means of either the direct
 37 transmission of electronic impulses to and from the
 38 association or the recording of electronic impulses or
 39 other indicia of a transaction for delayed
 40 transmission to the association, in transactions in
 41 which ~~such~~ the association is otherwise permitted to
 42 engage pursuant to applicable law."
 43 2. Title page, line 9, by inserting after the
 44 word "bank," the following: "by modifying the
 45 investment powers of the state chartered savings and
 46 loan associations and savings banks."
 47 3. Renumber as necessary.

EDGAR H. HOLDEN

S-4110

1 Amend Senate File 579 as follows:
 2 1. Page 1, by striking lines 10 through 12, and
 3 inserting the following: "defendant. Court".

DOUGLAS RITSEMA

S-4111

1 Amend Senate File 577 as follows:
 2 1. Page 22, by inserting after line 5 the
 3 following:
 4 "A lending institution participating in the
 5 operating assistance program may value on its books

6 the amount collected from it by the authority and held
7 by the authority at the full face amount thereof.”

CALVIN O. HULTMAN

S-4112

1 Amend Senate File 577 as follows:

DIVISION S-4112B

2 1. Page 1, by inserting before line 1 the
3 following:
4 “Section 1. NEW SECTION. 172C.16. EXCEPTION.
5 1. Notwithstanding section 172C.4, until July 1,
6 1987, a corporation or trust may acquire agricultural
7 land in this state if four of the following five state
8 officials sign a joint order permitting such
9 acquisitions:
10 a. The auditor of state.
11 b. The attorney general.
12 c. The secretary of agriculture.
13 d. The treasurer of state.
14 e. The superintendent of banking.
15 2. In determining whether to issue an order, the
16 state officials enumerated in subsection 1 shall meet
17 in a joint meeting. A meeting may be called by any
18 one of the officials. At the meeting, the officials
19 shall consider all of the following factors:
20 a. The economy of this state and in particular the
21 agricultural economy.
22 b. The amount of farmland for sale and the amount
23 of farmland anticipated to be for sale.
24 c. The price of farmland and the anticipated price
25 of farmland.
26 d. The numbers of anticipated purchasers of
27 farmland if the provisions of section 172C.4 remain in
28 effect.
29 e. The anticipated effect on the price of farmland
30 if an order is issued.
31 3. An order issued pursuant to this section may be
32 limited as in time and may be terminated sooner or
33 extended in the same manner in which it was issued.”

DIVISION S-4112A

34 2. Page 23, by inserting after line 27 the
35 following:
36 “Sec. ____ Section 524.1805, Code 1985, is amended
37 to read as follows:

38 524.1805 OUT-OF-STATE HOLDING COMPANIES.

39 Nothing in this division shall be construed to
 40 authorize a bank holding company which is with respect
 41 to the state of Iowa an "out-of-state bank holding
 42 company", as defined or referred to in 12 U.S.C.
 43 1842(d), as amended to January 1, 1971, to acquire any
 44 of the voting shares of, any interest in, all or
 45 substantially all of the assets of, or power to
 46 control in any manner the election of any of the
 47 directors of any bank in this state, unless such bank
 48 holding company was on January 1, 1971 registered with
 49 the federal reserve board as a bank holding company,
 50 and on that date owned at least two banks in this

Page 2

DIVISION S-4112A (cont'd.)

1 state or unless the bank holding company had entered
 2 into a contract on or before July 1, 1984, to directly
 3 or indirectly acquire voting shares, an interest in
 4 all or substantially all of the assets of, or control
 5 of a bank holding company or a bank located in this
 6 state."

DIVISION S-4112B (cont'd.)

7 3. Title page, line 1, by inserting after the
 8 word "Iowa," the following: "providing for the
 9 corporate ownership of agricultural land under certain
 10 conditions,".

DIVISION S-4112A (cont'd.)

11 4. Title page, line 9, by inserting after the
 12 word "bank," the following: "providing for out-of-
 13 state bank holding companies to conduct business in
 14 this state under certain conditions,".

GEORGE R. KINLEY

HOUSE AMENDMENT TO SENATE AMENDMENT
 TO HOUSE FILE 451

S-4113

1 Amend the amendment, H-4041, to House File 451, as
 2 amended, passed, and reprinted by the House, as
 3 follows:
 4 1. Page 1, by striking lines 3 through 12.

- 5 2. Page 1, by striking lines 30 through 42.
6 3. By striking page 1, line 49 through page 2,
7 line 10.
8 4. Page 3, by striking lines 3 through 30.
9 5. By striking page 3, line 37 through page 4,
10 line 16 and inserting the following:
11 "Sec. 100. NEW SECTION. 280.16 PROCEDURES FOR
12 HANDLING CHILD ABUSE REPORTS.
13 The board of directors of a public school and the
14 authorities in control of a nonpublic school shall
15 prescribe procedures, in accordance with the
16 guidelines contained in the model policy developed by
17 the department of public instruction in consultation
18 with the department of human services, and adopted by
19 the department of public instruction pursuant to
20 chapter 17A, for the handling of reports of child
21 abuse, as defined in section 232.68, subsection 2,
22 paragraph "a", "b", or "d", alleged to have been
23 committed by an employee or agent of the public or
24 nonpublic school."
25 6. Page 4, by inserting after line 18 the
26 following:
27 "Sec. ___ . EFFECTIVE DATE. Section 100 of this
28 Act takes effect January 1, 1987."
29 7. Page 4, by striking lines 34 through 41 and
30 inserting the following:
31 "The department of public instruction, in
32 consultation with the department of human services,
33 shall develop a model policy for public and nonpublic
34 schools, as defined in section 280.2, for the handling
35 of reports of child abuse, as defined in section
36 232.68, subsection 2, paragraph "a", "b", or "d",
37 alleged to have been committed by employees or agents
38 of public or nonpublic schools. The departments shall
39 jointly report the model policy to the general
40 assembly by January 1, 1986. The department of public
41 instruction shall adopt rules pursuant to chapter 17A
42 to implement the model policy, and the rules shall be
43 effective by January 1, 1987. The department of
44 public instruction shall distribute the model policy
45 to the public and nonpublic schools."

HOUSE AMENDMENT TO
SENATE FILE 463

S-4114

- 1 Amend Senate File 463 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 2, line 18, by striking the figure

4 “§ 69216934” and inserting the figure “§ 6921-6934”.
 5 2. Page 3, line 29 by striking the word
 6 “NONHAZARDOUS” and inserting the word “RESTRICTED”.
 7 3. Page 3, line 32, by inserting after the word
 8 “commission” the following: “pursuant to the
 9 rulemaking procedures of chapter 17A”.
 10 4. Page 4, line 2, by inserting after the word
 11 “inject” the following: “hazardous or restricted”.
 12 5. Page 4, line 20, by striking the figure
 13 “455D.468” and inserting the following: “455B.468”.
 14 6. Page 4, line 34, by striking the figure
 15 “455.420” and inserting the following: “455B.420”.
 16 7. Page 5, by striking line 6 through line 11 and
 17 inserting the following: “plan shall include, but is
 18 not limited to, all of the following:
 19 a. The capital needs and annual operating costs of
 20 the facility.
 21 b. The costs to private persons if the costs of
 22 establishing and operating the facility are paid by
 23 user fees and hazardous waste taxes.
 24 c. Provisions that anticipate and provide for
 25 compatibility with a possible future expansion to
 26 include other methods of disposal on the site.
 27 The plan shall be submitted to the governor and the
 28 general assembly by January 1, 1987.”

HOUSE AMENDMENT TO
 SENATE FILE 465

S-4115

1 Amend Senate File 465 as passed by the Senate as
 2 follows:
 3 1. Page 1, by inserting before line 1 the
 4 following:
 5 “Section 1. Section 200.8, subsection 3, Code
 6 1985, is amended to read as follows:
 7 3. If there is an unencumbered balance of funds in
 8 the fertilizer fund on June 30 of any fiscal year
 9 equal to or exceeding three hundred fifty thousand
 10 dollars, the secretary of agriculture shall reduce the
 11 per ton fee provided for in subsection 1 and the
 12 annual license fee established pursuant to section
 13 201.3 for the next fiscal year in such amount as will
 14 result in an ending estimated balance for the June 30
 15 of the next fiscal year of three hundred fifty
 16 thousand dollars.”
 17 2. Page 1, by striking lines 10 and 11, and
 18 inserting the following: “in the fertilizer fund as
 19 established pursuant to chapter 200, to be used by the

20 department of".

21 3. Page 1, by striking lines 15 through 21.

S-4116

1 Amend Senate File 577 as follows:

2 1. Page 22, by inserting after line 5 the
3 following:

4 "Sec. . **NEW SECTION. 175A.19R ACQUISITIONS.**

5 1. Notwithstanding the restrictions of section
6 524.1805, until July 1, 1986, an out-of-state bank
7 holding company, as defined or referred to in 12
8 U.S.C. § 1842(d) as amended to January 1, 1971 which
9 is located in a state contiguous to this state and
10 which is the holder of obligations of the authority
11 issued pursuant to section 175A.9, may directly or
12 indirectly acquire all or any portion of the voting
13 securities or other capital stock of, or any interest
14 in all or substantially all of the assets of, or power
15 to control in any manner the election of any of the
16 directors of one or more state banks, domestic bank
17 holding companies, or national banks conducting a
18 banking business in this state if the state banks,
19 national banking associations, or the banks owned or
20 controlled by the domestic bank holding company
21 proposed to be acquired are lending institutions
22 participating in the operating assistance program and
23 the banks, or the banks owned or controlled by the
24 domestic bank holding company cumulatively, have
25 twenty-five percent of their outstanding loans in
26 agricultural loans.

27 2. Any such acquisition shall be subject to the
28 prior express written approval of the superintendent
29 of banking. The approval shall be granted or denied
30 in the sole discretion of the superintendent of
31 banking. The out-of-state bank holding company
32 desiring to make an acquisition under subsection 1 and
33 the bank, national banking association, or domestic
34 bank holding company parent of the bank, if any,
35 proposed to be acquired shall file an application in
36 writing with the superintendent of banking. The
37 application shall contain such information as the
38 superintendent of banking may prescribe by rule as
39 necessary or appropriate for the purpose of making a
40 determination under this section. The application and
41 supporting information and all examination reports and
42 information obtained by the superintendent shall be
43 confidential and privileged and not subject to public
44 disclosure except that the application and information
45 may be disclosed to federal bank regulatory agencies.

46 3. In determining whether to approve the
47 application the superintendent of banking shall
48 consider all of the following:

49 a. The financial institution structure of this
50 state.

Page 2

1 b. The economy of this state and the need for
2 access to credit, financial services and capital.

3 c. The convenience and needs of the public of this
4 state.

5 d. Whether the applicant out-of-state bank holding
6 company has demonstrated an acceptable record of
7 meeting the credit needs of its entire community,
8 consistent with the safe and sound operation of such
9 institution.

10 4. For the purposes of this section, a bank
11 holding company is deemed to be located in the state
12 in which the operations of its banking subsidiaries
13 are "principally conducted" as defined in 12 U.S.C. §
14 1842(d), as amended to January 1, 1971. However, a
15 bank holding company that is itself owned or
16 controlled, directly or indirectly, by another bank
17 holding company shall be deemed to be located in the
18 state in which the operations of the banking
19 subsidiaries of its parent bank holding company are
20 "principally conducted" as defined in 12 U.S.C. § 1842
21 (d), as amended to January 1.

22 5. If an out-of-state bank holding company has
23 entered into a contract to acquire directly or
24 indirectly all or any portion of the voting securities
25 or other capital stock of, or any interest in all or
26 substantially all of the assets of, or power to
27 control in any manner the election of any of the
28 directors of one or more state banks, domestic bank
29 holding companies, or national banks conducting a
30 banking business in this state prior to July 1, 1986,
31 the transaction may be consummated after July 1, 1986,
32 upon approval by the appropriate state and federal
33 regulatory authorities and may make such changes as
34 may be required by them in the terms of the
35 acquisition.

36 6. Notwithstanding the restrictions of section
37 524.1805, an out-of-state bank holding company which
38 had entered into a contract on or before July 1, 1984
39 to directly or indirectly acquire voting shares, an
40 interest in all or substantially all of the assets of,
41 or control of a bank holding company or a bank located
42 in this state may consummate the transaction and

43 acquire the voting shares, an interest in or
 44 substantially all of the assets of, or control of the
 45 bank holding company or bank located in this state as
 46 provided in the contract."
 47 2. Title page, line 6, by inserting after the
 48 word "program," the following: "providing for certain
 49 acquisitions by certain out-of-state bank holding
 50 companies,".

Page 3

1 3. Renumber as necessary.

EDGAR H. HOLDEN

S-4117

1 Amend Senate File 581 as follows:
 2 1. Page 3, line 21, by striking the word
 3 "percent".
 4 2. Page 3, line 22, by striking the word
 5 "percent".
 6 3. Page 3, line 23, by striking the word
 7 "percent".

JOHN E. SOORHOLTZ
 BERL E. PRIEBE

S-4118

1 Amend the amendment S-4116 to Senate File 577 as
 2 follows:
 3 1. Page 2, by striking lines 36 through 46.

EDGAR H. HOLDEN

S-4119

1 Amend Senate File 577 as follows:
 2 1. Page 23, by inserting after line 27 the
 3 following:
 4 "Sec. ____ . Section 537.2402, subsection 3, Code
 5 1985, is amended to read as follows:
 6 3. If the billing cycle is monthly, the charge ~~may~~
 7 shall not exceed an amount equal to one ~~and one-half~~
 8 point sixty-five percent of that part of the maximum
 9 amount pursuant to subsection 2 which is five hundred
 10 dollars or less and one and one-fourth percent of that
 11 part of the maximum amount which is more than five
 12 hundred dollars. If the billing cycle is not monthly,

13 the maximum charge for the billing cycle shall bear
 14 the same relation to the applicable monthly maximum
 15 charge as the number of days in the billing cycle
 16 bears to three hundred sixty-five divided by twelve.
 17 A billing cycle is monthly if the closing date of the
 18 cycle is the same date each month or does not vary by
 19 more than four days from theular date."

20 2. Title, line 9, by inserting after the word
 21 "bank," the following: "permitting a creditor in a
 22 consumer credit transaction who is authorized to make
 23 supervised loans pursuant to open-end credit to charge
 24 a finance charge not to exceed one point sixty-five
 25 percent per month,".

JOE WELSH

S-4120

1 Amend House File 686 as passed by the House as
 2 follows:

3 1. Page 4, by inserting after line 16 the
 4 following:

5 "Sec. ____ **NEW SECTION. 280.16 APPROPRIATE**
 6 **INSTRUCTIONAL PROGRAM REVIEW.**

7 Pursuant to the procedures established in chapter
 8 290, a student's parent or guardian may obtain a
 9 review of an action or omission of the board of
 10 directors of the district of residence of the student
 11 on either of the following grounds:

12 1. That the student has been or is about to be
 13 denied entry or continuance in an instructional
 14 program appropriate for that student.

15 2. That the student has been or is about to be
 16 required to enter or continue in an instructional
 17 program that is inappropriate for that student.

18 If the state board of public instruction finds that
 19 a student has been denied an appropriate instructional
 20 program, or required to enter an inappropriate
 21 instructional program, the state board shall order the
 22 resident district to provide or make provision for an
 23 appropriate instructional program for that student."

24 2. By numbering and renumbering sections as
 25 necessary.

JOE BROWN

S-4121

- 1 Amend Senate File 570 as follows:
- 2 1. Page 14, line 6, by inserting after the word
- 3 "violations." the following: "The court costs in
- 4 parking violation cases are eight dollars per court
- 5 appearance."

ARTHUR A. SMALL

S-4122

- 1 Amend Senate File 577 as follows:
- 2 1. Page 9, line 30, by striking the word "three"
- 3 and inserting the word "five".
- 4 2. Page 10, by striking lines 4 and 5, and
- 5 inserting the following: "determined by the
- 6 authority, necessary to reimburse the lending
- 7 institution for the reduction of the interest rate on
- 8 the borrower's operating loan by two".

EDGAR H. HOLDEN

S-4123

- 1 Amend House File 747, as amended, passed, and
- 2 reprinted by the House, as follows:

DIVISION S-4123B

- 3 1. Page 1, by inserting after line 28 the
- 4 following:
- 5 "It is the intent of the general assembly that the
- 6 state library conduct a study, at a cost of not to
- 7 exceed three thousand dollars, to determine the
- 8 feasibility of using electronic data bases to replace
- 9 the law library collections in the correctional
- 10 institutions. A report of the findings and
- 11 recommendations of the study shall be submitted to the
- 12 justice system appropriations subcommittee not later
- 13 than January 31, 1986."
- 14 2. Page 4, line 6, by striking the figure
- 15 "4,109,062" and inserting the figure "4,184,062".
- 16 3. Page 4, by inserting after line 20 the
- 17 following:
- 18 "c. As a condition of the appropriation made in
- 19 paragraph "a", the department of public instruction
- 20 shall expend at least seventy-five thousand (75,000)
- 21 dollars of the moneys appropriated in paragraph "a" to
- 22 provide increased compensation for individuals

23 employed by the department in consultant positions in
24 order to bring their compensation up to a level that
25 is more competitive with compensation received by
26 individuals employed in other professional positions
27 that have similar educational requirements."

28 4. Page 6, line 21, by striking the figure
29 "43,992,818" and inserting the figure "43,192,818".

30 5. Page 7, by striking lines 2 through 25 and
31 inserting the following:

32 "x. For additional	
33 general state financial aid	
34 to merged area XV above	
35 that received under paragraphs	
36 a and b	\$300,000
37 y. For salary	
38 additional increases for	
39 merged area school employees	\$500,000

40 It is the intent of the general assembly that the
41 funds appropriated in this paragraph be distributed by
42 the state comptroller to merged area school employees
43 under the same formula used to grant salary
44 adjustments to merged area school employees for the
45 fiscal year beginning July 1, 1985 and ending June 30,
46 1986.

47 The state board of public instruction shall
48 formulate an auditable student counting system that
49 uniformly reports and accounts for student credit
50 hours in all merged area schools. This student

Page 2

DIVISION S-4123B (cont'd.)

1 counting system should provide the basis for
2 allocating future state general aid and state
3 vocational aid and federal vocational aid on an
4 equitable basis for the fiscal year beginning July 1,
5 1986."

6 6. Page 8, by inserting after line 18 the
7 following:

8 " EDUCATIONAL	
9 EXCELLENCE INCENTIVE AWARDS	
10 For educational excellence	
11 incentive awards granted under	
12 section 260A.4	\$150,000".

13 7. Page 11, line 10, by striking the figure "123,504,528"
14 and inserting the figure "124,129,528".

15 8. Page 11, by inserting after line 15 the following:
16 "It is the intent of the general assembly that six hundred
17 twenty-five thousand (625,000) dollars of the funds

18 appropriated in this paragraph be used for the purchase of
19 research and instructional equipment.”

20 9. Page 11, line 23, by striking the figure “24,758,928”
21 and inserting the figure “25,917,985”.

22 10. Page 12, by striking lines 8 through 11 and inserting the
23 following: “1984. Prior to sending
24 a patient to the university of Iowa hospitals
25 and clinics under the indigent patient program,
26 the county shall, if possible, first determine the patient’s
27 eligibility for medical assistance; and, if the
28 patient is eligible, provide that medical payments
29 reimbursable under the medical assistance program
30 are so reimbursed.”

31 11. Page 12, line 13, by inserting after the word “liver,”
32 the following: “pancreas,”.

33 12. Page 12, line 21, by inserting after the word “liver,”
34 the following: “pancreas, artificial heart,”.

35 13. Page 12, line 26, by inserting after the word “liver,”
36 the following: “pancreas, artificial heart,”.

37 14. Page 12, by striking lines 28 through 35.

38 15. Page 14, line 18, by striking the figure “100,651,118”
39 and inserting the figure “101,276,118”.

40 16. Page 14, by inserting after line 18 the following:

41 “It is the intent of the general assembly that six hundred
42 twenty-five thousand (625,000) dollars of the funds
43 appropriated in this paragraph be used for the purchase of
44 research and instructional equipment.”

45 17. Page 15, line 1, by striking the figure “500,000”
46 and inserting the figure “700,000”.

47 18. Page 15, by inserting after line 16 the following:

48 “Sec. 90. There is appropriated from the general fund of
49 the state to the commission on the aging for the fiscal year
50 beginning July 1, 1985 and ending June 30, 1986, the sum of

Page 3

DIVISION S-4123B (cont'd.)

1 one hundred thousand (100,000) dollars, or so much thereof as
2 is necessary, to deliver legal services to the elderly. The
3 commission shall use the funds to utilize law school clinical
4 programs located in this state which provide legal services
5 for the elderly.”

DIVISION S-4123A

6 19. Page 20, by inserting after line 6 the following:

7 “Sec. 100. Section 422.9, subsection 2, Code 1985, is

8 amended by adding the following new lettered paragraph:

9 NEW LETTERED PARAGRAPH. Add the amount the taxpayer has

10 paid to others, for the tax year beginning January 1, 1985,
11 not to exceed four hundred fifty dollars, and for the tax year
12 beginning January 1, 1986 and each tax year thereafter, not to
13 exceed nine hundred dollars, for each dependent in grades
14 kindergarten through 12, for tuition, textbooks and trans-
15 portation of each dependent in attending an elementary or
16 secondary school situated in Iowa, which school is approved
17 under section 257.25, which is not operated for profit, and
18 which adheres to the provisions of the United States Civil
19 Rights Act of 1964 and chapter 601A. As used in this
20 paragraph, "school" means a school that does not refuse or
21 deny enrollment to any person, or discriminate in any program
22 or activity, because of race, creed, color, sex, national
23 origin, religion, disability, or economic disadvantage. The
24 school may discriminate on the basis of sex in athletic
25 programs, except that the school shall provide comparable
26 opportunities in intramural and interscholastic athletic
27 programs. Any school which does not have the capacity to
28 serve the categories of students listed in this paragraph
29 shall provide services for those students either through
30 shared arrangements with other schools or through the area
31 education agencies. Nonpublic schools may also require
32 different wearing apparel requirements on the basis of sex.
33 As used in this paragraph, "textbooks" means books and other
34 instructional materials and equipment used in elementary and
35 secondary schools in teaching only those subjects legally and
36 commonly taught in public elementary and secondary schools in
37 this state and does not include instructional books and
38 materials used in the teaching of religious tenets, doctrines,
39 or worship, the purpose of which is to inculcate those tenets,
40 doctrines, or worship, and does not include books or materials
41 for, or transportation to, extracurricular activities
42 including sporting events, musical or dramatic events, speech
43 activities, driver's education, or programs of a similar
44 nature."

DIVISION S-4123B (cont'd.)

45 20. Page 21, line 6, by inserting after the figure
46 "10" the following: "and 90".
47 21. Page 21, line 12, by inserting after the figure
48 "1986." the following: "Section 100 of this Act is retroactive
49 to January 1, 1985 for tax years beginning on or after that
50 date."

Page 4

DIVISION S-4123B (cont'd.)

- 1 22. Page 21, by inserting after line 25 the following:
 2 "Sec. ____ . There is appropriated iscal year beginning
 3 July 1, 1986 and ending June 30, 1987 to the agencies and for
 4 the purposes specified the same amounts that are appropriated
 5 under this Act for the fiscal year beginning July 1, 1985 and
 6 ending June 30, 1986."
 7 23. By renumbering sections, subsections and paragraphs
 8 as necessary.

JOE J. WELSH

S-4124

- 1 Amend Senate File 577 as as follows:
 2 1. Page 22, by inserting after line 34 the
 3 following:
 4 "Sec. ____ . Section 511.8, subsection 4, Code 1985,
 5 is amended to read as follows:
 6 4. INTERNATIONAL BANK BONDS. Bonds or other
 7 evidence of indebtedness issued, assumed or guaranteed
 8 by the International Bank for reconstruction and
 9 development, in an amount not to exceed two percent of
 10 its total assets as shown by the last annual report,
 11 or by the Inter-American Development Bank in an amount
 12 not to exceed two percent of its total assets as shown
 13 by the last annual report, ~~or~~ by the Asian Development
 14 Bank in an amount not to exceed two percent of its
 15 total assets as shown by the last annual report or by
 16 the African Development Bank in an amount not to
 17 exceed two percent of its total assets as shown by the
 18 last annual report. However, the combined investment
 19 in bonds or evidences of indebtedness permitted by
 20 this subsection shall not exceed four percent of its
 21 total assets as shown by the last annual report."
 22 2. Title, line 6, by inserting after the word
 23 "program," the following: "by permitting life
 24 insurance companies organized under chapter 508 to
 25 invest in bonds or other evidence of indebtedness of
 26 the African Development Bank,".
 27 3. Renumber as necessary.

TOM MANN, Jr.

S-4125

- 1 Amend Senate File 575 as follows:
2 1. By striking page 1, line 31 through page 2,
3 line 7.
4 2. Amend the title, lines 2 and 3, by striking
5 the words "and providing that the Act takes effect
6 upon its publication".

JOE WELSH

S-4126

- 1 Amend the amendment S-4123 to House File 747 as
2 amended, passed and reprinted by the House as
3 follows:
4 1. Page 2, by striking lines 20 and 21.
5 2. Page 2, by striking lines 22 through 30.

JULIA GENTLEMAN

S-4127

- 1 Amend amendment S-4116 to Senate File 577 as
2 follows:
3 1. Page 2, line 23, by inserting after the word
4 "contract" the following: "as authorized by subsec-
5 tion 1".
6 2. Page 2, by inserting after line 35 the fol-
7 lowing:
8 "_____. This section is enacted as an exercise of
9 the police power of this state and shall be strictly
10 construed. The conditions and limitations contained
11 in this section are not severable. This section shall
12 be void upon the occurrence of either of the
13 following:
14 1. A court or administrative officer or agency of
15 either this state or the United States determined that
16 any restriction by way of condition or limitation con-
17 tained in this section is invalid or unenforceable or
18 that this section authorizes acquisitions of interest
19 in Iowa banks by out-of-state bank holding companies
20 other than those meeting the expressed requirements
21 and conditions of this section.
22 2. The United States congress enacts a bill which
23 becomes law and which expressly provides, or is inter-
24 preted or construed by any court or administrative
25 officer or agency to provide, that any restriction by
26 way of condition or limitation contained in this
27 section is invalid or unenforceable or that this
28 section authorizes acquisitions of interests in Iowa
29 banks by out-of-state bank holding companies other

30 than those meeting the expressed requirements and
31 conditions of this section.

32 If this section becomes void as provided in this
33 section, any previously completed acquisition affected
34 under the authority of this section shall remain
35 valid."

36 3. Page 2, line 50, by inserting after the word
37 "companies" the following: "which are located in
38 contiguous states, of interests in state banks and
39 national banking associations which are participating
40 in the operating assistance program, or in their
41 parent holding companies".

EDGAR H. HOLDEN

S-4128

1 Amend Senate File 566 as follows:

2 1. Page 1, by inserting after line 12 the
3 following:

4 "Any change device shall return change in the
5 following amounts:

6 1. Any change device attached to a pay telephone
7 located not more than eight miles from the border of a
8 state contiguous to Iowa shall return one dollar in
9 change for each one dollar placed in the device.

10 2. Any change device attached to pay a telephone
11 located more than eight miles but not more than
12 sixteen miles from the border of a state contiguous to
13 Iowa shall return ninety cents in change for each one
14 dollar placed in the device.

15 3. Any change device attached to a pay telephone
16 located more than sixteen miles but not more than
17 thirty-six miles from the border of a state contiguous
18 to Iowa shall return eighty cents in change for each
19 one dollar placed in the device.

20 4. Any change device attached to a pay telephone
21 located at any other place within the state shall
22 return seventy-five cents in change for each one
23 dollar placed in the device."

HURLEY HALL

S-4129

1 Amend Senate File 577 as follows:

2 1. By striking page 9, lines 30 through line 35,
3 and inserting the following: "existing and unpaid
4 loan, to a rate below the maximum lawful rate of
5 interest which was determined by the superintendent of

6 banking pursuant to section 535.2, subsection 3, for
 7 the calendar month in which the application was
 8 approved by the authority. The maximum lawful rate of
 9 interest shall include any and all costs associated
 10 with the transaction. However, the authority may
 11 adjust the rate if necessary to accommodate”.

12 2. Page 10, line 1, by striking the words
 13 “financial conditions” and inserting the words “rate
 14 variations”.

15 3. Page 10, by striking lines 2 through 8, and
 16 inserting the following: “give to each lending
 17 institution a grant in an amount of forty percent of
 18 the interest rate reduction but not less than four-
 19 tenths percent age points and not more than two
 20 percentage points on the principal of the borrower’s
 21 operating loan for the period of the loan not to
 22 exceed one year. The grant shall be paid to the
 23 lending institution within one hundred fifty days
 24 after the date the application is approved. However,
 25 a grant for the reduction of interest on an operating
 26 loan shall not exceed four thousand dollars.”

27 4. Page 11, by striking lines 8 through 13, and
 28 inserting the following: “the fiscal year, shall
 29 revert to the special fund.”

ARNE WALDSTEIN

S-4130

1 Amend amendment S-4112 to Senate File 577 as
 2 follows:

3 1. Page 2, by inserting after line 6 the fol-
 4 lowing:

5 “This section is enacted as an exercise of the
 6 police power of this state and shall be strictly
 7 construed. The conditions and limitations contained
 8 in this section are not severable. This section shall
 9 be void upon the occurrence of either of the
 10 following:

11 1. A court or administrative officer or agency of
 12 either this state or the United States determined that
 13 any restriction by way of condition or limitation con-
 14 tained in this section is invalid or unenforceable or
 15 that this section authorizes acquisitions of interest
 16 in Iowa banks by out-of-state bank holding companies
 17 other than those meeting the expressed requirements
 18 and conditions of this section.

19 2. The United States congress enacts a bill which
 20 becomes law and which expressly provides, or is inter-
 21 preted or construed by any court or administrative

22 officer or agency to provide, that any restriction by
 23 way of condition or limitation contained in this
 24 section is invalid or unenforceable or that this
 25 section authorizes acquisitions of interests in Iowa
 26 banks by out-of-state bank holding companies other
 27 than those meeting the expressed requirements and
 28 conditions of this section.

29 If this section becomes void as provided in this
 30 section, any previously completed acquisition affected
 31 under the authority of this section shall remain
 32 valid.”

33 2. Page 2, by striking lines 13 and 14 and in-
 34 serting the following: “state bank holding companies
 35 to acquire interests in Iowa banks if those bank
 36 holding companies had entered into contracts on or
 37 before July 1, 1984, to directly or indirectly acquire
 38 voting shares, an interest in all or substantially all
 39 of the assets of, or control of bank holding companies
 40 or banks located in this state.”.

JACK RIFE

S-4131

1 Amend Senate File 577 as follows:

- 2 1. Page 22, by striking lines 21 through 27, and
- 3 inserting the following: “county in which the real
- 4 property is located by means of an appraisal conducted
- 5 by an independent real estate appraiser for the
- 6 current year and for each of the four previous years.
- 7 The value”.

ARNE WALDSTEIN

S-4132

1 Amend Senate File 570 as follows:

- 2 1. Page 5, by striking lines 6 through 13.
- 3 2. By renumbering as necessary.

DONALD V. DOYLE

S-4133

1 Amend Senate File 577 as follows:

- 2 1. By striking page 25, line 1 through page 26,
- 3 line 16.
- 4 2. Title page, by striking lines 12 and 13 and

5 inserting the following: "closure, and requesting an
6 interim study".

DAVID M. READINGER

S-4134

1 Amend amendment S-4009 to House File 570 as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, by inserting after line 29 the
5 following:
6 "____. Page 2, by inserting after line 6 the
7 following:
8 "Sec. ____ Section 508.29, Code 1985, is amended
9 to read as follows:
10 508.29 AUTHORITY TO WRITE OTHER INSURANCE.
11 Any life insurance company organized on the stock
12 or mutual plan and authorized by its charter or
13 articles of incorporation so to do, may in addition to
14 such life insurance, insure, either individually or on
15 the group plan, the health of persons and against
16 personal injuries, disablement or death, resulting
17 from traveling or general accidents by land or water,
18 and insure employers against loss in consequence of
19 accidents or casualties of any kind to employees or
20 other persons, or to property resulting from any act
21 of the employee or any accident or casualty to persons
22 or property, or both, occurring in or connected with
23 the transaction of their business, or from the
24 operation of any machinery connected therewith, but
25 nothing herein contained shall be construed to
26 authorize any life insurance company to insure against
27 loss or injury to person, or property, or both,
28 growing out of explosion or rupture of steam boilers.
29 An insurer may contract with health care service
30 providers and offer different levels of benefits to
31 policyholders based upon the provider contracts."
32 2. By striking page 1, line 36 through page 2,
33 line 14 and inserting the following: "is approved by
34 the commissioner of insurance. Upon consummation of
35 the plan, the corporation shall thereafter fully
36 comply with the requirements of the law that apply to
37 a mutual insurance company."
38 3. Page 2, by inserting before line 15 the
39 following:
40 "____. Page 2, by inserting after line 22 the
41 following:
42 "Sec. ____ Section 515.1, Code 1985, is amended to
43 read as follows:

44 515.1 INCORPORATION.

45 Corporations formed for the purpose of insurance,
46 other than life insurance, shall be governed by the
47 provisions of chapter 491 or chapter 504A, except as
48 modified by the provisions of this chapter.

49 Sec. ____ . Section 515.48, subsection 5, paragraph
50 a, Code 1985, is amended to read as follows:

Page 2

1 a. Insure any person, ~~his~~ the person's family or
2 dependents, against bodily injury or death by
3 accident, or against disability on account of
4 sickness, or accident, including the granting of
5 hospital, medical, surgical and sick care benefits,
6 but such benefits shall not include the furnishing or
7 replacing in kind of whole human blood or blood
8 products of any kind; however, this provision shall
9 not prohibit payments of indemnity for human blood or
10 blood products. An insurer may contract with health
11 care services providers and offer different levels of
12 benefits to policyholders based upon the provider
13 contracts.”

14 4. Page 3, line 8, by inserting after the word
15 “pools,” the following: “granting of credits which
16 recognize losses attributable to providing
17 comprehensive health coverage to the unemployed or
18 uninsurable public.”

19 5. Renumber as necessary.

WILLIAM PALMER

S-4135

1 Amend Senate File 579 as follows:

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

4 “Section 1. Section 125.44, unnumbered paragraph
5 1, Code 1985, is amended to read as follows:

6 The director may, consistent with the comprehensive
7 substance abuse program, enter into written agreements
8 with a facility as defined in section 125.2 to pay for
9 seventy-five percent of the cost of the care,

10 maintenance, evaluation and treatment of a substance
11 abuser, except that the state's liability shall be one
12 hundred percent of the total cost of care, maintenance
13 and treatment when a substance abuser is a state
14 patient. All payments for state patients shall be
15 made in accordance with the limitations of this
16 section. Such contracts shall be for a period of no

17 more than one year. The commission shall review and
18 evaluate at least once each year all such agreements
19 and determine whether or not they shall be continued.

20 Sec. 2. Section 125.45, subsection 1, Code 1985,
21 is amended to read as follows:

22 1. Except as provided in section 125.43, each
23 county shall pay for the remaining twenty-five percent
24 of the cost of the care, maintenance, evaluation and
25 treatment under this chapter of residents of that
26 county. The commission shall establish guidelines for
27 use by the counties in estimating the amount of
28 expense which the county will incur each year. The
29 facility shall certify to the county of residence once
30 each month twenty-five percent of the unpaid cost of
31 the care, maintenance, and treatment of a substance
32 abuser. However, the approval of the board of
33 supervisors is required before payment is made by a
34 county for costs incurred which exceed a total of five
35 hundred dollars for one year for treatment provided to
36 any one substance abuser, except that approval is not
37 required for the cost of treatment provided to a
38 substance abuser who is detained pursuant to section
39 125.91. A facility may, upon approval of the board of
40 supervisors, submit to a county a billing for the
41 aggregate amount of all care, maintenance, and
42 treatment of substance abusers who are residents of
43 that county for each month. The board of supervisors
44 may demand an itemization of billings at any time or
45 may audit them."

46 2. Page 1, line 28, by inserting after the word
47 "committed" the words "or required to undergo a
48 substance abuse evaluation".

49 3. Page 1, line 32, by inserting after the word
50 "treatment" the words "or evaluation".

DOUGLAS RITSEMA

S-4136

1 Amend House File 761 as passed by the House as
2 follows:

3 1. Page 3, by inserting after line 31 the
4 following:

5 "Sec. ___ Section 633.554, 1985 Iowa Acts, Senate
6 File 531, section 2, is amended to read as follows:
7 633.554 NOTICE TO PROPOSED WARD.

8 If the proposed ward is an adult, notice of the
9 filing of the petition shall be served upon the
10 proposed ward in the manner of an original notice and
11 the content of the notice is governed by the rules of"

12 civil procedure governing original notice. If the
13 proposed ward is a minor or if the proposed ward is an
14 adult under a standby ~~order~~ petition and the court
15 determines, pursuant to section 633.561, subsection 1,
16 that the proposed ward is entitled to representation,
17 notice in the manner of original notice, or another
18 form of notice ordered by the court, given to the
19 attorney appointed to represent the ward is notice to
20 the proposed ward.

21 Sec. __. Section 633.561, subsection 1, 1985 Iowa
22 Acts, Senate File 531, section 3, is amended to read
23 as follows:

24 1. In a proceeding for the appointment of a
25 guardian, if the proposed ward is an adult and is not
26 the petitioner, the proposed ward is entitled to
27 representation. In a proceeding for the appointment
28 of a guardian, if the proposed ward is a minor or if
29 the proposed ward is an adult under a standby ~~order~~
30 petition, the court shall determine whether, under the
31 circumstances of the case, the proposed ward is
32 entitled to representation. The determination
33 regarding representation shall be made ~~only after~~
34 notice to the proposed ward is made as the court deems
35 necessary.

36 Sec. __. Section 633.568, 1985 Iowa Acts, Senate
37 File 531, section 5, is amended to read as follows:
38 633.568 NOTICE ~~ON~~ TO PROPOSED WARD.

39 If the proposed ward is an adult, notice of the
40 filing of the petition shall be served upon the
41 proposed ward in the manner of an original notice and
42 the content of the notice is governed by the rules of
43 civil procedure governing original notice. If the
44 proposed ward is a minor and the court determines,
45 pursuant to section ~~633.561~~ 633.575, subsection 1,
46 that the proposed ward is entitled to representation,
47 notice in the manner of original notice, or another
48 form of notice ordered by the court, given to the
49 attorney appointed to represent the ward is notice to
50 the proposed ward.

Page 2

1 Sec. __. Section 633.575, subsections 3, 4 and 5,
2 1985 Iowa Acts, Senate File 531, section 6 are amended
3 to read as follows:

4 3. If the proposed ward is entitled to
5 representation and is indigent or incapable of
6 requesting counsel, the court shall appoint an
7 attorney to represent the proposed ward. The cost of
8 court appointed counsel for indigents shall be

9 assessed against the county in which the proceedings
 10 are pending. For the purposes of this subsection, the
 11 court may find a person is indigent if the person's
 12 income and resources do not exceed one hundred fifty
 13 percent of the federal poverty level or the person
 14 would be unable to pay such costs without prejudicing
 15 the person's financial ability to provide economic
 16 necessities for the person or the person's dependents.

17 4. An attorney appointed pursuant to this section,
 18 to the extent possible, shall:

19 a. Ensure that the proposed ward has been properly
 20 advised of the nature of the proceeding and its
 21 purpose.

22 b. Ensure that the proposed ward has been properly
 23 advised of the ward's rights in a conservatorship
 24 proceeding.

25 c. Personally interview the proposed ward.

26 d. File a written report stating whether there is
 27 a return on file showing that proper service on the
 28 proposed ward has been made and also stating that
 29 specific compliance with paragraphs "a" through "c"
 30 has been made or stating the inability to comply by
 31 reason of the proposed ward's condition.

32 ~~d e.~~ Represent the proposed ward.

33 e f. Ensure that the conservatorship procedures
 34 conform to the statutory and due process requirements
 35 of Iowa law.

36 5. In the event that an order of appointment is
 37 entered, the attorney appointed pursuant to this
 38 section, to the extent possible, shall:

39 f a. Inform the proposed ward of the effects of
 40 any order entered by the court, including the effects
 41 of an the order entered for appointment of
 42 conservator.

43 g b. Advise the ward; if an order for appointment
 44 of conservator is entered; of the ward's rights to
 45 petition for modification or termination of
 46 conservatorship.

47 h c. Advise the ward; if a conservator is
 48 appointed; of the rights retained by the ward.

49 5. An attorney appointed pursuant to this section
 50 shall file an answer stating whether there is a return

Page 3

1 on file showing that proper service on the proposed
 2 ward has been made. The answer shall also state that
 3 specific compliance with subsection 4 has been made by
 4 the attorney or stating the inability to comply with

5 subsection 4 by reason of the proposed ward's
6 condition."

ARTHUR A. SMALL, Jr.
DONALD V. DOYLE

S-4137

1 Amend Senate File 577 as follows:

DIVISION S-4137A

2 1. Page 10, line 1, by striking the words
3 "financial conditions" and inserting the words "rate
4 variations".

DIVISION S-4137B

5 2. Page 11, by striking lines 8 through 13, and
6 inserting the following: "the fiscal year, shall
7 revert to the special fund."

ARNE WALDSTEIN

S-4138

1 Amend Senate File 577 as follows:

2 1. By striking page 4, line 32 through page 5,
3 line 5, and inserting in lieu thereof the words "in
4 the state."

DOUG RITSEMA

S-4139

1 Amend Senate File 570 as follows:

2 1. Page 7, by inserting after line 23 the
3 following:
4 "Sec. ____ Section 602.9110, unnumbered paragraph
5 1, Code 1985, is amended to read as follows:
6 ~~No An~~ annuity shall ~~not~~ be paid to any person,
7 except a survivor, entitled to receive an annuity
8 ~~hereunder~~ under this chapter while the person is
9 serving as a state officer or employee in an office or
10 in employment covered by the system."
11 2. Page 19, by striking line 6.
12 3. By renumbering as necessary.

DONALD V. DOYLE

S-4140

- 1 Amend Senate File 577 as follows:
- 2 1. Page 5, by striking line 20 and inserting the
- 3 following: "shall serve a four-year term at the
- 4 pleasure of the governor. The term shall begin and
- 5 end as provided in section 69.19. The executive".
- 6 2. Page 26, by inserting after line 24 the
- 7 following:
- 8 "Sec. ____ Notwithstanding section 175A.5, the
- 9 governor shall appoint, subject to the confirmation of
- 10 the senate, an initial executive director to a term
- 11 that shall end at midnight on April 30, 1987.
- 12 Subsequent executive directors shall be appointed to
- 13 four-year terms as provided in section 175A.5 with the
- 14 initial four-year term commencing on May 1, 1987."

PATRICK J. DELUHERY

S-4141

- 1 Amend Senate File 577 as follows:
- 2 1. Page 23 by inserting after line 27 the
- 3 following:
- 4 "Sec. ____ NEW SECTION. 615.4 CHAPTER
- 5 INAPPLICABLE IN CERTAIN SITUATION.
- 6 This chapter shall not be applied to actions which
- 7 are subject to an agreement entered into pursuant to
- 8 section 628.26A."

ARTHUR A. SMALL, Jr.

S-4142

- 1 Amend Senate File 577 as follows:
- 2 1. Page 21, line 4, by striking the word "eight"
- 3 and inserting the following: "five".

C. JOSEPH COLEMAN

S-4143

- 1 Amend Senate File 570 as follows:
- 2 1. Page 19, by inserting after line 6 the
- 3 following:
- 4 "Sec. ____ There is appropriated from the general
- 5 fund of the state for the fiscal year beginning July
- 6 1, 1985, and ending June 30, 1986, to the judicial
- 7 department for the salary and support of one
- 8 additional district judge, the following amount, or so
- 9 much thereof as is necessary:

10 1985-1986
 11 Fiscal Year
 12 \$ 115,000".
 13 2. By renumbering as necessary.

TOM MANN, Jr.

S-4144

1 Amend amendment S-4009 to House File 570 as
 2 amended, passed, and reprinted by the House as
 3 follows:
 4 1. Page 2, by inserting before line 15 the
 5 following:
 6 " _____. At least seventy-five percent of the initial
 7 board of directors of the mutual insurer so formed
 8 shall be policyholders who are also nonproviders of
 9 health care. All directors comprising this initial
 10 board of directors shall be selected by an independent
 11 committee appointed by the state commissioner of
 12 insurance. This independent committee shall consist
 13 of seven to eleven persons who are current
 14 policyholders, who are nonproviders of health care,
 15 and who are not directors of any corporation subject
 16 to this chapter. For purposes of this subsection, a
 17 "nonprovider of health care" is an individual who is
 18 not any of the following:
 19 a. A "provider" as defined in section 514B.1,
 20 subsection 5.
 21 b. A person who has material financial or
 22 fiduciary interest in the delivery of health care
 23 services or a related industry.
 24 c. An employee of an institution which provides
 25 health care services.
 26 d. A spouse or a member of the immediate family of
 27 a person described in paragraphs "a" through "c"."

BERL E. PRIEBE
 ROBERT M. CARR
 DALE TIEDEN

S-4145

1 Amend House File 701 as amended, passed, and
 2 reprinted by the House as follows:
 3 1. Page 4, by inserting after line 20 the
 4 following:
 5 "Sec. _____. Section 633.554, 1985 Iowa Acts, Senate
 6 File 531, section 2, is amended to read as follows:
 7 633.554 NOTICE TO PROPOSED WARD.

8 If the proposed ward is an adult, notice of the
9 filing of the petition shall be served upon the
10 proposed ward in the manner of an original notice and
11 the content of the notice is governed by the rules of
12 civil procedure governing original notice. If the
13 proposed ward is a minor or if the proposed ward is an
14 adult under a standby ~~order~~ petition and the court
15 determines, pursuant to section 633.561, subsection 1,
16 that the proposed ward is entitled to representation,
17 notice in the manner of original notice, or another
18 form of notice ordered by the court, given to the
19 attorney appointed to represent the ward is notice to
20 the proposed ward.

21 Sec. ___ Section 633.561, subsection 1, 1985 Iowa
22 Acts, Senate File 531, section 3, is amended to read
23 as follows:

24 1. In a proceeding for the appointment of a
25 guardian, if the proposed ward is an adult and is not
26 the petitioner, the proposed ward is entitled to
27 representation. In a proceeding for the appointment
28 of a guardian, if the proposed ward is a minor or if
29 the proposed ward is an adult under a standby ~~order~~
30 petition, the court shall determine whether, under the
31 circumstances of the case, the proposed ward is
32 entitled to representation. The determination
33 regarding representation shall be made only after
34 notice to the proposed ward is made as the court deems
35 necessary.

36 Sec. ___. Section 633.568, 1985 Iowa Acts, Senate
37 File 531, section 5, is amended to read as follows:

38 633.568 NOTICE ~~ON~~ TO PROPOSED WARD.

39 If the proposed ward is an adult, notice of the
40 filing of the petition shall be served upon the
41 proposed ward in the manner of an original notice and
42 the content of the notice is governed by the rules of
43 civil procedure governing original notice. If the
44 proposed ward is a minor and the court determines,
45 pursuant to section ~~633.561~~ 633.575, subsection 1,
46 that the proposed ward is entitled to representation,
47 notice in the manner of original notice, or another
48 form of notice ordered by the court, given to the
49 attorney appointed to represent the ward is notice to
50 the proposed ward.

Page 2

1 Sec. ___. Section 633.575, subsections 3, 4 and 5,
2 1985 Iowa Acts, Senate File 531, section 6 are amended
3 to read as follows:

4 3. If the proposed ward is entitled to

5 representation and is indigent or incapable of
6 requesting counsel, the court shall appoint an
7 attorney to represent the proposed ward. The cost of
8 court appointed counsel for indigents shall be
9 assessed against the county in which the proceedings
10 are pending. For the purposes of this subsection, the
11 court may find a person is indigent if the person's
12 income and resources do not exceed one hundred fifty
13 percent of the federal poverty level or the person
14 would be unable to pay such costs without prejudicing
15 the person's financial ability to provide economic
16 necessities for the person or the person's dependents.

17 4. An attorney appointed pursuant to this section,
18 to the extent possible, shall:

19 a. Ensure that the proposed ward has been properly
20 advised of the nature of the proceeding and its
21 purpose.

22 b. Ensure that the proposed ward has been properly
23 advised of the ward's rights in a conservatorship
24 proceeding.

25 c. Personally interview the proposed ward.

26 d. File a written report stating whether there is
27 a return on file showing that proper service on the
28 proposed ward has been made and also stating that
29 specific compliance with paragraphs "a" through "c"
30 has been made or stating the inability to comply by
31 reason of the proposed ward's condition.

32 e. Represent the proposed ward.

33 f. Ensure that the conservatorship procedures
34 conform to the statutory and due process requirements
35 of Iowa law.

36 5. In the event that an order of appointment is
37 entered, the attorney appointed pursuant to this
38 section, to the extent possible, shall:

39 f a. Inform the proposed ward of the effects of
40 ~~any order entered by the court, including the effects~~
41 ~~of an the order entered for appointment of~~
42 conservator.

43 g b. Advise the ward; ~~if an order for appointment~~
44 ~~of conservator is entered~~, of the ward's rights to
45 petition for modification or termination of
46 conservatorship.

47 h c. Advise the ward; ~~if a conservator is~~
48 ~~appointed~~, of the rights retained by the ward.

49 5. An attorney appointed pursuant to this section
50 shall file an answer stating whether there is a return

Page 3

1 on file showing that proper service on the proposed
 2 ward has been made. The answer shall also state that
 3 specific compliance with subsection 4 has been made by
 4 the attorney or stating the inability to comply with
 5 subsection 4 by reason of the proposed ward's
 6 condition."

ARTHUR A. SMALL, Jr.
 DONALD DOYLE
 TOM MANN

S-4146

1 Amend Senate File 578 as follows:
 2 1. Page 8, line 31, by inserting after the figure
 3 "20" the following: "or other salary adjustments or
 4 agreement".

CALVIN O. HULTMAN
 WALLY E. HORN

S-4147

1 Amend Senate File 578 as follows:
 2 1. Page 7, by striking lines 1 through 5 and
 3 inserting the following:
 4 "3. There is appropriated from the general fund of
 5 the state for the fiscal year beginning July 1, 1985
 6 and July 1, 1986, the following amounts or so much
 7 thereof as necessary, to the department of public
 8 safety".

RICHARD DRAKE
 HURLEY HALL

S-4148

1 Amend the amendment S-3907 to House File 450 as
 2 amended, passed and reprinted by the House as
 3 follows:
 4 1. Page 1, by inserting after line 2 the
 5 following:
 6 "___ . Page 1, by striking lines 1 through 14."

JOY CORNING

S-4149

- 1 Amend Senate File 563 as follows:
2 1. Page 1, line 3, by inserting after the word
3 "of" the word "interest".

ARTHUR A. SMALL
JACK RIFE

S-4150

- 1 Amend House File 593 as passed by the House as
2 follows:
3 1. By striking page 1, line 1 through page 2,
4 line 24 and inserting the following:
5 "Section 1. NEW SECTION. 321.270 ACCIDENTS
6 EXEMPT FROM RECORDS.
7 A motor vehicle accident involving a motor vehicle
8 operated by a peace officer as defined under section
9 801.4 shall not be included as part of the operating
10 record of the peace officer if the accident occurred
11 on or after the effective date of this Act, and if all
12 of the following criteria are met:
13 1. The peace officer was involved in the
14 performance of official duties at the time the
15 accident occurred.
16 2. The peace officer was responding to what the
17 officer reasonably believed to be a bona fide
18 emergency situation when the accident occurred.
19 3. The peace officer exercised all due care under
20 the circumstances involved in the accident.
21 The peace officer desiring that an accident be
22 excluded from their operating record under this
23 section, shall request the exclusion in writing and
24 the request shall be attached to the written report of
25 the accident forwarded to the department under section
26 321.266.
27 Sec. 2. Section 321.200, Code 1985, is amended to
28 read as follows:
29 321.200 CONVICTION AND ACCIDENT FILE.
30 The department shall also file all accident reports
31 and abstracts of court records of convictions received
32 by it under the laws of this state and in connection
33 ~~therewith~~ maintain convenient records or make suitable
34 notations in order that an individual record of each
35 licensee showing the convictions of ~~such~~ the licensee
36 and the traffic accidents in which the licensee has
37 been involved ~~shall be~~ are readily ascertainable and
38 available for the consideration of the department upon
39 ~~any~~ an application for renewal of license and at other

40 suitable times. However, the abstract shall not
41 include accidents excluded from the record under
42 section 321.270.
43 Sec. 3. Section 321.210, Code 1985, is amended by
44 adding the following new unnumbered paragraph:
45 NEW UNNUMBERED PARAGRAPH. The department shall not
46 consider or assess any points for accidents excluded
47 from a person's operating record under section 321.270
48 in determining a license suspension under this
49 section.
50 Sec. 4. Section 321A.3, subsection 1, Code 1985,

Page 2

1 is amended to read as follows:
2 1. The director shall upon request furnish any
3 person a certified abstract of the operating record of
4 a person subject to chapter 321 or this chapter. The
5 abstract shall also fully designate the motor
6 vehicles, if any, registered in the name of the
7 person. If there is no record of a conviction of the
8 person having violated any law relating to the
9 operation of a motor vehicle or of any injury or
10 damage caused by the person, the director shall so
11 certify. The abstract shall not include reports of
12 accidents excluded from the person's operating record
13 under section 321.270. A fee of four dollars shall be
14 paid for each abstract except by state, county, city
15 or court officials."

ALVIN V. MILLER

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 771

S-4151

1 Amend the amendment, H-4114, to House File 771, as
2 amended, passed, and reprinted by the House, as
3 follows:
4 1. Page 2, by striking lines 1 through 6 and
5 inserting the following:
6 "Sec. ____ Total appropriations specified in this
7 Act for the fiscal year beginning July 1, 1985 and
8 ending June 30, 1986 shall not be exceeded in the
9 fiscal year beginning July 1, 1986 and ending June 30,
10 1987 unless revenue growth as estimated by the
11 legislative fiscal bureau in its December 31, 1985
12 quarterly report exceeds four and one-half percent."

S-4152

- 1 Amend House File 450 as amended, passed, and
- 2 reprinted by the House as follows:
- 3 1. Page 7, by striking lines 14 through 26.
- 4 2. Page 9, by striking line 1 and inserting the
- 5 following: "of support and evaluation. The plan is
- 6 subject to the approval of the employing board, and
- 7 shall include but not be limited".
- 8 3. Page 9, by striking lines 18 through 20.
- 9 4. Page 12, by striking lines 19 through 31.

JOY CORNING

S-4153

- 1 Amend House File 700 as passed by the House as
- 2 follows:
- 3 1. Page 1, by striking lines 1 through 9.

JULIA GENTLEMAN

S-4154

- 1 Amend the amendment S-4150 to House File 593 as
- 2 passed by the House as follows:
- 3 1. By striking page 1, line 3 through page 2,
- 4 line 15 and inserting the following:
- 5 "Section 1. NEW SECTION. 321.270 ACCIDENTS
- 6 EXEMPT FROM RECORDS.
- 7 A motor vehicle accident involving a motor vehicle
- 8 operated by a peace officer as defined under section
- 9 801.4 shall not be included as part of the operating
- 10 record of the peace officer if the accident occurred
- 11 on or after the effective date of this Act, and if all
- 12 of the following criteria are met:
- 13 1. The peace officer was involved in the
- 14 performance of official duties at the time the
- 15 accident occurred.
- 16 2. The peace officer was responding to what the
- 17 officer reasonably believed to be a bona fide
- 18 emergency situation when the accident occurred.
- 19 3. The peace officer exercised all due care under
- 20 the circumstances involved in the accident.
- 21 The peace officer desiring that an accident be
- 22 excluded from their operating record under this
- 23 section, shall request the exclusion in writing and
- 24 the request shall be attached to the written report of
- 25 the accident forwarded to the department under section
- 26 321.266.

27 Sec. 2. Section 321.200, Code 1985, is amended to
28 read as follows:

29 321.200 CONVICTION AND ACCIDENT FILE.

30 The department shall also file all accident reports
31 and abstracts of court records of convictions received
32 by it under the laws of this state and ~~in connection~~
33 ~~therewith~~ maintain convenient records or make suitable
34 notations in order that an individual record of each
35 licensee showing the convictions of ~~such the~~ licensee
36 and the traffic accidents in which the licensee has
37 been involved ~~shall be~~ are readily ascertainable and
38 available for the consideration of the department upon
39 ~~any an~~ application for renewal of license and at other
40 suitable times. ~~However, the abstract shall not~~
41 include accidents excluded from the record under
42 section 321.270.

43 Sec. 3. Section 321.210, Code 1985, is amended by
44 adding the following new unnumbered paragraph:
45 NEW UNNUMBERED PARAGRAPH. The department shall not
46 consider or assess any points for accidents excluded
47 from a person's operating record under section 321.270
48 in determining a license suspension under this
49 section.

50 Sec. 4. Section 321A.3, subsection 1, Code 1985,

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1 is amended to read as follows:

2 1. The director shall upon request furnish any
3 person a certified abstract of the operating record of
4 a person subject to chapter 321 or this chapter. The
5 abstract shall also fully designate the motor
6 vehicles, if any, registered in the name of the
7 person. If there is no record of a conviction of the
8 person having violated any law relating to the
9 operation of a motor vehicle or of any injury or
10 damage caused by the person, the director shall so
11 certify. The abstract shall not include reports of
12 accidents excluded from the person's operating record
13 under section 321.270. A fee of four dollars shall be
14 paid for each abstract except by state, county, city
15 or court officials."

16 2. Title page, line 2, by striking the words "and
17 members of fire departments".

ALVIN V. MILLER

HOUSE AMENDMENT TO SENATE AMENDMENT
TO HOUSE FILE 747

S-4155

1 Amend the Senate amendment H-4115 to House File
2 747, as amended, passed, and reprinted by the House,
3 as follows:

4 1. By striking page 1, line 3, through page 4,
5 line 8, and inserting the following:

6 " . Page 4, line 6, by striking the figure
7 "4,109,062" and inserting the figure "4,134,062".

8 . Page 4, by inserting after line 20 the
9 following:

10 "c. As a condition of the appropriation made in
11 paragraph "a", the department of public instruction
12 shall expend at least twenty-five thousand (25,000)
13 dollars of the moneys appropriated in paragraph "a" to
14 provide increased compensation for individuals
15 employed by the department in consultant positions in
16 order to bring their compensation up to a level that
17 is more competitive with compensation received by
18 individuals employed in other professional positions
19 that have similar educational requirements."

20 . Page 8, by inserting after line 18 the
21 following:

22 " . EDUCATIONAL
23 EXCELLENCE INCENTIVE AWARDS

24 For educational excellence
25 incentive awards granted under
26 section 260A.4 \$150,000".

27 . Page 11, line 10, by striking the figure "123,504,528"
28 and inserting the figure "123,817,028".

29 . Page 11, by inserting after line 15 the following:
30 "It is the intent of the general assembly that three hundred
31 twelve thousand five hundred (312,500) dollars of the funds
32 appropriated in this paragraph be used for the purchase of
33 research and instructional equipment."

34 . Page 11, line 23, by striking the figure "24,758,928"
35 and inserting the figure "25,917,985".

36 . Page 14, line 18, by striking the figure "100,651,118"
37 and inserting the figure "100,963,618".

38 . Page 14, by inserting after line 18 the following:
39 "It is the intent of the general assembly that three hundred
40 twelve thousand five hundred (312,500) dollars of the funds
41 appropriated in this paragraph be used for the purchase of
42 research and instructional equipment."

43 . Page 15, line 1, by striking the figure "500,000"
44 and inserting the figure "700,000".

45 . Page 15, by inserting after line 16 the following:

46 "Sec. 90. There is appropriated from the general fund of
 47 the state to the commission on the aging for the fiscal year
 48 beginning July 1, 1985 and ending June 30, 1986, the sum of
 49 one hundred thousand (100,000) dollars, or so much thereof as
 50 is necessary, to deliver legal services to the elderly. The

Page 2

1 commission shall use the funds to utilize law school clinical
 2 programs located in this state which provide legal services
 3 for the elderly."
 4 _____. Page 21, line 6, by inserting after the
 5 figure "10" the following: "and 90".
 6 _____. Page 21, by inserting after line 25 the
 7 following:
 8 "Sec. _____. Total appropriations specified in
 9 this Act for the fiscal year beginning July 1, 1985 and ending
 10 June 30, 1986 shall not be exceeded in the fiscal year
 11 beginning July 1, 1986 and ending June 30, 1987 unless
 12 revenue growth as estimated by the legislative fiscal
 13 bureau in its December 31, 1985 quarterly report exceeds
 14 four and one-half percent."
 15 2. By numbering and renumbering sections,
 16 subsections, and paragraphs as necessary.

S-4156

1 Amend House File 766 as passed by the House as
 2 follows:
 3 1. Page 4, by inserting after line 10 the
 4 following:
 5 "Notwithstanding any other provision in this
 6 section, an agreement authorized in this chapter or
 7 chapter 280B shall not be executed until after a
 8 public hearing has been conducted by the board of
 9 directors. A notice of the public hearing shall be
 10 published at least once, not less than four days or
 11 not more than twenty days before the date of the
 12 public hearing. The publication of the notice must be
 13 in a newspaper published at least weekly and having
 14 general circulation in the county in which the
 15 district is located."

CALVIN O. HULTMAN

S-4157

1 Amend the amendment S-4150 to House File 593, as
2 passed by the House as follows:

3 1. By striking page 1, line 1 through page 2,
4 line 15 and inserting the following:

5 "Amend House File 593, as passed by the House as
6 follows:

7 1. By striking page 1, line 1 through page 2,
8 line 24 and inserting the following:

9 "Section 1. NEW SECTION. 321.270 ACCIDENTS
10 EXEMPT FROM RECORDS.

11 A motor vehicle accident involving a motor vehicle
12 operated by a peace officer as defined under section
13 801.4 shall not be included as part of the operating
14 record of the peace officer if the accident occurred
15 on or after July 1, 1985, and if all of the following
16 criteria are met:

17 1. The peace officer was involved in the
18 performance of official duties at the time the
19 accident occurred.

20 2. The peace officer was responding to what the
21 officer reasonably believed to be a bona fide
22 emergency situation when the accident occurred.

23 3. The peace officer exercised all due care under
24 the circumstances involved in the accident.

25 The peace officer desiring that an accident be
26 excluded from their operating record under this
27 section, shall request the exclusion in writing and
28 the request shall be attached to the written report of
29 the accident forwarded to the department under section
30 321.266.

31 Sec. 2. Section 321.200, Code 1985, is amended to
32 read as follows:

33 321.200 CONVICTION AND ACCIDENT FILE.

34 The department shall also file all accident reports
35 and abstracts of court records of convictions received
36 by it under the laws of this state and ~~in connection~~
37 ~~therewith~~ maintain convenient records or make suitable
38 notations in order that an individual record of each
39 licensee showing the convictions of ~~such~~ the licensee
40 and the traffic accidents in which the licensee has
41 been involved ~~shall be~~ are readily ascertainable and
42 available for the consideration of the department upon
43 ~~any~~ an application for renewal of license and at other
44 suitable times. However, the abstract shall not
45 include accidents excluded from the record under
46 section 321.270.

47 Sec. 3. Section 321.210, Code 1985, is amended by
48 adding the following new unnumbered paragraph:

49 NEW UNNUMBERED PARAGRAPH. The department shall not
50 consider or assess any points for accidents excluded

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1 from a person's operating record under section 321.270
2 in determining a license suspension under this
3 section.

4 Sec. 4. Section 321A.3, subsection 1, Code 1985,
5 is amended to read as follows:

6 1. The director shall upon request furnish any
7 person a certified abstract of the operating record of
8 a person subject to chapter 321 or this chapter. The
9 abstract shall also fully designate the motor
10 vehicles, if any, registered in the name of the
11 person. If there is no record of a conviction of the
12 person having violated any law relating to the
13 operation of a motor vehicle or of any injury or
14 damage caused by the person, the director shall so
15 certify. The abstract shall not include reports of
16 accidents excluded from the person's operating record
17 under section 321.270. A fee of four dollars shall be
18 paid for each abstract except by state, county, city
19 or court officials."

20 2. Title page, line 2, by striking the words "and
21 members of fire departments".

ALVIN V. MILLER

S-4158

1 Amend House File 450, as amended, passed and
2 reprinted by the House, as follows:

3 1. Page 6, line 26, by striking the figure "1986"
4 and inserting the figure "1987".

5 2. Page 7, by striking line 2 and inserting the
6 following: "from July 1, 1987 to July 1, 1989, the
7 board shall not issue a".

ARTHUR A. SMALL, Jr.

S-4159

1 Amend the amendment S-4150 to House File 593 as
2 passed by the House as follows:

3 1. Page 1, lines 8 and 9, by striking the words
4 "peace officer as defined under section 801.4" and
5 inserting the following: "person".

6 2. Page 1, line 10, by striking the words "peace
7 officer" and inserting the word "person".

- 8 3. Page 1, line 13, by striking the words "peace
9 officer" and inserting the word "person".
- 10 4. Page 1, line 16, by striking the words "peace
11 officer" and inserting the word "person".
- 12 5. Page 1, lines 16 and 17, by striking the words
13 "the officer" and inserting the word "they".
- 14 6. Page 1, line 19, by striking the words "peace
15 officer" and inserting the word "person".
- 16 7. Page 1, line 21, by striking the words "peace
17 officer" and inserting the word "person".

TOM LIND

S-4160

- 1 Amend House File 648 as passed by the House as
2 follows:
- 3 1. Page 1, line 3, by striking the word "For"
4 and inserting the following:
- 5 "Except for any bona fide religious institution
6 with respect to any qualifications the institution
7 may impose based on religion when such
8 qualifications are related to a bona fide religious
9 purpose. For for".

JOY CORNING
BEVERLY HANNON
JULIA GENTLEMAN

S-4161

- 1 Amend House File 766 as passed by the House as
2 follows:
- 3 1. Page 6, lines 17 and 18, by striking the words
4 "department of job service" and inserting the
5 following: "permanent school fund".
- 6 2. Page 7, by striking lines 23 and 24 and
7 inserting the following:
- 8 "Notwithstanding sections 8.6, 257A.7, 292.1,
9 302.1, and 302.13, there is appropriated from the
10 permanent school fund for the".
- 11 3. Page 7, lines 29 and 30, by striking the words
12 "temporary emergency surcharge" and inserting the
13 following: "permanent school".
- 14 4. Page 7, line 32, by striking the words
15 "unemployment trust" and inserting the following:
16 "permanent school".
- 17 5. Page 8, line 1, by striking the words
18 "temporary emergency surcharge" and inserting the
19 following: "permanent school".

20 6. Page 8, line 4, by striking the words
 21 "unemployment trust" and inserting the following:
 22 "permanent school".

COMMITTEE ON
 APPROPRIATIONS
 JOE WELSH, Chair

S-4162

1 Amend Senate File 156 as follows:
 2 1. Page 2, line 1, by inserting after the word
 3 "institutions" the following: "if funds are available
 4 to the commission for that purpose".
 5 2. Page 2, by striking lines 24 through 26.
 6 3. Page 3, by striking lines 7 through 11.
 7 4. Amend the title, line 3, by inserting after
 8 the word "program," the following: "and".
 9 5. Amend the title, by striking line 4 and
 10 inserting the following: "scholarship program."

COMMITTEE ON
 APPROPRIATIONS
 JOE WELSH, Chair

S-4163

1 Amend House File 648 as passed by the House as
 2 follows:
 3 1. Page 1, line 6, by inserting after the word
 4 "boards" the following: ", or any home school".

TOM LIND

S-4164

1 Amend House File 438 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 1, line 4, by striking the word "books,"
 4 and inserting the word "~~books~~".

ROBERT M. CARR

S-4165

1 Amend Senate File 575 as follows:
 2 1. Page 1, line 30, by striking the figure
 3 "800,000" and inserting the figure "200,000".

JOE WELSH

HOUSE AMENDMENT TO
SENATE FILE 564

S-4166

1 Amend Senate File 564 as amended, passed and
2 reprinted by the Senate as follows:
3 1. Page 1, line 8, by inserting after the word
4 "retarded" the following: "and residential care
5 facilities for the mentally ill".
6 2. Page 1, line 12, by striking the figure "237A"
7 and inserting the following: "237".
8 3. Page 1, by striking lines 22 through 31 and
9 inserting the following:
10 "Sec. 2. Sales, services and use taxes which were
11 payable on transactions occurring between July 1, 1980
12 and July 1, 1985 involving the retail sale or rental
13 of tangible personal property or from services
14 performed, rendered, or furnished to the nonprofit
15 corporations described in section 1 of this Act and
16 which have not been paid by those nonprofit
17 corporations are no longer due and payable after July
18 1, 1985, and the department of revenue shall not
19 collect these taxes, notwithstanding any other
20 provision of law.
21 Sec. 3. This Act is effective July 1, 1985."
22 4. Title page, by striking lines 3 through 5 and
23 inserting the following: "care services from the
24 sales, services and use tax, prohibiting the
25 collection for certain sales, services and use tax not
26 paid by those corporations."

S-4167

1 Amend the amendment S-4160 to House File 648 as
2 passed by the House as follows:
3 1. Page 1, line 5, by striking the word
4 "institution" and inserting the following:
5 "institution (1)".
6 2. Page 1, line 9, by inserting after the word
7 "purpose" the following: "or (2) which admits
8 students of only one sex".

JOE J. WELSH
ARTHUR SMALL, JR.

S-4168

1 Amend Senate File 578 as follows:
2 1. By striking page 12, line 18 through page 13,

- 3 line 32.
- 4 2. Renumber sections and correct internal
- 5 references as necessary in accordance with this
- 6 amendment.

JOE WELSH

S-4169

- 1 Amend Senate File 578 as follows:
- 2 1. Page 4, line 17 and 18, by striking the words
- 3 "members of the appeal board of the Iowa department
- 4 of job service."
- 5 2. Page 4, line 24, by inserting after the word
- 6 "blind," the following: "members of the appeal
- 7 board of the Iowa department of job service,".

JULIA GENTLEMAN

S-4170

- 1 Amend Senate File 585 as follows:
- 2 1. Page 13, by striking lines 1 through 5.

JOE WELSH

S-4171

- 1 Amend Senate File 585 as follows:
- 2 1. Page 1, by striking line 16 and inserting the
- 3 following:
- 4 "2. Seventeen and eight-tenths percent of the
- 5 funds".
- 6 2. Page 16, line 10, by striking the word and
- 7 figure "and 2" and inserting the following: "2, and
- 8 3".
- 9 3. Page 16, by striking lines 25 and 26 and
- 10 inserting the following: "~~(217,000)~~ two hundred
- 11 thirty-seven thousand (237,000) dollars of the funds
- 12 appropriated in subsection 1".
- 13 4. By striking page 16, line 35 through page 17,
- 14 line 2.
- 15 5. Page 17, by striking lines 3 through 12.
- 16 6. Page 17, by inserting before line 13 the
- 17 following:
- 18 "3. ~~Eight and seventy five hundredths~~ Seventeen
- 19 and eight-tenths percent of the funds appropriated in
- 20 subsection 1 shall be transferred to the division of
- 21 mental health, mental retardation, and developmental

22 disabilities within the department of human services
23 and allocated for community mental health centers.”

MILO COLTON

S-4172

1 Amend Senate File 586 as follows:
2 1. Page 1, by inserting after line 7 the
3 following:
4 “Notwithstanding 1985 Iowa Acts, House File 225,
5 section 302, subsection 5, paragraph “a”, any moneys
6 expended from the general fund of the state as
7 provided in this Act shall be repaid to the general
8 fund of the state not later than June 30, 1986 from
9 funds appropriated under 1985 Iowa Acts, House File
10 225, section 302, subsection 5, paragraph “a”, for the
11 construction of the Iowa world trade center.”

ARTHUR L. GRATIAS

S-4173

1 Amend amendment S-4160 to House File 648 as
2 passed by the House as follows:
3 1. Page 1, by striking lines 3 through 9 and
4 inserting the following:
5 “ . Page 1, by inserting after line 10, the
6 following: “Nothing in this section shall be
7 construed as prohibiting (1) any bona fide
8 religious institution from imposing qualifications
9 based on religion when such qualifications are
10 related to a bona fide religious purpose or (2)
11 any institution from admitting students of only
12 one sex.””

ARTHUR A. SMALL
JOE WELSH

S-4174

1 Amend the amendment S-4160 to House File 648 as
2 passed by the House as follows:
3 1. Page 1, line 7, by inserting after the word
4 “religion” the following: “, morals, or traditions”.
5 2. Page 1, line 8, by inserting after the word
6 “religious” the following: “or atheistic”.

THOMAS A. LIND

S-4175

- 1 Amend House File 438 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "records." the following: "This paragraph does not
- 5 apply to persons suffering from amnesia."

MILO COLTON

S-4176

- 1 Amend House File 438 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "records." the following: "This paragraph does not
- 5 apply to illiterate persons."

MILO COLTON

S-4177

- 1 Amend House File 438 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "records." the following: "This paragraph does not
- 5 apply to persons who do not speak or read English."

MILO COLTON

S-4178

- 1 Amend House File 438 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "records." the following: "This paragraph does not
- 5 apply to state legislators."

MILO COLTON

S-4179

- 1 Amend House File 438 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "records." the following: "This paragraph does not
- 5 apply to members of the staff of the legislative
- 6 service bureau."

MILO COLTON

S-4180

- 1 Amend House File 438 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "records." the following: "This paragraph does not
- 5 apply to authors."

MILO COLTON

S-4181

- 1 Amend House File 438 as amended, passed and
- 2 reprinted by the House as follows:
- 3 1. Page 2, line 17, by inserting after the word
- 4 "records." the following: "This paragraph does not
- 5 apply to professors."

MILO COLTON

S-4182

- 1 Amend Senate File 575 as follows:
- 2 1. Page 1, line 27, by striking the figure
- 3 "500,000" and inserting the following: "300,000".

JOE WELSH

S-4183

- 1 Amend Senate File 586 as follows:
- 2 1. Page 1, by striking line 7 and inserting the
- 3 following: "persons and pay expenses actually
- 4 incurred by the members of the committee in the
- 5 performance of their official duties. Members
- 6 of the committee shall not receive per diem
- 7 expenses."

LOWELL JUNKINS

S-4184

- 1 Amend Senate File 575 as follows:
- 2 1. By striking page 1, line 31 through page 2,
- 3 line 7.
- 4 2. Amend the title, lines 2 and 3, by striking
- 5 the words "and providing that the Act takes effect
- 6 upon its publication".

JOE WELSH

S-4185

- 1 Amend House File 764 as amended, passed and
 2 reprinted by the House as follows:
 3 1. Page 6, line 4, by striking the words "five
 4 ten" and inserting the following: "five".
 5 2. Page 14, line 1, by striking the word "ten
 6 twenty" and inserting the following: "ten".

BILL HUTCHINS

S-4186

- 1 Amend Senate File 578 as follows:
 2 1. Page 8, by striking lines 28 through 35 and
 3 inserting the following:
 4 "It is the intent of the general assembly that the
 5 funds appropriated in this paragraph be distributed by
 6 the state comptroller to merged area school employees
 7 under the same formula used to grant salary
 8 adjustments to merged area school employees for the
 9 fiscal year beginning July 1, 1985 and ending June 30,
 10 1986.
 11 The state board of public instruction shall
 12 formulate an auditable student counting system that
 13 uniformly reports and accounts for student credit
 14 hours in all merged area schools. This student
 15 counting system should provide the basis for
 16 allocating future state general aid and state
 17 vocational aid and federal vocational aid on an
 18 equitable basis for the fiscal year beginning July 1,
 19 1986."

WILLIAM D. PALMER

S-4187

- 1 Amend Senate File 532 as follows:
 2 1. By striking everything after the enacting
 3 clause and inserting the following:
 4 "Section 1. Section 164.1, subsection 7, Code
 5 1985, is amended to read as follows:
 6 7. "Official calthood vaccination" ~~shall mean~~
 7 means the vaccination of ~~any a~~ female calf of a ~~dairy~~
 8 any breed between the ages of ~~two~~ four months and ~~six~~
 9 ten months ~~or any female calf of a beef breed between~~
 10 ~~the ages of two months and ten months with brucella~~
 11 ~~vaccine approved by the U.S. United States department~~
 12 ~~of agriculture, which calf shall have vaccination has~~
 13 ~~been vaccinated administered~~ by a licensed accredited

14 veterinarian according to the rules established by the
15 department. The officially vaccinated animal shall be
16 identified by ~~a~~ an official vaccination tattoo mark,
17 and an official ear tag or owner's purebred
18 identification. ~~Such The~~ tattoo mark, ear tag or
19 owner's purebred identification shall be described in
20 a certificate furnished by the attending veterinarian.

21 Within thirty days following ~~such the~~ vaccination,
22 the attending veterinarian shall supply the owner with
23 a certificate of vaccination. The veterinarian shall
24 retain a copy of ~~same the~~ certificate and forward a
25 copy to the ~~local~~ office of the U.S. ~~department of~~
26 ~~agriculture or a copy to state~~ veterinarian within the
27 Iowa department of agriculture.

28 Sec. 2. Section 164.1, subsection 8, Code 1985, is
29 amended by striking the subsection and inserting in
30 lieu thereof the following:

31 8. "Class free state" means there has been no
32 known brucellosis in cattle for a period of twelve
33 months. States are classified as class free, class A,
34 class B, and class C, according to guidelines set
35 forth in 9 C.F.R. § 78.1.

36 Sec. 3. Section 164.1, subsection 9, Code 1985, is
37 amended to read as follows:

38 9. "State-approved premises" means feedlot or
39 grazing areas established at the discretion of the
40 department for the feeding, fattening or growing of
41 imported untested heifers over eight ~~four~~ months of
42 age but under ~~twenty-four~~ eighteen months of age, or
43 native untested female cattle. Rules governing the
44 operation of ~~such the~~ premises shall be made at the
45 discretion of the department and subject to ~~the~~
46 provisions of chapter 17A.

47 Sec. 4. Section 164.3, Code 1985, is amended to
48 read as follows:

49 164.3 FEMALE CALVES VACCINATED.

50 All native female cattle of a ~~dairy~~ any breed

Page 2

1 between the ages of ~~two~~ four and six months and all
2 native female cattle of a beef breed between the ages
3 of two months and ten months may be officially
4 vaccinated for brucellosis according to the method
5 approved by the United States department of
6 agriculture. The expense of ~~such the~~ vaccination
7 shall be borne in the same manner as ~~set forth~~
8 provided in section 164.6.

9 Sec. 5. Section 164.4, Code 1985, is amended by
10 adding the following new unnumbered paragraphs:

11 NEW UNNUMBERED PARAGRAPH. The department shall
 12 adopt rules that are no less restrictive than the
 13 uniform methods and rules for brucellosis eradication
 14 promulgated by the United States department of
 15 agriculture, APHIS 91-1, effective July 1, 1984, but
 16 may adopt rules that are more restrictive, subject to
 17 chapter 17A.

18 NEW UNNUMBERED PARAGRAPH. The department shall
 19 have the discretion to implement any of the procedures
 20 enumerated in the uniform methods and rules if
 21 approved jointly by state and federal animal health
 22 officials, including but not limited to the use of
 23 quarantined pastures, quarantined feedlots, or other
 24 options permitted under the uniform methods and rules.

25 Sec. 6. Section 164.9, Code 1985, is amended to
 26 read as follows:

27 164.9 RETEST ORDERED.

28 The department may order a retest of any breeding
 29 cattle at any time, when in ~~their~~ the department's
 30 opinion, it is necessary. In case of reactors, one
 31 retest shall be granted the owner of the cattle by the
 32 department upon the request of the owner or owner's
 33 veterinarian before the cattle are permanently marked
 34 as reactors, such and the expense of the retest of
 35 reactors shall be at the owner's expense borne in the
 36 same manner as provided in section 164.6.

37 Sec. 7. Section 164.13, Code 1985, is amended to
 38 read as follows:

39 164.13 UNLAWFUL ACTS.

40 It shall be unlawful for any owner to sell or
 41 transfer ownership of any bovine animal or allow
 42 commingling of cattle belonging to two or more owners,
 43 or the commingling of dairy or breeding cattle with
 44 cattle under feeder quarantine as feeding or grazing
 45 animals on a state approved premises, unless they are
 46 accompanied by a negative brucellosis test report
 47 issued by an accredited veterinarian, conducted within
 48 thirty days. The provisions of this section do not
 49 apply to the following:

50 1. Calves under ~~ten~~ four months of age, spayed

Page 3

1 heifers, and steers.

2 2. Official vaccinates under thirty months of age
 3 of beef breeds under twenty-four months of age and of
 4 dairy breeds under twenty months of age, if
 5 accompanied by official calfhood vaccination
 6 certificates not visibly parturient or postparturient.

7 3. Animals consigned directly to slaughter.

8 4. Animals moved for exhibition purposes:
9 a. When under ~~thirty months of age~~ the test-
10 eligible ages specified in subsection 2 and
11 accompanied by an official vaccination certificate.
12 b. Animals of any age when accompanied by a report
13 of a negative brucellosis test conducted within
14 ~~seventy-five~~ thirty days.
15 5. Animals originating from a herd certified to be
16 in a class free of brucellosis state or animals from a
17 certified brucellosis ~~area~~ free herd.
18 6. Cattle moved to a state-approved premises, as
19 defined in section 164.1, subsection 9, as provided by
20 the department.
21 Sec. 8. Section 164.14, Code 1985, is amended to
22 read as follows:
23 164.14 IMPORTED CATTLE.
24 1. Female cattle over ~~ten~~ four months of age, and
25 under ~~twenty-four~~ eighteen months not visibly ~~pregnant~~
26 parturient or postparturient, may enter the state for
27 feeding purposes to be consigned to a state-approved
28 premises under quarantine. Such cattle as well as
29 native female animals ~~over twenty-four months of age~~
30 that have been consigned to the lot may be released
31 from the premises if they ~~meet one~~ have been any of
32 the following requirements:
33 a. ~~Consignment~~ Consigned to slaughter.
34 b. ~~Consignment~~ Consigned to a federally approved
35 market.
36 c. Consigned to another quarantined premises.
37 d. Tested negative to brucellosis at owner's
38 expense. The test shall be made not less than ~~thirty~~
39 sixty days after the last consignment to the premises
40 and shall include all animals on the premises.
41 2. Female cattle over ~~twenty-four~~ eighteen months
42 of age may enter the state if they ~~meet one~~ are any of
43 the following requirements:
44 a. Consigned to a federally approved market.
45 b. Consigned to a slaughter plant for immediate
46 slaughter.
47 c. Accompanied by an official health certificate
48 showing a record of a negative brucellosis test, when
49 required, accomplished within thirty days of
50 importation.

Page 4

1 Sec. 9. Section 164.21, unnumbered paragraphs 1
2 and 2, Code 1985, are amended to read as follows:
3 The department shall certify the claim of the owner
4 for each animal slaughtered in accordance with this

5 chapter. An infected herd may be completely
 6 depopulated and indemnity paid ~~on individual animals~~
 7 when, in the opinion of ~~the officials~~ of the
 8 department and ~~officials of the animal research~~
 9 veterinary service of the United States department of
 10 agriculture, the disease cannot be adequately
 11 controlled by routine testing.
 12 Indemnity ~~can~~ shall only be paid if money is
 13 available in the brucellosis and tuberculosis
 14 eradication fund and if indemnity payment is also made
 15 by the United States department of agriculture.
 16 However, if the United States department of
 17 agriculture is unable to pay indemnity, the state may
 18 still pay indemnity for condemned animals if money is
 19 available."
 20 2. Title page 1, by striking lines 1 and 2, and
 21 inserting the following: "An Act relating to bovine
 22 brucellosis, by providing vaccination requirements,
 23 providing definitions, providing for the adoption of
 24 rules, providing for the movement of cattle, and
 25 providing for indemnification for slaughtered cattle."

ARNE WALDSTEIN
 JOHN SOORHOLTZ
 LEONARD BOSWELL
 BERL PRIEBE

S-4188

1 Amend Senate File 578 as follows:
 2 1. Page 8, by inserting after line 35 the
 3 following:
 4 "The state board of public instruction shall
 5 formulate an auditable student counting system that
 6 uniformly reports and accounts for student credit
 7 hours in all merged area schools. This student
 8 counting system should provide the basis for
 9 allocating future state general aid and state
 10 vocational aid and federal vocational aid on an
 11 equitable basis for the fiscal year beginning July 1,
 12 1986."

WILLIAM D. PALMER
 JULIA GENTLEMAN

S-4189

1 Amend House File 764, as amended, passed, and
 2 reprinted by the House, as follows:
 3 1. Page 5, by striking lines 18 through 32.

- 4 2. Page 6, line 5, by striking the word "not" and
5 inserting the word "~~not~~".
- 6 3. By striking page 6, line 10 through page 7,
7 line 7.
- 8 4. Page 7, by striking lines 8 through 16.
- 9 5. Page 7, by striking lines 17 through 34.
- 10 6. By striking page 8, line 30 through page 9,
11 line 4.
- 12 7. Page 9, by striking lines 5 through 23.
- 13 8. Page 10, line 7, by striking the word "not"
14 and inserting the following: "~~not~~".
- 15 9. By striking page 11, line 29 through page 12,
16 line 24 and inserting the following:
17 "b. A person sponsoring a flea market, or a craft,
18 antique,".
- 19 10. Page 13, by striking lines 1 through 25.
- 20 11. Page 14, line 19, by striking the word "not"
21 and inserting the following: "~~not~~".
- 22 12. Page 15, by striking lines 8 through 32.
- 23 13. By striking page 15, line 33 through page 16,
24 line 28.
- 25 14. Page 17, line 21, by striking the word "not"
26 and inserting the following: "~~not~~".
- 27 15. By striking page 17, line 23 through page 18,
28 line 17.
- 29 16. Page 18, line 31, by striking the word "not"
30 and inserting the following: "~~not~~".
- 31 17. Page 19, line 5, by striking the word "not"
32 and inserting the following: "~~not~~".

EDGAR H. HOLDEN
BILL HUTCHINS

S-4190

- 1 Amend House File 764 as amended, passed and
2 reprinted by the House, as follows:

DIVISION S-4190B

- 3 1. Page 3, by striking lines 2 through 6 and
4 inserting the following: "any delinquent tax, penalty
5 or interest."
- 6 2. By striking page 3, line 29 through page 4,
7 line 16.
- 8 3. Page 5, line 8, by striking the words "five
9 ten" and inserting the following: "five".
- 10 4. Page 5, line 12, by striking the word "fifty"
11 and inserting the following: "fifty seventy-five".
- 12 5. Page 5, line 16, by striking the word "fifty"

13 and inserting the following: "~~fifty seventy-five~~".

14 6. Page 5, by striking lines 28 through 32 and
15 inserting the following: "owes any delinquent tax,
16 penalty or interest."

17 7. By striking page 5, line 33 through page 6,
18 line 9.

19 8. Page 6, by inserting after line 9 the
20 following:

21 "Sec. ____ . Section 324.65, unnumbered paragraph 2,
22 Code 1985, is amended to read as follows:

23 The appropriate state agency shall not remit any
24 part of a penalty for delinquent payment where the
25 delinquency results from the fact that a check given
26 in payment is not honored because of insufficient
27 funds in the account upon which the check was drawn.
28 However, if it appears as a result of an investigation
29 or from a preponderance of the evidence adduced at a
30 hearing that there has been a deliberate attempt on
31 the part of a licensee or other person to evade
32 payment of fuel taxes there shall be added to the
33 assessment against the offending person and collected
34 a penalty of ~~fifty seventy-five~~ percent of the tax
35 due. Any report required of licensees or persons
36 operating under divisions I, II and III, upon which no
37 tax may be due, is subject to a penalty of ten dollars
38 if the report is not timely filed with the appropriate
39 state agency."

DIVISION S-4190A

40 9. Page 8, by inserting after line 29 the
41 following:

42 "Sec. 40. Section 422.10, unnumbered paragraph 1,
43 Code 1985, as amended by 1985 Iowa Acts, Senate File
44 561, section 5, is amended to read as follows:

45 The taxes imposed under this division shall be
46 reduced by a state tax credit for increasing research
47 activities in this state. For individuals, the credit
48 shall equal six and one-half percent of the state's
49 apportioned share of the qualifying expenditures for
50 increasing research activities. The state's

Page 2

DIVISION S-4190A (cont'd.)

1 apportioned share of the qualifying expenditures for
2 increasing research activities is a percent equal to
3 the ratio of qualified research expenditures in this
4 state to total qualified research expenditures. For

5 purposes of this section, an individual may claim a
6 research credit for qualifying research expenditures
7 incurred by a partnership, subchapter S corporation,
8 and estate or trust electing to have the income taxed
9 directly to the individual. The amount claimed by the
10 individual shall be based upon the pro rata share of
11 the individual's earnings of a partnership, subchapter
12 S corporation, or estate or trust. For purposes of
13 this section, "qualifying expenditures for increasing
14 research activities" means the qualifying expenditures
15 as defined for the federal credit for increasing
16 research activities ~~computed~~ which would be allowable
17 under section 30 of the Internal Revenue Code of 1954,
18 ~~as amended to and including in effect on~~ January 1,
19 ~~1983~~ 1985. The research activities credit is
20 applicable for taxable years beginning after December
21 ~~31, 1985~~ to the same extent that the credit is
22 applicable for federal income tax purposes for taxable
23 years beginning after December ~~31, 1985~~.

DIVISION S-4190B (cont'd.)

- 24 10. Page 9, line 4, by striking the word "twenty"
25 and inserting the following: "fifteen".
- 26 11. Page 9, by inserting after line 4 the
27 following:
28 "Sec. ____ Section 422.16, subsection 10,
29 paragraph b, unnumbered paragraph 2, Code 1985, is
30 amended to read as follows:
31 In the case of willful failure to file a
32 semimonthly, monthly, or quarterly deposit form with
33 intent to evade tax or willful filing of a false
34 semimonthly, monthly, or quarterly deposit form with
35 intent to evade tax, in lieu of the penalty otherwise
36 provided in this paragraph, there is added to the
37 amount required to be shown as tax on the semimonthly,
38 monthly, or quarterly deposit form, fifty seveny-five
39 percent of the amount of the tax. The taxpayer shall
40 also pay interest on the tax or additional tax at the
41 rate in effect under section 421.7, for each month
42 counting each fraction of a month as an entire month,
43 computed from the date the semimonthly, monthly, or
44 quarterly deposit form was required to be filed. The
45 penalty and interest become a part of the tax due from
46 the withholding agent. The penalty imposed under this
47 subsection is not subject to waiver."
- 48 12. Page 9, line 35, by striking the words "five
49 ten" and inserting the following: "five".
- 50 13. Page 10, line 5, by inserting after the word

Page 3

DIVISION S-4190B (cont'd.)

1 "return" the following: "fifty".

DIVISION S-4190A (cont'd.)

2 14. Page 10, by inserting after line 34 the
3 following:

4 "Sec. 41. Section 422.33, subsection 5, unnumbered
5 paragraph 1, Code 1985, as amended by 1985 Iowa Acts,
6 Senate File 561, section 7, is amended to read as
7 follows:

8 The taxes imposed under this division shall be
9 reduced by a state tax credit for increasing research
10 activities in this state equal to six and one-half
11 percent of the state's apportioned share of the
12 qualifying expenditures for increasing research
13 activities. The state's apportioned share of the
14 qualifying expenditures for increasing research
15 activities is a percent equal to the ratio of
16 qualified research expenditures in this state to the
17 total qualified research expenditures. For purposes
18 of this subsection, "qualifying expenditures for
19 increasing research activities" means the qualifying
20 expenditures as defined for the federal credit for
21 increasing research activities ~~computed which would be~~
22 allowable under section 30 of the Internal Revenue
23 Code of 1954, ~~as amended to and including in effect on~~
24 January 1, 1983 1985. The research activities credit
25 is applicable for taxable years beginning after
26 December 31, 1985 to the same extent that the credit
27 is applicable for federal income tax purposes for
28 taxable years beginning after December 31, 1985."

DIVISION S-4190B (cont'd.)

29 15. Page 12, line 35, by inserting after the word
30 "sponsors." the following: "For purposes of this
31 paragraph a person sponsoring a flea market, or a
32 ~~craft~~ craft, antique, coin or stamp show or similar event
33 does not include a nonprofit organization which
34 sponsors an event less than three times a year or a
35 state, county or district agricultural fair."

36 16. Page 13, by striking lines 9 through 13 and
37 inserting the following: "any delinquent tax, penalty
38 or interest."

39 17. Page 14, line 1, by striking the word
40 "twenty" and inserting the following: "fifteen".

- 41 18. Page 14, line 9, by inserting after the word
 42 "return" the following: "~~fifty~~".
 43 19. Page 15, by striking lines 28 through 32 and
 44 inserting the following: "owes any delinquent tax,
 45 penalty or interest."
 46 20. Page 17, line 4, by striking the words "~~five~~
 47 ten" and inserting the following: "five".
 48 21. Page 17, line 5, by striking the word "ten"
 49 and inserting the following: "~~ten~~ fifteen".
 50 22. Page 17, line 12, by inserting after the word

Page 4

DIVISION S-4190B (cont'd.)

- 1 "return" the following: "~~fifty~~".
 2 23. Page 18, line 25, by striking the words "~~five~~
 3 ten" and inserting the following: "five".
 4 24. Page 18, line 30, by inserting after the word
 5 "return" the following: "~~fifty~~".
 6 25. Page 19, line 4, by striking the words "~~five~~
 7 ten" and inserting the following: "five".

DIVISION S-4190C

- 8 26. Page 20, line 2, by striking the word
 9 "penalties".

DIVISION S-4190A (cont'd.)

- 10 27. Page 20, by inserting after line 6 the
 11 following:
 12 "Sec. ____ . Sections 40 and 41 of this Act are
 13 retroactive to January 1, 1985 for tax years beginning
 14 on or after that date."

COMMITTEE ON
 WAYS AND MEANS
 WILLIAM PALMER, Chair

HOUSE AMENDMENT TO
 SENATE FILE 364

S-4191

- 1 Amend Senate File 364 as amended, passed, and re-
 2 printed by the Senate as follows:
 3 1. Page 1, by striking lines 8 through 12.
 4 2. Page 1, by striking lines 13 through 25.
 5 3. Page 2, line 9, by striking the figure "1."

- 6 4. Page 2, line 10, by striking the word
7 "certificated" and inserting the word "public".
- 8 5. By striking page 2, line 11, through page 3,
9 line 5.
- 10 6. Page 3, line 6, by striking the letter "a" and
11 inserting the figure "1".
- 12 7. Page 3, lines 16 and 17, by striking the words
13 "life and health insurance premiums for present
14 employees when retired;"
- 15 8. Page 3, line 25, by striking the letter "b"
16 and inserting the figure "2".
- 17 9. Page 4, line 1, by striking the letter "c" and
18 inserting the figure "3".
- 19 10. Page 4, by striking lines 3 through 8 and
20 inserting the following: "this section. The
21 bargaining subjects listed under"
- 22 11. Page 4, line 10, by striking the letter "d"
23 and inserting the figure "4".
- 24 12. Page 4, by inserting after line 20 the
25 following:
26 "5. Proposals in conflict with state-mandated
27 retirement systems are excluded from the scope of
28 negotiations.
- 29 6. Certificated employees discharged for the
30 purpose of a reduction in force shall follow the
31 grievance procedures provided in their collective
32 bargaining agreement. Discharged certificated
33 employees who do not have reduction in force
34 procedures provided in their collective bargaining
35 agreement shall follow the termination procedures
36 provided under chapter 279. A certificated employee
37 organization may unilaterally reject negotiated
38 reduction in force procedures in the collective
39 bargaining agreement through March 1, 1986. A
40 certificated employee organization shall notify the
41 board of a rejection of reduction in force procedures
42 prior to March 1, 1986."
- 43 13. By striking page 4, line 21 through page 5,
44 line 17.
- 45 14. By renumbering, relettering, or redesignating
46 and correcting internal references as necessary.

S-4192

- 1 Amend House File 648 as passed by the House as
2 follows:
3 1. Page 1, by inserting after line 10, the
4 following: "This section does not apply to any
5 private college or to any nonpublic educational
6 institution that is controlled by or related to

7 a bona fide religious institution if application
8 of this section is inconsistent with the
9 religious tenets of the religious institution.
10 nor does this section apply to any private college
11 or to any nonpublic educational institution that
12 admits students of only one sex.”.

RAY TAYLOR

HOUSE AMENDMENT TO SENATE AMENDMENT TO
HOUSE FILE 315

S-4193

1 Amend the Senate amendment, H-4169, to House File
2 315 as amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, by striking lines 3 through 25 and
5 inserting the following:
6 “1. By striking everything after the enacting
7 clause and inserting the following:
8 “Section 1. Section 155.36, Code 1985, is amended
9 by striking the section and inserting in lieu thereof
10 the following:
11 155.36 DRUG PRODUCT SELECTION.
12 1. a. If a physician, dentist, podiatrist or
13 veterinarian prescribes, in writing or orally, a drug
14 by either its brand or trade name, the pharmacist may
15 exercise professional judgment, in the economic
16 interest of the patient or the patient’s adult
17 representative who is purchasing the prescription, by
18 selecting a drug product which contains identical
19 amounts of the identical active ingredient and which
20 is therapeutically equivalent to the prescribed drug
21 product so as to provide the same therapeutic effect,
22 when administered in the same amounts, as measured by
23 the control of a symptom or disease. If the
24 pharmacist does so, the pharmacist shall pass on to
25 the patient or the patient’s adult representative no
26 less than fifty percent of the savings which results
27 from the product selection.
28 b. The pharmacist shall exercise drug product
29 selection under paragraph “a” when the pharmacy has in
30 stock one or more such drug products, and when all or
31 any part of the prescription will be paid by
32 expenditure of public funds authorized under chapter
33 239, 249, 249A, 252, 253, or 255, unless the
34 prescriber specifically states that only the
35 designated brand or trade name drug product is to be
36 dispensed.

37 2. The pharmacist shall not exercise drug product
38 selection under this section if either of the
39 following occur:
40 a. The prescriber specifically indicates that no
41 drug product selection shall be made.
42 b. The person presenting the prescription
43 indicates that only the specific drug product
44 prescribed shall be dispensed unless the substitution
45 is one required by subsection 1, paragraph "b".
46 3. If selection of a generically equivalent
47 product is made under this section, the pharmacist
48 making the selection shall note that fact and the name
49 of the manufacturer of the selected drug on the
50 prescription order presented by the patient or the

Page 2

1 patient's adult representative.
2 4. Pharmacists, if authorized by the prescriber,
3 may exercise professional judgment by selecting
4 products which are therapeutic alternates to the brand
5 or trade name product prescribed by the prescriber.
6 The board of medical examiners and the board of
7 pharmacy examiners shall adopt joint rules to
8 implement and regulate the practice under this
9 subsection. The joint rules shall not require board
10 approval of a written drug formulary system developed
11 by a hospital pharmacy and medical staff committee.
12 Nothing in this subsection shall be construed to
13 alter existing practices which will be regulated by
14 the joint rules under this subsection until such rules
15 are promulgated.
16 Sec. 2. Section 155.37, Code 1985, is repealed."

S-4194

1 Amend House Concurrent Resolution 41, as amended,
2 passed, and reprinted by the House as follows:
3 1. Page 2, by striking lines 15 and 16 and
4 inserting the following: "chapter 262A in a total
5 amount not to exceed twenty-two million seven hundred
6 seventy thousand (22,770,000) dollars, the".
7 2. Page 3, by striking lines 5 and 6 and
8 inserting the following: "is twenty-two million seven
9 hundred seventy thousand (22,770,000) dollars, all or
10 any part of which may be issued during".
11 3. Page 3, by striking lines 17 and 18 and
12 inserting the following: "262A in a total amount not
13 to exceed twenty-two million seven hundred seventy
14 thousand (22,770,000) dollars:".

15 4. Page 3, by inserting after line 24 the
 16 following:
 17 "Industrial education building remodeling".

WALLY HORN
 JOHN NYSTROM

S-4195

1 Amend the Committee amendment, S-4190, to House
 2 File 764, as amended, passed, and reprinted by the
 3 House, as follows:
 4 1. Page 1, by inserting after line 39 the
 5 following:
 6 "___, Page 7, by inserting after line 34 the
 7 following:
 8 "Sec. ___. Section 421.7, subsection 2, Code 1985,
 9 is amended to read as follows:
 10 2. The rate of interest that shall be in effect
 11 during a calendar year shall be the rate which is ~~two~~
 12 ~~percentage points less than~~ the numerical average,
 13 rounded to the nearest one percent, of the respective
 14 prime rates for each of the months in the twelve-month
 15 period that ends September 30 of the previous calendar
 16 year. The rate of interest established by this
 17 subsection takes effect January 1, and applies to any
 18 amount which is due or becomes payable on or after
 19 that date."
 20 2. Page 2, by striking lines 24 and 25 and
 21 inserting the following:
 22 "___ By striking page 8, line 30 through page 9,
 23 line 4."
 24 3. Page 3, by striking lines 39 and 40 and
 25 inserting the following:
 26 "___ Page 14, line 1, by striking the words "~~ten~~
 27 ~~twenty~~" and inserting the following: "ten"."
 28 4. Page 3, by striking lines 48 and 49.

CHARLES H. BRUNER

HOUSE AMENDMENT TO
 SENATE FILE 264

S-4196

1 Amend Senate File 264 as passed by the Senate as
 2 follows:
 3 1. Page 1, line 17, by inserting after the word
 4 "land." the following: "A loan shall not be made for
 5 establishing a permanent soil and water conservation

6 practice on land that is subject to the restriction on
7 state cost-sharing funds of section 467A.65.”

S-4197

1 Amend the Committee amendment, S-4190, to House
2 File 764, as amended, passed, and reprinted by the
3 House, as follows:
4 1. Page 1, by striking lines 3 through 39 and
5 inserting the following:
6 “ ___. By striking page 2, line 19 through page 7,
7 line 34.”
8 2. By striking page 2, line 24 through page 3,
9 line 1 and inserting the following:
10 “ ___. By striking page 8, line 30 through page
11 10, line 34.
12 ___. By striking page 11, line 29 through page
13 12, line 24, and inserting the following:
14 “b. A person sponsoring a flea market, or a craft,
15 antique,””
16 3. By striking page 3, line 36 through page 4,
17 line 7 and inserting the following:
18 “ ___. By striking page 13, line 1 through page
19 14, line 20.
20 ___. By striking page 15, line 8 through page 19,
21 line 31 and inserting the following:
22 “Sec. ___. Section 423.4, Code 1985, is amended by
23 adding the following new subsection:
24 **NEW SUBSECTION. 10. Vehicles registered under**
25 **chapter 326 and used exclusively in interstate**
26 **commerce. The provisions of this section**
27 **notwithstanding, a taxable moment for purposes of this**
28 **subsection occurs only when a subject vehicle picks up**
29 **and delivers a cargo between two points within this**
30 **state.””**
31 4. Renumber sections and correct internal
32 references as are necessary in accordance with this
33 amendment.

EDGAR H. HOLDEN

S-4198

1 Amend amendment S-3985 to House File 438 as
2 amended, passed, and reprinted by the House as
3 follows:
4 1. Page 1, by striking lines 3 and 4 and
5 inserting the following:
6 “ ___. Page 2, line 8, by striking the word “week”
7 and inserting the following: “month.”

- 8 2. Page 1, by striking lines 5 and 6 and
9 inserting the following:
10 “___. Page 2, line 10, by inserting after the
11 word “attempt” the following: “, including the
12 mailing by restricted certified mail of notice that
13 such material or equipment is overdue and criminal
14 actions will be taken.”.
15 3. Page 1, by inserting after line 6 the
16 following:
17 “___. Page 2, by inserting after line 17 the
18 following:
19 “After the expiration of three days following the
20 due date, the owner of borrowed library equipment may
21 request the assistance of a dispute resolution center,
22 mediation center or appropriate law enforcement agency
23 in recovering the equipment from the borrower.
24 The owner of library equipment may require deposits
25 by borrowers and in the case of late returns the owner
26 may impose graduated penalties of up to twenty-five
27 percent of the value of the equipment, based upon the
28 lateness of the return.”
29 _____. Title page, by striking lines 1 and 2 and
30 inserting the following:
31 “An Act relating to the borrowing of library
32 materials and equipment and evidence of intent in
33 cases alleging theft of such materials and equipment,
34 and providing penalties.””

TOM MANN, Jr.

S-4199

- 1 Amend House File 764, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking page 19, line 32 through page 20,
4 line 6.

JOE WELSH

S-4200

- 1 Amend House Concurrent Resolution 41 as amended,
2 passed and reprinted by the House as follows:
3 1. Page 3, by inserting after line 24 the
4 following:
5 “Industrial education building remodeling”.

WALLY HORN
JOHN NYSTROM

S-4201

- 1 Amend Senate File 591 as follows:
- 2 1. By striking page 19, line 5 through page 21,
- 3 line 5.
- 4 2. By striking page 21, line 26 through page 22,
- 5 line 10.

JACK RIFE

HOUSE AMENDMENT TO
SENATE FILE 473

S-4202

- 1 Amend Senate File 473 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 6, line 5, by inserting after the figure
- 4 "225C.28" the following: ", and to review and propose
- 5 alternatives to the present funding methods for the
- 6 mandated services".
- 7 2. Page 6, line 14, by inserting after the figure
- 8 "1987" the following: ", providing that legislation
- 9 is enacted by the general assembly before July 1,
- 10 1987, which provides a fair and equitable funding
- 11 formula for the implementation of section 5 of this
- 12 Act".

S-4203

- 1 Amend Senate File 591 as follows:
- 2 1. Page 24, line 5, by inserting after the word
- 3 "party." the following: "An amendment showing only
- 4 a change of name of the secured party shall be
- 5 filed without fee."

C. JOSEPH COLEMAN
EDGAR H. HOLDEN

S-4204

- 1 Amend House File 764, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. Page 10, line 1, by inserting after the word
- 4 "due" the following: "unless the return is amended
- 5 by the taxpayer prior to the taxpayer's receiving
- 6 notice of the deficiency from the department or the

7 return is amended because of an internal revenue
8 service audit.”

DONALD V. DOYLE

S-4205

1 Amend Senate File 590 as follows:

DIVISION S-4205A

2 1. Page 2, lines 22 and 23 by striking the words
3 “the latter on a first-come, first-serve basis”.

DIVISION S-4205B

4 2. Page 2, by striking lines 26 through 28 and
5 inserting the following: “The county commissioner
6 of”.

DIVISION S-4205A (cont'd.)

7 3. Page 3, line 23, by striking the word “revoke”
8 and inserting the following: “review”.

DIVISION S-4205B (cont'd.)

9 4. Page 3, line 24, by striking the words
10 “immediately appoint the next” and inserting the
11 following: “shall, if such registrar's appointment is
12 terminated by the commissioner, immediately appoint
13 a”.

DIVISIONS S-4205A (cont'd.)

14 5. Page 3, by striking lines 26 through 29 and
15 inserting the following: “political parties.”

COMMITTEE ON
STATE GOVERNMENT
ROBERT M. CARR, Chair

S-4206

1 Amend Senate File 591 as follows:

2 1. Page 27, by striking lines 17 through 23 and
3 inserting the following:

4 “Sec. ____ . The legislative council shall establish
5 a joint interim committee of the senate and of the

6 house to study the necessity and desirability of
 7 initiating a title guarantee program as passed by the
 8 house on March 28, 1985 or the establishment or
 9 authorization of other title guarantee or insurance
 10 programs. The committee shall report its findings and
 11 recommendations, including any proposed legislation,
 12 to the general assembly by January 15, 1986."

EDGAR H. HOLDEN

S-4207

- 1 Amend Senate File 591 as follows:
- 2 1. By striking page 19, line 22 through page 21,
- 3 line 25.
- 4 2. Title page 1, by striking line 21 and
- 5 inserting the following: "of merged and acquired
- 6 banks, by".
- 7 3. Renumber as necessary.

JACK RIFE

S-4208

- 1 Amend Senate File 590 as follows:
- 2 1. Page 1, line 16, by inserting after the word
- 3 "thousand" the words "one hundred".

MICHAEL GRONSTAL

S-4209

- 1 Amend House File 753, as amended, passed, and
- 2 reprinted by the House, as follows:
- 3 1. By striking everything after the enacting
- 4 clause and inserting the following:
- 5 "Section 1. 1984 Iowa Acts, chapter 1314, section
- 6 5, is amended by adding the following new unlettered
- 7 paragraph:
- 8 NEW LETTERED PARAGRAPH. Comparable worth
- 9 adjustments made pursuant to 1983 Iowa Acts, chapter
- 10 170, sections 1 through 4, are retroactive to the pay
- 11 period beginning March 8, 1985, subject to the
- 12 availability of funds. The retroactive payments shall
- 13 be lump sum payments and cover employees covered under
- 14 recommended adjustments made pursuant to section 8 of
- 15 this ter 1314 and shall include employees of the
- 16 state board of regents.
- 17 Sec. 2. 1984 Iowa Acts, chapter 1314, section 8,
- 18 is amended to read as follows:

19 SEC. 8. AGENCY COMPARABLE WORTH REPORTS. Agencies
20 with positions which are exempt or partially exempt
21 from the state merit system shall report to the
22 governor and the legislative council by December 15,
23 1984, on the degree to which the salary plans covering
24 positions substantially equivalent to those in the
25 state merit system comply with the provisions of 1983
26 Iowa Acts, chapter 170. The reports shall include a
27 plan for implementation in fiscal year 1986 of
28 comparable worth salary adjustments, if necessary, and
29 the amount of appropriations necessary to implement
30 those adjustments. Plans developed pursuant to this
31 section shall be implemented in the fiscal year 1985
32 subject to the availability of funds as provided in
33 this chapter 1314. Implementation of this section
34 shall be consistent in principle with other sections
35 of this chapter 1314. Notwithstanding sections
36 602.1204, 602.1208, 602.1209, and 602.1401 of the Iowa
37 Code, the provisions of this section of this Act shall
38 be applicable to the judicial department.
39 Sec. 3. REVIEW OF FACTOR SCORES AND FACTOR
40 DETERMINED SCORES.

41 1. Any state employee may request review of the
42 factor scores or the factor determined score that
43 employee's job title received under the study
44 commissioned under 1983 Iowa Acts, chapter 170,
45 section 2, or under a study required of a state agency
46 to implement the requirements of section 79.18 of the
47 Iowa Code. Requests for review by more than one
48 employee within a job title shall be considered
49 together, and a request for review by one or more
50 employees within a job title shall be considered as a

Page 2

1 request on behalf of all employees in that job title.

2 2. In order to ease implementation of this review,
3 the request for review forms will be developed and
4 distributed by the Iowa merit employment department
5 for all employees except Regent employees. The forms
6 will be available within 14 days from the signing of
7 this Act.

8 3. Employees shall be notified of their right to
9 request review of their factor scores and factor
10 determined scores with one or more paychecks following
11 the signing of this Act, or where inclusion with the
12 paycheck is not possible, by mail or other direct
13 communication with the employee.

14 4. The Iowa merit employment department shall make
15 "request for review" forms available to all

16 departments and agencies and shall provide complete
17 access to information regarding the study and the
18 methods for determining factor scores in the system.
19 Employees shall have at least four weeks from the date
20 forms are distributed to the agencies and to employees
21 on their request in which to file a request for
22 review. Any request not filed within that time will
23 not be considered.

24 5. The executive council of the state of Iowa
25 shall appoint an appeals board of five state
26 employees. These employees shall be representative of
27 both exempt and merit employment groups. These
28 employees shall be familiar with the process of
29 classification review and will serve as hearing
30 officers. No more than one employee shall be from any
31 one department or agency.

32 6. The hearing officers will review the requests
33 for review and any supporting documentation. The
34 hearing officers may contact any employee involved for
35 further information when necessary. It is assumed
36 that in most cases the written request and any
37 supporting documentation will be the evidence
38 submitted to the board. All decisions of the board
39 will be based on the evidence submitted. There will
40 be no formal hearing, but the employees may have the
41 opportunity to present documentation and appear before
42 the hearing board. Appearances shall be limited to
43 one for each classification.

44 7. The review process shall be completed no later
45 than March 1, 1986. The board will then present its
46 recommendations to the executive council at the first
47 regular meeting of the executive council in April.
48 The executive council shall have the authority to
49 adjust pay grades for classifications at the
50 recommendations of the appeals board except such

Page 3 .

1 actions shall not supersede any collective bargaining
2 agreement. The action of the executive council will
3 be final.

4 8. This section does not apply to state employees
5 who were given the opportunity to have their job
6 titles reviewed as a part of a study completed for an
7 agency with positions which are exempt from the state
8 merit system.

9 Sec. 4. LEGISLATIVE INTENT ON STEP RESTORATION.

10 In order to complete the implementation of comparable
11 worth, it is the intent of the general assembly that
12 employees who were employed on March 8, 1985, and who

13 received a step or equivalent pay reduction while
 14 receiving comparable worth adjustments shall have the
 15 pay reduction restored effective with the first pay
 16 period of fiscal year 1988, if the employee is still
 17 employed with the state in the same classification on
 18 July 1, 1987, except that an employee shall not be
 19 placed at a step or pay level above the maximum step
 20 or pay level in the employee's salary range.

21 Sec. 5. INTERIM STUDY OF FEMALE DOMINATED JOBS.

22 The legislative council shall establish an interim
 23 study committee to conduct a complete review of all
 24 female-dominated jobs to determine whether
 25 discrimination remains in compensation for work of
 26 comparable worth between jobs held predominantly by
 27 women and jobs held predominantly by men and to review
 28 other issues relating to comparable worth. The
 29 membership shall consist of ten members, five
 30 legislators from each house appointed by the
 31 legislative council. Legislative members are entitled
 32 to per diem and expenses as provided for interim study
 33 committee members in section 2.44.

34 The committee shall make recommendations to the
 35 governor, the legislative council, and the general
 36 assembly by January 1, 1986.

37 Sec. 6. This Act, being deemed of immediate
 38 importance, takes effect from and after its
 39 publication in the Iowa City Press-Citizen, a
 40 newspaper published in Iowa City, Iowa, and in the
 41 Ames Daily Tribune, a newspaper published in Ames,
 42 Iowa."

CHARLES BRUNER
 BOB CARR
 TOM MANN, Jr.
 JOHN NYSTROM
 JULIA GENTLEMAN
 RICHARD DRAKE
 FORREST SCHWENGELS
 CHARLES MILLER
 JOSEPH WELSH
 WALLY HORN
 WILLIAM DIELEMAN
 C. JOSEPH COLEMAN
 JACK RIFE
 JOY CORNING

S-4210

1 Amend House File 764 as amended, passed,
 2 and reprinted by the House as follows:

- 3 1. Page 12, by striking lines 24 through 35.

BILL HUTCHINS

S-4211

- 1 Amend House Concurrent Resolution 41 as
2 amended, passed and reprinted by the House as
3 follows:
4 1. By striking page 1, line 21, through page 4,
5 line 2.

JULIA GENTLEMAN
JOE J. WELSH
DOUGLAS RITSEMA

S-4212

- 1 Amend House File 438 as amended, passed and
2 reprinted by the House as follows:
3 1. Page 2, by inserting after line 19 the
4 following:
5 "If library materials or equipment to be loaned to
6 a person have a value of \$500 or more, the owner shall
7 require a deposit and shall require the borrower to
8 enter into a written agreement setting forth the
9 amount of the deposit, the due date and the penalties
10 for failure to return the materials or equipment as
11 agreed. The deposit shall be returned in full if the
12 materials or equipment are returned without damage on
13 or before the due date."

ROBERT M. CARR

S-4213

- 1 Amend House Concurrent Resolution 41, as amended,
2 passed, and reprinted by the House as follows:
3 1. Page 2, by striking lines 15 and 16 and
4 inserting the following: "chapter 262A in a total
5 amount not to exceed twenty-two million seven hundred
6 seventy thousand (22,770,000) dollars, the".
7 2. Page 3, by striking lines 5 and 6 and
8 inserting the following: "is twenty-two million seven
9 hundred seventy thousand (22,770,000) dollars, all or
10 any part of which may be issued during".
11 3. Page 3, by striking lines 17 and 18 and
12 inserting the following: "262A in a total amount not
13 to exceed twenty-two million seven hundred seventy
14 thousand (22,770,000) dollars:".

- 15 4. Page 3, by inserting after line 24 the
16 following:
17 "Industrial education building remodeling".

COMMITTEE ON
APPROPRIATIONS
JOE WELSH, Chair

HOUSE AMENDMENT TO
SENATE FILE 586

S-4214

- 1 Amend Senate File 586 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 7, by striking the words "persons
4 and pay" and inserting the words "persons, pay".
5 2. Page 1, line 7, by inserting after the word
6 "committee" the words ", or other expenses approved by
7 the committee".

HOUSE AMENDMENT TO
SENATE FILE 585

S-4215

- 1 Amend Senate File 585 as amended, passed and
2 reprinted by the Senate, as follows:
3 1. Page 11, by striking lines 5 and 6 and
4 inserting the following: "the sum of one hundred
5 fifty-five thousand nine hundred sixty-three (155,963)
6 dollars, or so much thereof as is actually".
7 2. Page 17, by striking lines 21 and 22 and
8 inserting the following: "human services, one hundred
9 fifty-five thousand nine hundred sixty-three (155,963)
10 dollars, or so much thereof as is".

HOUSE AMENDMENT TO
SENATE FILE 574

S-4216

- 1 Amend Senate File 574 as amended, passed, and re-
2 printed by the Senate as follows:
3 1. Page 1, by striking lines 17 and 18 and in-
4 serting the following: "When used by a manufacturer
5 of food products, electricity, steam, and other
6 taxable services are sold for processing when used to
7 produce marketable".

HOUSE AMENDMENT TO
SENATE FILE 349

S-4217

1 Amend Senate File 349 as passed by the Senate as
2 follows:

3 1. Page 1, by inserting after line 13 the
4 following:

5 "Sec. ____ . Section 99B.7, subsection 1, paragraph
6 o, Code 1985, is amended to read as follows:

7 o. A Except as provided in subsection 6, paragraph
8 "a", a person shall not conduct, promote, administer,
9 or assist in the conducting, promoting or
10 administering of a bingo occasion, unless the person
11 regularly participates in activities of the qualified
12 organization other than conducting bingo occasions or
13 participates in an educational, civic, public,
14 charitable, patriotic, or religious organization to
15 which the net receipts are dedicated by the qualified
16 organization.

17 Sec. ____ . Section 99B.7, subsection 6, paragraph
18 a, Code 1985, is amended to read as follows:

19 a. A Except as provided in this paragraph, a
20 person shall not be compensated for services rendered
21 in connection with a game of skill, game of chance, or
22 raffle conducted under this section. This section
23 forbids payment of compensation to persons including,
24 but not limited to, managers, callers, cashiers, floor
25 workers, janitorial personnel, accountants and
26 bookkeepers. The privilege of selling merchandise on
27 the premises during a bingo occasion is deemed to be
28 compensation. However, not more than four persons per
29 one hundred players, participating in the bingo
30 occasion may be employed. An employee under this
31 paragraph need not be a member of the qualified
32 organization or a regular participant in the
33 activities of the qualified organization or in an
34 educational, civic, public, charitable, patriotic, or
35 religious organization to which the net receipts are
36 dedicated by the qualified organization. The wages of
37 an employee shall not exceed the federal minimum wage.
38 This section does not prohibit the employment of one
39 or more individuals to serve as security officers. A
40 violation of this section commits a fraudulent
41 practice."
42

43 2. Renumber as necessary.

S-4218

1 Amend House File 766, as passed by the House, as
2 follows:
3 1. Page 6, lines 17 and 18, by striking the words
4 "department of job service" and inserting the words
5 "permanent school fund".
6 2. By striking page 7, line 22 through page 8,
7 line 4, and inserting in lieu thereof the following:
8 "Sec. 8. NEW SECTION. 280C.8 APPROPRIATIONS.
9 Notwithstanding sections 8.6, 292.1, 302.1 and
10 302.13, there is appropriated from the permanent
11 school fund,, for the fiscal period beginning July 1,
12 1985 and ending June 30, 1988 the sum of one million
13 (1,000,000) dollars to provide funds for the purposes
14 of and deposits in the area school job training fund
15 created in section 280C.6. The money appropriated un-
16 der this section is a loan from the permanent school
17 fund to the area school job training fund. The
18 interest on the loan shall be prepaid for the period
19 of the loan from funds appropriated by this section.
20 The rate of interest shall be determined by the
21 treasurer of state. Notwithstanding section 8.33,
22 moneys remaining of the appropriations made under this
23 section on June 30, 1986 and June 30, 1987 shall not
24 revert to the permanent school fund but remain in the
25 area school job training fund. All moneys in the area
26 school job training fund on June 30, 1988 and each
27 fiscal year thereafter shall revert to the permanent
28 school fund. Moneys to repay the amount of the loan
29 from the permanent school fund shall be paid from
30 funds to be credited to the "Surplus" account of the
31 Iowa plan fund for economic development created in
32 1985 Iowa Act, House File 225."

ARTHUR A. SMALL, Jr.
CALVIN O. HULTMAN

S-4219

1 Amend House File 764, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 15, by inserting after line 7 the
4 following new section:
5 "Sec. ____ . Section 423.4, Code 1985, is amended by
6 adding the following new subsection:
7 NEW SUBSECTION. 10. Vehicles registered under
8 chapter 326 and used exclusively in interstate
9 commerce. The provisions of this section
10 notwithstanding, a taxable moment for purposes of this
11 subsection occurs only when a subject vehicle picks up
12 and delivers a cargo between two points within this
13 state."
14 2. Renumber sections and correct internal

15 references as are necessary in accordance with this
16 amendment.

RICHARD F. DRAKE

HOUSE AMENDMENT TO
SENATE FILE 570

S-4220

1 Amend Senate File 570, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, by striking line 32 and inserting the
4 following: "person who, upon conviction of violating
5 a law regulating the operation of a motor vehicle, has
6 failed to pay the criminal fine or penalty,".
7 2. Page 2, line 8, by striking the words
8 "paragraph "a"" and inserting the following:
9 "subsection 1".
10 3. Page 7, by striking lines 10 through 16.
11 4. Page 8, by striking lines 13 through 19 and
12 inserting the following: "programming the following
13 information related to each district court conviction
14 for, acquittal of, or dismissal of a felony, an
15 aggravated misdemeanor, or a servious misdemeanor;
16 a. The name of the convicted offender or
17 defendant.
18 b. The statutory citation and character of the of-
19 fense of which the offender was convicted or the
20 defendant charged."
21 5. Page 8, by striking line 26 and inserting the
22 following: "criminal fines or penalties, surcharges,
23 or court costs related to the violation of a law
24 regulating the operation of a motor vehicle."
25 6. Page 11, line 3, by striking the words "One
26 fifth" and inserting the following: "Three tenths".
27 7. Page 11, line 6, by striking the words "Two
28 fifths" and inserting the following: "Three tenths".
29 8. Page 11, by inserting after line 8 the
30 following:
31 "Sec. __. Section 602.9103, Code 1985, is amended
32 to read as follows:
33 602.9103 NOTICE BY JUDGE IN WRITING APPLICATION.
34 This Except as provided in section 602.1115, this
35 article shall not apply applies to any judge of the
36 municipal, superior, or district court, including a
37 district associate judge, or a judge of the court of
38 appeals or of the supreme court, until the judge gives
39 notice in writing, while serving as a judge, to the
40 state comptroller and treasurer of state, of the
41 judge's purpose to come within its purview. Judges of
42 the municipal and superior courts shall at the same
43 time give a copy of such notice to the city treasurer
44 and county auditor within the district of such court.
45 Such notice shall be given within one year after the

46 effective date hereof or within one year after any
47 date on which the judge takes oath of office as such
48 judge.

49 Sec. ___. Section 602.9104, subsection 1, Code
50 1985, is amended to read as follows:

Page 2

1 1. Each judge coming within the purview of this
2 article shall, on or before retirement, pay to the
3 court administrator for deposit with the treasurer of
4 state to the credit of a fund to be known as the
5 "judicial retirement fund", hereinafter called the
6 "fund", a sum equal to four percent of the judge's
7 basic salary for services as such judge for the total
8 period of service as a judge of a municipal, superior,
9 district or supreme court, or the court of appeals,
10 including district associate judges, before the date
11 of said notice July 1, 1985, and on and after the date
12 of the notice July 1, 1985 there shall be deducted and
13 withheld from the basic salary of each judge coming
14 within the purview of this article a sum equal to four
15 percent the following percentages of such basic
16 of service as a judge of the municipal, superior, or
17 district court, including a district associate judge,
18 or a judge of the court of appeals or of the supreme
19 court, or as a judge of any combination of the courts:
20 for less than seven years of service, seven percent;
21 for seven through twelve years of service, six
22 percent; for thirteen through eighteen years of
23 service, five percent; and for more than eighteen
24 years of service, four percent.

25 PARAGRAPH DIVIDED. However, the maximum amount
26 which any judge shall be required to contribute for
27 past service shall not exceed for municipal or
28 superior or district associate judges thirty-five
29 hundred dollars, for district judges four thousand
30 dollars, for court of appeals judges four thousand
31 five hundred dollars, and for supreme court judges
32 five thousand dollars.

33 Sec. ___. Section 602.9109, Code 1985, is amended
34 by adding the following new unnumbered paragraph:
35 NEW UNNUMBERED PARAGRAPH. Annuities granted under
36 this article are exempt from taxation either as income
37 or as personal property."

38 9. Page 11, by striking lines 9 through 14.

39 10. Page 12, by inserting after line 12 the
40 following:

41 "NEW UNNUMBERED PARAGRAPH. Until July 1, 1986 the
42 county shall remain responsible for necessary fees and
43

44 costs related to certain court reporters. Effective
45 July 1, 1986 the state shall assume the responsibility
46 for necessary fees and costs related to certain court
47 reporters.”
48 11. Page 16, line 27, by striking the word “Four”
49 and inserting the following: “Five”.
50 12. Page 16, line 30, by striking the words “six

Page 3

1 seven” and inserting the following: “six”.
2 13. Page 16, lines 31 and 32, by striking the
3 words “two dollars” and inserting the following: “one
4 dollar”.
5 14. Page 17, line 4, by striking the word “seven”
6 and inserting the following: “six”.
7 15. Page 23, by striking lines 5 and 6.
8 16. Page 23, by inserting after line 6 the
9 following:
10 “Sec. ____ . JUDICIAL RETIREMENT ACTUARIAL
11 VALUATION. The court administrator shall cause an
12 actuarial valuation to be made of the assets and
13 liabilities of the judicial retirement fund for the
14 fiscal year beginning July 1, 1984 and for subsequent
15 fiscal years. Following the actuarial valuation, the
16 court administrator shall determine the condition of
17 the system and shall report the system’s condition and
18 the court administrator’s recommendations regarding
19 the system to the general assembly by January 15,
20 1986. The cost of the actuarial valuation shall be
21 paid from the judicial retirement fund.”
22 17. Page 23, by inserting after line 6 the
23 following:
24 “Sec. ____ . The third new unnumbered paragraph of
25 section 29 of this Act applies retroactively to July
26 1, 1983.”
27 18. Page 23, by inserting after line 6 the
28 following:
29 “Sec. ____ . Sections 8, 9, and 20 of this Act take
30 effect on July 1, 1986. The state court administrator
31 shall prescribe rules to coordinate and consolidate
32 the offset procedures required to forward necessary
33 offset information to the department of revenue.”
34 19. Title page, line 6, by inserting after the
35 word “procedures” the following: “and making certain
36 procedures retroactive”.
37 20. By renumbering, relettering, or redesignating
38 and correcting internal references as necessary.

HOUSE AMENDMENT TO
SENATE FILE 507

S-4221

- 1 Amend Senate File 507, as passed by the Senate as
- 2 follows:
- 3 1. Page 1, lines 17 and 18, by striking the words
- 4 "the E1/4 of the SE1/4 of Section 23" and inserting
- 5 the words "the E1/2 of the SE1/4 of Section 23".

HOUSE AMENDMENT TO
SENATE FILE 581

S-4222

- 1 Amend Senate File 581, as amended, passed, and
- 2 reprinted by the Senate, as follows:
- 3 1. Page 1, line 26, by striking the figure
- 4 "182.3" and inserting the figure "182.2".
- 5 2. Page 4, line 18, by striking the figure
- 6 "182.2" and inserting the figure "182.1".
- 7 3. Page 5, line 4, by striking the figure
- 8 "182.10" and inserting the figure "182.9".
- 9 4. Amend the title by striking all of the title
- 10 after the word "Act" in line 1 and inserting the
- 11 following: "providing for the promotion of the pork
- 12 industry in this state by creating an Iowa pork
- 13 producers council, authorizing an assessment on the
- 14 sale of porcine animals, and imposing penalties."
- 15 5. By renumbering, relettering, or redesignating
- 16 and correcting internal references as necessary.

S-4223

- 1 Amend House File 764, as amended, passed, and
- 2 reprinted by the House, as follows:

DIVISION S-4223A

- 3 1. By striking page 6, line 10 through page 7,
- 4 line 7.

DIVISION S-4223B

- 5 2. Page 7, by striking lines 8 through 16.

DIVISION S-4223C

- 6 3. Page 7, by striking lines 17 through 34.

DIVISION S-4223D

7 4. Page 9, by striking lines 5 through 23.

DIVISION S-4223G

8 5. Page 9, by inserting after line 23 the
9 following:

10 "Sec. ____ . Section 422.16, subsection 10,
11 unnumbered paragraph 1, Code 1985, is amended to read
12 as follows:

13 In the case of willful failure to file a
14 semimonthly, monthly, or quarterly deposit form with
15 intent to evade tax or willful filing of a false
16 semimonthly, monthly, or quarterly deposit form with
17 intent to evade tax, in lieu of the penalty otherwise
18 provided in this paragraph, there is added to the
19 amount required to be shown as tax on the semimonthly,
20 monthly, or quarterly deposit form, fifty percent of
21 the amount of the tax. The taxpayer shall also pay
22 interest on the tax or additional tax at the rate in
23 effect under section 421.7, for each month counting
24 each fraction of a month as an entire month, computed
25 from the date the semimonthly, monthly, or quarterly
26 deposit form was required to be filed. The penalty
27 and interest become a part of the tax due from the
28 withholding agent. The penalty imposed under this
29 subsection is ~~not~~ subject to waiver."

DIVISION S-4223E

30 6. Page 10, line 7, by striking the word "not"
31 and inserting the following: "~~not~~".

DIVISION S-4223A (cont'd.)

32 7. By striking page 11, line 29 through page 12,
33 line 23.

DIVISION S-4223F

34 8. Page 13, by striking lines 14 through 25.

DIVISION S-4223E (cont'd.)

35 9. Page 14, line 19, by striking the word "not"
36 and inserting the following: "~~not~~".

DIVISION S-4223F (cont'd.)

37 10. Page 15, by striking lines 23 through 26 and
38 inserting the following: "other places of business in
39 this state. If the applicant".

DIVISION S-4223A (cont'd.)

40 11. By striking page 15, line 33 through page 16,
41 line 28.

DIVISION S-4223E (cont'd.)

42 12. Page 17, line 21, by striking the word "not"
43 and inserting the following: "~~not~~".

DIVISION S-4223F (cont'd.)

44 13. By striking page 17, line 23 through page 18,
45 line 17.

DIVISION S-4223E (cont'd.)

46 14. Page 18, line 31, by striking the word "not"
47 and inserting the following: "~~not~~".

48 15. Page 19, line 5, by striking the word "not"
49 and inserting the following: "~~not~~".

EDGAR H. HOLDEN

S-4224

1 Amend House File 764, as amended, passed, and
2 reprinted by the House, as follows:

DIVISION S-4224A

3 1. By striking page 2, line 31 through page 3,
4 line 1 and inserting the following:
5 "b. The department may deny the issuance of a
6 permit to a distributor, wholesaler, vendor or
7 retailer who is substantially delinquent in the
8 payment of a tax due, or the interest or penalty on
9 the tax, administered by the department at the time of
10 application. If the applicant is a partnership, a
11 permit may be denied if a partner is substantially
12 delinquent on".

13 2. Page 3, by striking line 15 and inserting the
14 following: "~~promulgated adopted~~ under this division,
15 or is substantially delinquent in the payment of a".

16 3. Page 5, by striking lines 23 through 27 and
17 inserting the following: "The department may deny the

18 issuance of a license to an applicant who is
19 substantially delinquent in the payment of a tax due,
20 or the interest or penalty on the tax, administered by
21 the department of revenue. If the applicant is a
22 partnership, a license may be denied if a partner”.

DIVISION S-4224B

23 4. Page 6, line 14, by inserting after the word
24 “association” the following: “who has a substantial
25 financial interest in the corporation or association”.
26 5. Page 6, line 16, by inserting after the word
27 “has” the following: “knowingly and”.

DIVISION S-4224C

28 6. Page 6, line 32, by inserting after the word
29 “goods” the following: “knowingly and”.

DIVISION S-4224A (cont'd.)

30 7. Page 7, by striking line 23 and inserting the
31 following: “is substantially delinquent in paying a
32 tax due, owing and administered by the department of”.

DIVISION S-4224B (cont'd.)

33 8. Page 11, line 30, by inserting after the word
34 “association” the following: “who has a substantial
35 financial interest in the corporation or association”.
36 9. Page 11, line 32, by inserting after the word
37 “has” the following: “knowingly and”.

DIVISION S-4224C (cont'd.)

38 10. Page 12, line 13, by inserting after the word
39 “goods” the following: “knowingly and”.

DIVISION S-4224A (cont'd.)

40 11. Page 13, by striking lines 4 through 8 and
41 inserting the following: “business. The department
42 may deny a permit to an applicant who is substantially
43 delinquent in paying a tax due, or the interest or
44 penalty on the tax, administered by the department at
45 the time of application. If the applicant is a
46 partnership, a permit may be denied if the partner is
47 substantially delinquent in paying”.
48 12. Page 13, by striking line 16 and inserting

49 the following: "department adopted under this
50 division or is substantially delinquent in the payment

Page 2

DIVISION S-4224A (cont'd.)

1 of a tax".

2 13. Page 15, by striking lines 23 through 27 and
3 inserting the following: "other places of business in
4 this state. The department may deny the issuance of a
5 permit to a retailer who is substantially delinquent
6 in paying a tax due, or the interest or penalty on the
7 tax, administered by the department at the time of
8 application. If the applicant is a partnership, a
9 permit may be denied if a partner".

DIVISION S-4224B (cont'd.)

10 14. Page 16, line 2, by inserting after the word
11 "association" the following: "who has a substantial
12 financial interest in the corporation or association".
13 15. Page 16, line 4, by inserting after the word
14 "has" the following: "knowingly and".

DIVISION S-4224C (cont'd.)

15 16. Page 16, line 18, by inserting after the word
16 "goods" the following: "knowingly and".

DIVISION S-4224A (cont'd.)

17 17. Page 17, by striking line 30 and inserting
18 the following: "and adopted under this chapter, or is
19 substantially delinquent in the payment of a tax".

CHARLES H. BRUNER

S-4225

1 Amend the amendment S-4209 to House File 753 as
2 amended, passed and reprinted by the House as follows:
3 1. By striking page 1, line 5 through page 3,
4 line 42 and inserting the following:
5 "Section 1. 1984, Iowa Acts, chapter 1314 and
6 section 79.18, Code 1985 are repealed."
7 2. Title, by striking lines 1 through 4 and
8 inserting the following: "An Act relating to the

9 repeal of 1984 Iowa Acts, chapter 1314 and section
10 79.18, Code 1985.”.

ARNE WALDSTEIN
DALE L. TIEDEN

S-4226

- 1 Amend the amendment S-3708 to House File 450 as
2 amended, passed and reprinted by the House as
3 follows:
4 1. Page 1, by striking lines 3 through 6.
5 2. Page 1, by striking lines 18 through 24.

ARTHUR L. GRATIAS

S-4227

- 1 Amend House File 764, as amended, passed and
2 reprinted by the House as follows:
3 1. Page 5, by inserting after line 17 the
4 following:
5 “Section 1. Section 321.1, subsection 71, Code
6 1985, is amended to read as follows:
7 71. A “special truck” means a motor truck or truck
8 tractor not used for hire with a gross weight
9 registration of six through twenty tons used by a
10 person engaged in farming to transport commodities
11 produced only by the owner, or to transport
12 commodities purchased by the owner for use in the
13 owner’s own farming operation or occasional use for
14 charitable purposes. “Special truck” also means a
15 truck tractor which is modified by removal of a fifth
16 wheel and carries the full load on the motor truck and
17 which by reason of its conversion becomes a motor
18 truck.
19 Sec. 2. Section 321.121, Code 1985, is amended to
20 read as follows:
21 321.121 SPECIAL TRUCKS FOR FARM USE.
22 The registration fee for a special truck ~~shall be~~
23 is eighty dollars for a gross weight of six tons, one
24 hundred dollars for a gross weight of seven tons, one
25 hundred twenty dollars for a gross weight of eight
26 tons, and in addition, fifteen dollars for each ton
27 over eight tons and not exceeding eighteen tons. The
28 registration fee for a special truck with a gross
29 weight registration exceeding eighteen tons but not
30 exceeding nineteen tons ~~shall be~~ is three hundred
31 twenty-five dollars and for a gross weight
32 registration exceeding nineteen tons but not exceeding

33 twenty tons the registration fee ~~shall be~~ is three
 34 hundred seventy-five dollars. ~~Any A~~ person convicted
 35 of using a truck motor vehicle registered as a special
 36 truck for any purpose other than permitted by section
 37 321.1, subsection 71, shall, in addition to any other
 38 penalty imposed by law, be required to pay regular
 39 motor truck registration fees ~~upon such truck~~ for the
 40 motor vehicle.

41 Sec. 3. Section 321.122, subsection 1, unnumbered
 42 paragraph 1, Code 1985, is amended to read as follows:

43 ~~The Except for special trucks, the annual~~
 44 registration fee for truck tractors, road tractors,
 45 and motor trucks; ~~except special trucks; shall be~~ is
 46 based on the combined gross weight of the vehicle or
 47 combination of vehicles. ~~All The motor~~ trucks, truck
 48 tractors, or road tractors shall be registered for a
 49 gross weight equal to or in excess of the unladen
 50 weight of the vehicle or combination of vehicles. The

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1 annual registration fee for such the vehicles or
 2 combination of vehicles ~~shall be~~ is:"

BERL E. PRIEBE
 RICHARD F. DRAKE

S-4228

1 Amend the amendment, S-4220, to Senate File 570 as
 2 amended, passed, and reprinted by the Senate, as
 3 follows:

- 4 1. Page 1, by striking lines 25 through 28.
- 5 2. By striking page 1, line 49 through page 2,
6 line 38.
- 7 3. Page 2, by striking lines 40 through 47.
- 8 4. Page 3, by striking line 7.
- 9 5. Page 3, by striking lines 22 through 26.

JOE WELSH

S-4229

1 Amend House Concurrent Resolution 37 as passed by
 2 the House as follows:

- 3 1. Page 1, line 19, by inserting after the word
 4 "calls" the words "within the capitol complex
 5 telephone service system".

ARNE WALDSTEIN
 RAY TAYLOR

HOUSE AMENDMENT TO
SENATE FILE 577

S-4230

1 Amend Senate File 577 as amended, passed, and
2 reprinted by the Senate as follows:

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

5 "Sec. 101. Section 117.46, subsection 1, Code
6 1985, is amended to read as follows:

7 1. Each real estate broker shall maintain a common
8 trust account in a bank, ~~or a savings and loan~~
9 association, savings bank, or credit union for the
10 deposit of all down payments, earnest money deposits,
11 or other trust funds received by the broker or the
12 broker's salespersons on behalf of the broker's
13 principal, except that a broker acting as a
14 salesperson shall deposit these funds in the common
15 trust account of the broker for whom the broker acts
16 as salesperson. The account shall be an interest-
17 bearing account. The interest on the account shall be
18 transferred quarterly to the treasurer of state and
19 deposited in the title guaranty fund and used for
20 public purposes and the benefit of the public pursuant
21 to section 220.91 unless there is a written agreement
22 between the buyer and seller to the contrary. The
23 broker shall not benefit from interest received on
24 funds of others in the broker's possession."

25 2. Page 18, by striking lines 23 through 26.

26 3. Page 22, line 17, by striking the word "seven"
27 and inserting the word "five".

28 4. Page 22, line 19, by striking the words "REAL
29 PROPERTY" and inserting the following: "AGRICULTURAL
30 LAND".

31 5. Page 22, line 20, by striking the words "Real
32 property" and inserting the following: "Agricultural
33 land".

34 6. Page 22, line 26, by striking the words "the
35 same type of real property" and inserting the
36 following: "agricultural land".

37 7. Page 22, line 27, by striking the words "real
38 property" and inserting the following: "agricultural
39 land".

40 8. Page 22, by striking lines 28 through 33, and
41 inserting the following: "Iowa state university of
42 science and technology. If an appraisal conducted by
43 an independent real estate appraiser is available for

44 the current year, the five-year county average shall
45 be adjusted by either adding or subtracting from the
46 five-year average the percentage by which the
47 particular farm's current appraised value exceeds or
48 is less than the current year's county average value.
49 To the extent permitted by federal law, national banks
50 may value agricultural land on the same basis as state

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1 banks. The value”.

2 9. Page 23, by inserting after line 5 the
3 following:

4 “Sec. 102. Section 220.1, subsection 28,
5 unnumbered paragraph 1, Code 1985, is amended to read
6 as follows:

7 “Small business” means a profit or nonprofit
8 business ~~entity organized for profit~~, including but
9 not limited to an individual, partnership,
10 corporation, joint venture, association or
11 cooperative, to which the following apply:

12 Sec. 103. Section 220.1, Code 1985, is amended by
13 adding the following new subsections:

14 NEW SUBSECTION. 34. “Title Guaranty” means a
15 guaranty against loss or damage caused by defective
16 title to real property.

17 NEW SUBSECTION. 35. “Division” means the title
18 guaranty division.

19 Sec. 104. Section 220.2, subsection 1, Code 1985,
20 is amended by striking the subsection and inserting
21 the following:

22 1. The Iowa finance authority is established, and
23 constituted a public instrumentality and agency of the
24 state exercising public and essential governmental
25 functions, to undertake programs which assist in
26 attainment of adequate housing for low or moderate
27 income families, elderly families, and families which
28 include one or more persons who are handicapped or
29 disabled, and to undertake the Iowa homesteading
30 program and the small business loan program. The
31 powers of the authority are vested in and shall be
32 exercised by a board of nine members appointed by the
33 governor subject to confirmation by the senate. No
34 more than five members shall belong to the same
35 political party. As far as possible the governor
36 shall include within the membership persons who
37 represent community and housing development
38 industries, housing finance industries, the real
39 estate sales industry, elderly families, minorities,
40 lower income families, very low income families,

41 handicapped and disabled families, average taxpayers,
42 local government, and any other person specially
43 interested in community housing.

44 A title guaranty division is created within the
45 authority. The powers of the division as relating to
46 the issuance of title guaranties shall be vested in
47 and exercised by a division board of five members
48 appointed by the governor subject to confirmation by
49 the senate. The membership of the board shall include
50 an attorney, an abstractor, a real estate broker, a

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1 representative of a mortgage-lender and a
2 representative of the housing development industry.
3 The executive director of the authority shall appoint
4 a director of the title guaranty division who shall be
5 an attorney and shall serve as an ex officio member of
6 the board. The appointment of and compensation for
7 the division director shall be exempt from the
8 provisions of chapter 19A.

9 a. Members of the board of the division shall be
10 appointed by the governor for staggered terms of six
11 years beginning and ending as provided in section
12 69.19. A person shall not serve on the division board
13 while serving on the authority board. A person
14 appointed to fill a vacancy shall serve only for the
15 unexpired portion of the term. A member is eligible
16 for reappointment. A member of the division board may
17 be removed from office by the governor for
18 misfeasance, malfeasance or willful neglect of duty or
19 for other just cause, after notice and hearing, unless
20 notice and hearing is expressly waived in writing.

21 b. Three members of the board shall constitute a
22 quorum. An affirmative vote of a majority of the
23 appointed members is necessary for any substantive
24 action taken by the division.

25 c. Members of the board are entitled to receive
26 forty dollars per diem for each day spent in
27 performance of duties as members and shall be
28 reimbursed for all actual and necessary expenses
29 incurred in the performance of duties as members.

30 d. Members of the board and the director shall
31 give bond as required for public officers in chapter
32 64.

33 e. Meetings of the board shall be held at the call
34 of the chair of the board or on written request of two
35 members.

36 f. Members shall elect a chair and vice chair
37 annually and other officers as they determine. The

38 director shall serve as secretary to the board.
39 g. The net earnings of the division, beyond that
40 necessary for reserves, backing, guaranties issued or
41 to otherwise implement the public purposes and
42 programs authorized, shall not inure to the benefit of
43 any person other than the state and are subject to
44 section 220.2, subsection 8.

45 Sec. 105. Section 220.3, Code 1985, is amended by
46 adding the following new subsection:
47 NEW SUBSECTION. 14. The abstract-attorney's title
48 opinion system promotes land title stability for
49 determining the marketability of land titles and is a
50 public purpose. A public purpose will be served by

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1 providing, as an adjunct to the abstract-attorney's
2 title opinion system, a low cost mechanism to provide
3 for additional guaranties of real property titles in
4 Iowa. The title guaranties will facilitate mortgage
5 lenders participation in the secondary market and add
6 to the integrity of the land-title transfer system in
7 the state.

8 Sec. 106. Section 220.5, Code 1985, is amended by
9 adding the following new subsection:

10 NEW SUBSECTION. 16. Through the title guaranty
11 division, make and issue title guaranties on Iowa real
12 property in a form acceptable to the secondary market,
13 to fix and collect the charges for the guaranties and
14 to procure reinsurance against any loss in connection
15 with the guaranties.

16 Sec. 107. NEW SECTION. 220.40 COMMITMENT COSTS
17 FUND.

18 A commitment costs fund is created within the
19 treasurer of state's office. The moneys shall be used
20 by the authority to cover initial commitment costs of
21 authority bond issues and loans in order to facilitate
22 and ensure equal access across the state to funds for
23 programs for first time home buyers. Moneys in the
24 fund shall not revert to the general fund and interest
25 on the moneys in the fund shall be retained as part of
26 the fund and not accrue to the general fund.

27 Sec. 108. NEW SECTION. 220.91 TITLE GUARANTY
28 PROGRAM.

29 1. The authority through the title guaranty
30 division shall initiate and operate a program in which
31 the division shall offer guaranties of real property
32 titles in this state. The terms, conditions and form
33 of the guaranty contract shall be forms approved by
34 the division board. The division shall fix a charge

35 for the guaranty in an amount sufficient to permit the
36 program to operate on a self-sustaining basis,
37 including payment of administrative costs and the
38 maintenance of an adequate reserve against claims
39 under the title guaranty program. A title guaranty
40 fund is created in the office of the treasurer of
41 state. Funds collected under this program shall be
42 placed in the title guaranty fund and are available to
43 pay all claims, necessary reserves and all
44 administrative costs of the title guaranty program.
45 Moneys in the fund shall not revert to the general
46 fund and interest on the moneys in the fund shall be
47 retained as a part of the fund and shall not accrue to
48 the general fund. If the authority board in
49 consultation with the division board determines that
50 there are surplus funds in the title guaranty fund

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1 after providing for adequate reserves and operating
2 expenses of the division, the surplus funds shall be
3 transferred to the commitment costs fund created
4 pursuant to section 220.40.

5 2. A title guaranty issued under this program is
6 an obligation of the division only and claims are
7 payable solely and only out of the moneys, assets and
8 revenues of the title guaranty fund and are not an
9 indebtedness or liability of the state. The state is
10 not liable on the guaranties.

11 3. With the approval of the authority board the
12 division and its board shall consult with the
13 insurance department in developing a guaranty contract
14 acceptable to the secondary market and developing any
15 other feature of the program with which the department
16 may have special expertise. The department shall
17 establish the amount for a loss reserve fund. Except
18 as provided in this subsection, the title guaranty
19 program is not subject to the jurisdiction of or
20 regulation by the insurance department or the
21 commissioner of insurance.

22 4. Each participating mortgage lender, attorney
23 and abstractor shall pay an annual participation fee
24 to be eligible to participate in the title guaranty
25 program. The fee shall be set by the division,
26 subject to the approval of the authority.

27 5. The participation of abstractors, attorneys
28 and lenders shall be in accordance with rules
29 established by the division and adopted by the
30 authority pursuant to chapter 17A. Each participant
31 shall at all times maintain liability coverage in

32 amounts approved by the division. Upon payment of a
33 claim by the division, the division shall be
34 subrogated to the rights of the claimant against all
35 persons relating to the claim.

36 6. Prior to the issuance of a title guaranty, the
37 division shall require evidence that an abstract of
38 title to the property in question has been brought up-
39 to-date and certified by a participating abstractor in
40 a form approved by division rules and a title opinion
41 issued by a participating attorney in the form
42 approved in the rules stating the attorney's opinion
43 as to the title. The division shall require evidence
44 of the abstract being brought up-to-date and the
45 abstractor shall retain evidence of the abstract as
46 determined by the board.

47 7. The attorney rendering a title opinion shall be
48 authorized to issue a title guaranty certificate
49 subject to the rules of the authority. A person or
50 mortgage lender participating in the title guaranty

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1 program shall not charge or receive any portion of the
2 charge for the guaranty as a result of their
3 participation in the title guaranty program.

4 8. A participating mortgage lender shall notify
5 the division when the mortgage covered by a title
6 guaranty has been satisfied of record.

7 9. The authority shall adopt rules pursuant to
8 chapter 17A that are necessary for the implementation
9 of the title guaranty program as established by the
10 division and that have been approved by the
11 authority."

12 10. Page 23, by inserting after line 5 the
13 following:

14 "Sec. ___. Section 511.8, subsection 4, Code 1985,
15 is amended to read as follows:

16 4. INTERNATIONAL BANK BONDS. Bonds or other
17 evidence of indebtedness issued, assumed or guaranteed
18 by the International Bank for reconstruction and
19 development, in an amount not to exceed two percent of
20 its total assets as shown by the last annual report,
21 or by the Inter-American Development Bank in an amount
22 not to exceed two percent of its total assets as shown
23 by the last annual report ~~or~~ by the Asian Development
24 Bank in an amount not to exceed two percent of its
25 total assets as shown by the last annual report or by
26 the African Development Bank in an amount not to
27 exceed two percent of its total assets as shown by the
28 last annual report. However, the combined investment

29 in bonds or evidences of indebtedness permitted by
 30 this subsection shall not exceed four percent of its
 31 total assets as shown by the last annual report."

32 11. Page 23, by inserting after line 5 the
 33 following:

34 "Sec. 109. Section 524.103, Code 1985, is amended
 35 by adding the following new subsection:

36 NEW SUBSECTION. 27. "Bankers' bank" means a bank
 37 which is organized under the laws of any state or
 38 under federal law, and whose shares are owned
 39 exclusively by other banks or by a bank holding
 40 company whose shares are owned exclusively by other
 41 banks, except for directors' qualifying shares when
 42 required by law, and which engages exclusively in
 43 providing services for depository institutions and
 44 officers, directors and employees of those depository
 45 institutions.

46 Sec. 110. NEW SECTION. 524.109 BANKERS' BANK
 47 AUTHORIZED.

48 A state bank may be organized under this chapter as
 49 a bankers' bank. The bankers' bank is subject to all
 50 rights, privileges, duties, restrictions, penalties,

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1 liabilities, conditions and limitations applicable to
 2 state banks generally except as limited in the
 3 definition of bankers' bank contained in the section
 4 524.103, subsection 27. However, a bankers' bank
 5 shall have the same powers as those granted by federal
 6 law and regulation to a national bank organized as a
 7 bankers' bank under 12 U.S.C. § 27."

8 12. Page 23, line 16, by striking the word
 9 "three" and inserting the following: "five".

10 13. Page 23, line 18, by striking the words "Real
 11 property" and inserting the following: "Agricultural
 12 land".

13 14. Page 23, line 22, by striking the words "the
 14 same type of real property" and inserting the
 15 following: "agricultural land".

16 15. Page 23, line 23, by striking the words "real
 17 property" and inserting the following: "agricultural
 18 land".

19 16. Page 23, by striking lines 24 through 29, and
 20 inserting the following: "of science and technology.
 21 If an appraisal conducted by an independent real
 22 estate appraiser is available for the current year,
 23 the five-year county average shall be adjusted by
 24 either adding or subtracting from the five-year
 25 average the percentage by which the particular farm's

26 current appraised value exceeds or is less than the
27 current year's county average value. To the extent
28 permitted by federal law, national banks may value
29 agricultural land on the same basis as state banks.
30 Before the state bank sells or otherwise".

31 17. Page 23, line 30, by striking the words "real
32 property" and inserting the words "agricultural land".

33 18. Page 23, line 32, by striking the words "real
34 property" and inserting the following: "agricultural
35 land".

36 19. Page 23, line 33, by striking the words "real
37 property" and inserting the following: "agricultural
38 land".

39 20. Page 23, by inserting after line 33 the
40 following:

41 "Sec. 111. Section 524.901, Code 1985, is amended
42 by adding the following new subsection:

43 NEW SUBSECTION. 5. A state bank may invest for
44 its own account in the shares of a bankers' bank or in
45 the shares of a bank holding company which owns a
46 bankers' bank. A state bank shall not invest in more
47 than one bankers' bank or in more than one bank
48 holding company which owns a bankers' bank. A state
49 bank shall not invest an amount greater than ten
50 percent of its capital and surplus in the shares of a

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1 bankers' bank or in the shares of a bank holding
2 company which owns a bankers' bank. A state bank
3 shall not invest any amount if after the investment
4 the state bank would own or control more than five
5 percent of any class of the voting shares of a
6 bankers' bank or a bank holding company which owns a
7 bankers' bank."

8 21. Page 23, by inserting after line 37 the
9 following::

10 "Sec. 112. Section 524.1202, Code 1985, is amended
11 by adding the following new subsection:

12 NEW SUBSECTION. 3. Notwithstanding subsection 1,
13 if the assets of a state or national bank in existence
14 on January 1, 1985 are transferred to a different
15 state or national bank in the state which is located
16 in the same county or a county contiguous to or
17 cornering upon the county in which the principal place
18 of business of the acquired bank is located, the
19 resulting or acquiring bank may convert to and operate
20 as its bank office any one or more of the business
21 locations occupied as the principal place of business
22 or as a bank office of the bank whose assets are so

23 acquired. The limitations on bank office locations
 24 contained in unnumbered paragraph 1 of this section,
 25 and the limitation on the number of bank offices
 26 within the municipality or urban complex of the
 27 resulting or acquiring bank contained in subsection 2
 28 shall be applicable to any bank office otherwise
 29 authorized by this subsection. A bank office
 30 established under the authority of this subsection is
 31 subject to the approval of the superintendent, shall
 32 be operated in accordance with this chapter relating
 33 to the operation of bank offices, and may be augmented
 34 by an integral facility when approved under subsection
 35 2, paragraph "d".

36 22. By striking page 24, line 33 through page 26,
 37 line 4.

38 23. Page 26, by inserting before line 5 the
 39 following:

40 "Sec. 113. Section 535.8, subsection 2, paragraph
 41 b, Code 1985, is amended by adding the following new
 42 subparagraph:

43 (10) The cost of a title guaranty issued by the
 44 Iowa finance authority pursuant to chapter 220.

45 Sec. 114. NEW SECTION. 535A.9 TITLE GUARANTY
 46 PROGRAM DISCLOSED.

47 A financial institution shall advise prospective
 48 borrowers of the availability of the title guaranty
 49 program provided for in chapter 220 and also provide
 50 the prospective borrower with information about the

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1 title guaranty program as provided to the financial
 2 institution by the title guaranty board."

3 24. Page 26, by inserting before line 5 the
 4 following:

5 "Sec. ____ . Section 554.9402, subsection 4, Code
 6 1985, is amended to read as follows:

7 4. A Except as provided in this subsection, a
 8 financing statement may be amended by filing a writing
 9 signed by both the debtor and the secured party.
 10 However, an amendment is sufficient when it is signed
 11 only by the secured party if it is filed to show a
 12 change of the name of the secured party. An amendment
 13 showing only a change of the name of the secured party
 14 shall be filed without fee. An amendment does not
 15 extend the period of effectiveness of a financing
 16 statement. If any amendment adds collateral, it is
 17 effective as to the added collateral only from the
 18 filing date of the amendment. In this Article, unless
 19 the context otherwise requires, the term "financing

20 statement” means the original financing statement and
21 any amendments.”

22 25. Page 26, lines 8 and 9, by striking the word
23 and figure “section 628.26A” and inserting the
24 following: “either section 628.26A or section
25 654.16”.

26 26. Page 26, line 13, by striking the words “real
27 property” and inserting the following: “agricultural
28 land”.

29 27. Page 26, line 19, by striking the words “real
30 property” and inserting the following: “agricultural
31 land”.

32 28. Page 26 by inserting after line 24 the
33 following:

34 “Sec. 115. NEW SECTION. 628.29 REDEMPTION BY
35 CREDITOR PURSUANT TO ALTERNATIVE FORECLOSURE.

36 A lienholder of record may redeem real property
37 which has been foreclosed by a mortgagee pursuant to
38 the alternative voluntary foreclosure procedure
39 provided in section 654.16. The junior lienholders’
40 redemption period shall be thirty days commencing the
41 day the notice required by section 654.16, subsection
42 1, paragraph “e” is sent. The redemption shall be
43 made by payment to the mortgagee of the amount of the
44 debt secured by the mortgage including any protective
45 advances made pursuant to chapter 629. Upon payment,
46 the mortgagee shall convey the property by special
47 warranty deed to the redeeming junior lienholder.

48 Sec. 116. Section 654.1, Code 1985, is amended to
49 read as follows:

50 654.1 EQUITABLE PROCEEDINGS.

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1 ~~No~~ Except as provided in section 654.16, a deed of
2 trust or mortgage of real estate shall not be
3 foreclosed in any other manner than by action in court
4 by equitable proceedings.

5 Sec. 117. NEW SECTION. 654.16 ALTERNATIVE
6 NONJUDICIAL VOLUNTARY FORECLOSURE PROCEDURE.

7 1. Upon the mutual written agreement of the
8 mortgagor and mortgagee, a real estate mortgage may be
9 foreclosed pursuant to this section by doing all of
10 the following:

11 a. The mortgagor shall convey to the mortgagee all
12 interest in the real property subject to the mortgage.

13 b. The mortgagee shall accept the mortgagor’s
14 conveyance and waive any rights to a deficiency or
15 other claim against the mortgagor arising from the
16 mortgage.

17 c. The mortgagee shall have immediate access to
18 the real property for the purposes of maintaining and
19 protecting the property.

20 d. The mortgagor and mortgagee shall file a
21 jointly executed document with the county recorder in
22 the county where the real property is located stating
23 that the mortgagor and mortgagee have elected to
24 follow the alternative voluntary foreclosure
25 procedures pursuant to this section.

26 e. The mortgagee shall send by certified mail a
27 notice of the election to all junior lienholders as of
28 the date of the conveyance under paragraph "a",
29 stating that the junior lienholders have thirty days
30 from the date of mailing to exercise any rights of
31 redemption. The notice may also be given in the
32 manner prescribed in section 656.3 in which case the
33 junior lienholders have thirty days from the
34 completion of publication to exercise the rights of
35 redemption.

36 f. At the time the mortgagor signs the written
37 agreement pursuant to subsection 1, the mortgagee
38 shall furnish the mortgagor a completed form in
39 duplicate, captioned "Disclosure and Notice of
40 Cancellation". The form shall be attached to the
41 written agreement, shall be in ten point boldface type
42 and shall be in the following form:

43 "DISCLOSURE AND NOTICE OF CANCELLATION

44

45 (enter date of transaction)

46 Under a forced foreclosure Iowa law requires that
47 you have the right to reclaim your property within one
48 year of the date of the foreclosure and that you may
49 continue to occupy your property during that time. If
50 you agree to a voluntary foreclosure under this

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1 procedure you will be giving up your right to reclaim
2 or occupy your property.

3 Under a forced foreclosure, if your mortgage lender
4 does not receive enough money to cover what you owe
5 when the property is sold, you will still be required
6 to pay the difference. If your mortgage lender
7 receives more money than you owe, the difference must
8 be paid to you. If you agree to a voluntary
9 foreclosure under this procedure you will not have to
10 pay the amount of your debt not covered by the sale of
11 your property but you also will not be paid any extra
12 money, if any, over the amount you owe.

13 NOTE: There may be other advantages and

14 disadvantages, including an effect on your income tax
 15 liability, to you depending on whether you agree or do
 16 not agree to a voluntary foreclosure. If you have any
 17 questions or doubts, you are advised to discuss them
 18 with your mortgage lender or an attorney.

19 You may cancel this transaction, without penalty or
 20 obligation, within five business days from the above
 21 date.

22 This transaction is entirely voluntary. You cannot
 23 be required to sign the attached foreclosure
 24 agreement.

25 This voluntary foreclosure agreement will become
 26 final unless you sign and deliver or mail this notice
 27 of cancellation to

28 _____ before midnight of _____

29 (name of mortgagee) (enter proper date)

30 I HEREBY CANCEL THIS TRANSACTION.

31 _____

32 DATE SIGNATURE"

33 2. A junior lienholder may redeem the real
 34 property pursuant to section 628.29. If a junior
 35 lienholder fails to redeem its lien as provided in
 36 subsection 1, its lien shall be removed from the
 37 property.

38 3. Until the completion of foreclosure pursuant to
 39 this section, the mortgagee shall hold the real
 40 property subject to liens of record at the time of the
 41 conveyance by the mortgagor. However, the lien of the
 42 mortgagee shall remain prior to liens which were
 43 junior to the mortgage at the time of conveyance by
 44 the mortgagor to the mortgagee and may be foreclosed
 45 as provided otherwise by law.

46 4. A mortgagee who agrees to a foreclosure
 47 pursuant to this section shall not report to a credit
 48 bureau that the mortgagor is delinquent on the
 49 mortgage. However, the mortgagee may report that this
 50 foreclosure procedure was used."

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1 29. By striking page 26, line 25 through page 27,
 2 line 17.

3 30. Page 27, by inserting after line 17 the
 4 following:

5 "Sec. ____ . NEW SECTION. 654.16 DEED IN LIEU OF
 6 FORECLOSURE.

7 In lieu of a foreclosure action in court due to
 8 default on a recorded mortgage or deed of trust of
 9 real property, if the subject property is agricultural
 10 land used for farming, as defined in section 172C.1,

11 the mortgagee and mortgagor may enter into an
 12 agreement in which the mortgagor agrees to transfer
 13 the agricultural land to the mortgagee in satisfaction
 14 of all or part of the mortgage obligation as agreed
 15 upon by the parties. The agreement may grant the
 16 mortgagor a right to purchase the agricultural land
 17 for a period not to exceed five years, and may entitle
 18 the mortgagor to lease the agricultural land. The
 19 agreement shall be recorded with the deed transferring
 20 title to the mortgagee. A transfer of title and
 21 agreement pursuant to this section does not constitute
 22 an equitable mortgage."

23 31. By striking page 28, line 34 through page 29,
 24 line 6, and inserting the following:

25 "Sec. ____ . An interim study committee is created
 26 for the purpose of studying farm financial stress.
 27 There shall be at least ten members on the study
 28 committee who shall be appointed by the legislative
 29 council and whose membership may include, but shall
 30 not be limited to, members of the general assembly
 31 representing both houses and both political parties,
 32 persons representing the lending industry and the
 33 agricultural industry, and other persons deemed
 34 necessary by the legislative council. The study
 35 committee shall coordinate its efforts with Iowa state
 36 university. The study committee shall be under the
 37 management and control of the legislative council.
 38 The study committee may investigate, research, hold
 39 hearings, and make recommendations accompanied by bill
 40 drafts designed to carry out those recommendations,
 41 and generally exercise the powers and duties provided
 42 for legislative committees and study committees as
 43 provided in chapter 2. Specific purposes of the study
 44 committee are to review new data and develop better
 45 understandings about the causes and trends in farm
 46 financial stress; to monitor the private and public
 47 actions and programs at work to resolve the crisis; to
 48 examine the probable "ripple" or general economic
 49 effects of farm financial stress and the effects on
 50 rural non-farm businesses, lenders, cooperatives, and

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1 main street businesses; to analyze the ownership
 2 patterns of farms and control of input supply
 3 businesses, farm related factories, grain elevators
 4 and meat processing plants; to anticipate the effect
 5 on the Iowa economy and local communities if no action
 6 is taken; and to evaluate current or proposed remedies
 7 and alternatives such as modification of the Uniform

8 Commercial Code, a limited foreclosure moratorium,
9 permission for lenders to hold land, special education
10 for adults through programs such as ASSIST, the Rural
11 Concerns Hotline, the displaced farmers program, tax
12 exempt state bonds to provide low interest credit,
13 loan guarantees, state or federal appropriations for
14 interest rate "buydowns", an agricultural adjustment
15 corporation, and an agricultural investment bank. The
16 study committee shall make periodic reports to the
17 legislative council and make a final report to the
18 legislative council and the members of the general
19 assembly by January 15, 1986.

20 Sec. ____ . The legislative council shall establish
21 a joint interim committee of the senate and of the
22 house to study the necessity and desirability of
23 initiating a title guarantee program as passed by the
24 house on March 28, 1985 or the establishment or
25 authorization of other title guarantee or insurance
26 programs. The committee shall report its findings and
27 recommendations, including any proposed legislation,
28 to the general assembly by January 15, 1986."

29 32. Page 29, by inserting after line 13 the
30 following:

31 "Sec. ____ . Section 19 of this Act is effective
32 March 1, 1986."

33 33. Page 29, by inserting before line 14 the
34 following:

35 "Sec. 118. It is the intent of the general
36 assembly that the Iowa finance authority shall not
37 make any title guaranties under the title guaranty
38 program prior to January 1, 1987.

39 Sec. 119. The Code editor may change any reference
40 to the "Iowa housing finance authority" or the "state
41 housing finance authority" remaining in the Code to
42 the "Iowa finance authority" or "state finance
43 authority".

44 34. Title page, line 1, by inserting after the
45 word "Iowa," the following: "by amending the
46 definition of small business for purposes of the Iowa
47 housing finance authority's program for which bonds
48 may be issued, by changing the name of the Iowa
49 housing finance authority, by requiring that real
50 estate brokers' trust accounts be deposited in

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1 interest-bearing accounts and the interest transferred
2 quarterly to the treasurer of state and deposited in
3 the title guaranty fund, by providing that the Iowa
4 housing finance authority initiate a self-sustaining

5 title guarantee program for titles of real property,
 6 creating a commitment costs fund, creating a title
 7 guaranty fund, by modifying the limitations on bank
 8 offices upon merger or acquisition, by providing for
 9 an alternative nonjudicial voluntary foreclosure
 10 procedure including providing for redemption periods
 11 of lienholders under the procedure, permitting the
 12 charging of fees incurred under the title guaranty
 13 program, requiring the disclosure of the availability
 14 of the title guaranty program and making penalties
 15 applicable.”.

16 35. Title page, line 6, by striking the word
 17 “seven-year” and inserting the following: “five-
 18 year”.

19 36. Title page, line 7, by inserting after the
 20 word “program” the following: “permitting life
 21 insurance companies and associations to invest in
 22 bonds of the African development bank,

23 37. Title page, lines 12 through 17, by striking
 24 the words “providing for out-of-state bank holding
 25 companies to acquire interests in Iowa banks if those
 26 bank holding companies had entered into contracts on
 27 or before July 1, 1984, to directly or indirectly
 28 acquire voting shares, an interest in all or
 29 substantially all of the assets of, or control of bank
 30 holding companies or banks located in this state,”.

31 38. Title page, by inserting after line 17 the
 32 following: “revising the requirements of amendments
 33 to a uniform commercial code financing statement,”.

34 39. Title page, by striking line 19, and
 35 inserting the following: “an alternative nonjudicial
 36 voluntary foreclosure procedure including providing
 37 for redemption periods for lienholders,”.

38 40. Title page, by striking line 21 and inserting
 39 the following: “providing for interim study
 40 committees, and providing an effective date.”

41 41. Title page, by inserting after line 19 the
 42 following: “providing for the execution of
 43 foreclosure judgments,”.

44 42. By renumbering, relettering, or redesignating
 45 and correcting internal references as necessary.

HOUSE AMENDMENT TO SENATE FILE 24

S-4231

- 1 Amend Senate File 24 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. By striking everything after the enacting

4 clause and inserting the following:

5 "Section 1. Section 422.5, Code 1985, is amended

6 by adding the following new subsection:

7 NEW SUBSECTION. 15. There is imposed upon every
8 resident and nonresident of this state, including
9 estates and trusts, the greater of the tax determined
10 in subsections 1 through 14 or the state alternative
11 minimum tax equal to ten and one-half percent of the
12 state alternative minimum taxable income of the
13 taxpayer as computed under this subsection.

14 The state alternative minimum taxable income of a
15 taxpayer is equal to the taxpayer's state taxable
16 income, as computed with the deductions in section
17 422.9, with the following adjustments:

18 a. Add items of tax preference included in federal
19 alternative minimum taxable income under section 57 of
20 the Internal Revenue Code of 1954. In the case of an
21 estate or trust, the items of tax preference shall be
22 apportioned between the estate or trust and the
23 beneficiaries in accordance with rules prescribed by
24 the director. For purposes of computing the items of
25 tax preference, the gain or loss from the forfeiture
26 of an installment real estate contract, the transfer
27 of property to a creditor in cancellation of a debt or
28 from the sale or exchange of property as a result of
29 actual notice of foreclosure shall not be taken into
30 account in computing net capital gain if, immediately
31 before such forfeiture, transfer, or sale or exchange,
32 the taxpayer's debt to asset ratio exceeds seventy
33 percent as computed under generally accepted
34 accounting practices and the taxpayer's net worth at
35 the end of the tax year is less than one hundred
36 thousand dollars. In determining a taxpayer's net
37 worth at the end of the tax year a taxpayer shall
38 include any asset transferred within one hundred
39 twenty days prior to such forfeiture, transfer, or
40 sale or exchange. In determining the taxpayer's debt
41 to asset ratio, the taxpayer shall include any asset
42 transferred, within one hundred twenty days prior to
43 such forfeiture, transfer, or sale or exchange,
44 without adequate and full consideration in money or
45 money's worth. For purposes of this subsection,
46 actual notice of foreclosure includes, but is not
47 limited to, bankruptcy or written notice from a
48 creditor of the creditor's intent to foreclose where
49 there is reasonable belief that the creditor can force
50 a sale of the property.

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1 b. Subtract the applicable exemption amount as
2 follows:
3 (1) Seventeen thousand five hundred dollars for a
4 married person who files separately or for an estate
5 or trust.
6 (2) Twenty-six thousand dollars for a single
7 person or an unmarried head of household.
8 (3) Thirty-five thousand dollars for a married
9 couple which files a joint return.
10 c. Subtract the amount of the net operating loss
11 computed in section 422.9, subsection 3, for a tax
12 year other than the current year which was carried
13 back or carried forward to the current year under
14 section 422.9, subsection 3, paragraph "a", "b" or
15 "c". However, in the case of a net operating loss
16 computed for a tax year beginning after December 31,
17 1982 which is carried back or carried forward to the
18 current taxable year, the net operating loss shall be
19 reduced by the amount of the items of tax preference
20 arising in such year which was taken into account in
21 computing the net operating loss in section 422.9,
22 subsection 3.
23 The state alternative minimum tax of a taxpayer
24 whose items of tax preference include the gain or loss
25 from the forfeiture of an installment real estate
26 contract, the transfer of property to a creditor in
27 cancellation of a debt or from the sale or exchange of
28 property as a result of actual notice of foreclosure
29 where the fair market value of the taxpayer's assets
30 exceeds the taxpayer's liabilities immediately before
31 such forfeiture, transfer, or sale or exchange shall
32 not be greater than such excess, including any asset
33 transferred within one hundred twenty days prior to
34 such forfeiture, transfer, or sale or exchange.
35 In the case of a resident, including a resident
36 estate or trust, the state's apportioned share of the
37 state alternative minimum tax is one hundred percent
38 of the state alternative minimum tax computed in this
39 subsection. In the case of a nonresident, including a
40 nonresident estate or trust, or an individual, estate
41 or trust that is domiciled in the state for less than
42 the entire tax year, the state's apportioned share of
43 the state alternative minimum tax is the amount of tax
44 computed under this subsection, reduced by the
45 applicable credits in sections 422.10, 422.11, 422.11A
46 as enacted by 1985 Iowa Acts, Senate File 395, section
47 80 and 422.12 and this result multiplied by a fraction
48 with a numerator of the sum of state net income

49 allocated to Iowa as determined in section 422.8,
50 subsection 2, and tax preference items attributable to

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1 Iowa and with a denominator of the sum of total net
2 income computed under section 422.7 and all tax
3 preference items. In computing this fraction, those
4 items excludable under paragraph "a" shall not be used
5 in computing the tax preference items. Married
6 taxpayers electing to file separate returns or
7 separately on a combined return must allocate the
8 minimum tax computed in this subsection in the
9 proportion that each spouse's respective preference
10 items under section 57 of the Internal Revenue Code of
11 1954 bear to the combined preference items of both
12 spouses.

13 Sec. 2. Section 422.5, Code 1985, is amended by
14 striking unnumbered paragraph 10.

15 Sec. 3. Section 422.8, Code 1985, is amended by
16 adding the following new subsection:

17 NEW SUBSECTION. 4. The amount of minimum tax paid
18 to another state or foreign country by a resident
19 taxpayer of this state from preference items derived
20 from sources outside of Iowa shall be allowed as a
21 credit against the tax computed under this division
22 except that the credit shall not exceed what the
23 amount of state alternative minimum tax would have
24 been on the same preference items which were taxed by
25 the other state or foreign country. The limitation on
26 this credit shall be computed according to the
27 following formula: The total of preference items
28 earned outside of Iowa and taxed by another state or
29 foreign country shall be divided by the total of
30 preference items of the resident taxpayer of Iowa. In
31 computing this quotient, those items excludable under
32 section 422.5, subsection 15, paragraph "a" shall not
33 be used in computing the preference items. This
34 quotient multiplied times the net state alternative
35 minimum tax as determined in section 422.5, subsection
36 15, on the total of preference items as if entirely
37 earned in Iowa shall be the maximum tax credit against
38 the Iowa alternative minimum tax. However, the
39 maximum tax credit will not be allowed to the extent
40 that the minimum tax imposed by the other state or
41 foreign country is less than the maximum tax credit
42 computed above.

43 Sec. 4. In computing the items of tax preference
44 for purposes of the Iowa minimum tax for a tax year
45 beginning in the 1984 calendar year, the gain or loss

46 from the forfeiture of an installment real estate
47 contract, the transfer of property to a creditor in
48 cancellation of a debt or from the sale or exchange of
49 property as a result of actual notice of foreclosure
50 shall not be taken into account in computing net

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1 capital gain if, immediately before such forfeiture,
2 transfer, or sale or exchange, the taxpayer's
3 liabilities exceed the fair market value of the
4 taxpayer's assets and the taxpayer's net worth at the
5 end of the tax year is less than one hundred thousand
6 dollars. For purposes of this section, actual notice
7 of foreclosure includes, but is not limited to,
8 bankruptcy or written notice from a creditor of the
9 creditor's intent to foreclose where there is
10 reasonable belief that the creditor can force a sale
11 of the property. In computing the Iowa minimum tax
12 for a tax year beginning in the 1984 calendar year,
13 the Iowa minimum tax of a taxpayer whose items of tax
14 preference include the gain or loss from the
15 forfeiture of an installment real estate contract, the
16 transfer of property to a creditor in cancellation of
17 a debt or from the sale or exchange of property as a
18 result of actual notice of foreclosure where the fair
19 market value of the taxpayer's assets exceeds the
20 taxpayer's liabilities immediately before such
21 forfeiture, transfer, or sale or exchange shall not be
22 greater than such excess. A taxpayer who has filed a
23 state return for such tax year may file an amended
24 state return for such tax year with the state minimum
25 tax calculated on the basis of what the federal
26 minimum tax would have been if such items had not been
27 included in the federal minimum tax calculation of net
28 capital gain or with the state minimum tax calculated
29 on the basis of such limitation on the amount of state
30 minimum tax.

31 Sec. 5. 1985 Iowa Acts, Senate File 395, section
32 102 is retroactive to January 1, 1985.

33 Sec. 6. Except for sections 4 and 5, this Act is
34 retroactive to January 1, 1985 for tax years beginning
35 on or after that date. Section 4 of this Act is
36 retroactive to January 1, 1984 for tax years beginning
37 on or after January 1, 1984 and beginning before
38 January 1, 1985."

S-4232

1 Amend House File 764 as amended, passed and
2 reprinted by the House, as follows:
3 1. Page 8, by inserting after line 29 the
4 following:
5 “ NEW SECTION. 421.26 LIABILITY FOR TAX DUE.
6 If a licensee or other person under section 324.65,
7 a retailer or purchaser under section 422.52, or a
8 retailer or purchaser under section 423.13 fails to
9 pay a tax under those sections when due, any officer
10 of a corporation or association, or any partner of a
11 partnership, having control or supervision of or the
12 authority for remitting the tax payments, who has
13 intentionally failed to pay the tax with the intent to
14 evade the tax is personally liable for the payment of
15 the tax, interest and penalty due and unpaid. There
16 shall be a presumption of an intent to evade the tax
17 if the delinquency for payment exceeds one month.
18 However, this section shall not apply to taxes on
19 accounts receivable. The dissolution of a
20 corporation, association or partnership shall not
21 discharge a person's liability for failure to remit
22 the tax due.”

THOMAS MANN, Jr.

S-4233

1 Amend Senate File 583 as follows:
2 1. Page 1, by inserting before line 1 the
3 following:
4 “Section 1. Section 123.56, subsection 1, 1985
5 Iowa Acts, Senate File 395, section 49, is amended to
6 read as follows:
7 1. Subject to rules of the department,
8 manufacturers of native wines from grapes, cherries,
9 other fruits or other fruit juices, vegetables,
10 vegetable juices, dandelions, clover, honey, or any
11 combination of these ingredients, holding a class “A”
12 wine permit as required by this chapter, may sell,
13 keep, or offer for sale and deliver the wine. Sales
14 may be made at retail for off-premises consumption
15 when sold on the premises of the manufacturer, or in a
16 retail establishment operated by the manufacturer
17 which is no closer than five miles from an existing
18 native winery. Sales may also be made to class “A” or
19 retail wine permittees or liquor control licensees as
20 authorized by the class “A” wine permit. Sales of
21 native wines by the manufacturer of the native wines

22 are exempt from the wine gallonage tax imposed under
23 section 123.183.

24 Sec. . Section 123.43, Code 1985, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 3. Barrel tax revenues collected
27 on beer manufactured in this state from a class "A"
28 permittee which owns and operates a brewery located in
29 Iowa shall be credited to the barrel tax fund hereby
30 created in the office of the treasurer of state.

31 Sec. 3. Section 123.146, Code 1985 is repealed.

32 Sec. 4. Section 123.183, 1985 Iowa Acts, Senate

33 File 395, section 74, is amended to read as follows:

34 Sec. 74. NEW SECTION. 123.183 WINE GALLONAGE
35 TAX.

36 In addition to the annual permit fee to be paid by
37 each class "A" wine permittee, there shall be levied
38 and collected from each class "A" wine permittee on
39 all wine manufactured for sale and sold in this state
40 at wholesale and on all wine imported into this state
41 for sale at wholesale and sold in this state at
42 wholesale, a tax of one dollar and fifty cents for
43 every wine gallon and a like rate for the fractional
44 parts of a wine gallon. A tax shall not be levied or
45 collected on wine manufactured in this state, or on
46 wine sold by one class "A" wine permittee to another
47 class "A" wine permittee. Revenue derived from the
48 wine tax collected on wine manufactured for sale and
49 sold in this state shall be deposited in the gallonage
50 tax fund hereby created in the office of the treasurer

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1 of state. All other revenue derived from the wine tax
2 shall be deposited in the liquor control fund
3 established by section 123.53 and shall be transferred
4 by the state comptroller to the general fund of the
5 state. The price of wine sold or offered for sale in
6 state liquor stores which was not purchased by the
7 department from a class "A" wine permittee shall
8 include a markup over the wholesale price at least
9 equal to the tax levied under this section."

DOUGLAS RITSEMA

S-4234

1 Amend the amendment S-4232 to House File 764 as
2 amended, passed and reprinted by the House as
3 follows:

4 1. Page 1, by striking lines 15 through 17 and
5 inserting the following: "the tax, interest and
6 penalty due and unpaid."

EDGAR H. HOLDEN

HOUSE AMENDMENT TO
SENATE FILE 565

S-4235

1 Amend Senate File 565 as amended, passed, and
2 reprinted by the Senate as follows:

3 1. By striking page 1, line 1 through page 3,
4 line 3, and inserting the following:

5 "Sec. ___. Section 312.2, Code 1985, is amended by
6 adding the following new subsections:

7 NEW SUBSECTION. 16. The treasurer of state,
8 before making the allotments provided for in this
9 section, shall credit monthly from the road use tax
10 fund to the revitalize Iowa's sound economy fund,
11 created under section 315.2, the revenue accruing to
12 the road use tax fund in the amount equal to two
13 thirds of the revenues collected under each of the
14 following:

15 a. From the excise tax on motor fuel and special
16 fuel imposed under the tax rate of section 324.3:

17 (1) For the period July 1, 1985, through December
18 31, 1985, the amount of excise tax collected from two
19 cents per gallon.

20 (2) From and after January 1, 1986, the amount of
21 excise tax collected from three cents per gallon.

22 b. From the excise tax on special fuel for diesel
23 engines:

24 (1) For the period July 1, 1985, through December
25 31, 1985, the amount of excise tax collected from one
26 cent per gallon.

27 (2) For the period January 1, 1986, through
28 December 31, 1986, the amount of excise tax collected
29 from two cents per gallon.

30 (3) From and after January 1, 1987, the amount of
31 excise tax collected from three cents per gallon.

32 NEW SUBSECTION. 17. The treasurer of state,
33 before making the allotments provided for in this
34 section, shall credit monthly from the road use tax
35 fund to the public transit assistance fund, created
36 under section 601J.6, an amount equal to one fortieth
37 of the revenue credited to the road use tax fund under
38 section 423.24.

39 Sec. . NEW SECTION. 315.1 DEFINITIONS.

- 40 As used in this chapter, unless the context
 41 otherwise requires:
 42 1. "Department" means the state department of
 43 transportation.
 44 2. "Fund" or "RISE fund" means the revitalize
 45 Iowa's sound economy fund.
 46 Sec. __. NEW SECTION. 315.2 REVITALIZE IOWA'S
 47 SOUND ECONOMY FUND.
 48 A revitalize Iowa's sound economy fund is created,
 49 which includes:
 50 1. All motor fuel and special fuel excise taxes

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- 1 credited by law to the RISE fund.
 2 2. All other funds by law credited to the RISE
 3 fund.
 4 Sec. __. NEW SECTION. 315.3 USE OF FUND.
 5 1. The fund is appropriated for and shall be used
 6 in the establishment, construction, improvement and
 7 maintenance of roads and streets which promote
 8 economic development in the state by having any of the
 9 following effects:
 10 a. Improving or maintaining highway access to
 11 specific development sites, including existing and
 12 future industrial locations.
 13 b. Improving or maintaining highway access between
 14 urban centers or between urban centers and the
 15 interstate road system as defined in section 306.3.
 16 c. Improving or maintaining highway access to
 17 economically depressed areas of the state.
 18 d. Improving or maintaining highway access to
 19 points of shipment or processing of products.
 20 e. Improving or maintaining highway access to
 21 trucking terminals and places of embarkation or
 22 shipment by other transportation modes.
 23 f. Improving or maintaining highway access to
 24 scenic, recreational, historic and cultural sites or
 25 other locations identified as tourist attractions.
 26 2. The fund is also appropriated and shall be used
 27 for the reimbursement or payment to cities or counties
 28 of all or part of the interest and principal on
 29 general obligation bonds issued by cities or counties
 30 for the purpose of financing approved road and street
 31 projects meeting the requirements of subsection 1.
 32 Sec. __. NEW SECTION. 315.4 ALLOCATION OF FUND.
 33 Moneys credited to the RISE fund shall be allocated
 34 as follows:
 35 1. Fifty percent for the use of the department on
 36 primary road projects.

37 2. Twenty-five percent for the use of counties on
38 secondary road projects.

39 3. Twenty-five percent for the use of cities on
40 city street projects.

41 Sec. ____ NEW SECTION. 315.5 ADMINISTRATION OF
42 FUND.

43 Qualifying road and street projects shall be
44 selected by the department for full or partial
45 financing from the fund after consultation with
46 organizations representing interests of counties and
47 cities. Counties and cities may make application for
48 qualifying road and street projects with the depart-
49 ment. In ranking applications for funds, the
50 department shall, in addition to effects listed in

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1 section 315.3, subsection 1, consider the proportion
2 of political subdivision matching funds to be
3 provided, if any, the proportion of private
4 contributions to be provided, if any, the total number
5 of jobs to be created, the level of need, and the
6 impact of the proposed project on the economy of the
7 area affected. The proportion of funding shall be
8 determined by the department or, in the case of
9 cooperative projects, by agreement between the
10 department and the city councils of participating
11 cities, or boards of supervisors of participating
12 counties, or other participating public agencies or
13 private parties.

14 Sec. ____ NEW SECTION. 315.6 FUNDING OF
15 PROJECTS.

16 Qualifying projects may be funded as follows:

17 1. Primary road projects may be financed entirely
18 by the fund, or by combining money from the fund with
19 money from the primary road fund, federal aid primary
20 funds received by the state, or money from cities or
21 counties raised through the sale of general obligation
22 bonds of the cities or counties, other city or county
23 revenues, or money from participating private parties.

24 2. Secondary road projects may be funded entirely
25 by the fund or by combining money from the fund with
26 money from the county's portion of road use tax funds,
27 federal aid secondary funds, other county revenues, or
28 money raised through the sale of general obligation
29 bonds of the county, or money from participating
30 private parties.

31 3. City street projects may be funded entirely by
32 the fund, or by combining money from the fund with
33 money from the city's portion of road use tax funds,

34 federal aid urban system funds, other municipal
 35 revenues, or money raised through the sale of general
 36 obligation bonds of the city, or money from
 37 participating private parties.

38 A county or city may, at its option, apply moneys
 39 allocated for use on secondary road or city street
 40 projects under section 315.4, subsection 2 or 3,
 41 toward qualifying primary road projects.

42 Sec. . NEW SECTION. 315.7 MONTHLY
 43 CERTIFICATION OF FUNDS.

44 The account of the fund shall be kept by the state
 45 comptroller and the treasurer of state and shall show
 46 the amount of the fund including all credits to the
 47 fund and disbursements. The state comptroller shall
 48 report monthly to the department an account of the
 49 fund including all credits and disbursements. Upon
 50 certification by the department in accordance with

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1 rules adopted by the state comptroller, the state
 2 comptroller shall issue warrants for disbursements
 3 from the fund.

4 Sec. . NEW SECTION. 315.8 ACCOUNTS AND
 5 RECORDS REQUIRED.

6 The department shall keep accounts in relation to
 7 the allocation of moneys to the fund including all
 8 amounts credited to the fund and all amounts of duly
 9 and finally approved vouchers for claims chargeable to
 10 the fund. The department shall also keep accounts in
 11 relation to agreements with counties and cities for
 12 the reimbursement of interest and principal costs for
 13 general obligation bonds of counties or cities issued
 14 for the purpose of financing road or street projects
 15 under this chapter.

16 Sec. . NEW SECTION. 315.9 PROJECT
 17 DEVELOPMENT.

18 The department shall be responsible for the
 19 development of qualifying projects under this chapter
 20 in the same manner as prescribed for primary road
 21 system improvements under chapter 313, including
 22 surveys, plans, specifications, bids, contracts,
 23 supervision and inspection. The department may
 24 delegate responsibility for project development to
 25 another participating governmental unit.

26 Sec. . NEW SECTION. 315.10 RULES.

27 The department shall adopt rules pursuant to
 28 chapter 17A as necessary for the administration of
 29 this chapter."

30 2. Page 3, by inserting before line 4 the

31 following:

- 32 "Sec. ____ Section 324.2, subsection 7, Code 1985,
 33 is amended to read as follows:
 34 7. "Gasohol" means motor fuel containing at least
 35 ten percent alcohol distilled from ~~agricultural~~
 36 ~~products~~ cereal grains."
 37 3. Page 3, line 12, by striking the words
 38 "agricultural products" and inserting the following:
 39 "~~agricultural products~~ cereal grains".
 40 4. Page 3, line 14, by striking the figure "1986"
 41 and inserting the figures "~~1986~~ 1992".
 42 5. By striking page 4, line 8 through page 5,
 43 line 31.
 44 6. By striking page 7, line 7 through page 9,
 45 line 4.
 46 7. Page 9, by striking lines 5 through 15.
 47 8. By striking page 10, line 15 through page 11,
 48 line 4.
 49 9. Title page, line 1, by inserting after the
 50 word "to" the words "the use and".

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- 1 10. Title page, line 4, by striking the words
 2 "economic development emergency" and inserting the
 3 word "RISE".
 4 11. Title page, line 6, by inserting after the
 5 word "state," the words "by crediting moneys from the
 6 road use tax fund to the public transit assistance
 7 fund,".
 8 12. Title page, line 15, by inserting after the
 9 word "vessels," the following: "by allowing certain
 10 truck tractors to be registered as special trucks,".
 11 13. By renumbering, relettering, or redesignating
 12 and correcting internal references as necessary.

S-4236

- 1 Amend amendment S-4231 to Senate File 24 as
 2 amended, passed, and reprinted by the Senate as
 3 follows:
 4 1. Page 1, by striking lines 6 through 13 and
 5 inserting the following: "by striking the section and
 6 inserting in lieu thereof the following:
 7 NEW SECTION. There is imposed upon every resident
 8 and nonresident of this state, including estates and
 9 trusts, the state alternative minimum tax equal to
 10 eight percent of the state alternative minimum taxable
 11 income of the taxpayer as computed under this

- 12 subsection for income up to fifty thousand dollars to
13 ten percent of the state alternative minimum taxable
14 income of the taxpayer as computed under this
15 subsection for income from fifty thousand and one
16 dollar to one hundred thousand dollars, and to twelve
17 percent of the state alternative minimum taxable
18 income of the taxpayer as computed under this
19 subsection for income above one hundred thousand
20 dollars.”
- 21 2. Page 2, by striking line 3 and inserting the
22 following:
23 “(1) Ten thousand dollars for a”.
- 24 3. Page 2, by striking line 6 and inserting the
25 following:
26 “(2) Fifteen thousand dollars for a single”.
- 27 4. Page 2, by striking line 8 and inserting the
28 following:
29 “(3) Twenty thousand dollars for a married”.

CHARLES BRUNER
TOM MANN, JR.

HOUSE AMENDMENT TO
SENATE FILE 383

S-4237

- 1 Amend Senate File 383, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. Page 1, line 8, by inserting after the letter
4 “b” the following: “and if the increase in the
5 employer’s average annual payroll is not totally
6 disregarded under subsection 2 due to an increase in
7 taxable wages under section 96.19, subsection 20 or
8 due to the fact that the employer is a successor
9 employer”.
- 10 2. Page 1, line 31, by inserting after the figure
11 “20,” the following: “or due to the fact that the
12 employer is a successor employer”.
- 13 3. Page 2, line 17, by inserting after the word
14 “positive.” the following: “However, this Act is null
15 and void from its effective date if the final decision
16 of the United States Department of Labor holds that
17 this Act places Iowa’s unemployment compensation law
18 out of conformity with federal law.”

S-4238

1 Amend Senate File 575 as amended, passed and
2 reprinted by the Senate, as follows:

3 1. Page 1, by inserting after line 30 the
4 following:

5 " . . . COMMISSION FOR THE BLIND

6 For beginning the installation
7 of a fire sprinkler system \$ 63,000".

8 2. Page 1, by inserting after line 30 the
9 following:

10 "Sec. 2. There is appropriated from the general
11 fund of the state to the state conservation commission
12 on the effective date of this Act the sum of forty-
13 three thousand five hundred fifty-four dollars and
14 twenty-seven cents (\$43,554.27) or so much as is
15 necessary to pay the drainage assessment and interest
16 for the closed tile drain work at Lake Cornelia of
17 drainage district 14, subdistrict 3, in Wright county.
18 An amount equal to the amount expended pursuant to
19 this section shall be subtracted from the funds
20 appropriated to the state conservation commission
21 under 1985 Iowa Acts, House File 225, section 301,
22 subsection 3, paragraph "a", and deposited in the
23 general fund of the state by the state comptroller.

24 Sec. 3. Section 455.50, unnumbered paragraphs 3
25 and 4, Code 1985, are amended to read as follows:

26 When any state-owned lands under the jurisdiction
27 of the state conservation commission are situated
28 within a levee or drainage district, the commissioners
29 to assess benefits shall ascertain and return in their
30 report the amount of benefits and the apportionment of
31 costs and expenses to such lands and the board of
32 supervisors shall assess the same against such lands.
33 However, the commissioners shall not assess benefits
34 to property below the ordinary high water mark in a
35 sovereign state-owned lake, marsh or stream under the
36 jurisdiction of the state conservation commission.

37 Such The assessments against lands used by the fish
38 and game division under the jurisdiction of the state
39 conservation commission shall be paid by the state
40 conservation commission from the state fish and game
41 protection fund executive council on due certification
42 of the amount by the county treasurer to said
43 commission, and against lands used by the division of
44 lands and waters from the state conservation funds.
45 There is appropriated from any funds in the general
46 fund not otherwise appropriated amounts sufficient to
47 pay the certified assessments.

48 Sec. 4. This Act, being deemed of immediate
49 importance, except sections 1 and 3 which take effect
50 July 1 following enactment, takes effect from and

Page 2

1 after its publication in The Cascade Pioneer-
2 Advertiser, a newspaper published in Cascade, Iowa,
3 and in The Guttenberg Press, a newspaper published in
4 Guttenberg, Iowa.”
5 2. Title page, line 2, by inserting after the
6 word “projects” the words “and providing that part of
7 the Act takes effect upon publication”.

HOUSE AMENDMENT TO
SENATE FILE 578

S-4239

1 Amend Senate File 578, as amended, passed, and
2 reprinted by the Senate, as follows:
3 1. By striking everything after the enacting
4 clause and inserting the following:
5 “Section 1.
6 The annual salaries set by the governor for
7 appointed nonelected persons in the executive branch
8 of state government for the fiscal biennium beginning
9 July 1, 1985 and ending June 30, 1987 shall be the
10 same as the annual salaries received by those persons
11 or established for the person’s position as of January
12 1, 1985, and those annual salaries shall be effective
13 for subsequent fiscal years until otherwise provided
14 by the general assembly. The appointment of an
15 appointed nonelected person to a position shall be at
16 an annual salary which does not exceed the annual
17 salary of the appointee’s predecessor. The annual
18 salary for a new position shall be established as
19 otherwise provided by law.
20 Sec. 2. Funds appropriated to the salary
21 adjustment fund and other funds appropriated to the
22 various state departments and agencies shall be used
23 to fund the following annual pay adjustments, expense
24 reimbursement, and benefits not in conflict with the
25 Code:
26 a. The collective bargaining agreement negotiated
27 pursuant to chapter 20 for employees in the blue
28 collar bargaining unit.
29 b. The collective bargaining agreement negotiated
30 pursuant to chapter 20 for employees in the public
31 safety bargaining unit.
32 c. The collective bargaining agreement negotiated
33 pursuant to chapter 20 for employees in the security
34 bargaining unit.
35 d. The collective bargaining agreement negotiated

36 pursuant to chapter 20 for employees in the technical
37 bargaining unit.

38 e. The collective bargaining agreement negotiated
39 pursuant to chapter 20 for employees in the
40 professional fiscal and staff bargaining unit.

41 f. The collective bargaining agreement negotiated
42 pursuant to chapter 20 for employees in the university
43 of northern Iowa faculty bargaining unit.

44 g. The collective bargaining agreement negotiated
45 pursuant to chapter 20 for employees in the clerical
46 bargaining unit.

47 h. The collective bargaining agreement negotiated
48 pursuant to chapter 20 for employees in the social
49 services bargaining unit.

50 i. The annual pay adjustments, related benefits,

Page 2

1 and expense reimbursement referred to in sections 10
2 and 11 of this Act for employees not covered by a
3 collective bargaining agreement.

4 Sec. 3.

5 1. The merit system pay plan and executive council
6 exempt pay plan provided for in section 19A.9,
7 subsection 2, as they exist for the fiscal years
8 ending June 30, 1985 and June 30, 1986, shall be
9 increased for employees who are not included in a
10 collective bargaining agreement made final under
11 chapter 20 by one percent for the fiscal year
12 beginning July 1, 1985, effective with the pay period
13 beginning December 13, 1985, and by four percent for
14 the fiscal year beginning July 1, 1986, effective with
15 the pay period beginning December 12, 1986. The merit
16 employment commission shall revise the merit system
17 pay plan and the governor shall revise the executive
18 council exempt pay plan as provided under section
19 19A.9, subsection 2, by increasing the salary levels
20 for the various grades and steps within the respective
21 plans. In addition to the increase specified above,
22 employees may receive merit increases or the
23 equivalent of a merit increase.

24 2. The pay plans for state employees who are
25 exempt from chapter 19A and who are included in the
26 state comptroller's payroll system, the department of
27 transportation's payroll system, and the board office
28 employees of the state board of regents shall be
29 increased by the same percent and in the same manner
30 included in subsection 1 of this section.

31 3. This section does not apply to members of the
32 general assembly, board members, commission members,

33 salaries of persons set by the general assembly
34 pursuant to this Act or set by the governor, employees
35 designated under section 19A.3, subsection 6, and
36 employees under the state board of regents, but
37 subsection 2 of this section does apply to office
38 employees of the state board of regents.
39 4. Each appointing authority shall determine the
40 percentage increase for each professional and
41 managerial employee's salary provided for under this
42 section and may increase the base salaries of the
43 professional and managerial employees by different
44 percentages in accordance with rules of the merit
45 employment department and policies of the state
46 comptroller, but the average percentage increase for
47 all professional and managerial employees under each
48 appointing authority's jurisdiction made using the
49 appropriations authorized by this Act for the fiscal
50 years beginning July 1, 1985 and July 1, 1986, shall

Page 3

1 not exceed the average increase provided for in
2 subsection 1 of this section. As used in this
3 section, "professional and managerial employee," means
4 a professional employee as defined in section 20.3,
5 subsection 11 or a representative of a public employer
6 or supervisory employee as defined in section 20.4,
7 subsection 2.
8 5. The policies for implementation of this section
9 shall be approved by the governor except those
10 policies governing the board office employees of the
11 state board of regents, employees of the legislative
12 department, or employees of the judicial department.
13 Sec. 4. The funds allocated to the state board of
14 regents for the purpose of providing increases for
15 employees not covered by a collective bargaining
16 agreement shall be used as follows:
17 1. The amount necessary to fund the fiscal year
18 beginning July 1, 1985, an average base salary
19 increase of two percent and the fiscal year beginning
20 July 1, 1986, an average base salary increase of five
21 point five percent of the base salaries of faculty
22 members and professional and scientific staff members,
23 except board office employees as provided for in
24 section 3, paid during the preceding fiscal year, to
25 be allocated to faculty members and professional and
26 scientific staff members at the discretion of the
27 state board of regents.
28 2. For employees under the state board of regents'
29 merit system who are not included in the collective

30 bargaining agreement made final under chapter 20,
31 except board office employees, the amount necessary to
32 increase the state board of regents' merit system pay
33 plans as they exist for the fiscal year beginning July
34 1, 1985, by increasing the salary levels for each
35 grade and step within the plans by one percent for the
36 fiscal year beginning July 1, 1985, effective with the
37 pay period beginning January 1, 1986, and by four
38 percent for the fiscal year beginning July 1, 1986,
39 effective with the pay period beginning January 1,
40 1987. In addition to the increase specified above,
41 employees may receive merit increases or the
42 equivalent of a merit increase.
43 Sec. 5. All funds appropriated to the salary
44 adjustment fund for the department of transportation
45 and for the state agencies paid through the state
46 comptroller's centralized payroll system shall be used
47 to fund salary and fringe benefit expenditures for the
48 following periods of time:
49 1. For the fiscal years beginning July 1, 1985,
50 beginning with the biweekly pay date of July 5, 1985,

Page 4

1 and ending with the biweekly pay date of June 21,
2 1986.
3 2. For the fiscal year beginning July 1, 1986,
4 beginning with the biweekly pay date of July 4, 1986,
5 and ending with the biweekly pay date of June 19,
6 1987.
7 Sec. 6. COMPARABLE WORTH ADJUSTMENTS.
8 In the implementation of comparable worth adjust-
9 ments as otherwise provided by law, no job titles
10 except nursing service director, director of nursing,
11 and director of public health nursing shall be raised
12 above pay grade thirty-two.
13 Sec. 7. Section 217.23, subsection 2, Code 1985,
14 is amended to read as follows:
15 2. The department is hereby authorized to expend
16 moneys from the support allocation of the department
17 as reimbursement for replacement or repair of personal
18 items of the department's employees damaged or
19 destroyed by clients of the department during the
20 employee's tour of duty. However, the reimbursement
21 shall not exceed ~~seventy-five~~ one hundred fifty
22 dollars for each item. The department shall establish
23 rules in accordance with chapter 17A to carry out the
24 purpose of this section."
25 2. Amend the title, by striking lines 4 and 5 and

26 inserting the following: "and per diem, and making
27 coordinating amendments to the Code."

S-4240

'1 Amend the House amendment, S-4231, to Senate File
2 24, as amended, passed, and reprinted by the Senate as
3 follows:

- 4 1. Page 1, line 11, by striking the words "ten
5 and one-half" and inserting the word "nine".
- 6 2. Page 1, by striking line 27 and inserting the
7 following: "of real or personal property securing a
8 debt to a creditor in cancellation of that debt or".
- 9 3. Page 1, by striking lines 30 through 36 and
10 inserting the following: "account in computing net
11 capital gain if all of the following conditions are
12 met:
13 (1) The forfeiture, transfer, or sale or exchange
14 was done for the purpose of establishing a positive
15 cash flow.
16 (2) Immediately before the forfeiture, transfer,
17 or sale or exchange, the taxpayer's debt to asset
18 ratio exceeded seventy-five percent as computed under
19 generally accepted accounting practices.
20 (3) The taxpayer's net worth at the end of the tax
21 year is less than seventy-five thousand dollars.
22 In determining a taxpayer's net".
- 23 4. Page 1, lines 39 and 40, by striking the words
24 "such forfeiture, transfer, or sale or exchange" and
25 inserting the following: "the end of the tax year
26 without adequate and full consideration in money or
27 money's worth".
- 28 5. Page 2, line 26, by striking the word
29 "property" and inserting the following: "real or
30 personal property securing a debt".
- 31 6. Page 2, line 27, by striking the words "a
32 debt" and inserting the following: "that debt".
- 33 7. Page 4, line 38, by inserting after the figure
34 "1985." the following: "For taxpayers with capital
35 gains transactions occurring between January 1, 1985
36 and May 1, 1985, the 1985 Iowa minimum tax may be
37 computed under the law in effect on December 31,
38 1984."

MICHAEL E. GRONSTAL
WILLIAM W. DIELEMAN
BERL E. PRIEBE
JACK RIFE
BILL HUTCHINS

CALVIN O. HULTMAN
JOHN E. SOORHOLTZ

S-4241

1 Amend the House amendment S-4238 to Senate File 575
2 as follows:
3 1. Page 1, by inserting after line 47 the
4 following:
5 " ___. Page 1, by inserting after line 30 the
6 following:
7 "Sec. ___. Notwithstanding the date specified in
8 1984 Iowa Acts, chapter 1306, section 2, subsection 2,
9 the department of corrections, by July 1, 1985, shall
10 provide the evidence from independent experts of the
11 validity and effectiveness of the inmate
12 classification system and shall suggest changes in the
13 system to make it more effective. If the department
14 fails to comply with 1984 Iowa Acts, chapter 1306,
15 section 2, subsection 2, by July 1, 1985, the state
16 comptroller shall withhold one percent of the funds
17 appropriated to the department in section 1,
18 subsection 3, of this Act when funds are allocated to
19 the department, until the evidence has been presented
20 to the general assembly."

TOM MANN, Jr.

S-4242

1 Amend the House amendment, S-4238, to Senate File
2 575, as amended, passed, and reprinted by the Senate,
3 as follows:
4 1. Page 1, lines 24 and 25, by striking the words
5 and figures "paragraphs 3 and 4" and inserting the
6 word and figure "paragraph 3".
7 2. Page 1, by striking lines 37 through 47.

BERL E. PRIEBE
RAY TAYLOR
ARNE WALDSTEIN

S-4243

1 Amend the House amendment, S-4239 to Senate File
2 578, as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 1, line 17, by inserting after the word
5 "predecessor" the following: "except that in the
6 salary ranges for appointed nonelected persons for the

7 fiscal year 1985, the position of director of the
8 state historical department shall be transferred from
9 range 3 to range 4 and the governor may establish a
10 annual salary for the director of the state historical
11 department within range 4 for the fiscal biennium
12 beginning July 1, 1985".

13 2. Page 4, by striking lines 7 through 12.

14 3. By renumbering sections as necessary.

CALVIN O. HULTMAN

S-4244

1 Amend amendment S-4236 to Senate amendment
2 S-4231 to Senate File 24, as amended, passed,
3 and reprinted by the Senate, as follows:

4 1. Page 1, line 23, by striking the word
5 "Ten" and inserting in lieu thereof the word
6 "Five".

7 2. Page 1, line 26, by striking the word
8 "Fifteen" and inserting in lieu thereof the
9 word "Ten".

10 3. Page 1, line 29, by striking the word
11 "Twenty" and inserting in lieu thereof the
12 word "twenty".

13 4. Page 1, by inserting after line 29 the
14 following:

15 " ___. Page 1, by striking lines 16 and
16 17 and inserting in lieu thereof the following:
17 "income, with the following adjustments:".

18 ___. Page 2, by inserting after line 9
19 the following:

20 "However, the director of revenue shall
21 adjust the applicable exemption amounts in
22 (1) through (3) above in order that the revenue
23 collected under this Act is equivalent to the
24 revenue that would be collected under previous
25 law. The exemption amounts, if adjusted, shall
26 be adjusted in equal proportions.""

CHARLES BRUNER

S-4245

1 Amend the House amendment, S-4238, to Senate File
2 575, as amended, passed, and reprinted by the Senate,
3 as follows:

1 1. By striking page 1, line 8 through page 2,
2 5 line 7.

JOE WELSH

S-4246

1 Amend the House amendment, S-4239, to Senate File
2 578, as amended, passed, and reprinted by the Senate,
3 as follows:

4 1. Page 1, line 14, by inserting after the word
5 "assembly" the following: "except that if the inmate
6 classification system validation study provided for in
7 1984 Iowa Acts, chapter 1306, section 3, subsection 2,
8 unnumbered paragraph 3, is not presented to the
9 general assembly before August 1, 1985, the position
10 of director of the department of corrections shall be
11 transferred from range 4 to range 2 in the salary
12 ranges established for appointed nonelected persons
13 for the fiscal year 1985 on August 1, 1985, and the
14 governor shall set an annual salary for the director
15 within range 2 for the fiscal biennium beginning July
16 1, 1985".

TOM MANN, Jr.

S-4247

1 Amend the House amendment, S-4235 to Senate File
2 565 as amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 1, by inserting after line 4 the
5 following:

6 "Sec. ____ . Section 312.2, subsections 1 through 4,
7 Code 1985, are amended to read as follows:

8 1. To the primary road fund, ~~forty five~~ fifty
9 percent.

10 2. To the secondary road fund of the counties,
11 ~~twenty eight~~ nineteen percent.

12 3. To the farm-to-market road fund, ~~nine six~~
13 percent.

14 4. To the street construction fund of the cities,
15 ~~eighteen~~ twenty-five percent."

16 2. Page 5, by inserting after line 3 the
17 following:

18 " ____ . Title page, line 3, by inserting after the
19 word "fuel," the following: "by changing the

20 allocation of moneys under the road use tax fund
21 formula.”.

JULIA B. GENTLEMAN

S-4248

1 Amend the House amendment, S-4235, to Senate File
2 565 as amended, passed, and reprinted by the Senate as
3 follows:
4 1. Page 4, by striking lines 40 and 41 and
5 inserting the following:
6 “___. Page 4, lines 5 and 6, by striking the
7 figures “~~1986~~ 1992,” and inserting the figure
8 “1986.”.”

RICHARD F. DRAKE

S-4249

1 Amend the amendment S-4235 to Senate File 565 as
2 amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 2, by striking lines 32 through 40.

ARTHUR L. GRATIAS

HOUSE AMENDMENT TO
SENATE FILE 309

S-4250

1 Amend Senate File 309 as passed by the Senate as
2 follows:
3 1. Page 1, line 7, by striking the words “in an
4 amount equal to one hundred dollars or”.
5 2. Page 1, line 9, by striking the words “,
6 whichever is greater”.
7 3. Page 1, by striking lines 12 through 17 and
8 inserting the following: “awarded only if all the
9 following are true:
10 a. The plaintiff made written demand by restricted
11 certified mail of the defendant for payment of the
12 amount of the check, draft, or order not less than
13 thirty days before commencing the action.
14 b. The defendant has failed to tender to the
15 plaintiff, prior to commencement of the action, an
16 amount of money not less than the amount demanded.
17 c. The plaintiff clearly and conspicuously posted
18 a notice at the usual place of payment, or in a

19 billing statement of the plaintiff, stating that civil
20 damages pursuant to this section would be sought upon
21 dishonorment.”

22 4. Page 1, by inserting after line 26 the
23 following:

24 “3. This section does not apply if the reason for
25 the dishonor of the check, draft or order is that the
26 maker has stopped payment pursuant to section 554.4403
27 because of a bona fide dispute between the maker and
28 the holder relating to the consideration for which the
29 check, draft, or order was given.”

30 5. Page 1, by inserting after line 26 the
31 following:

32 “4. In actions brought pursuant to this section,
33 no additional award pursuant to section 625.22 shall
34 be made.”

35 6. By renumbering, relettering, or redesignating
36 and correcting internal references as necessary.

S-4251

1 Amend the House amendment, S-4235, to Senate File
2 565 as amended, passed, and reprinted by the Senate as
3 follows:

4 1. Page 4, by inserting before line 47 the
5 following:

6 “___ . Page 10, by inserting after line 14 the
7 following:

8 “Sec. ___ . Section 312.2, subsection 16, and
9 chapter 315, created under this Act, are repealed
10 effective January 1, 1987.””

BILL HUTCHINS

S-4252

1 Amend the amendment S-4238 to Senate File 575
2 as amended, passed and reprinted by the Senate as
3 follows:

4 1. Page 1, line 39, by striking the word “shall”
5 and inserting the following: “~~shall~~ may”.

JOE J. WELSH
LOWELL L. JUNKINS
HURLEY W. HALL
BERL E. PRIEBE

S-4253

- 1 Amend Senate Concurrent Resolution 50 as
- 2 follows:
- 3 1. Page 1, line 6 by striking the words and
- 4 figure "Friday, May 3" and inserting the
- 5 following: "Saturday, May 4".

LOWELL L. JUNKINS
CALVIN O. HULTMAN

S-4254

- 1 Amend the House amendment, S-4235, to Senate File
- 2 565 as amended, passed and reprinted by the Senate as
- 3 follows:
- 4 1. Page 1, line 12, by inserting after the word
- 5 "to" the following: "sixty-three percent of".
- 6 2. Page 1, line 14, by inserting after the word
- 7 "following" the following: ", and shall credit
- 8 monthly from the road use tax fund to the secondary
- 9 road fund the revenue accruing to the road use tax
- 10 fund in the amount equal to thirty-seven percent of
- 11 two thirds of the revenues collected under each of the
- 12 following".
- 13 3. Page 2, line 27, by striking the words "or
- 14 counties".
- 15 4. Page 2, line 29, by striking the words "or
- 16 counties".
- 17 5. Page 2, by striking lines 35 through 40 and
- 18 inserting the following:
- 19 "1. Seventy-one percent for the use of the
- 20 department on primary road projects.
- 21 2. Twenty-nine percent for the use of cities on
- 22 city street projects."
- 23 6. Page 2, line 46, by striking the words
- 24 "counties and".
- 25 7. Page 2, line 47, by striking the words
- 26 "Counties and cities" and inserting the following:
- 27 "Cities".
- 28 8. Page 3, lines 11 and 12, by striking the words
- 29 "or boards of supervisors of participating counties,".
- 30 9. Page 3, lines 20 and 21, by striking the words
- 31 "or counties".
- 32 10. Page 3, line 22, by striking the words "or
- 33 counties, other city or county" and inserting the
- 34 following: ", other city".
- 35 11. Page 3, by striking lines 24 through 30.
- 36 12. Page 3, line 31, by striking the figure "3"
- 37 and inserting the figure "2".

- 38 13. Page 3, line 38, by striking the words
39 "county or".
40 14. Page 3, line 39, by striking the words
41 "secondary road or".
42 15. Page 3, line 40, by striking the word and
43 figure "or 3".
44 16. Page 4, line 11, by striking the words
45 "counties and".
46 17. Page 4, line 13, by striking the words
47 "counties or".

LARRY MURPHY

S-4255

- 1 Amend the House amendment S-4235 to Senate File 565
2 as amended, passed and reprinted by the Senate as
3 follows:
4 1. Page 4, by striking lines 42 through 45.

LEONARD BOSWELL

HOUSE AMENDMENT TO
SENATE FILE 576

S-4256

- 1 Amend Senate File 576 as passed by the Senate as
2 follows:
3 1. Page 1, line 7, by striking the words "office-
4 research" and inserting the following: "research-
5 service".
6 2. Page 1, line 32, by striking the words
7 "Office-research" and inserting the following:
8 "Research-service".
9 3. Page 2, line 1, by striking the words "office
10 and administrative functions" and inserting the
11 following: "corporate-research services".
12 4. Title page, line 2, by striking the words
13 "office-research" and inserting the following:
14 "research-service".

HOUSE AMENDMENT TO
SENATE FILE 583

S-4257

- 1 Amend Senate File 583 as amended, passed and
- 2 reprinted by the Senate as follows:
- 3 1. Page 1, line 18, by striking the figure
- 4 "123.43" and inserting the following: "123.143".
- 5 2. Title page, line 1, by inserting after the
- 6 word "Act" the words "relating to the imposition of
- 7 certain taxes by imposing the barrel tax and the
- 8 gallonage tax to beer and wine manufactured in Iowa
- 9 and".

**REPORTS OF CONFERENCE COMMITTEES
(Senate Files)**

**Filed During The
SEVENTY-FIRST GENERAL ASSEMBLY
1985 Regular Session**

**REPORT OF THE CONFERENCE COMMITTEE
ON SENATE CONCURRENT RESOLUTION 3**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate Concurrent Resolution 3, a resolution relating to the Joint Rules of the Senate and House, respectfully make the following report:

1. That the House recedes from the House amendment, S-3021, to Senate Concurrent Resolution 3, as passed by the Senate.

2. That Senate Concurrent Resolution 3, as passed by the Senate, be amended as follows:

1. By striking page 16, line 13, through page 17, line 19.

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

**REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 329**

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on 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, respectfully make the following report:

1. That the House recede from its amendment.

2. Amend Senate File 329 as amended, passed and reprinted by the Senate as follows:

1. Page 5, by inserting after line 28 the following:

"Sec. ____ Section 113.18, subsection 5, Code 1985, is amended to read as follows:

5. Any other kind of fence which, in the opinion of the fence viewers, shall consider to be equivalent thereto to a lawful fence or which meets standards established by the department of agriculture by rule as equivalent to a lawful fence.

Sec. ___. Section 113.20, subsection 3, Code 1985, is amended to read as follows:

3. Any other kind of a tight partition fence which, in the opinion of the fence viewers, is consider to be equivalent thereto to a tight partition fence or which meets standards established by the department of agriculture by rule as equivalent to a tight partition fence."

2. Page 9, by inserting after line 13 the following:

"Sec. ___. Section 217A.47, Code 1985, is amended to read as follows:

217A.47 DEDUCTION TO PAY COURT COSTS OR DEPENDENTS -- DEPOSITS.

If wages allowances are paid pursuant to section 217A.46, the director may deduct an amount established by the ~~inmates'~~ inmate's restitution plan of payment or an amount sufficient to pay all or part of the court costs taxed as a result of the inmate's commitment. The amount deducted shall be forwarded to the clerk of the district court or proper official. The director may pay all or any part of remaining wages allowances paid pursuant to section 217A.46 directly to a dependent of the inmate, or may deposit the wage allowance to the account of the inmate, or may deposit a portion and allow the inmate a portion for the inmate's personal use."

3. Page 13, by inserting after line 22 the following:

"Sec. ___. Section 321.281, subsection 10, Code 1985, is amended to read as follows:

10. The court shall order a defendant convicted of a violation of this section to make restitution, in an amount not to exceed two thousand dollars, for damages resulting directly from the violation. An amount paid pursuant to this restitution order shall be credited toward any adverse judgment in a subsequent civil proceeding arising from the same occurrence. However, other than establishing a credit, a restitution proceeding pursuant to this section shall not be given evidentiary or preclusive effect in a subsequent civil proceeding arising from the same occurrence."

4. Page 14, line 19, by inserting after the word "resolution" the following: "or ordinance".

5. Page 16, line 15, by striking the words and figures "subsection 3, Code 1985, is" and inserting the following: "subsections 3 and 11, Code 1985, are".

6. Page 16, by inserting after line 35 the following:

"11. The following enumerated services are subject to the tax imposed on gross taxable services: Alteration and garment repair; armored car; automobile repair; battery, tire and allied; investment counseling, excluding investment services of trust departments; bank service charges; barber and beauty; boat repair; car wash and wax; carpentry; roof, shingle, and glass repair; dance schools and dance studios; dry cleaning, pressing, dyeing, and laundering; electrical and electronic repair and installation; rental of tangible personal property; excavating and grading; farm implement repair of all kinds; flying service, ~~except agricultural aerial application services and aerial commercial and charter transportation services~~; furniture, rug, upholstery repair and cleaning; fur storage and repair; golf and country clubs and all commercial recreation; house and building moving; household appliance, television, and radio repair; jewelry and watch repair; machine operator; machine repair of all kinds; motor repair; motorcycle, scooter, and bicycle repair; oilers and lubricators; office and business machine repair; painting, papering, and interior decorating; parking facilities; pipe fitting and plumbing; wood preparation; licensed executive search agencies; private employment agencies, excluding services for placing a person in employment where the principal place of employment of that person is to be located outside of the state; sewing and stitching; shoe repair and shoeshine; storage warehousing of raw agricultural products; telephone answering service; test laboratories, except tests on humans; termite, bug, roach, and pest eradicators; tin and sheet metal repair; turkish baths, massage, and reducing salons; weighing; welding; well drilling; wrapping, packing, and packaging of merchandise other than processed meat, fish, fowl and vegetables; wrecking service; wrecker and towing. For purposes of this subsection, gross taxable services from rental includes rents, royalties, and copyright and license fees.

Sec. ____ . Section 422.45, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. The gross receipts from services rendered, furnished or performed by specialized flying implements of husbandry used for agricultural aerial spraying and aerial commercial and charter transportation services."

7. Page 18, by striking lines 18 and 19 and inserting the following: "docketing procedures, excluding those for small claims actions and simple misdemeanor actions, twenty-five dollars."

8. Page 20, by striking lines 19 through 21 and inserting the following: "dollars. Other fees imposed for small claims shall be the same as those required in regular actions in district court, four ~~Four~~ dollars of the docket fee shall remain ~~be~~."

9. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

BERL E. PRIEBE, Chair
JOHN SOORHOLTZ

ON THE PART OF THE HOUSE:

DANIEL J. JAY, Chair
RUHL MAULSBY

WILLIAM DIELEMAN
PATRICK J. DELUHERY
DOUG RITSEMA

KAY CHAPMAN
JOSEPH M. KREMER
MIKE PETERSON

REPORT OF THE CONFERENCE COMMITTEE
ON SENATE FILE 364

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the differences between the Senate and the House of Representatives on Senate File 364, a bill for an Act relating to the scope of negotiations in public employment contract negotiations, membership in a bargaining unit, and the remedial powers of the public employment relations board, respectfully submit the following recommendations:

1. That the House recede from its amendment, S-4191.
2. That Senate File 364 as amended, passed, and reprinted by the Senate be amended as follows:
 1. Page 1, by striking lines 8 through 12.
 2. Page 1, by striking lines 13 through 25.
 3. Page 2, line 9, by striking the figure "1."
 4. Page 2, line 10, by striking the word "certificated" and inserting the word "public".
 5. By striking page 2, line 11, through page 3, line 5.
 6. Page 3, line 6, by striking the letter "a" and inserting the figure "1".
 7. Page 3, line 10, by inserting after the word "differentials;" the words "job classifications;"
 8. Page 3, line 16, by inserting before the word "life" the words "contributions toward".
 9. Page 3, line 17, by inserting after the word "retired" the words ", at a fixed cost".
 10. Page 3, line 19, by striking the word "transfers" and inserting the words "transfer procedures;"
 11. Page 3, line 25, by striking the letter "b" and inserting the figure "2".
 12. Page 4, line 1, by striking the letter "c" and inserting the figure "3".

13. Page 4, by striking lines 3 through 8 and inserting the following: "this section. The bargaining subjects listed under"

14. Page 4, line 10, by striking the letter "d" and inserting the figure "4".

15. Page 4, by inserting after line 20 the following:

"5. Proposals in conflict with state-mandated retirement systems are excluded from the scope of negotiations.

6. Certificated employees discharged for the purpose of a reduction in force shall follow the grievance procedures provided in their collective bargaining agreement. Discharged certificated employees who do not have reduction in force procedures provided in their collective bargaining agreement shall follow the termination procedures provided under chapter 279. A certificated employee organization may unilaterally reject negotiated reduction in force procedures in the collective bargaining agreement through March 1, 1986. A certificated employee organization shall notify the board of a rejection of reduction in force procedures prior to March 1, 1986."

16. By striking page 4, line 21 through page 5, line 17, and inserting the following:

"Sec. ___. Section 20.17, subsection 3, Code 1985, is amended to read as follows:

3. Negotiating sessions, strategy meetings of public employers or employee organizations, mediation and the deliberative process of arbitrators shall be exempt from the provisions of chapter 21. However, the employee organization shall present its initial bargaining position to the public employer at the first bargaining session. The public employer shall present its initial bargaining position to the employee organization at the second bargaining session, which shall be held no later than two weeks ten days following the first bargaining session. Both sessions shall be open to the public and subject to the provisions of chapter 21. Hearings conducted by arbitrators shall be open to the public.

Sec. ___. Section 20.17, subsection 10, Code 1985, is amended by striking the subsection and inserting the following:

10. A collective bargaining agreement between a public employer and an employee organization shall be effective for two or more consecutive years. The negotiations for a proposed collective bargaining agreement between the representatives of a public employer and an employee organization shall commence in the final contract year, however, proposals reasonably related to wages shall be renegotiated each year of a contract. The employee organization shall present its opening bargaining position at the first bargaining session to be held no sooner than November 1 and no later than November 10. The public employer shall present its opening bargaining position at the second bargaining session which shall be held no later than ten days following the first session. The parties shall hold a third bargaining session no later than ten days from the second bargaining session and after the third bargaining session either party may request mediation. If negotiations have not produced an agreement before January 5, the board shall

arrange for mediation and set up the first mediated session. The parties may then meet thereafter at their discretion with or without the mediator. If an impasse persists ten days after the mediator is appointed, the board shall arrange for fact-finding under section 20.21. Within three days of service of the fact finder's report, the parties shall hold a bargaining session. If there is no agreement, the board shall arrange for a final mediated session within fifteen days of service of the fact finder's report at which final bargaining positions shall be submitted. If there is no agreement within three days from the final mediated session, the board shall arrange for arbitration on the final bargaining positions under section 20.22. The determination by the panel of arbitrators shall be announced not later than March 15.

Sec. ___. Section 20.20, Code 1985, is amended to read as follows:

20.20 MEDIATION.

In the absence of an impasse agreement between the parties or the failure of either party to utilize its procedures, ~~one hundred twenty days prior to the certified budget submission date or upon the request of either party or if there is not an agreement by January 5,~~ the board shall, upon the request of either party, appoint an impartial and disinterested person to act as mediator. It shall be the function of the mediator to bring the parties together to effectuate a settlement of the dispute, but the mediator may not compel the parties to agree.

Sec. ___. Section 20.22, subsections 1, 2, and 3, Code 1985, are amended to read as follows:

1. If an impasse persists after the findings of fact and recommendations are made public by the fact-finder, ~~the parties may continue to negotiate or,~~ the board shall have the power, upon request of either party, to arrange for arbitration, which shall be binding. ~~The request for arbitration shall be in writing and a copy of the request shall be served upon the other party.~~

2. Each party shall submit to the board ~~within four days of request a final offer on the impasse items with proof of service of a copy upon the other party~~ a copy of the party's final offer on the impasse items submitted to the mediator at the final mediated session. Each party shall also submit a copy of a draft of the proposed collective bargaining agreement to the extent to which agreement has been reached and the name of its selected arbitrator. The parties may continue to negotiate all offers until an agreement is reached or a decision rendered by the panel of arbitrators.

As an alternative procedure, the two parties, may agree to submit the dispute to a single arbitrator. If the parties cannot agree on the arbitrator within four days, the selection shall be made pursuant to subsection 5. The full costs of arbitration under this provision shall be shared equally by the parties to the dispute.

3. The submission of the impasse items to the arbitrators shall be limited to those issues that had been considered by the fact-finder and upon which the parties have not reached agreement. With respect to each such item, the arbitration board award shall be restricted to the final offers on each impasse item submitted by the parties to the arbitration board ~~or to the recommendation of the fact-finder on each impasse item.~~"

17. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

TOM MANN, Jr., Chair
JOE BROWN
MICHAEL E. GRONSTAL

ON THE PART OF THE HOUSE:

GARY SHERZAN, Chair
RICHARD GROTH
RICHARD VARN

REPORT OF THE CONFERENCE COMMITTEE ON
SENATE FILE 395

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on Senate File 395, a bill for an Act relating to state and local revenues by providin 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, respectfully make the following report:

1. That the House recede from its amendment.
2. That Senate File 395 as amended, passed and reprinted by the Senate be amended as follows:

1. Page 1, by inserting before line 1 the following:

"Section 1. Section 98.6, subsection 2, Code 1985, is amended to read as follows:

2. Notwithstanding subsection 1, there is imposed ~~beginning July 1, 1981~~ and shall be collected and paid to the department a tax on all cigarettes used or otherwise disposed of in this state for any purpose at the rate of nine mills on each cigarette for the period beginning July 1, 1981 and ending September 30, 1985 and at the rate of thirteen mills on each cigarette beginning October 1, 1985.

Sec. 2. Section 98.43, subsections 1 and 2, Code 1985, are amended to read as follows:

1. A tax is hereby imposed upon all tobacco products in this state and upon any person engaged in business as a distributor thereof, at the rate of ~~ten~~ fifteen percent of the wholesale sales price of ~~such the~~ tobacco products, except little cigars as defined in section 98.42. Little cigars shall be subject to the same rate of tax imposed upon cigarettes in section 98.6, payable at the time and in the manner provided in section 98.6; and stamps shall be affixed as provided in division I of this chapter. The tax on tobacco products, excluding little cigars, shall be imposed at the time the distributor does any of the following:

a. Brings, or causes to be brought, into this state from without the state tobacco products for sale;

b. Makes, manufactures, or fabricates tobacco products in this state for sale in this state; ~~or~~,

c. Ships or transports tobacco products to retailers in this state, to be sold by those retailers.

2. A tax is hereby imposed upon the use or storage by consumers of tobacco products in this state, and upon ~~such the~~ consumers, at the rate of ~~ten~~ fifteen percent of the cost of ~~such the~~ tobacco products.

The tax imposed by this subsection shall not apply if the tax imposed by subsection 1 on ~~such the~~ tobacco products has been paid.

This tax shall not apply to the use or storage of tobacco products in quantities of:

a. Less than 25 cigars;

b. Less than 10 oz. snuff or snuff powder;

c. Less than 1 lb. smoking or chewing tobacco or other tobacco products not specifically mentioned herein, in the possession of any one consumer."

2. Page 7, by inserting after line 22 the following:

"Sec. ____ . Section 123.21, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 12. Providing for the issuance of combination licenses and permits with fees consistent with individual license and permit fees as may be necessary for the efficient administration of this chapter."

3. Page 8, by striking lines 5 through 7 and inserting the following: "imported ~~therein~~, except beer and wine, and except as otherwise".

4. Page 8, line 8, by inserting after the word "chapter" the following: "The department may continue to purchase wine from persons holding a vintner's certificate of compliance or a class "A" wine permit for resale in state liquor stores."

5. Page 8, by inserting after line 8 the following:

"Sec. 16. Section 123.23, Code 1985, is amended to read as follows:

123.23 STATE LIQUOR STORES.

The department shall establish and maintain in any city which the director deems advisable, a state liquor store or stores for storage and sale of alcoholic liquor and wine in accordance with this chapter. The department may, from time to time, as determined by the director, fix the prices of the different classes, varieties, or brands of alcoholic liquor and wine to be sold. Prior to a decision to establish, relocate or discontinue a state liquor store, the director shall appoint a designee to conduct a public hearing on the decision within the city affected."

6. Page 8, line 23, by inserting after the word "from" the words "the department or".

7. Page 8, line 30, by inserting after the word "from" the words "the department or".

8. Page 9, line 6, by inserting after the word "from" the words "the department or".

9. Page 9, line 14, by striking the words "the department" and inserting the words "the department or".

10. Page 10, line 3, by striking the figure "123.76" and inserting the following: "123.176".

11. Page 24, by inserting after line 26 the following:

"Sec. 42. Section 123.53, subsections 3 and 7, Code 1985, are amended to read as follows:

3. The treasurer of state shall semiannually distribute a sum of money equal to at least ten percent of the gross sales made by the state liquor stores but not less than six million four hundred thousand dollars to the cities of the state. Such amount shall be distributed to the cities of the state in proportion to the population that each incorporated city bears to the total population of all incorporated cities of the state as computed by the latest federal census. A city may have one special federal census taken each decade, and the population figure thus obtained shall be used in apportioning amounts under this subsection beginning the calendar year following the year in which the special census is certified by the secretary of state. Such apportionment shall be made semiannually as of July 1 and January 1 of each year. Warrants for the same shall be issued by the state comptroller

upon certification of the treasurer of state and mailed to the city clerk of each incorporated city of the state and shall be made payable to such incorporated city and shall be subject to expenditure under the direction of the city council or other governing bodies of such incorporated city for any lawful municipal purpose. It shall be a lawful municipal purpose for cities to allocate a portion of the above funds for the purpose of financing the activities of a city commission or committee on alcoholism, such commission or committee to be appointed by the mayor or by the council or both. The commission or committee may use any funds so allocated for the treatment, rehabilitation, and education of alcoholics in Iowa.

7. The treasurer of state shall credit to the military service tax fund described in chapter 426A, a sum of money equal to at least five percent of the gross amount of sales made by the state liquor stores in the cities of the state but not less than six million four hundred thousand dollars. Any amount thus credited shall be allocated to the various taxing districts of the state as reimbursement for losses of revenue due to exemption or remission of property taxes which would be imposed upon property upon which soldiers' exemptions or soldiers' tax credits are provided under such terms as the general assembly may provide.

Sec. 43. Section 123.53, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 8. The treasurer of state shall transfer into a special revenue account in the general fund of the state, a sum of money at least equal to seven percent of the gross amount of sales made by the state liquor stores in the cities of the state from the beer and liquor control fund on a monthly basis but not less than nine million dollars annually, and any amounts so transferred shall be used by the department of substance abuse for substance abuse treatment and prevention programs in an amount determined by the general assembly and any amounts received in excess of the amounts appropriated to the department of substance abuse shall be considered part of the general fund balance. This section is repealed June 30, 1987."

12. Page 25, line 14, by inserting after the word "manufacturer" the words "or in a retail establishment operated by the manufacturer which is no closer than five miles from an existing native winery".

13. Page 25, line 16, by inserting after the word "permit." the following: "Sales of native wines by the manufacturer of the native wines are exempt from the wine gallonage tax imposed under section 123.183."

14. Page 25, by inserting after line 24 the following:

"3. A manufacturer of native wines may ship wine in closed containers to individual purchasers inside and outside this state. The manufacturer shall label the package containing the wine with the words "deliver to adults only".

4. Notwithstanding section 123.179, subsection 1, a class "A" wine permit for a native wine manufacturer shall be issued and renewed annually upon payment of a fee of twenty-five dollars which shall be in lieu of any other license fee required by this chapter. The class "A" permit shall only allow the native wine manufacturer to sell, keep, or offer for sale and deliver the manufacturer's native wines as provided under this section."

15. Page 33, line 18, by inserting after the word "only" the following: "to the department or".

16. Page 34, by inserting after line 1 the following:

"3. A person holding a class "B" wine permit may purchase wine for resale only from the department or from a person holding a class "A" wine permit."

17. Page 34, line 11, by inserting after the word "state" the following: "for resale by the department or".

18. Page 36, line 3, by striking the figure "123.185" and inserting the following: "123.183".

19. Page 36, line 3, by striking the words "the department" and inserting the following: "a manufacturer of native wines".

20. Page 36, by striking lines 11 and 12 and inserting the following:

"Sec. 67. NEW SECTION. 123.182 LABELS -- POINT OF ORIGIN -- CONCLUSIVE EVIDENCE.

All imported bulk wines to be bottled and distributed in the state shall have the point of origin stated on the label. The print size for the point of origin shall be at least half the print size of the brand name on the label."

21. Page 36, by striking lines 21 and 22 and inserting the following: "from each class "A" wine permittee on all wine".

22. Page 36, line 24, by striking the words "one dollar" and inserting the following: "one dollar and fifty cents".

23. Page 36, line 33, by inserting after the word "state." the following: "The price of wine sold or offered for sale in state liquor stores which was not purchased by the department from a class "A" wine permittee shall include a markup over the wholesale price at least equal to the tax levied under this section."

24. Page 36, by striking lines 27 and 28 and inserting the following: "manufactured in this state, or on wine sold by one class "A"".

25. Page 37, line 12, by striking the figure "123.185" and inserting the following: "123.183".

26. Page 38, by striking lines 18 through 34 and inserting the following:

"Sec. ____ Chapter 422, division II, Code 1985, is amended by adding the following new section:

NEW SECTION. 422.11A

The taxes imposed under this division, less credits allowed under sections 422.10, 422.11 and 422.12, shall be reduced by a new jobs tax credit. An industry which has entered into an agreement under chapter 280B and which has increased its base employment level by at least ten percent within the time set in the agreement or, in the case of an industry without a base employment level, adds new jobs within the time set in the agreement is entitled to this new jobs tax credit for the tax year selected by the industry. In determining if the industry has increased its base employment level by ten percent or added new jobs, only those new jobs directly resulting from the project covered by the agreement and those directly related to those new jobs shall be counted. The amount of this credit is equal to the product of six percent of the taxable wages upon which an employer is required to contribute to the state unemployment compensation fund, as defined in section 96.19, subsection 20, times the number of new jobs existing in the tax year that directly result from the project covered by the agreement or new jobs that directly result from those new jobs. The tax year chosen by the industry shall either begin or end during the period beginning with the date of the agreement and ending with the date by which the project is to be completed under the agreement. An individual may claim the new jobs tax credit allowed a partnership, subchapter S corporation, or estate or trust electing to have the income taxed directly to the individual. The amount claimed by the individual shall be based upon the pro rata share of the individual's earnings of a partnership, subchapter S corporation, or estate or trust. Any credit in excess of the tax liability for the tax year may be credited to the tax liability for the following ten tax years or until depleted, whichever is the earlier. For purposes of this section, "agreement", "industry", "new job" and "project" mean the same as defined in section 280B.2 and "base employment level" means the number of full-time jobs an industry employs at the plant site which is covered by an agreement under chapter 280B on the date of that agreement.

Sec. ____ . Section 422.33, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 7. The taxes imposed under this division shall be reduced by a new jobs tax credit. An industry which has entered into an agreement under chapter 280B and which has increased its base employment level by at least ten percent within the time set in the agreement or, in the case of an industry without a base employment level, adds new jobs within the time set in the agreement is entitled to this new jobs tax credit for the tax year selected by the industry. In determining if the industry has increased its base employment level by ten percent or added new jobs, only those new jobs directly resulting from the project covered by the agreement and those directly related to those new jobs shall be counted. The amount of this credit is equal to the product of six percent of the taxable wages upon which an employer is required to contribute to the state

unemployment compensation fund, as defined in section 96.19, subsection 20, times the number of new jobs existing in the tax year that directly result from the project covered by the agreement or new jobs that directly result from those new jobs. The tax year chosen by the industry shall either begin or end during the period beginning with the date of the agreement and ending with the date by which the project is to be completed under the agreement. Any credit in excess of the tax liability for the tax year may be credited to the tax liability for the following ten tax years or until depleted in less than the ten years. For purposes of this section, "agreement", "industry", "new job" and "project" mean the same as defined in section 280B.2 and "base employment level" means the number of full-time jobs an industry employs at the plant site which is covered by an agreement under chapter 280B on the date of that agreement.

Sec. ____ . Section 422.42, subsections 3 and 12, Code 1985, are amended to read as follows:

3. "Retail sale" or "sale at retail" means the sale to a consumer or to any person for any purpose, other than for processing, ~~or for resale of tangible personal property or taxable services, or for resale of tangible personal property in connection with taxable services, and includes the sale of gas, electricity, water, and communication service to retail consumers or users, but does not include agricultural breeding livestock and domesticated fowl, or commercial fertilizer, or agricultural limestone, or materials, but not tools or equipment, herbicide, pesticide, insecticide, food and medication and agricultural drain tile and installation thereof which are to be used in disease control, weed control, insect control, or health promotion of plants or livestock produced as part of agricultural production for market, ~~or and does not include~~ electricity, ~~or steam or any taxable service when purchased and used in the processing of tangible personal property intended to be sold ultimately at retail. Tangible personal property is sold for processing within the meaning of this subsection only when it is intended that such the property shall will, by means of fabrication, compounding, manufacturing, or germination become an integral part of other tangible personal property intended to be sold ultimately at retail, or shall will be consumed as fuel in creating heat, power, or steam for processing including grain drying, for providing heat or cooling for livestock buildings or for generating electric current, or consumed in self-propelled implements of husbandry engaged in agricultural production, or such the property is a chemical, solvent, sorbent, or reagent, which is directly used and is consumed, dissipated, or depleted, in processing personal property which is intended to be sold ultimately at retail, and which may not become a component or integral part of the finished product. The distribution to the public of free newspapers or shoppers guides ~~shall be deemed~~ is a retail sale for purposes of the processing exemption.~~~~

~~Notwithstanding the foregoing provisions of this subsection, the sale of newsprint and ink delivered after April 1, 1970 to any person, firm or corporation to be incorporated in or used in the printing of any newspaper, free newspaper or shoppers guide for publication in this state shall be considered as a sale at retail and such person, firm or corporation shall be deemed to be the consumer of such newsprint and ink and subject to the payment of sales tax.~~

12. "Casual sales" means:

a. Sales or the rendering, furnishing or performing of a nonrecurring nature of tangible personal property or services by the owner, if the seller, at the time of the sale, is not engaged for profit in the business of selling tangible personal property or services taxed under section 422.43.

b. The sale of all or substantially all of the tangible personal property or services held or used by a retailer in the course of the retailer's trade or business for which the retailer is required to hold a sales tax permit when the retailer sells or otherwise transfers the trade or business to another person who shall engage in a similar trade or business.

Sec. ____ . Section 422.43, subsections 2 and 11, Code 1985, are amended to read as follows:

2. There is imposed a tax of four percent upon the gross receipts derived from the operation of all forms of amusement devices and games of skill, games of chance, raffles and bingo games as defined in chapter 99B, operated or conducted within the state of Iowa, the tax to be collected from the operator in the same manner as is provided for the collection of taxes upon the gross receipts of tickets or admission as provided in this section. The tax shall also be imposed upon the gross receipts derived from the sale of lottery tickets or shares pursuant to chapter 99E. The tax on the lottery tickets or shares shall be included in the sales price and distributed to the general fund as provided in section 99E.10.

11. The following enumerated services are subject to the tax imposed on gross taxable services: Alteration and garment repair; armored car; automobile repair; battery, tire and allied; investment counseling, excluding investment services of trust departments; bank service charges; barber and beauty; boat repair; car wash and wax; carpentry; roof, shingle, and glass repair; dance schools and dance studios; dry cleaning, pressing, dyeing, and laundering; electrical and electronic repair and installation; rental of tangible personal property; excavating and grading; farm implement repair of all kinds; flying service, except agricultural aerial application services and aerial commercial and charter transportation services; furniture, rug, upholstery repair and cleaning; fur storage and repair; golf and country clubs and all commercial recreation; house and building moving; household appliance, television, and radio repair; jewelry and watch repair; machine operator; machine repair of all kinds; motor repair; motorcycle, scooter, and bicycle repair; oilers and lubricators; office and business machine repair; painting, papering, and interior decorating; parking facilities; pipe fitting and plumbing; wood preparation; licensed executive search agencies; private employment agencies, excluding services for placing a person in employment where the principal place of employment of that person is to be located outside of the state; sewing and stitching; shoe repair and shoeshine; storage warehousing of raw agricultural products; telephone answering service; test laboratories, except tests on humans; termite, bug, roach, and pest eradicators; tin and sheet metal repair; turkish baths, massage, and reducing salons; weighing; welding; well drilling; wrapping, packing, and packaging of merchandise other than processed meat, fish, fowl and vegetables; wrecking service; wrecker and towing; cable television; campgrounds; carpet and upholstery cleaning; gun and camera repair; janitorial and building maintenance or cleaning; lawn care, landscaping and tree trimming and removal; lobbying

service; pet grooming; reflexology; security and detective services; tanning beds or salons; and water conditioning and softening. For purposes of this subsection, gross taxable services from rental includes rents, royalties, and copyright and license fees. For purposes of this subsection, "lobbying service" means the rendering, furnishing or performing, for a fee, salary or other compensation, activities which are intended or used for the purpose of encouraging the passage, defeat, or modification of legislation or for influencing the decision of the members of a legislative committee or subcommittee or the representing, for a fee, salary or other compensation, on a regular basis an organization which has as one of its purposes the encouragement of the passage, defeat or modification of legislation or the influencing of the decision of the members of a legislative committee or a subcommittee. "Lobbying service" does not include the activities of a federal, state, or local government official or employee acting within the course of the official's or employee's duties or a representative of the news media engaged only in the reporting and dissemination of news and editorials.

Sec. ____ . Section 422.45, subsections 2, 12 and 20, Code 1985, are amended to read as follows:

2. The gross receipts from the sales, furnishing or service of transportation service except the rental of recreational vehicles, recreational boats, or motor vehicles subject to registration which are registered for a gross weight of thirteen tons or less.

12. Gross receipts from the sale of all foods for human consumption which are eligible for purchase with food coupons issued by the United States department of agriculture pursuant to regulations in effect on July 1, 1974, regardless of whether the retailer from which the foods are purchased is participating in the food stamp program. However, as used in this subsection, "foods" does not include meals prepared for immediate consumption on or off the premises of the retailer, and does not include foods sold through vending machines candy, candy-coated items, and other candy products; beverages, excluding tea and coffee, and all mixes and ingredients used to produce such beverages, which do not contain a primary dairy product or dairy ingredient base or which contain less than fifteen percent natural fruit or vegetable juice; foods prepared on or off the premises of the retailer which are consumed on the premises of the retailer; foods sold by caterers and hot or cold foods prepared for immediate consumption off the premises of the retailer. "Foods prepared for immediate consumption" include any food product upon which an act of preparation, including but not limited to, cooking, mixing, sandwich making, blending, heating or pouring, has been performed by the retailer so the food product may be immediately consumed by the purchaser.

20. The gross receipts from sales or services rendered, furnished or performed by a county or city. This exemption does not apply to the tax specifically imposed under section 422.43 on the gross receipts from the sales, furnishing or service of gas, electricity, water, heat and communication service to the public by a municipal corporation in its proprietary capacity and does not apply to fees paid to cities and counties for the privilege of participating in any athletic sports.

Sec. 203. Section 422.45, Code 1985, is amended by adding the following new subsections:

NEW SUBSECTION. The gross receipts from the sale or rental, on or after July 1, 1987, of farm machinery and equipment, including replacement parts which are depreciable for state and federal income tax purposes, if the following conditions are met:

a. The farm machinery and equipment shall be directly and primarily used in production of agricultural products.

b. The farm machinery and equipment shall constitute self-propelled implements or implements customarily drawn or attached to self-propelled implements or the farm machinery or equipment is a grain dryer.

Vehicles subject to registration, as defined in section 423.1, or replacement parts for such vehicles, shall not be eligible for this exemption.

NEW SUBSECTION. The gross receipts from the sale or rental, on or after July 1, 1987 or on or after July 1, 1985, in the case of an industry which has entered into an agreement under chapter 280B prior to the sale or lease, of industrial machinery, equipment and computers, including replacement parts which are depreciable for state and federal income tax purposes, if the following conditions are met:

a. The industrial machinery, equipment and computers shall be directly and primarily used in the manner described in section 428.20 in processing tangible personal property or in research and development of new products or processes of manufacturing, refining, purifying, combining of different materials or packing of meats to be used for the purpose of adding value to products, or in processing or storage of data or information by an insurance company, financial institution or commercial enterprise. As used in this paragraph:

(1) "Insurance company" means an insurer organized under chapters 508, 515, 518, 519, 520 or authorized to do business in Iowa as an insurer and having fifty or more persons employed in this state excluding licensed insurance agents.

(2) "Financial institutions" means as defined in section 527.2, subsection 4.

(3) "Commercial enterprise" includes businesses and manufacturers conducted for profit and includes centers for data processing services to insurance companies, financial institutions, businesses and manufacturers but excludes professions and occupations and nonprofit organizations.

b. The industrial machinery, equipment and computers must be real property within the scope of section 427A.1, subsection 1, paragraphs "e" or "j", and must be subject to taxation as real property.

However, the provisions of chapters 404 and 427B which result in the exemption from taxation of property for property tax purposes do not preclude the property from receiving this exemption if the property otherwise qualifies.

The gross receipts from the sale or rental of hand tools are not exempt. The gross receipts from the sale or rental of pollution control equipment qualifying under paragraph "a" shall be exempt.

The gross receipts from the sale or rental of industrial machinery, equipment, and computers, including pollution control equipment, within the scope of section 427A.1, subsection 1, paragraphs "h" and "i", shall not be exempt.

Sec. ___. Section 422.45, Code 1985, is amended by adding the following new subsections:

NEW SUBSECTION. The gross receipts from the rendering, furnishing or performing of the following service: design and installation of new industrial machinery or equipment, including electrical and electronic installation.

NEW SUBSECTION. The gross receipts from the sale of wood chips or sawdust used in the production of agricultural livestock or fowl.

NEW SUBSECTION. The gross receipts from the rendering, furnishing or performing of additional services taxed by this Act pursuant to a written services contract in effect on April 1, 1985. This exemption is repealed June 30, 1986.

Sec. ___. Chapter 422, division IV, Code 1985, is amended by adding the following new sections:

NEW SECTION. 422.47A

1. Sales, services, and use taxes paid on the purchase or rental of industrial machinery, equipment and computers, including replacement parts which are depreciable for state and federal income tax purposes, shall be refunded to the purchaser or renter provided all of the following conditions are met:

a. The purchase or rental was made during the period beginning July 1, 1985 and ending June 30, 1987.

b. The tax was paid to the retailer or timely paid to the department by the user if section 423.14, is applicable.

c. The claim is filed on forms provided by the department and is filed during the three months following the fiscal year in which the purchase or rental was made.

d. The industrial machinery and equipment and computers shall be directly and primarily used in the manner described in section 428.20 in processing tangible personal property or in research and development of new products or processes of manufacturing, refining, purifying, combining of different materials or packing

of meats to be used for the purpose of adding value to products, or in processing or storage of data or information by an insurance company, financial institution or commercial enterprise. As used in this paragraph:

(1) "Insurance company" means an insurer organized under chapters 508, 515, 518, 519, 520 or authorized to do business in Iowa as an insurer and having fifty or more persons employed in this state excluding licensed insurance agents.

(2) "Financial institutions" means as defined in section 527.2, subsection 4.

(3) "Commercial enterprise" includes businesses and manufacturers conducted for profit and includes centers for data processing services to insurance companies, financial institutions, businesses and manufacturers but excludes professions and occupations and nonprofit organizations.

e. The industrial machinery, equipment or any computer must be real property within the scope of section 427A.1, subsection one, paragraph "e" or "j", and must be subject to taxation as real property.

However, the provisions of chapters 404 and 427B which result in the exemption from taxation of property for property tax purposes shall not preclude the property from receiving this refund if the property otherwise qualifies.

Any tax paid on hand tools shall not be eligible for a refund. Any tax paid on pollution control equipment qualifying under paragraphs "a" through "d" of this subsection shall be eligible for a refund. Any tax paid on industrial machinery, equipment or computers, including pollution control equipment, within the scope of section 427A.1, subsection 1, paragraphs "h" and "i", shall not be eligible for refund.

2. A claim for refund timely filed under subsection 1 shall be paid by the department within ninety days after receipt of the claim. A claimant who makes an erroneous application for refund shall be liable for payment of any refund paid plus interest at the rate in effect under section 421.7. In addition, a claimant who willfully makes a false application for refund is guilty of a simple misdemeanor and is liable for a penalty equal to fifty percent of the refund claimed. Refunds, penalties, and interest due under this section may be enforced and collected in the same manner as the tax imposed by this division.

NEW SECTION. 422.47B

1. Sales, services, and use taxes paid on the purchase or rental of farm machinery and equipment, including replacement parts which are depreciable for state and federal income tax purposes, shall be refunded to the purchaser or renter provided all of the following conditions are met:

a. The purchase or rental was made during the period beginning July 1, 1985 and ending June 30, 1987.

b. The tax was paid to the retailer or timely paid to the department by the user if section 423.14, is applicable.

c. The claim is filed on forms provided by the department and is filed during the three months following the fiscal year in which the purchase or rental was made.

d. The farm machinery and equipment shall be directly and primarily used in production of agricultural products.

e. The farm machinery and equipment shall constitute self-propelled implements or implements customarily drawn or attached to self-propelled implements or the farm machinery or equipment is a grain dryer.

Vehicles subject to registration, as defined in section 423.1, or replacement parts for such vehicles, shall not be eligible for the refund for farm machinery and equipment.

2. A claim for refund timely filed under subsection 1 shall be paid by the department within ninety days after receipt of the claim. A claimant who makes an erroneous application for refund shall be liable for payment of any refund paid plus interest at the rate in effect under section 421.7. In addition, a claimant who willfully makes a false application for refund is guilty of a simple misdemeanor and is liable for a penalty equal to fifty percent of the refund claimed. Refunds, penalties, and interest due under this section may be enforced and collected in the same manner as the tax imposed by this division.

Sec. ____ . Section 422.69, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 3. Of the taxes, interests and penalties collected under division IV which are credited to the general fund, an amount equal to the amount estimated by the department, adjusted as the department deems necessary, shall be set aside into a separate "machinery and equipment refund account" to be used to pay the refunds entitled to under sections 422.47A and 422.47B. The moneys in this separate account shall not be considered part of the state general fund for purposes of the Iowa economic emergency fund under section 8.55. This subsection is repealed April 1, 1988."

27. Page 39, line 10, by striking the words "or an additional real property tax".

28. Page 39, line 30, by striking the words "or additional real property tax".

29. Page 39, line 31, by striking the word "sixty" and inserting the following: "thirty".

30. Page 40, line 5, by striking the words "or additional real property tax".

31. Page 40, line 6, by striking the word "sixty" and inserting the following: "thirty".

32. Page 40, line 10, by inserting after the figure "5." the following: "a."

33. Page 40, line 10, by striking the word "sixty" and inserting the following: "thirty".

34. Page 40, by striking lines 19 through 21 and inserting the following: "election. In the case of a local vehicle".

35. Page 40, by inserting after line 25 the following:

"b. The question of the imposition of a local sales and services tax shall be submitted to the qualified electors of the incorporated and unincorporated areas of the county upon receipt by the county commissioner of elections of the motion or motions, requesting such submission, adopted by the governing body or bodies of the city or cities located within the county or of the county, for the unincorporated areas of the county, representing at least one half of the population of the county. Upon adoption of such motion, the governing body of the city or county, for the unincorporated areas, shall submit the motion to the county commissioner of elections and in the case of the governing body of the city shall notify the board of supervisors of the adoption of the motion. The county commissioner of elections shall keep a file on all the motions received and, upon reaching the population requirements, shall publish notice of the ballot proposition concerning the imposition of the local sales and services tax. A motion ceases to be valid at the time of the holding of the regular election for the election of members of the governing body which adopted the motion. The county commissioner of elections shall eliminate from the file any motion that ceases to be valid. The manner provided under this paragraph for the submission of the question of imposition of a local sales and services tax is an alternative to the manner provided in paragraph "a."

36. Page 41, line 7, by striking the word "six" and inserting the following: "four".

37. Page 41, by striking lines 12 through 15 and inserting the following: "shall not be more than one percent as set by the governing body. The state".

38. Page 42, line 21, by inserting after the words "services tax," the following: "and".

39. Page 42, lines 21 and 22, by striking the words "and an additional real property tax".

40. Page 42, line 23, by striking the word "six" and inserting the following: "four".

41. Page 42, line 24, by inserting after the word "tax," the following: "and".

42. Page 42, by striking lines 25 and 26 and inserting the following: "vehicle".

43. Page 42, lines 28 and 29, by striking the words "or additional real property tax".

44. Page 42, lines 30 and 31, by striking the words "be one percent" and inserting the following: "not be more than one percent as set by the governing body".

45. By striking page 44, line 30 through page 46, line 30 and inserting the following:

"NEW SECTION. 422B.5 LOCAL EARNINGS TAX.

1. A city or county may impose an annual earnings tax at the rate on the ballot proposition on the adjusted gross income from wages, salaries, commissions, and other compensation specified in paragraph "a" received or earned by resident and nonresident individuals, except individuals who are state or county employees:

a. Adjusted gross income from wages, salaries, commissions, and other compensation of resident and nonresident individuals, except individuals who are state or county employees, derived from work performed or services rendered within the city or unincorporated area of the county imposing the tax.

2. For purposes of the local earnings tax "resident individual" means an individual taxpayer whose principal place of residence at the end of the taxpayer's tax year is located in the city or unincorporated area of the county where the tax is imposed, "nonresident individual" means an individual who is not a resident individual and "adjusted gross income from wages, salaries, commissions, and other compensation" means the gross income from such compensation less those deductions allowable for state and federal tax purposes which are attributable to the earning of such compensation. The department of revenue shall adopt rules for determining the adjusted gross income of such compensation. If the compensation received for work performed or services rendered is for work performed or services rendered both within and without the area where the tax is imposed, the amount of compensation of an individual derived from work performed or services rendered that is subject to the local earnings tax shall be reasonably apportioned to the city or unincorporated area of the county, as applicable, by means of rules adopted by the department of revenue. The department shall also provide rules for allocation of other types of income on which the earnings tax is imposed.

3. Returns for the local earnings tax shall be in the form as the director of revenue may prescribe, and shall be filed with the department on or before the last day of the fourth month after the expiration of the tax year. All local earnings tax returns shall cover a calendar year. Each taxpayer required to file a return shall show on the return the city of residence on the last day of the tax year, if applicable, and shall show the county of residence on the last day of the tax year.

4. a. Every withholding agent and every employer as defined in chapter 422 and further defined in the Internal Revenue Code of 1954 as defined in chapter 422, with respect to income tax collected at source, making payment of wages to either a resident employee or employees, or a nonresident employee or employees, working in the city or unincorporated area of the county, shall deduct and withhold from the wages an amount which will approximate the employees' annual tax liability on a calendar year basis, calculated on tables provided by the department of revenue.

b. A withholding agent required to deduct and withhold tax under paragraph "a" shall deposit for each calendar quarterly period, on or before the last day of the month following the close of the quarterly period, on forms prescribed by the director, the tax required to be withheld under paragraph "a".

5. Every resident and nonresident of the city or county imposing a local earnings tax shall make and sign a return if the individual has income of five hundred dollars or more which is subject to the earnings tax.

NEW SECTION. 422B.6 ADMINISTRATION.

A local earnings tax or change in the rate shall be imposed January 1 following the favorable election for tax years beginning on or after January 1 and repeal of the tax shall be as of December 31 following the favorable election for tax years beginning after December 31.

The director of revenue shall administer the provisions of a local earnings tax as nearly as possible in conjunction with the administration of state income tax laws. The director shall provide appropriate forms, or provide on the regular state tax forms, for reporting local earnings tax.

An ordinance imposing a local earnings tax shall adopt by reference the applicable provisions of the appropriate sections of chapter 422, division II. All powers and requirements of the director in administering the state income tax law apply to the administration of a local earnings tax, including but not limited to, the provisions of sections 422.4, 422.16, 422.20, 422.21, 422.22 to 422.31, 422.68, and 422.72 to 422.75. Local officials shall confer with the director of revenue and obtain the director's assistance in drafting the ordinance imposing a local earnings tax. A certified copy of the ordinance shall be filed with the director as soon as possible after passage.

The director, in consultation with local officials, shall collect and account for a local earnings tax and any interest and penalties. The director shall credit local earnings tax receipts and any interest and penalties collected from returns filed on or before November 1 of the calendar year following the tax year for which the local earnings tax is imposed to a "local earnings tax fund" established in the office of the treasurer of state. All local earnings tax receipts and any interest and penalties received or refunded from returns filed after November 1 of the calendar year following the tax year for which the local earnings tax is imposed shall be deposited in or withdrawn from the state general fund and shall be considered part of the cost of administering the local earnings tax.

NEW SECTION. 422B.7 PAYMENT TO LOCAL GOVERNMENT -- USE OF RECEIPTS.

1. On or before January 15, the director of revenue shall make an accounting of the local earnings tax receipts and any interest and penalties collected from returns filed on or before November 1 of the preceding year and shall certify to the treasurer of state this amount collected. The treasurer of state shall remit within fifteen days of the certification by the director of revenue to each city and county which has imposed a local earnings tax the amount in the local earnings tax fund collected as a result of its tax.

2. Local earnings tax moneys received by a city or county may be expended for any lawful purpose of the city or county which imposed the tax."

46. Page 46, line 33, by striking the figure "1."

47. Page 46, line 33, by inserting after the word "of" the following: "not more than".

48. Page 47, line 3, by inserting after the word "state." the following: "However, notwithstanding that the gross receipts from the sale or rental of the tangible personal property described in section 203 of this Act are taxable during the period beginning July 1, 1985 and ending June 30, 1987, a local sales and services tax shall not be imposed on the sale or rental of such property."

49. By striking page 47, line 18 through page 49, line 6.

50. Page 49, line 13, by striking the word "fifty-five" and inserting the following: "forty".

51. Page 50, by striking lines 14 through 32 and inserting the following:

"1. The treasurer of state shall credit the local sales and services tax receipts and interest and penalties from a county to the county's account in the local sales and services tax fund.

2. The treasurer of state, pursuant to rules of the director of revenue, shall remit at least quarterly to the board of supervisors, if the tax was imposed in the unincorporated areas, and each city where the tax was imposed its share of the county's account in the local sales and services tax fund as computed under subsections 3 and 4.

3. Seventy-five percent of each county's account shall be remitted on the basis of the county's population residing in the unincorporated area where the tax was imposed and those incorporated areas where the tax was imposed as follows:

a. To the board of supervisors a pro rata share based upon the percentage of the above population of the county residing in the unincorporated area of the county where the tax was imposed according to the most recent certified federal census.

b. To each city in the county where the tax was imposed a pro rata share based upon the percentage of the city's population residing in the county to the above population of the county according to the most recent certified federal census.

4. Twenty-five percent of each county's account shall be remitted based on the sum of property tax dollars levied by the board of supervisors if the tax was imposed in the unincorporated areas and each city in the county where the tax was imposed during the three-year period beginning July 1, 1982 and ending June 30, 1985 as follows:

a. To the board of supervisors a pro rata share based upon the percentage of the total property tax dollars levied by the board of supervisors during the above three-year period.

b. To each city council where the tax was imposed a pro rata share based upon the percentage of property tax dollars levied by the city during the above three-year period of the above total property tax dollars levied by the board of supervisors and each city where the tax was imposed during the above three-year period."

52. Page 50, line 33, by striking the figure "2." and inserting the following: "5."

53. Page 51, by inserting after line 17 the following:

"Sec. ___. Section 423.1, subsection 1, unnumbered paragraph 2, Code 1985, is amended by striking the paragraph.

Sec. ___. Section 427.1, subsection 32, unnumbered paragraphs 1 and 2, Code 1985, are amended to read as follows:

Pollution-control property as defined in this subsection shall be exempt from taxation ~~for the periods and~~ to the extent provided in this subsection, upon compliance with the provisions of this subsection.

This exemption shall apply to new installations of pollution-control property ~~for a period of ten years~~ beginning on January 1 after the construction or installation of the property is completed. This exemption shall apply ~~for a period of ten years~~ beginning on January 1, 1975, to existing pollution-control property if its construction or installation was completed after September 23, 1970. ~~This exemption shall apply with respect to each of the ten annual assessments within the ten-year exemption period and the property taxes payable on the basis of each of such ten annual assessments. This exemption for existing pollution-control property shall begin with respect to the assessment as of January 1, 1975, and the taxes payable on the basis of this assessment during the fiscal year beginning July 1, 1976.~~

Sec. ___. Section 427A.1, subsection 1, paragraph j, subparagraph (1), Code 1985, is amended to read as follows:

(1) COMPUTERS. As used in this paragraph, "computer" means stored program processing equipment and all devices fastened to the computer by means of signal cables or communication media that serve the function of signal cables, but does not include point of sales equipment."

54. Page 51, by striking lines 18 through 28 and inserting the following:

"Sec. ____ . Section 427A.9, unnumbered paragraphs 2 and 3, Code 1985, are amended to read as follows:

The amount of the additional personal property tax credit shall be a fixed amount for each tax year. The amount of the additional personal property tax credit shall be increased for the extended tax year beginning January 1, 1974, and ending June 30, 1975, and shall be increased for each tax year immediately following a tax year in which the growth of state general fund revenues, adjusted for changes in rate or basis, exceeds five and one-half percent, except that the amount of the additional personal property tax credit for taxes payable in each year of the fiscal period beginning July 1, 1977 and ending June 30, 1979 shall not exceed the amount of the additional personal property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1976 and ending June 30, 1977, ~~and~~ and the amount of the additional personal property tax credit for taxes payable in the fiscal year beginning July 1, 1980 and ending June 30, 1981 shall not exceed the amount of the additional personal property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1979 and ending June 30, 1980, and the amount of the additional personal property tax credit for taxes payable in the fiscal year beginning July 1, 1986 and ending June 30, 1987 shall not exceed the amount of the additional personal property tax credit allowed for taxes payable in the fiscal year beginning July 1, 1985 and ending June 30, 1986. An increase in the additional personal property tax credit, once granted, shall continue for each succeeding tax year. For the purposes of this chapter the state comptroller may estimate the state percent of growth if necessary to avoid delay in the collection of taxes. ~~After nine such increases have been made, all~~ All taxes on personal property shall be repealed as provided in the following section. The director of revenue and the state comptroller, jointly, shall determine the amount of the credit for each such tax year. Such amount shall be the maximum amount, rounded to the nearest ten dollars, which will permit complete funding of the replacement obligation under this division, including the replacement obligation for the tax credit granted pursuant to sections 427A.1 to 427A.5, out of the appropriation provided in this chapter.

Notwithstanding the provisions of this section which require an increase in general fund revenues in excess of five and one-half percent, adjusted for changes in rate or basis, to increase the personal property tax credit, the amount of the personal property tax credit, to be allowed for taxes payable in the fiscal year beginning July 1, 1982 and ending June 30, 1983 and in the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall be increased as provided in this section."

55. Page 51, line 35, by striking the word " , and" and inserting the following: "For assessment years beginning on or after January 1, 1986".

56. Page 52, line 1, by striking the word "thereafter" and inserting the following: "thereafter".

57. Page 53, line 11, by striking the words "sixty-two million eight hundred thousand" and inserting the following: "fifty-nine million".

58. By striking page 53, line 15 through page 54, line 8 and inserting the following:

"Sec. ____ . Section 427B.10, unnumbered paragraph 1, Code 1985, is amended to read as follows:

For property defined in section 427A.1, subsection 1, paragraphs "e" and "j" acquired or initially leased after December 31, 1981 and on or before January 1, 1985, the taxpayer's valuation shall be limited to thirty percent of the net acquisition cost of the property. For purposes of this section, "net acquisition cost" means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment.

Sec. ____ . Chapter 427B, Code 1985, is amended by adding as a new division the following new section:

NEW SECTION. PROPERTY SUBJECT TO SPECIAL VALUATION.

For property defined in section 427A.1, subsection 1, paragraphs "e" and "j" acquired or initially leased after January 1, 1985 the taxpayer's valuation shall be limited to thirty percent of the net acquisition cost of the property. For purposes of this section, "net acquisition cost" means the acquired cost of the property including all foundations and installation cost less any excess cost adjustment.

For purposes of this section:

1. Property assessed by the department of revenue pursuant to sections 428.24 to 428.29, or chapters 433, 434 and 436 to 438 shall not receive the benefits of this section.

2. Property acquired on or before January 1, 1985 which was owned or used on or before January 1, 1985 by a related person shall not receive the benefits of this section.

3. Property acquired after January 1, 1985 which was owned and used by a related person shall not receive any additional benefits under this section.

4. Property which was owned or used on or before January 1, 1985 and subsequently acquired by an exchange of like property shall not receive the benefits of this section.

5. Property which was acquired after January 1, 1985 and subsequently exchanged for like property shall not receive any additional benefits under this section.

6. Property acquired on or before January 1, 1985 which is subsequently leased to a taxpayer or related person who previously owned the property shall not receive the benefits of this section.

7. Property acquired after January 1, 1985 which is subsequently leased to a taxpayer or related person who previously owned the property shall not receive any additional benefits under this section.

For purposes of this section, "related person" means a person who owns or controls the taxpayer's business and another business entity from which property is acquired or leased or to which property is sold or leased. Business entities are owned or controlled by the same person if the same person directly or indirectly owns or controls fifty percent or more of the assets or any class of stock or who directly or indirectly has an interest of fifty percent or more in the ownership or profits.

Property assessed pursuant to this section shall not be eligible to receive a partial exemption under sections 427B.1 to 427B.6.

Sec. ___. Section 442.7, subsection 1, paragraph a, Code 1985, is amended by adding the following unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. However, for computing the state percent of growth to be used for the school year beginning July 1, 1987, the revenues received as a result of the increase in taxes in this Act or as a result of the inclusion of additional items subject to tax in this Act shall not be considered revenues received for the state general fund for purposes of determining the percentages under subparagraph (1) or (2)."

59. Page 54, by striking lines 16 through 29.

60. Page 54, by inserting before line 30 the following:

"Sec. ___. Section 455C.4, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 3. A dealer, other than a state liquor store, or a distributor may refuse to accept and to pay the refund value of an empty wine container which is marked to indicate that it was sold by a state liquor store. A state liquor store may refuse to accept and to pay the refund value of an empty wine container which is not marked to indicate that it was sold by a state liquor store.

Sec. ___. Section 455C.5, subsection 1, Code 1985, is amended to read as follows:

1. Each beverage container sold or offered for sale in this state by a dealer shall clearly indicate by embossing or by a stamp, label or other method securely affixed to the container, the refund value of the container. The department shall specify, by rule, the minimum size of the refund value indication on the beverage containers. Each beverage container containing wine which is sold or offered for sale in a state liquor store shall also be marked by embossing or by stamp, label,

or other method securely affixed to the container to indicate that it was sold in a state liquor store."

61. By striking page 54, line 30 through page 55, line 10 and inserting the following:

"Sec. ___. Section 99E.10, subsection 1, unnumbered paragraph 1, 1985 Acts, House File 225, section 110, if division I of House File 225 becomes law is amended to read as follows:

1. Upon receipt of any revenue, the commissioner shall deposit the moneys in the lottery fund created pursuant to section 99E.20. As nearly as is practicable, ~~forty-five~~ fifty percent of the projected annual revenue, after deduction of the amount of the sales tax, computed on a year-round average basis for each type of lottery game accruing from the sale of tickets or shares is appropriated for payment of prizes to the holders of winning tickets. After the payment of prizes, all of the following shall be deducted from lottery revenue prior to disbursement:

Sec. ___. Section 99E.10, subsection 1, 1985 Acts, House File 225, section 110, if division I of House File 225 becomes law is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. An amount equal to four percent of the gross sales price of each ticket or share sold shall be deducted as the sales tax on the sale of that ticket or share, remitted to the treasurer of state and deposited into the state general fund.

Sec. ___. Section 422.45, subsection 22, 1985 Acts, House File 225, section 122, if division I of House File 225 becomes law is amended by striking the subsection.

Sec. ___. **NEW SECTION.** 99A.10 MANUFACTURE OF ELECTRONIC GAMBLING DEVICES PERMITTED.

A person may manufacture electronic or computerized gambling devices. This chapter does not prohibit such manufacturing activities.

Sec. ___. Section 725.9, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. 5. This chapter does not prohibit the manufacture of electronic or computerized gambling devices.

Sec. ___.

1. All persons required to be licensed under section 98.13 as distributors having in their possession prior to delivery for resale as of the close of business on September 30, 1985 cigarettes or little cigars upon which the tax under section 98.6 or 98.43 has been paid, unused cigarette tax stamps which have been paid for under section 98.8, or unused metered imprints which have been paid for under section 98.12 shall be subject to an inventory tax on such items as provided in this section.

2. Persons subject to the inventory tax imposed under this section shall take an inventory as of the close of business on September 30, 1985 of those items subject to the inventory tax for the purpose of determining the tax due. These persons shall report the tax on forms provided by the department of revenue and remit the tax due with the forms by October 31, 1985. The department of revenue shall adopt rules as are necessary to carry out this section.

3. The rate of the inventory tax on each item subject to the tax as specified in subsection 1 is equal to the difference between the amount paid on each item under section 98.6, 98.8, 98.12, or 98.43 prior to October 1, 1985 and the amount that is to be paid on each similar item under section 98.6, 98.8, 98.12, or 98.43 on or after October 1, 1985 except that in computing the rate of the inventory tax any discount allowed or allowable under section 98.8 shall not be considered.

Sec. ___. Notwithstanding any provision of section 98.8 or of other provisions of chapter 98, during the period beginning October 1, 1985 and ending November 15, 1985, a holder of a state distributor's permit issued under chapter 98 may at the permitholder's option purchase cigarette tax stamps on credit for a period of forty-five days following such purchase. At the end of the forty-five day period the permitholder shall remit the amount due. As a condition for this credit-purchase, the purchase must be made from the department of revenue office in Des Moines, and the permitholder shall provide, at the time of such purchase, a bond to the department of revenue to insure the payment of the face value of the tax stamps at the end of the forty-five day period. A permitholder is entitled to make only one credit purchase under this section."

62. Title page, by striking lines 1 through 14 and inserting the following:

"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 and providing refunds until the exemption begins of the sale or lease of certain farm machinery and equipment, including certain replacement parts, and certain industrial machinery, equipment and computers, including certain replacement parts, from the state sales, services and use tax, providing for setting aside of revenues to pay such refunds and not including certain increases in revenues in computing the state percent of growth for purposes of chapter 442, amending the state sales, services and use tax to impose the tax on the rendering or furnishing of additional services, and on sales of certain tangible personal property, to alter certain definitions, and to provide exemptions and limit others, increasing the tax on tobacco products and on cigarettes and little cigars, imposing an inventory tax on cigarettes and little cigars, unused tax stamps and metered imprints and granting a one-time credit purchase on cigarette tax stamps, providing for the phase out and repeal of all property taxes on personal property, and providing penalties, appropriations and effective dates, making permanent the exemption from property taxation of certain pollution control property, providing for the special valuation of certain machinery, equipment and computers acquired after a certain date and limiting the applicability of the present special valuation to that property acquired before a certain date, amending the lottery law to provide for fifty percent of the projected

annual revenue from the sales of lottery tickets or shares be used for payment of prizes, and imposing the state sales, services and use tax on the sales of lottery tickets and shares, eliminating the prohibition on the manufacture of electronic and computerized gambling devices, providing a new jobs tax credit for computing the individual and corporate tax liabilities of certain businesses that create new jobs within the state, providing that for purposes of property taxation the term "computer" does not include point of sales equipment and providing penalties and appropriations."

63. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

ON THE PART OF THE HOUSE:

WILLIAM D. PALMER, Chair
 LOWELL L. JUNKINS
 JOE J. WELSH
 CALVIN O. HULTMAN
 RICHARD F. DRAKE

DONALD D. AVENSON, Chair
 KAY CHAPMAN
 JAMES D. O'KANE
 DELWYN STROMER
 HUGO SCHNEKLOTH

REPORT OF THE CONFERENCE COMMITTEE
 ON SENATE FILE 434

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on Senate File 434, a bill for an Act relating to and making appropriations to various executive and legislative departments, bureaus, and agencies, respectfully submit the following report:

1. That the Senate recede from its amendment to the House amendment, S-4017.
2. That the House amendment, S-4017, to Senate File 434, as amended, passed, and reprinted by the Senate, be amended as follows:
 1. Page 1, line 26, by striking the figure "6,480,229" and inserting the following: "6,780,229".
 2. Page 1, line 28, by striking the figure "1,497,438" and inserting the following: "1,524,149".
 3. Page 2, line 3, by striking the figure "4,957,680" and inserting the following: "4,967,680".
 4. Page 2, by striking lines 32 and 33 and inserting the following:
 "purposes \$ 39,000".

5. Page 2, by striking lines 38 and 39 and inserting the following:
 "purposes \$ 10,000".
6. Page 2, by striking line 44 and inserting the following: "251,700".
7. Page 2, by striking lines 49 and 50 and inserting the following:
 "purposes \$ 124,000".
8. Page 3, by striking line 12 and inserting the following: "623,617".
9. Page 3, by striking line 17 and inserting the following: "553,120".
10. Page 3, by striking line 23 and inserting the following: "355,368".
11. Page 3, by striking line 29 and inserting the following: "107,253".
12. Page 3, by striking line 38 and inserting the following: "1,989,039".
13. Page 3, by striking line 43 and inserting the following: "3,725,000".
14. Page 4, by striking lines 32 and 33 and inserting the following:
 "purposes \$ 137,034".
15. Page 4, by striking line 38 and inserting the following: "547,800".
16. Page 4, by striking line 44 and inserting the following: "2,897,000".
17. Page 5, by striking lines 19 and 20 and inserting the following:
 "purposes \$ 1,582,422".
18. Page 5, by striking lines 25 and 26 and inserting the following:
 "purposes \$ 49,505".
19. Page 5, by striking lines 31 and 32 and inserting the following:
 "purposes \$ 564,000".
20. Page 5, by striking line 37 and inserting the following: "1,133,882".
21. Page 5, by striking line 38 and inserting the following:
- "___. Page 10, by striking lines 25 through 29 and inserting the following:

"Sec. ___. Total appropriations specified in this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceeds four and one-half percent."

22. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

WILLIAM DIELEMAN, Chair
 JOE WELSH
 JAMES WELLS
 DALE TIEDEN
 JOY CORNING

ON THE PART OF THE HOUSE:

THOMAS JOCHUM, Chair
 ELAINE BAXTER
 WARD HANDORF
 DANIEL FOGARTY
 JANET METCALF

REPORT OF THE CONFERENCE COMMITTEE
 ON SENATE FILE 552

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to consider the difference between the Senate and the House of Representatives on 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, respectfully submit the following recommendations:

1. That the Senate recede from its amendment to the House amendment, S-3990.

2. That the House amendment, S-3990, to Senate File 552 as amended, passed and reprinted by the Senate, be amended as follows:

1. Page 1, line 4, by striking the number "53,337,662" and inserting the following: "53,387,662".

2. Page 1, line 22, by striking the number "3,133,582" and inserting the following: "3,153,582".

3. Page 1, by inserting after line 24 the following:

"___. Page 9, line 19, by inserting after the word "programs" the following: "under the prosecuting attorney training program".

4. Page 1, by inserting after line 35 the following:

"___. Page 11, by inserting after line 3 the following:

"Sec. ___. Section 602.1301, subsection 2, Code 1985, is amended by striking the subsection and inserting in lieu thereof the following:

2. a. As early as possible, but not later than December 1, the supreme court shall submit to the legislative fiscal bureau the annual budget request and detailed supporting information for the judicial department. The submission shall be designed to assist the legislative fiscal bureau in its preparation for legislative consideration of the budget request. The information submitted shall contain and

be arranged in a format substantially similar to part II of the governor's budget message as specified in section 8.22.

b. Before December 1, the supreme court shall submit to the state comptroller an estimate of the total expenditure requirements of the judicial department.””

5. By striking page 1, line 46 through page 2, line 41.

6. Page 2, by striking line 42 and inserting the following:

“ ___ Page 15, by striking lines 6 through 10 and inserting the following:

“Sec. ___. Total appropriations specified in this Act, except section 6 of this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceed four and one-half percent.””

7. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

CHARLES P. MILLER, Chair
JOE WELSH
BOB CARR

ON THE PART OF THE HOUSE:

THOMAS JOCHUM, Chair
CLAY SPEAR
GARY SHERZAN
ANDY McKEAN
KYLE HUMMEL

REPORT OF THE CONFERENCE COMMITTEE ON
SENATE FILE 562

To the President of the Senate and the Speaker of the House of Representatives:

We, the undersigned members of the conference committee appointed to resolve the differences between the Senate and the House of Representatives on 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, respectfully make the following report:

1. That the Senate recede from its amendment, H-4112, to the House amendment S-3989, to Senate File 562, as amended, passed, and reprinted by the Senate.

2. That the House recede from its amendment, S-3989, to Senate File 562, as amended, passed, and reprinted by the Senate.

3. Amend Senate File 562 as amended, passed and reprinted by the Senate as follows:

1. Page 1, line 12, by striking the figure "6,029,000" and inserting the following: "5,885,720".

2. Page 1, line 16, by striking the figure "915,000" and inserting the following: "909,894".

3. Page 1, line 20, by striking the figure "1,020,537" and inserting the following: "994,023".

4. Page 2, line 19, by striking the figure "590,000" and inserting the following: "580,042".

5. Page 3, line 13, by striking the figure "1,500,000" and inserting the figure "1,000,000".

6. Page 4, by inserting after line 13 the following:

"1. The Governor's office for volunteers \$ 20,000".

7. Page 4, line 17, by striking the figure "16,500,000" and inserting the following: "16,329,241".

8. Page 4, line 21, by striking the figure "524,658" and inserting the following: "512,295".

9. Page 5, line 8, by striking the figure "4,041,000" and inserting the figure "3,906,425".

10. Page 5, by inserting after line 8 the following new subsection:

"2. For the advertising and marketing budget \$100,000".

11. By striking page 7, line 16 through page 8, line 2.

12. Page 8, line 14, by striking the figure "5,100,000" and inserting the following: "4,947,392".

13. Page 11, lines 18 and 19, by striking the words and figure "eighteen million one hundred ninety-one thousand four hundred (18,191,400)" and inserting the following: "eighteen million sixty-four thousand (18,064,000)".

14. Page 11, line 23, by inserting after the word "highways." the following: "However, the unfunded liability of the peace officers retirement accident and disability system, as of July 1, 1985, shall not be considered a liability of the road use tax fund."

15. Page 11, by striking lines 24 through 33.

16. Page 15, by inserting after line 33 the following new section:

"Sec. ___. Section 321E.1, Code 1985, is amended to read as follows:

321E.1 PERMITS BY DEPARTMENT.

The department and local authorities may in their discretion and upon application and with good cause being shown issue permits for the movement of construction machinery or asphalt repavers being temporarily moved on streets, roads or highways and for vehicles with indivisible loads which exceed the maximum dimensions and weights specified in sections 321.452 to 321.466, but not to exceed the limitations imposed in sections 321E.1 to 321E.15 except as provided in sections 321E.29 and 321E.30. Vehicles permitted to transport indivisible loads may exceed the width and length limitations specified in sections 321.454 and 321.457 for the purpose of picking up an indivisible load or returning from delivery of the indivisible load. Permits issued may be single-trip permits or annual permits. Permits shall be in writing and shall be carried in the cab of the vehicle for which the permit has been issued and shall be available for inspection at all times. The vehicle and load for which the permit has been issued shall be open to inspection by a peace officer or an authorized agent of a permit granting authority. When in the judgment of the issuing local authority in cities and counties the movement of a vehicle with an indivisible load or construction machinery which exceeds the maximum dimensions and weights will be unduly hazardous to public safety or will cause undue damage to streets, avenues, boulevards, thoroughfares, highways, curbs, sidewalks, trees, or other public or private property, the permit shall be denied and the reasons for denial endorsed on the application. Permits issued by local authorities shall designate the days when and routes upon which loads and construction machinery may be moved within the county on other than primary roads."

17. Page 16, by striking lines 22 through 26 and inserting the following new section:

"Sec. ___. Total appropriations specified in this Act for the fiscal year beginning July 1, 1985 and ending June 30, 1986 shall not be exceeded in the fiscal year beginning July 1, 1986 and ending June 30, 1987 unless revenue growth as estimated by the legislative fiscal bureau in its December 31, 1985 quarterly report exceeds four and one-half percent."

18. By renumbering, relettering, or redesignating and correcting internal references as necessary.

ON THE PART OF THE SENATE:

DONALD E. GETTINGS, Chair
BERL E. PRIEBE
JOE J. WELSH

ON THE PART OF THE HOUSE:

THOMAS J. JOCHUM, Chair
GENE BLANSHAN
EMIL PAVICH

**SENATE RESOLUTIONS AND
CONCURRENT RESOLUTIONS**

**Adopted During The
SEVENTY-FIRST GENERAL ASSEMBLY
1985 Regular Session**

SENATE RESOLUTION 1

By: Committee on Rules and Administration

1 BE IT RESOLVED BY THE SENATE, That the permanent
2 rules of the senate for the seventy-first general
3 assembly be as follows:

RULES OF THE SENATE

Rule 1

Quorum

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

Rule 2

Adoption and Amendment of Rules

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

Rule 3

Rules of Parliamentary Procedure

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

Rule 4

Sessions of the General Assembly

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

Page 2

1 All bills and resolutions introduced in the first
2 regular session of a general assembly which are not
3 withdrawn, lost, or indefinitely postponed shall carry
4 over into the second regular session and to any
5 extraordinary session of the same general assembly.
6 Appointments received from the governor for senate
7 confirmation during any session of a general assembly
8 shall be acted upon prior to adjournment of that
9 session as provided by section 2.32 of the Code.
10 Except as provided by this rule, upon the adjournment
11 of the first regular session and any extraordinary
12 session, each bill or resolution shall be
13 automatically referred back to the committee to which

14 it was originally assigned. The secretary of the
 15 senate shall publish in the Journal a list of the
 16 bills returned to committee under this rule. Within
 17 seven days after the first committee meeting after the
 18 convening of the second regular session, committees
 19 shall either authorize the chair to refer such bills
 20 and resolutions to a subcommittee for consideration or
 21 report them out to the floor and place them on the
 22 calendar. The committee chair shall report to the
 23 senate the bill or resolution number and the names of
 24 the subcommittee members.
 25 Bills and resolutions which have been voted upon on
 26 final passage in any session shall remain on the
 27 calendar in the same status as at the end of the
 28 session at any subsequent regular or extraordinary
 29 session.

30 Rule 5

Page 3

1 Regular Order of Daily Business

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

- 4 1. Correction of the journal.
- 5 2. Senators to be excused.
- 6 3. Communications to the Senate.
- 7 4. Introduction of bills and resolutions.
- 8 5. Points of personal privilege.
- 9 6. Consideration of senate calendar.

10 Rule 6

11 Senate Calendar

- 12 1. Each legislative day the secretary of the
 13 senate shall prepare a listing of bills to be known as
 14 the "Senate Calendar".
- 15 2. The senate calendar may contain a listing under
 16 the category "Special Order" which shall be placed at
 17 the head of the calendar. Bills in such category
 18 shall be those which are specifically set for debate
 19 by the majority leader with the consent of the senate
 20 on a certain date and time. Bills shall be listed by
 21 the secretary in the order they are set for debate.
- 22 3. The senate calendar shall include separate
 23 listings for any bills and resolutions in the
 24 following categories:
 - 25 a. Conference Committee Report
 - 26 b. Bills in Conference Committee
 - 27 c. House Amendment to Senate Amendment to House
 - 28 File
 - 29 d. House Refuses to Concur in Senate Amendment to
 - 30 House File

Page 4

1 e. Senate Files Amended by the House
 2 f. Unfinished Business Before the Senate
 3 g. Motions to Reconsider
 4 h. Administrative Rules Nullification Resolutions
 5 i. Veto Messages from the Governor
 6 4. The secretary shall list bills and resolutions
 7 in the above categories in the order they are
 8 received. Upon their first publication in the
 9 calendar, bills and resolutions in the above
 10 categories may be called up for debate at any time by
 11 the majority leader. Motions to reconsider shall be
 12 called up as provided by Rule 24.
 13 5. The senate calendar shall include a listing of
 14 senate appropriations committee bills and bills
 15 reported out by the senate appropriations committee.
 16 The list shall be known as the "Appropriations
 17 Calendar". The secretary shall list the bills in the
 18 order they are received. Upon their first publication
 19 in the calendar, bills on the appropriations calendar
 20 may be called up for debate at any time by the
 21 majority leader provided they are eligible under Rule
 22 8.
 23 6. The senate calendar shall include a listing of
 24 bills which pertain to the levy, assessment or
 25 collection of taxes sponsored by or initially assigned
 26 to and reported out by the senate ways and means
 27 committee. The list shall be known as the "Ways and
 28 Means Calendar". The secretary shall list the bills
 29 in the order they are received. Upon their first
 30 publication in the calendar, bills on the ways and

Page 5

1 means calendar may be called up for debate at any time
 2 by the majority leader provided they are eligible
 3 under Rule 8.
 4 7. The senate calendar shall include a list of
 5 bills and resolutions, known as the "Regular
 6 Calendar" which shall consist of bills and
 7 resolutions reported out by a senate committee. The
 8 bills and resolutions reported out each day shall be
 9 placed in the order of their file numbers and
 10 following those reported out on previous days.
 11 Priority shall be given to senate over house bills and
 12 resolutions and to joint resolutions over bills.
 13 Bills and resolutions on the regular calendar shall be
 14 considered in the order they are listed, provided they
 15 are eligible under Rule 8.

16 8. The majority leader, or in the absence of the
17 majority leader the assistant majority leaders, may
18 select from among the first twenty bills on the
19 previous legislative day's regular calendar and from
20 the bills selected create a new listing which shall be
21 known as the "Debate Calendar". The debate calendar
22 shall list bills as the majority leader expects to
23 take them up during the following week. A bill or
24 resolution on the debate calendar may be debated only
25 when eligible under Rule 8.

26 9. The majority leader, or in the absence of the
27 majority leader the assistant majority leaders, may
28 initiate action to create a list of bills which may be
29 debated at any time upon being called up for debate by
30 the majority leader. Such list shall be known as the

Page 6

1 "Proposed Noncontroversial Calendar". Any bill which
2 appeared on the previous day's regular calendar may be
3 placed by any senator on the "Proposed
4 Noncontroversial Calendar" which shall be published.
5 Any bill on the proposed noncontroversial calendar
6 shall be stricken from the list if any senator files a
7 written objection with the secretary of the senate on
8 the first or second legislative day after it appears
9 on the proposed noncontroversial calendar. Any bill
10 stricken from the proposed noncontroversial calendar
11 shall be returned to its former place on the regular
12 calendar. The secretary shall prepare the
13 noncontroversial calendar which shall consist of all
14 bills on the proposed noncontroversial calendar to
15 which no objection was received.

16 10. If the senate shall not be in session on a day
17 assigned in paragraphs eight and nine for action upon
18 a calendar, such assigned action shall occur on the
19 next succeeding legislative day.

20 11. On any bill called up for debate from any
21 calendar, debate may continue from day to day until it
22 is adopted, fails, or is postponed or deferred. If
23 further debate is postponed or deferred without a time
24 to continue being set, except for bills on the debate
25 calendar, the bill shall be listed as unfinished
26 business. Bills on the debate calendar upon which
27 further debate is postponed or deferred without a time
28 to continue being set shall return to the regular
29 calendar.

Page 7

Steering Committee

1 The senate may authorize the appointment of a
 2 steering committee. The majority leader shall appoint
 3 the majority party members to the steering committee.
 4 The minority leader shall appoint the minority party
 5 members to the steering committee. The function of
 6 the steering committee shall be to create its own
 7 calendar from the bills and resolutions on the regular
 8 calendar. Bills and resolutions on the steering
 9 committee calendar shall have priority over bills and
 10 resolutions on all other calendars, except the
 11 appropriations calendar.
 12

Rule 8

When Eligible for Consideration

13 Bills, resolutions, and appointments shall be
 14 eligible for consideration by the senate as follows:
 15 1. An appointment by the governor which requires
 16 senate confirmation shall be eligible on the
 17 legislative day after it is first printed in the
 18 senate calendar as provided by Rule 60.
 19 2. A house or individually sponsored bill or
 20 resolution reported out by a committee shall be
 21 eligible on the legislative day after it is first
 22 printed in the senate calendar.
 23 3. A committee bill or resolution sponsored by the
 24 appropriations committee shall be eligible on the
 25 legislative day after it is first printed in the
 26 senate calendar.
 27 4. Any committee bill or resolution, other than a
 28 bill or resolution sponsored by the appropriations
 29 committee, shall be eligible on the third legislative
 30 day after it is first printed in the senate calendar.

Page 8

1 committee, shall be eligible on the third legislative
 2 day after it is first printed in the senate calendar.
 3 5. A bill that has been reported out to the senate
 4 calendar, referred to a different committee and
 5 reported out by that committee is eligible for
 6 consideration by the senate on the day it would have
 7 been eligible under subsection 2, 3, or 4, whichever
 8 is applicable, as if the bill had been printed in the
 9 calendar after having been reported out by the first
 10 committee.
 11 6. Any bill or resolution placed on the steering
 12 committee calendar is eligible for consideration on
 13 the day of its placement on that calendar.
 14 When a bill or resolution on the calendar is not
 15 yet eligible, the date when it will become eligible
 16 shall be printed in the calendar.

Rule 9

Debate and Decorum

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

23 The senator shall confine all remarks to the
24 question under debate and shall avoid discussing
25 personalities or implication of improper motives. No
26 questions except by the senator recognized shall be
27 entertained after a senator is recognized to give
28 final remarks.

Rule 10

Point of Personal Privilege

29
30
Page 9

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

Rule 11

Introduction and Presentation of Guests

6
7
8 Only former members of the senate and former and
9 present members of Congress shall be presented to the
10 senate, except that the president of the senate may
11 present a visitor whose presence is of special
12 significance to the senate. No presentation shall be
13 made during debate or discussion of legislation. The
14 presence of school groups accompanied by school
15 officials shall be announced by the president of the
16 senate and shall be recorded in the journal upon
17 written request of a member of the senate.

Rule 12

Form and Withdrawal of Motions, Amendments and Signatures

18
19
20 Motions need not be in writing unless required by
21 the president or by the senate. No motion requires a
22 second. Any amendment, motion (including a motion to
23 reconsider), or resolution may be withdrawn by the
24 mover if it has not been amended by the senate and if
25 no amendment is pending. All amendments to bills,
26 resolutions, and reports shall be in writing and filed
27 before being acted upon by the senate.

28 No amendment, resolution, bill, or conference
29 committee report shall be considered by the senate
30 without a copy of the amendment, resolution, bill, or

Page 10

1 conference committee report being on the desks of the
2 entire membership of the senate prior to
3 consideration.

4 All amendments, reports, petitions or other
5 documents requiring a signature shall have the name
6 typed under the place for the signature. Once a
7 signature is affixed and the document containing the
8 signature filed with the recording clerk in the well,
9 that signature shall not be removed.

10 When an amendment to a main amendment is filed that
11 would negate the effect of the main amendment and
12 thereby leave the bill unchanged, the presiding
13 officer shall have the authority to declare the
14 amendment to the main amendment out of order, subject
15 to an appeal to the full senate.

16 Rule 13

17 Order and Precedence of Motions and Amendments

18 When a question is under debate, no motion shall be
19 received but to adjourn, to recess, questions of
20 privilege, to lay on the table, for the previous
21 question, to postpone to a day certain, to refer, to
22 amend, to postpone indefinitely, to defer, or
23 incidental motions. A substitute is not in order
24 unless it is in the form of a motion to substitute.
25 Such motions shall have precedence in the order in
26 which they are named. No motion to postpone to a day
27 certain, to refer, or postpone indefinitely, being
28 decided, shall be again allowed on the same day with
29 regard to the same question. A motion to strike out
30 the enacting clause of a bill shall have precedence

Page 11

1 over all amendments and, if carried, shall be
2 considered equivalent to the rejection of the bill.

3 A motion to strike everything after the enacting
4 clause has precedence over a committee amendment and
5 all other amendments except one to strike the enacting
6 clause. A committee amendment has precedence over all
7 other amendments except as provided in this rule.

8 A motion to rerefer a bill to committee may specify
9 when the committee shall report the bill to the
10 senate. If the motion is adopted in such form, the
11 committee must report the bill by the date specified
12 with or without recommendation or the bill shall
13 automatically be returned to the calendar. When the
14 bill is returned to the calendar, it shall occupy the
15 same position it occupied at the time the bill was
16 rereferred to the committee. If the committee to
17 which the bill is rereferred submits an amendment in

18 its report, that committee amendment shall take
 19 precedence over other amendments except if that
 20 committee amendment is in conflict with amendments
 21 previously adopted, the committee amendment shall not
 22 be considered until consideration of motions to
 23 reconsider the previously adopted amendments result in
 24 removing the conflict.

25 Rule 14

26 Designation of Motions

27 Motions before the senate shall be identified by
 28 the following numerical designations, which shall be
 29 displayed on the electronic voting system display
 30 boards following the word "motion":

Page 12

- 1 1. Quorum call (and call of the senate roll call).
- 2 2. Motion to recess or adjourn.
- 3 3. Motion to refer.
- 4 4. Motion to defer or postpone.
- 5 5. Motion to reconsider and lay the motion to
- 6 reconsider on the table (Double-barreled motion).
- 7 6. Motion to table or take from the table.
- 8 7. Motion to suspend the rules.
- 9 8. Motion to adopt a report (including a
- 10 conference committee report).
- 11 9. Motion to confirm an appointment of the
- 12 governor.
- 13 10. Motion to concur in house amendment (Refuse to
- 14 concur).
- 15 11. Motion to recede (Insist).
- 16 12. Motion for the previous question.
- 17 13. Motion to sustain a decision of the chair.
- 18 14. Motion to strike the enacting clause.
- 19 15. All other motions.

20 Rule 15

21 Motions Debatable and not Debatable

22 The following motions are not debatable:
 23 Adjourn
 24 Recess
 25 Call of the Senate
 26 Lay on Table or Take from Table
 27 Previous Question
 28 Reconsider vote by which bill was placed on last reading.
 29 A Motion to Reconsider and Lay the Motion to Reconsider
 30 on the Table (Double-barreled Motion).

Page 13

1 A motion to suspend the rules is debatable.

2 Rule 16

3 Division of the Question

4 Any senator may call for a division of a question,
5 which shall be divided if it includes propositions so
6 distinct that if one is taken away, a substantive
7 proposition shall remain in a technically proper form
8 for the decision of the senate. A motion to strike
9 out and insert is indivisible; but a motion to strike
10 out, if lost, shall not preclude amendments to the
11 matter attempted to be stricken or a motion to strike
12 out and insert.

13 Rule 17

14 The Previous Question

15 The previous question shall be in this form:
16 "Shall debate be closed on the pending question?" A
17 motion for the previous question may be adopted by a
18 majority of the senators present and voting. Its
19 effect shall be to put an end to debate and bring the
20 senate to a direct vote upon the pending question.
21 However, any senator who has not previously spoken on
22 the pending question and who, after the main question
23 is taken up and before the motion for the previous
24 question has been made, requested recognition by
25 depressing the "speak" device may speak no longer than
26 five minutes on the pending question. If action on
27 the pending question continues into another
28 legislative day or is deferred, the previous question
29 shall apply and the requests to be recognized shall be
30 honored.

Page 14

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

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

7 Rule 18

8 Call of the Senate

9 Ten senators may file in writing a call of the
10 senate on any single item of legislative business. A
11 call of the senate requires the presence of every
12 senator and is in order at any time prior to the vote
13 being announced by the president. The sergeant-at-
14 arms shall return promptly all absent senators.
15 Debate on the item may continue while absent senators
16 are returning, but no vote on the item is in order on
17 it until all have returned. Adoption of a motion to

18 recess or adjourn to a specific time will not lift the
 19 call. The call may be lifted, or a senator may be
 20 excused from the call without lifting the call, by a
 21 vote of a constitutional majority of the senators.
 22 Those senators excused prior to the filing of the call
 23 are excused from the call.

24 Rule 19

25 Committee of the Whole

26 The senate may resolve itself into a committee of
 27 the whole senate when it wishes to permit more free
 28 and informal discussion. Persons other than senators
 29 may appear and present information.
 30 Any senator may move "that the senate now resolve

Page 15

1 itself into a committee of the whole to consider" a
 2 stated subject. The motion to resolve into a
 3 committee of the whole is equivalent to a motion to
 4 refer.

5 The president of the senate shall be chair of the
 6 committee of the whole unless otherwise ordered by the
 7 senate.

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

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

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

20 After adoption of the motion to rise, the chair
 21 shall report to the senate in the same manner as other
 22 committee reports are given.

23 Rule 20

24 Last Reading and Passage of Bills

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

30 Rule 21

Page 16

1 Engrossment of Bills

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

8 In an engrossed bill, all obvious typographical,
9 spelling or other clerical errors are corrected and
10 section or paragraph numbers and internal references
11 are changed as required to conform the original bill
12 to any amendments which have been adopted. All such
13 corrections or changes shall be reported in the
14 journal by the secretary of the senate. The engrossed
15 bill shall be placed in the bill file with the
16 original bill and amendments.

17 Rule 22

18 Manner of Voting

19 On voice vote, the question shall be distinctly put
20 in this form: "Those in favor of (the question) say
21 "aye"." "Those opposed to (the question) say "no"."

22 A non-record or record roll call vote may be
23 requested by any senator or ordered by the president
24 any time before the results are announced. A non-
25 record roll call shall be requested by asking for a
26 "division". A record roll call shall be requested by
27 asking for a "roll call". Upon request for a non-
28 record or record roll call vote, the president shall
29 announce that such a non-record or record roll call
30 vote has been requested and shall state the question

Page 17

1 to be put to the senate. The president then shall
2 direct the parliamentarian to receive the votes.

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

9 After sufficient time has elapsed for all senators
10 present to record their votes, the president shall
11 direct the parliamentarian to close the voting system.
12 The president shall still enter the senators' votes at
13 any time prior to directing the parliamentarian to
14 lock the voting system. The president shall then
15 immediately announce the vote.

16 During a non-record or record roll call vote, both
17 individual votes and vote totals shall be indicated

18 openly on the display boards. On non-record roll
19 calls, only vote totals shall be printed in the
20 journal.

21 In the event the electronic voting system is not in
22 operating order, the president shall direct the
23 parliamentarian to take the non-record or record roll
24 call by calling the names of the senators in
25 alphabetical order.

26 Rule 23

27 Duty of Voting

28 Every senator present when a question is put shall
29 vote "aye" "no" or "present" unless previously
30 excused by the senate. Upon demand being made by any

Page 18

1 senator, the parliamentarian shall call in
2 alphabetical order the names of the senators not
3 voting or voting "present". Those senators called
4 shall vote "aye" or "no" unless the senator states a
5 personal interest in the question or concludes that he
6 or she should not vote under the senate code of
7 ethics.

8 Rule 24

9 Reconsideration

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

Page 19

1 three days prior to the date set for adjournment.
 2 If the motion to reconsider a bill or resolution
 3 prevails, motions to reconsider amendments thereto
 4 shall be in order and shall be disposed of without
 5 delay.
 6 A motion that any action taken by the senate be
 7 reconsidered and the motion to reconsider be laid upon
 8 the table shall be a single and indivisible motion,
 9 known as the double-barreled motion, which, if
 10 carried, shall have the effect of preventing
 11 reconsideration unless a motion to take from the table
 12 prevails. A constitutional majority is necessary for
 13 the double-barreled motion to prevail on a bill or
 14 joint resolution. The double-barreled motion can only
 15 be made from the floor after the vote is announced and
 16 the member who moved the final reading shall have
 17 priority in making it.
 18 A motion to reconsider and lay on the table shall
 19 have priority over a motion to reconsider if they are
 20 both filed on the same legislative day.
 21 In the event that a motion to reconsider is pending
 22 at the end of the first session or any extraordinary
 23 session of any general assembly, or the general
 24 assembly adjourns sine die, and the motion has not
 25 been voted upon by the senate, it shall be determined
 26 to have failed.

27 Rule 25

28 Suspension of Rules and Taking from Table
 29 No standing rule or rules incorporated by reference
 30 under Rule 3 or order of the senate shall be rescinded

Page 20

1 or suspended, nor shall any matter, tabled upon
 2 motion, be taken up, except by an affirmative vote of
 3 a constitutional majority of the senate.
 4 Introduction And Form Of Bills
 5 Rule 26
 6 Time and Method of Introducing Bills and Amendments
 7 All bills to be introduced in the senate shall be
 8 typed in proper form by the legislative service bureau
 9 and shall be filed with the recording clerk not later
 10 than 3:00 p.m.
 11 All amendments shall be typed in proper form and
 12 filed with the recording clerk not later than 4:30
 13 p.m., or adjournment, whichever is later, in order to
 14 be listed in the following day's clip sheet.
 15 An "impact amendment" is an amendment which
 16 reasonably could have an annual effect of at least one
 17 hundred thousand dollars or a combined total effect

18 within five years after enactment of five hundred
19 thousand dollars or more on the aggregate revenues,
20 expenditures or fiscal liability of the state or its
21 subdivisions.
22 An impact amendment to a bill which has been on the
23 special order calendar for at least three full
24 legislative days prior to its consideration shall not
25 be taken up by the senate unless:
26 1) a fiscal note is attached, and the amendment is
27 filed at least one legislative day prior to the date
28 set for consideration of the bill; or
29 2) the amendment is an appropriation or other
30 measure where the total effect is stated in dollar

Page 21

1 amounts.

2

Rule 27

3

Limit on Introduction of Bills

4 No bill or joint resolution, except bills and joint
5 resolutions cosponsored by the majority and minority
6 floor leaders, shall be introduced in the senate after
7 4:00 p.m. on Friday of the seventh week of the first
8 regular session of a general assembly unless a written
9 request for drafting the bill has been filed with the
10 legislative service bureau before that time. After
11 adjournment of the first regular session, bills may be
12 prefiled at any time before the convening of the
13 second regular session. No bill shall be introduced
14 after 4:00 p.m. on Friday of the second week of the
15 second regular session of a general assembly unless a
16 written request for drafting the bill has been filed
17 with the legislative service bureau before that time.
18 However, standing committees may introduce bills and
19 joint resolutions at any time. A bill which relates
20 to departmental rules sponsored by the administrative
21 rules review committee and approved by a majority of
22 the members of the committee in each house may be
23 introduced at any time and must be referred to a
24 standing committee which must take action on the bill
25 within three weeks. Senate and concurrent resolutions
26 may be introduced at any time.
27 No bill, joint resolution, concurrent resolution or
28 senate resolution shall be introduced at any
29 extraordinary session unless sponsored by a standing
30 committee or the committee of the whole.

Page 22

1

Rule 28

2 Introduction, Reading and Form of Bills and Resolutions

3 Every senate bill and resolution shall be

4 introduced by one or more senators or by any standing

5 committee of the senate and shall at once be given its

6 first reading.

7 If the senate is in session when a bill or

8 resolution is introduced, the first reading shall

9 consist of reading its file number, the title and

10 sponsor of the bill. If the senate is not in session

11 but a journal is published for the day, the first

12 reading shall consist of a journal entry of the bill's

13 file number, title, sponsor and the notation "Read

14 first time under Rule 28."

15 Any bill or resolution approved for introduction by

16 a standing committee during an interim period between

17 sessions of one General Assembly shall be introduced

18 without further action by the committee at the next

19 succeeding regular session of the same General

20 Assembly and placed immediately upon the regular

21 calendar.

22 Every bill and resolution referred to committee

23 shall have received two readings before its passage.

24 The subject of every bill shall be expressed in its

25 title.

26

Rule 29

27

Explanations

28 No bill, except appropriation committee bills and

29 simple or concurrent resolutions, shall be introduced

30 unless a concise and accurate explanation is attached.

Page 23

1 The chief sponsor or a committee to which the bill has

2 been referred may add a revised explanation at any

3 time before the last reading, and it shall be included

4 in the daily clip sheet.

5

Rule 30

6

Resolutions

7 A "senate resolution" is a resolution acted upon

8 only by the senate which expresses sentiment or is

9 used for the appointment of special committees within

10 the senate. A senate resolution requires the

11 affirmative vote of a majority of the senators present

12 and voting. A senate resolution shall be filed with

13 the secretary of the senate. A senate resolution

14 shall be printed in the bound journal after its

15 adoption and in the daily journal upon written request

16 to the secretary of the senate by the sponsor of the

17 resolution.

18

Rule 31

19

Nullification Resolutions

20

21 A nullification resolution may be introduced by a
22 standing committee or the administrative rules review
23 committee. A nullification resolution introduced by
24 the administrative rules review committee shall be
25 referred to the same standing committee it would be
26 referred to if it was a bill. A nullification
27 resolution may be presented by a member of a standing
28 committee.

28

29 A nullification resolution by a standing committee
30 may be referred to the administrative rules review
committee by a majority vote of the standing

Page 24

1 committee. The administrative rules review committee
2 may seek an agreement with the affected administrative
3 agency wherein the agency agrees to voluntarily
4 rescind or modify a rule or rules relating to the
5 subject matter of the nullification resolution. An
6 agreement to voluntarily rescind or modify an
7 administrative agency rule shall be in writing and
8 signed by the chief administrative officer of the
9 administrative agency and a majority of the
10 administrative rules review committee members of each
11 house and shall be placed on file in the offices of
12 the chief clerk of the house, the secretary of the
13 senate and the secretary of state. If an agreement is
14 not reached, or the nullification resolution is not
15 approved by a majority of the administrative rules
16 review committee members of each house, within two
17 weeks of the date the resolution is referred to the
18 committee, the resolution shall be placed on the
19 calendar. If the nullification resolution is approved
20 by the administrative rules review committee it shall
21 be placed on the calendar. A nullification resolution
22 is subject to a motion to withdraw the nullification
23 resolution from the committee as provided in the rules
24 of that house.

25

26 A nullification resolution is debatable, but cannot
27 be amended on the floor of the house or senate.

27

Rule 32

28

Resolutions, Applicable Rules

29

30 All rules applicable to bills shall apply to
resolutions, except as otherwise provided in the

Page 25

1 rules.

2

Rule 33

3

Study Bills

4 1. A study bill is any matter which a senator
5 wishes to have considered by a standing committee or
6 appropriations subcommittee for introduction as a
7 committee bill or resolution. The term "study bill"
8 includes "proposed bills" provided for in Rule 37 and
9 departmental requests prefiled in the manner specified
10 in section 2.16 of the Code.

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

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

27 4. If a committee bill or resolution is introduced
28 which was not previously the subject of a study bill
29 in the sponsoring committee, the majority leadership
30 may re-refer the bill back to the committee.

Page 26

1

Committees And Commitment

2

Rule 34

3

Committee Appointments

4 Committee appointments shall be made by the
5 president, after consultation with and approval by the
6 majority leader for majority party members and
7 minority leader for minority party members. No
8 senator shall serve on more than five committees. The
9 president, after consultation with and approval by the
10 majority leader, shall designate the chairperson and
11 vice-chairperson of each standing committee. The
12 president, after consultation with and approval by the
13 minority leader shall designate the ranking member of
14 each standing committee from the minority membership
15 of that committee.

16 The vice-chairperson appointed by this rule is the
17 "ranking member" for the purposes of section 2.14,

18 subsection 1, of the Code.

19 Rule 35
20 Standing Committees

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

- 23 Agriculture
- 24 Appropriations
- 25 Commerce
- 26 Education
- 27 Energy and environment
- 28 Labor and industrial relations
- 29 Local government
- 30 Human resources

Page 27

- 1 Judiciary
- 2 Natural resources
- 3 Rules and administration
- 4 Small business and economic development
- 5 State government
- 6 Transportation
- 7 Ways and means

8 Rule 36

9 Committee on Rules and Administration
10 The committee on rules and administration shall
11 recommend rules and rule changes to the senate, shall
12 hire senate employees, shall recommend salary scales
13 for all senate employees, and shall oversee senate
14 budget and administration matters.

15 The committee on rules and administration will
16 select, for senate approval, an individual to serve as
17 secretary of the senate and an individual to serve as
18 senate parliamentarian.

19 Upon authorization being given by the committee on
20 rules and administration, the minority party members
21 of the committee will select, for senate approval, an
22 individual to serve as assistant parliamentarian.

23 Rule 37

24 Appropriations Committee
25 The appropriations committee shall consist of
26 eighteen members, eleven of whom shall be members of
27 the majority party and seven of whom shall be members
28 of the minority party. The appropriations committee
29 shall receive bills committed to it and shall assign
30 each to one of the appropriations subcommittees.

Page 28

- 1 There shall be nine appropriations subcommittees
- 2 which shall be named:
- 3 Claims
- 4 Justice System
- 5 Education
- 6 Health and Human Rights
- 7 Human Services
- 8 Natural Resources
- 9 Regulatory and Licensing
- 10 State Government
- 11 Business, Trade, and Transportation
- 12 The appropriations subcommittees shall receive
- 13 bills assigned to them or may originate proposed bills
- 14 within the subcommittee's jurisdiction as defined by
- 15 the appropriations committee for consideration by the
- 16 appropriations committee. Each subcommittee may
- 17 submit amendments to bills together with the
- 18 subcommittee's recommended action to the
- 19 appropriations committee.
- 20 If a bill or proposed bill is first submitted by an
- 21 appropriations subcommittee to the appropriations
- 22 committee prior to March 15th of each year, the
- 23 appropriations committee may either report the bill
- 24 out or approve the proposed bill for introduction by
- 25 the appropriations committee or re-refer it together
- 26 with the appropriations committee's objections to the
- 27 appropriations subcommittee from which it was
- 28 originally referred or which originated the proposed
- 29 bill.
- 30 If a bill or proposed bill is submitted to the

Page 29

- 1 appropriations committee a second time by an
- 2 appropriations subcommittee, or if a bill or proposed
- 3 bill is submitted on or after March 15th of each year,
- 4 the appropriations committee may:
- 5 1. report the bill or approve the proposed bill
- 6 for introduction by the appropriations committee;
- 7 2. report the bill with appropriations committee
- 8 amendments;
- 9 3. draft a new bill for sponsorship by the
- 10 appropriations committee and report it; or
- 11 4. re-refer it together with the appropriations
- 12 committee's objections to the appropriations
- 13 subcommittee from which it was originally referred or
- 14 which originated the draft bill.
- 15 The appropriations committee is authorized to meet
- 16 anytime upon call of the chairperson to:
- 17 1. Act upon bills or proposed bills submitted to

18 it by appropriations subcommittees as provided by this
19 rule.

20 2. Prepare, review or revise a proposed
21 legislative budget.

22 3. After March 15, initiate any bill relating to
23 budget or appropriation matters.

24 The appropriations committee may meet jointly with
25 the appropriations committee of the house of
26 representatives.

27 Rule 38

28 First Reading and Commitment

29 Upon the first reading of an individual bill or
30 resolution, or a house committee bill or resolution,

Page 30

1 the president shall refer the bill or resolution to an
2 appropriate standing committee unless otherwise
3 ordered by the senate. If the bill or resolution is a
4 senate committee bill or resolution, the president
5 shall place it on the calendar after its first
6 reading. If the subject of the bill or resolution is
7 not germane to the title of the committee presenting
8 it, the president or the senate may refer it to a
9 committee deemed appropriate.

10 All bills carrying an appropriation for any purpose
11 or involving the expenditure of state funds shall be
12 referred to the committee on appropriations.

13 All bills pertaining to the levy, assessment or
14 collection of taxes shall be referred to the committee
15 on ways and means.

16 Any bill which provides for a new state board,
17 commission, agency or department or makes separate or
18 autonomous an existing state board, commission, agency
19 or department, shall be referred to the committee on
20 state government. This rule shall also apply when
21 such a provision is added to a bill or resolution by
22 amendment adopted by the senate. If the bill or
23 resolution is so referred after being sponsored or
24 reported out by another committee, and if the
25 committee on state government does not report out the
26 bill or resolution within ten legislative days after
27 referral, the bill or resolution shall automatically
28 be restored to the calendar with the same priority it
29 had immediately before referral.

30 Rule 39

Page 31

1 Rules for Standing Committees

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

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

8 2. The chair of a committee shall refer each bill
9 and resolution to a subcommittee within seven days
10 after the bill or resolution has been referred to the
11 committee. The chair may appoint subcommittees for
12 study of bills and resolutions without calling a
13 meeting of the committee, but the subcommittee must be
14 announced at the next meeting of the committee. No
15 bill or resolution shall be reported out of a
16 committee until the next meeting after the
17 subcommittee is announced, except that the chair of
18 the appropriations committee may make the announcement
19 of the assignment to a subcommittee by placing a
20 notice in the journal. Any bill so assigned by the
21 appropriations committee chair shall be eligible for
22 consideration by the committee upon report of the
23 subcommittee but not sooner than three legislative
24 days following the publication of the announcement in
25 the journal.

26 When a bill or resolution has been assigned to a
27 subcommittee, the chair shall report to the senate the
28 bill or resolution number and the names of the
29 subcommittee members and such reports shall be
30 reported in the journal of the last legislative day of

Page 32

1 each week.

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

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

11 4. The rules adopted by a committee, including
12 subsections 2, 3, 9, 10, 11, and 12 of this rule, may
13 be suspended by an affirmative vote of a majority of
14 the members of the committee.

15 5. The affirmative vote of a majority of the
16 members of a committee is needed to sponsor a
17 committee bill or resolution or to report a bill or

18 resolution out for passage.

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

22 7. No committee, except a conference committee or
23 the steering committee, is authorized to meet when the
24 senate is in session.

25 8. A subcommittee shall not report a bill to the
26 committee unless the bill has been typed into proper
27 form by the legislative service bureau.

28 9. A bill or resolution shall not be voted upon
29 the same day a public hearing is held on that bill or
30 resolution. The presence or participation of a member

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1 of the legislature, official of the state, state
2 department head, member of the press, legislative
3 staff member assigned to the committee, or a person
4 invited by the committee is not considered a public
5 hearing.

6 10. Public hearings may be called at the
7 discretion of the chair. The chair shall call a
8 public hearing upon the written request of one-half
9 the membership of the committee. The chair shall set
10 the time and place of the public hearing.

11 11. A subcommittee chair must notify the committee
12 chair not later than one legislative day prior to
13 bringing the bill or resolution before the committee.
14 The committee cannot vote on a bill or resolution for
15 at least one full day following the receipt of the
16 subcommittee report by the chairperson.

17 12. A motion proposing action on a bill or
18 resolution that has been defeated by a committee shall
19 not be voted upon again at the same session of the
20 committee.

21 13. Committee meetings shall be open.

Rule 40

Voting in Committee

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

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1 available by the chair or the committee secretary at
 2 any time. This rule also applies to the steering
 3 committee and appropriations subcommittees.
 4 The committee shall not authorize the introduction
 5 of a committee bill or resolution until the members
 6 have received final copies of the bill or resolution
 7 with amendments or changes incorporated, and typed
 8 into proper form by the legislative service bureau,
 9 provided that the committee can, by unanimous consent,
 10 dispense with this requirement when only
 11 nonsubstantive amendments or changes are necessary to
 12 correct the bill or resolution.
 13 The legislative service bureau shall file a report
 14 with the committee members detailing the amendments or
 15 changes and this report shall become a part of the
 16 committee report.

Rule 41

18 Announcement of Committee Meetings
 19 It shall be in order for the chair of any committee
 20 to announce to the senate the time and place of
 21 committee meetings. The announcement shall include a
 22 proposed agenda for the meeting. The sergeant-at-arms
 23 shall post at the rear of the chamber the daily
 24 schedule of committee meetings.

Rule 42

26 Withdrawal of Bills and Resolutions from Committee
 27 The secretary of the senate shall note on each bill
 28 and resolution the date of its reference to committee.
 29 No bill or resolution shall be withdrawn from any
 30 committee within fifteen legislative days after the

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1 bill or resolution has been referred to the committee
 2 and thereafter only upon written petition for the
 3 withdrawal of such bill or resolution signed by a
 4 constitutional majority of the senators, except as
 5 provided in Rule 37. Only senators may circulate such
 6 a petition.

Rule 43

8 Committee Reports
 9 All committees shall file a report with the
 10 secretary of the senate of committee meetings. Such
 11 reports shall contain the following information:
 12 a. The time the meeting convened;
 13 b. Those senators who were present and absent at
 14 the time the meeting convened, as well as the time any
 15 senator, who was not present at the time the meeting
 16 convened, arrives for the meeting;
 17 c. The vote on any bill or resolution reported out

- 18 of the committee for floor action;
19 d. The title of the bill;
20 e. The file number of the bill or resolution (if
21 known);
22 f. Whether the committee recommends that the bill
23 or resolution be passed, amended and passed,
24 indefinitely postponed, or considered without
25 committee recommendation;
26 g. An indication of other bills or matters
27 discussed;
28 h. Such other matters as the committee chair shall
29 direct; and
30 i. The time the meeting adjourned.

Page 36

- 1 No committee report shall be read, but all
2 committee reports shall be printed by the secretary in
3 the journal. Upon printing, all committee reports
4 shall then stand approved unless the senate directs
5 otherwise.

6 Rule 44

- 7 Bills or Resolutions Recommended for Indefinite Postponement
8 When a question is postponed indefinitely, it shall
9 not be again acted upon during that general assembly.
10 If a bill or resolution is reported back from a
11 committee recommending indefinite postponement, the
12 report shall be placed on the calendar and shall be
13 disposed of within three legislative days. If not,
14 the committee recommendation shall be considered
15 adopted. However, no senate bill or resolution
16 recommended for indefinite postponement shall be
17 considered in the absence of the chief sponsor or, if
18 a house bill or resolution, in the absence of the
19 sonator representing the district in which the sponsor
20 resides. If a committee report recommends indefinite
21 postponement, it shall require a vote of thirty-four
22 senators to prevent indefinite postponement, and
23 debate shall be limited to ten minutes on each side.

24 General Rules

25 Rule 45

- 26 Admission to Senate Chamber
27 and Prohibition of Lobbying
28 While the senate is in session and for a period of
29 fifteen minutes before the convening of any session
30 and sixty minutes after the daily adjournment, only

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

22 Rule 46

23 Legislative Interns and Aides

24 Legislative interns for senators shall be allowed
 25 on the floor of the senate in accordance with Rule 45;
 26 provided that each intern first has obtained a name
 27 badge from the secretary of the senate. The secretary
 28 of the senate shall issue an appropriate name badge to
 29 all interns for senators.

30 In addition, those persons designated as "aides to

Page 38

1 senators" shall be allowed on the floor of the senate.
 2 The secretary of the senate shall issue an appropriate
 3 name badge for such individuals.

4 Rule 47

5 Clearing of Lobby and Gallery

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

9 Rule 48

10 Presentation of Petitions

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

16 Rule 49

17 Distribution of Printed Material

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

21 Rule 50

22 Concerning the Printing of Papers

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

27 Rule 51

28 Reprinting of Documents

29 When any bill has been substantially amended by the
 30 senate, the secretary of the senate shall order the

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1 bill reprinted on paper of a different color. All
 2 adopted amendments inserting new material shall be
 3 distinguishable.

4 The secretary of the senate may order the printing
 5 of a reasonable number of additional copies of bills,
 6 resolutions, amendments or journals.

7 Officers And Employees

8 Rule 52

9 Duties of the President

10 The president shall call the senate to order at the
 11 hour to which the senate is adjourned. Unless
 12 otherwise ordered by the senate, the president shall
 13 proceed with the regular order of daily business. The
 14 president shall preserve order and decorum and decide
 15 all questions of order and corrections to the journal,
 16 subject to an appeal to the senate.

17 Rule 53

18 The President Pro Tempore

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

23 Rule 54

24 Secretary of the Senate

25 The secretary of the senate shall be an officer of
 26 the senate and shall:

- 27 1. Serve as chief administrative officer of the
- 28 senate.
- 29 2. Have charge of the secretary's desk.
- 30 3. Be responsible for the custody and safekeeping

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- 1 of all bills, resolutions, and amendments filed,
- 2 except while they are in the custody of a committee.
- 3 4. Have charge of the daily journal.
- 4 5. Have control of all rooms assigned for the use
- 5 of the senate.
- 6 6. Keep a detailed record of senate action on all
- 7 bills and resolutions.
- 8 7. Insert adopted amendments into bills before
- 9 transmittal to the house of representatives and prior
- 10 to final enrollment.
- 11 8. Prescribe the duties of and supervise all
- 12 senate employees.
- 13 9. Authorize all expenditures of funds within the
- 14 senate budget.

Rule 55

Parliamentarian

- 17 The parliamentarian shall be an employee of the
- 18 senate and shall:
- 19 1. Advise the presiding officer of the senate
- 20 about parliamentary procedures during deliberations of
- 21 the senate.
- 22 2. Perform other duties as prescribed by the
- 23 committee on rules and administration.
- 24 3. Process the handling of amendments when filed
- 25 and during the floor consideration of bills.

Rule 56

Legal Counsel

- 28 The legal counsel shall be an employee of the
- 29 senate and shall:
- 30 1. Serve as attorney and counselor for the senate.

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- 1 2. Supervise the legal counsel's office.
- 2 3. Clear all bills, resolutions, and amendments as
- 3 to proper form prior to introduction.
- 4 4. At the request of any senator, the president or
- 5 the secretary of the senate research any legal issue
- 6 in which that individual has an interest. However,
- 7 the legal counsel shall not issue nor venture any
- 8 opinions on unresolved questions of law unless
- 9 permitted by both the majority and minority leaders.

Rule 57

Sergeant-at-Arms

- 11 The sergeant-at-arms shall be an employee of the
- 12 senate and shall:
- 13 1. Wear the appropriate badge of his or her
- 14 office.
- 15 2. Attend the senate during its sessions.
- 16 3. Aid in the enforcement of order under the
- 17

18 direction of the president of the senate and the
19 secretary of the senate.

20 4. Execute the commands of the senate.

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

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

25 7. Announce all delegations from the governor or
26 house.

27 8. Supervise the seating of visitors and press
28 representatives.

29 Rule 58

30 Senate Secretaries

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1 Every senator shall be permitted to employ for each
2 session of a general assembly a personally selected
3 secretary.

4 Rule 59

5 Use of Electronic Voting System

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

14 Confirmation Of Appointments

15 Rule 60

16 Appointments

17 The secretary of the senate shall maintain a file
18 of all appointments received from the governor for
19 confirmation. The file shall contain a description of
20 the duties and the compensation for each nominee. The
21 file shall show the date an appointment was received
22 from the governor, whether the appointment letter was
23 read to the senate, whether the nominee has been
24 introduced, and whether a committee report has been
25 filed.

26 Investigating Committees. All appointments
27 received from the governor shall be referred to the
28 rules and administration committee by the secretary of
29 the senate on the same day they are read to the
30 senate. The rules and administration committee shall

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1 establish an en bloc confirmation calendar which must
2 be filed with the secretary of the senate. Within
3 five (5) legislative days after receiving an
4 appointment, the committee shall either place a
5 nominee on the en bloc confirmation calendar or assign
6 the nominee to an appropriate standing committee for
7 further investigation, publishing notice of such
8 assignment in the senate journal for the next
9 legislative day. If the rules and administration
10 committee fails to take action on a nominee within the
11 five (5) days, the nominee shall automatically be
12 placed on the en bloc confirmation calendar.
13 Within the five (5) legislative days after an
14 appointment has been referred to the rules and
15 administration committee, any ten senators may require
16 that the nominee be assigned to an appropriate
17 standing committee by filing a written, signed request
18 therefor with the chairperson of the rules and
19 administration committee. The committee chair shall
20 refer the appointment to a subcommittee within one (1)
21 legislative day after a standing committee receives an
22 appointment for further investigation, publishing
23 notice of such assignment in the senate journal for
24 the next legislative day. Within five (5) legislative
25 days after a standing committee receives an
26 appointment for further investigation the subcommittee
27 shall file its report with the standing committee.
28 Within fourteen (14) legislative days after a
29 standing committee receives an appointment for further
30 investigation, the committee shall conduct an

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1 investigation of the nominee and file its report
2 thereon with the secretary of the senate, who shall
3 then place the nominee on the en bloc calendar or
4 individual confirmation calendar as directed by the
5 committee. The failure of a committee to file its
6 report within the prescribed time means that the
7 nominee is to be automatically placed, without
8 recommendation, upon the individual confirmation
9 calendar.
10 Any senator within five (5) days following a
11 nominee's name being published in the journal may
12 request that said nominee be introduced to the full
13 senate by submitting a written request with the
14 secretary of the senate. In any event, all nominees
15 who are referred by the rules and administration
16 committee to a standing committee shall be introduced
17 to the full senate prior to a vote on confirmation of

18 the nominee.

19 Hearings. Any member of a committee investigating
20 an appointment may obtain a hearing with the nominee
21 by filing a written request with the chair of the
22 investigating committee within five (5) legislative
23 days after the committee receives the appointment. At
24 the hearing, which shall be before the investigating
25 committee, the nominee may be questioned as to his or
26 her qualifications to fulfill the office to which
27 nominated and further questioned as to his or her
28 viewpoints on issues facing the office to which
29 nominated. Notice of the hearing shall be published
30 in the journal at least three (3) days prior to the

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1 hearing. Any senator may at the discretion of the
2 chair of the investigating committee be permitted to
3 submit oral questions. The public may, at the
4 discretion of the investigating committee, be
5 permitted to submit oral or written statements as to
6 the qualifications of the nominee.

7 Also, within five (5) days after the investigating
8 committee receives an appointment for investigation,
9 any senator may submit written questions to be
10 answered by the nominee prior to consideration of the
11 nominee's confirmation by the senate.

12 Voting On Confirmations. Upon the motion of the
13 majority leader or his or her designee, the nominees
14 on the en bloc confirmation calendar shall be
15 confirmed en bloc by the affirmative vote of two-
16 thirds of the members elected to the senate. The
17 journal shall reflect a single roll call accompanied
18 by a statement of the names of those individuals
19 subject to the en bloc confirmation vote.

20 Prior to an en bloc vote, any senator may request
21 an individual vote on any nominee on the en bloc
22 confirmation calendar. The senate shall vote
23 separately on the nominee.

24 Nominees on the individual confirmation calendar
25 shall be confirmed by a two-thirds vote; however, the
26 senate shall take a separate roll call on each
27 nominee, unless by unanimous consent, it determines to
28 take one vote on all nominees under consideration. In
29 any case, the journal shall reflect a single roll call
30 vote for each nominee.

1 SENATE RESOLUTION 2

2 By: Mann

3 A Senate Resolution to commemorate Martin Luther
4 King Day.5 WHEREAS, January 15, 1985 will mark the first year
6 celebration of Martin Luther King day; and7 WHEREAS, the celebration is intended to rekindle
8 Dr. King's dream and ideals of equality for all
9 people; and10 WHEREAS it is in the best interests of the citizens
11 of the state of Iowa that Martin Luther King day be
12 remembered; NOW THEREFORE,13 BE IT RESOLVED BY THE SENATE, That the Senate
14 proclaim the date of January 15, 1985 to be Martin
15 Luther King day.

1 SENATE RESOLUTION 3

2 By: Committee On Rules And Administration

3 A Resolution to amend the permanent rules of the
4 senate for the seventy-first general assembly.5 BE IT RESOLVED BY THE SENATE, That the permanent
6 rules of the senate for the seventy-first general
7 assembly as adopted January 14, 1985, be amended as
8 follows and renumbered as necessary:

9 Rule 2

10 Adoption and Amendment of Rules

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

18 Rule 12

19 Form and Withdrawal of Motions, Amendments and Signatures

20 Motions need not be in writing unless required by
21 the president or by the senate. No motion requires a
22 second. Any amendment, motion (including a motion to
23 reconsider), or resolution may be withdrawn by the
24 mover if it has not been amended by the senate and if
25 no amendment is pending. All amendments to bills,
26 resolutions, and reports shall be in writing and filed
27 before being acted upon by the senate.28 No amendment to the Rules of the Senate,
29 resolution, or bill, or amendment to an amendment or
30 conference committee report shall be considered by the

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1 membership of the senate without a copy of said the
2 amendment to rule, resolution, bill, amendment to an
3 amendment, or conference committee report being on the
4 desks of the entire membership of the senate prior to
5 consideration.

6 All amendments, reports, petitions or other
7 documents requiring a signature shall have the name
8 typed under the place for the signature. Once a
9 signature is affixed and the document containing the
10 signature filed at the secretary of the senate's desk
11 with the recording clerk in the well, that signature
12 shall not be removed.

13 When an amendment to a main amendment is filed that
14 would negate the effect of the main amendment and
15 thereby leave the bill unchanged, the presiding
16 officer shall have the authority to declare the
17 amendment to the main amendment out of order, subject
18 to an appeal to the full senate.

19 Rule 20

20 Last Reading and Passage of Bills

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

27 Rule 22

28 Manner of Voting

29 On voice vote, the question shall be distinctly put
30 in this form: "Those in favor of (the question) say

Page 3

1 "aye"." "Those opposed to (the question) say "no"."
2 A non-record or record roll call vote may be
3 requested by any senator or ordered by the president
4 any time before the results are announced. A non-
5 record roll call shall be requested by asking for a
6 "division". A record roll call shall be requested by
7 asking for a "roll call". Upon request for a non-
8 record or record roll call vote, the president shall
9 announce that such a non-record or record roll call
10 vote has been requested and shall state the question
11 to be put to the senate. The president then shall
12 direct the secretary of the senate parliamentarian to
13 receive the votes.

14 Senators present may cast their votes, either by
15 operating the voting mechanism located at their

16 assigned desk or by signaling the president if they
 17 are unable to vote at their assigned desk. The
 18 president shall enter the votes of senators signaling
 19 their votes.
 20 After sufficient time has elapsed for all senators
 21 present to record their votes, the president shall
 22 direct the secretary of the senate parliamentarian to
 23 close the voting system. The president shall still
 24 enter the senators' votes at any time prior to
 25 directing the secretary parliamentarian to lock the
 26 voting system. The president shall then immediately
 27 announce the vote.
 28 During a non-record or record roll call vote, both
 29 individual votes and vote totals shall be indicated
 30 openly on the display boards. On non-record roll

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1 calls, only vote totals shall be printed in the
 2 journal.
 3 In the event the electronic voting system is not in
 4 operating order, the president shall direct the
 5 secretary of the senate parliamentarian to take the
 6 non-record or record roll call by calling the names of
 7 the senators in alphabetical order.

8 Rule 23

9 Duty of Voting

10 Every senator present when a question is put shall
 11 vote "aye", "no" or "present" unless previously
 12 excused by the senate. Upon demand being made by any
 13 senator, the secretary parliamentarian shall call in
 14 alphabetical order the names of the senators not
 15 voting or voting "present". Those senators called
 16 shall vote "aye" or "no" unless the senator states a
 17 personal interest in the question or concludes that he
 18 or she should not vote under the senate code of
 19 ethics.

20 Rule 24

21 Reconsideration

22 When a main motion or main question has been
 23 decided by the senate, any senator having voted on the
 24 prevailing side may move to reconsider the vote on the
 25 same or next legislative day. Motions to reconsider a
 26 vote by which a bill or joint resolution was adopted
 27 on final passage shall be in writing and filed with
 28 the secretary of the senate parliamentarian. A motion
 29 to reconsider an amendment to a main motion or main
 30 question shall be in writing and filed with the

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1 **Secretary of the Senate** parliamentarian. A motion to
2 reconsider an amendment to a main motion or main
3 question shall be taken up for consideration only
4 prior to the disposition of the main question or upon
5 reconsideration of the main question. A
6 constitutional majority by a record roll call is
7 necessary to reconsider a bill or joint resolution.
8 During three legislative days from the date the motion
9 to reconsider a bill or resolution is filed, only the
10 mover may call it up. Thereafter, any senator may
11 call up the motion. If a date for adjournment has
12 been set by resolution of the senate, any senator may
13 call up a motion to reconsider at any time within
14 three days prior to the date set for adjournment.
15 If the motion to reconsider a bill or resolution
16 prevails, motions to reconsider amendments thereto
17 shall be in order and shall be disposed of without
18 delay.
19 A motion that any action taken by the senate be
20 reconsidered and the motion to reconsider be laid upon
21 the table shall be a single and indivisible motion,
22 known as the double-barreled motion, which, if
23 carried, shall have the effect of preventing
24 reconsideration unless a motion to take from the table
25 prevails. A constitutional majority is necessary for
26 the double-barreled motion to prevail on a bill or
27 joint resolution. The double-barreled motion can only
28 be made from the floor after the vote is announced and
29 the member who moved the final reading shall have
30 priority in making it.

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1 A motion to reconsider and lay on the table shall
2 have priority over a motion to reconsider if they are
3 both filed on the same legislative day.
4 In the event that a motion to reconsider is pending
5 at the end of the first session or any extraordinary
6 session of any general assembly, or the general
7 assembly adjourns sine die, and the motion has not
8 been voted upon by the senate, it shall be determined
9 to have failed.

10

Rule 25

11 Suspension of Rules and Taking from Table
12 No standing rule or rules incorporated by reference
13 under Rule 3 or order of the senate shall be rescinded
14 or suspended, nor shall any matter, tabled upon
15 motion, be taken up, except by an affirmative vote of

16 ~~twenty-six or more senators a constitutional majority~~
 17 ~~of the senate.~~

18

Rule 26

19 Time and Method of Introducing Bills and Amendments

20 All bills to be introduced in the senate shall be
 21 typed in proper form by the legislative service bureau
 22 and shall be filed with the ~~secretary of the senate~~
 23 recording clerk not later than 3:00 p.m.

24 All amendments shall be typed in proper form and
 25 filed with the ~~secretary of the senate~~ recording clerk
 26 not later than 4:30 p.m., or adjournment, whichever is
 27 later, in order to be listed in the following day's
 28 clip'sheet.

29 An "impact amendment" is an amendment which
 30 reasonably could have an annual effect of at least one

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

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

- 10 1) a fiscal note is attached, and the amendment is
 11 filed at least one legislative day prior to the date
 12 set for consideration of the bill; or
 13 2) the amendment is an appropriation or other
 14 measure where the total effect is stated in dollar
 15 amounts.

16

Rule 31

17

Nullification Resolutions

18 A nullification resolution may be introduced by a
 19 standing committee or the administrative rules review
 20 committee. A nullification resolution introduced by
 21 the administrative rules review committee shall be
 22 referred to the same standing committee it would be
 23 referred to if it was a bill. A nullification
 24 resolution may be presented by a member of a standing
 25 committee.

26

A nullification resolution by a standing committee
 27 may be referred to the administrative rules review
 28 committee by a majority vote of the standing
 29 committee. The administrative rules review committee
 30 may seek an agreement with the affected administrative

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1 agency wherein the agency agrees to voluntarily
 2 rescind or modify a rule or rules relating to the
 3 subject matter of the nullification resolution. An
 4 agreement to voluntarily rescind or modify an
 5 administrative agency rule shall be in writing and
 6 signed by the chief administrative officer of the
 7 administrative agency and a majority of the
 8 administrative rules review committee members of each
 9 house and shall be placed on file in the offices of
 10 the chief clerk of the house, the secretary of the
 11 senate and the secretary of state. If an agreement is
 12 not reached, or the nullification resolution is not
 13 approved by a majority of the administrative rules
 14 review committee members of each house, within two
 15 weeks of the date the resolution is referred to the
 16 committee, the resolution shall be placed on the
 17 calendar. If the nullification resolution is approved
 18 by the administrative rules review committee it shall
 19 be placed on the calendar. A nullification resolution
 20 is subject to a motion to withdraw the nullification
 21 resolution from the committee as provided in the rules
 22 of that house.
 23 A nullification resolution is debatable, but cannot
 24 be amended on the floor of the house or senate.

25 Rule 33

26 Committee Appointments

27 Committee appointments shall be made by the
 28 president, after consultation with and approval by the
 29 majority leader for majority party members and
 30 minority leader for minority party members. No

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1 senator shall serve on more than five committees. The
 2 president, after consultation with and approval by the
 3 majority leader, shall designate the chairperson and
 4 vice-chairperson of each standing committee. The
 5 president, after consultation with and approval by the
 6 minority leader shall designate the ranking member of
 7 each standing committee from the minority membership
 8 of that committee.
 9 The vice-chairperson appointed by this rule is the
 10 "ranking member" for the purposes of section 2.14,
 11 subsection 1, Code ~~1983~~ of the Code.

12 Rule 38

13 Rules for Standing Committees

14 The following rules shall govern all standing
 15 committees of the senate. Any committee may adopt

16 additional rules which are consistent with these
17 rules:

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

20 2. The chair of a committee shall refer each bill
21 and resolution to a subcommittee within seven days
22 after the bill or resolution has been referred to the
23 committee. The chair may appoint subcommittees for
24 study of bills and resolutions without calling a
25 meeting of the committee, but the subcommittee must be
26 announced at the next meeting of the committee. No
27 bill or resolution shall be reported out of a
28 committee until the next meeting after the
29 subcommittee is announced, except that the chair of
30 the appropriations committee may make the announcement

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1 of the assignment to a subcommittee by placing a
2 notice in the journal. Any bill so assigned by the
3 appropriations committee chair shall be eligible for
4 consideration by the committee upon report of the
5 subcommittee but not sooner than three legislative
6 days following the publication of the announcement in
7 the journal.

8 When a bill or resolution has been assigned to a
9 subcommittee, the chair shall report to the senate the
10 bill or resolution number and the names of the
11 subcommittee members and such reports shall be
12 reported in the journal of the last legislative day of
13 each week.

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

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

23 4. The rules adopted by a committee, including
24 subsections 2, 3, 9, 10, 11, and 12 of this rule, may
25 be suspended by an affirmative vote of a majority of
26 the members of the committee.

27 5. The affirmative vote of a majority of the
28 members of a committee is needed to sponsor a
29 committee bill or resolution or to report a bill or
30 resolution out for passage.

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- 1 6. The vote on all bills and resolutions shall be
2 by roll call and a record shall be kept by the
3 secretary.
- 4 7. No committee, except a conference committee or
5 the steering committee, is authorized to meet when the
6 senate is in session.
- 7 8. A subcommittee shall not report a bill to the
8 committee unless the bill has been typed into proper
9 form by the legislative service bureau.
- 10 9. A bill or resolution shall not be voted upon
11 the same day a public hearing is held on that bill or
12 resolution. The presence or participation of a member
13 of the legislature, official of the state, state
14 department head, member of the press, legislative
15 staff member assigned to the committee, or a person
16 invited by the committee is not considered a public
17 hearing.
- 18 10. Public hearings may be called at the
19 discretion of the chair. The chair shall call a
20 public hearing upon the written request of one-half
21 the membership of the committee. The chair shall set
22 the time and place of the public hearing.
- 23 11. A subcommittee chair must notify the committee
24 chair not later than one legislative day prior to
25 bringing the bill or resolution before the committee.
26 The committee cannot vote on a bill or resolution for
27 at least one full day following the receipt of the
28 subcommittee report by the chairperson.
- 29 12. A motion proposing action on a bill or
30 resolution that has been defeated by a committee shall

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- 1 not be voted upon again at the same session of the
2 committee.
- 3 13. Committee meetings shall be open.
4 Rule 45
5 Legislative Interns and Aides
- 6 Legislative interns for senators shall be allowed
7 on the floor of the senate in accordance with Rule 44;
8 provided that each intern first ~~has been approved by~~
9 ~~the joint legislative intern committee and the intern~~
10 has obtained a name badge from the secretary of the
11 senate. The secretary of the senate shall issue an
12 appropriate name badge to all interns for senators
13 ~~approved by the joint legislative intern committee.~~
14 In addition, those persons designated as "aides to
15 senators" shall be allowed on the floor of the senate;

16 provided that such individual first has been approved
 17 by the two senators serving on the joint legislative
 18 intern committee and the secretary of the senate, or
 19 designee on the joint committee. The secretary of the
 20 senate shall issue an appropriate name badge for such
 21 individuals.

22 Rule 50

23 Reprinting of Bills Documents

24 When any bill has been substantially amended by the
 25 senate, the secretary of the senate shall order the
 26 bill reprinted on paper of a different color. All
 27 adopted amendments inserting new material shall be
 28 distinguishable.

29 The secretary of the senate may order the printing
 30 of a reasonable number of additional copies of the

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1 ~~bill, resolution, amendment, or journal bills,~~
 2 ~~resolutions, amendments or journals.~~

3 Rule 53

4 Secretary of the Senate

5 The secretary of the senate shall be an officer of
 6 the senate and shall:

- 7 1. Serve as chief administrative officer of the
- 8 senate.
- 9 2. Have charge of the secretary's desk.
- 10 3. Be responsible for the custody and safekeeping
- 11 of all bills, resolutions, and amendments filed,
- 12 except while they are in the custody of a committee.
- 13 4. Have charge of the daily journal.
- 14 5. Have control of all rooms assigned for the use
- 15 of the senate.
- 16 6. Keep a detailed record of senate action on all
- 17 bills and resolutions.
- 18 ~~7. Process the handling of amendments when filed~~
- 19 ~~and during the floor consideration of bills.~~
- 20 8. Insert adopted amendments into bills before
- 21 transmittal to the house of representatives and prior
- 22 to final enrollment.
- 23 9. Prescribe the duties of and supervise all
- 24 senate employees.
- 25 10. Authorize all expenditures of funds within the
- 26 senate budget.

27 Rule 54

28 Parliamentarian

29 The parliamentarian shall be an employee of the
 30 senate and shall:

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- 1 1. Advise the presiding officer of the senate
- 2 about parliamentary procedures during deliberations of
- 3 the senate.
- 4 2. Perform other duties as prescribed by the
- 5 committee on rules and administration.
- 6 3. Process the handling of amendments when filed
- 7 and during the floor consideration of bills.

1 SENATE RESOLUTION 5

2 By: Committee on Ethics

3 A resolution to provide senate rules governing
 4 lobbyists for the 71st General Assembly.
 5 WHEREAS, section 68B.10 of the Code provides that
 6 the senate committee on ethics shall prepare rules
 7 relating to lobbyists and lobbyists' activities; and
 8 WHEREAS, the Code further provides that the rules
 9 governing lobbyists shall not become effective until
 10 approved by the senate, and that the rules may be
 11 amended either upon recommendation of the ethics
 12 committee or by the members of the senate; NOW
 13 THEREFORE,
 14 BE IT RESOLVED BY THE SENATE, That the rules
 15 governing lobbyists for the seventy-first general
 16 assembly shall be:

17 Senate Rules Governing Lobbyists

- 18 1. For the purposes of these rules "lobbyist" is
- 19 defined as a person who:
 - 20 a. Is paid compensation or expends money for
 - 21 encouraging the passage, defeat, or modification of
 - 22 legislation, or influencing the decision of the
 - 23 members of a legislative committee or a subcommittee;
 - 24 or
 - 25 b. Represents on a regular basis an organization
 - 26 which has as one of its purposes the encouragement of
 - 27 the passage, defeat, or modification of legislation,
 - 28 or influencing the decision of the members of a
 - 29 legislative committee or a subcommittee; or
 - 30 c. Is a federal, state, or local government

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- 1 official or employee representing the official
- 2 position of the official or employee's department,
- 3 commission, board, or agency and who attempts to
- 4 encourage the passage, defeat, or modification of
- 5 legislation, or influencing the decision of the
- 6 members of a legislative committee or a subcommittee

7 while the senator is at the state capital for a
8 legislative session or for official legislative
9 business.

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

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

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

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

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

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1 e. Persons who exclusively represent their own
2 interests (as distinguished from the interests of a
3 group, employer, or organization), provided they are
4 not compensated by anyone for lobbying.

5 3. These rules are only applicable to lobbying
6 activities involving the Iowa general assembly.

7 4. All lobbyists shall, on or before the day their
8 lobbying activity begins, register with the secretary
9 of the senate by filing a lobbyist's registration
10 statement listing:

11 a. Name, permanent business address, temporary
12 residential and business address in Polk county during
13 the legislative session, and telephone numbers. If
14 two or more lobbyists are associated together or
15 consistently work together in all their lobbying, then
16 they may file a joint registration. The name,
17 permanent business address, temporary residential and
18 business address in Polk county during the legislative
19 session, and telephone numbers of all persons included
20 in the joint registration shall be listed.

21 b. The name and address of all individuals,
22 companies, firms, corporations, unions, associations
23 or causes for which the individual lobbies.

24 c. The general subjects of legislation in which
25 the lobbyist is or may be interested, the numbers of
26 the bills and resolutions (if known) which will be
27 lobbied, and whether the lobbyist intends to lobby for
28 or against each bill (if known).
29 d. A detailed description of any agreement,
30 arrangement, or understanding concerning contingent

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1 fees.
2 Any change in or addition to the foregoing
3 information shall be registered with the secretary of
4 the senate within ten days after the change or
5 addition is known to the lobbyist.
6 5. All federal, state, and local officials or
7 employees representing the official positions of their
8 departments, commissions, boards or agencies shall
9 present to the secretary of the senate a letter of
10 authorization from their department or agency heads
11 prior to the commencement of their lobbying. The
12 lobbyist registration statement of these officials and
13 employees shall not be deemed complete until the
14 letter of authorization is attached.
15 6. Federal, state, and local officials who wish to
16 lobby in opposition to the official position of their
17 departments, commissions, boards or agencies must
18 indicate such on their lobbyist registration
19 statements.
20 7. If a lobbyist's service on behalf of a
21 particular employer, client, or cause is concluded
22 prior to the end of the calendar year, the lobbyist
23 may cancel the registration on appropriate forms
24 supplied by the secretary of the senate. Upon
25 cancellation of registration, a lobbyist is prohibited
26 from engaging in any lobbying activity on behalf of
27 that particular employer, client, or cause until re-
28 registering and complying with these rules.
29 8. Lobbyists and the organizations they represent
30 shall not allow any senators to charge any amounts or

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1 items to any charge account to be paid for by those
2 lobbyists or by the organizations they represent.
3 9. A lobbyist, or an employer of a lobbyist, shall
4 not offer economic or investment opportunity or
5 promise of employment to any senator with intent to
6 influence the senator's conduct in the performance of
7 official duties.

8 10. A lobbyist, or employer of a lobbyist, shall
9 not pay for membership in or contributions to clubs or
10 organizations on behalf of a senator.

11 11. Lobbyists shall not be permitted on the floor
12 of the senate while the senate is in session. Elected
13 state officials, except the governor, lieutenant
14 governor, and the members of the house of
15 representatives, shall not be permitted on the floor
16 of the senate while the senate is in session to
17 encourage the passage, defeat, or modification of
18 legislation.

19 12. Any member of the general assembly may file a
20 complaint against a lobbyist or a senator alleging
21 violation of law or the senate rules governing
22 lobbyists. The complaint shall be in writing, made
23 under oath, and filed with the secretary of the
24 senate. The secretary of the senate promptly shall
25 transmit the complaint to the chair of the senate
26 ethics committee, who promptly shall convene that
27 committee to consider the complaint.

28 If the ethics committee determines that the
29 complaint sets out an apparent violation of law or the
30 senate rules governing lobbyists, it shall set the

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1 matter for hearing, and then notify the accused of the
2 right to appear in person, to be represented by
3 counsel, to present statements and evidence, and to
4 cross-examine witnesses. The committee shall hold a
5 hearing, consider all relevant evidence, and make its
6 recommendation to the senate. Violation of the senate
7 rules governing lobbyists may result in the suspension
8 of a lobbyist, if directed by a two-thirds vote of the
9 senate in accordance with section 68B.10.

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

18 14. A lobbyist's registration is valid for only
19 one session of a general assembly.

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

23 16. The secretary of the senate shall prescribe
24 forms and procedures for compliance with these rules.

25 17. All statements filed under these rules shall
26 be public records open to public inspection at all
27 reasonable times. Records relating to lobbying in one
28 general assembly shall be retained by the secretary of
29 the senate through the succeeding general assembly.
30 18. As used in these rules, the word "gift" and

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1 the phrases "immediate family member" and "public
2 disclosure" have the meaning provided in chapter 68B.
3 The reports required to be filed under rules 19 and
4 20 of these rules shall be filed not later than the
5 fifteenth day of a month for gifts made or received
6 during the preceding month.

7 19. Persons who have made gifts to any senator,
8 senate employee, or any immediate family member of a
9 senator or senate employee which has a value in excess
10 of fifteen dollars on any one occurrence shall file a
11 report with the secretary of the senate which
12 includes:

13 a. A list of senators, senate employees, or their
14 immediate family members each to whom a gift was made,
15 the date of the occurrence, and the nature and amount
16 of the gift.

17 b. A monthly total of all gifts made by persons
18 and their employer or employers regardless of the
19 dollar value to senators, senate employees, and their
20 immediate family members, including the following:
21 (1) Food and refreshment.
22 (2) Entertainment, including the cost of a hospitality room.
23 (3) Travel.
24 (4) Recreation expense.
25 (5) Lodging expense.
26 (6) Other (including the nature of the gift).

27 c. The amount of an honorarium for speaking in
28 excess of fifteen dollars paid to a senator, senate
29 employee, or immediate family member of a senator or
30 senate employee. The amount listed shall include

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1 reimbursement for or payment of actual expenses
2 incurred for public speaking engagements or other
3 formal public appearances.

4 d. If a gift is made to two or more members of the
5 general assembly, employees of the general assembly,
6 or their immediate families which cannot be precisely
7 attributed to each recipient, the report shall average
8 the cost of the gift upon all those upon whom the gift

9 is given if the cost of the gift exceeds fifteen
10 dollars per recipient. The fact that averaging was
11 used shall be disclosed.

12 20. Senators and employees of the senate shall
13 file a report with the secretary of the senate of the
14 acceptance of a gift made to them or to each immediate
15 family member which exceeds fifteen dollars in value
16 on any one occurrence. The report shall list the
17 nature, date and donor of the gift.

18 Honoraria for speaking in excess of fifteen dollars
19 paid to a senator, senate employee, or immediate
20 family member of a senator or senate employee shall be
21 listed.

1 SENATE RESOLUTION 6

2 By: Committee on Ethics

3 A resolution to provide a senate code of ethics
4 for the 71st General Assembly.

5 WHEREAS, section 68B.10 of the Code requires that
6 the senate committee on ethics shall prepare a code of
7 ethics within thirty days after the commencement of
8 the session; and

9 WHEREAS, the Code further provides that the code of
10 ethics shall not become effective until approved by
11 the senate, and that the code of ethics may be amended
12 either upon the recommendation of the ethics committee
13 or by the members of the senate; NOW THEREFORE,

14 BE IT RESOLVED BY THE SENATE, That the senate code
15 of ethics for the seventy-first general assembly shall
16 be:

17 Senate Code Of Ethics

18 Recognizing that service in the Iowa general
19 assembly is a part-time endeavor and that members of
20 the general assembly are honorable individuals who are
21 active in the affairs of their localities and
22 elsewhere and that it is necessary that they maintain
23 a livelihood and source of income apart from their
24 legislative compensation, the following rules are
25 adopted pursuant to section 68B.10, to assist the
26 members in the conduct of their legislative affairs.

27 1. Taking into account that legislative service is
28 part-time, a senator shall not accept economic or
29 investment opportunity, under circumstances where the
30 senator knows, or should know, that there is a

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1 reasonable possibility that the opportunity is being
2 afforded the senator with intent to influence the

3 senator's conduct in the performance of official
4 duties.

5 2. A senator shall not charge to or accept from a
6 person, corporation, partnership or association known
7 to have a legislative interest a price, fee,
8 compensation or other consideration for the sale or
9 lease of any property or the furnishing of services
10 which is in excess of that which the senator would
11 charge another.

12 3. A senator in order to further the senator's own
13 economic interests, or those of any other person,
14 shall not disclose or use confidential information
15 acquired in the course of official duties.

16 4. A senator may appear before a governmental
17 agency or board in any representation case, except
18 that the senator shall not appear before a
19 governmental agency or board for compensation if the
20 matter is subject to legislative review. Whenever a
21 senator appears before a governmental agency or board,
22 the senator shall carefully avoid all conduct which
23 might in any way lead members of the general public to
24 conclude that the senator is using the senator's
25 official position to further the senator's
26 professional success or personal financial interest.

27 5. In order to permit the general assembly to
28 function effectively, a senator will sometimes be
29 required to vote on bills and participate in committee
30 work which will affect the senator's employment and

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1 other monetary interests. In making a decision
2 relative to the senator's activity on given bills or
3 committee work which are subject to the code, the
4 following factors shall be considered:

5 a. Whether a substantial threat to the senator's
6 independence of judgment has been created by the
7 conflict situation.

8 b. The effect of the senator's participation on
9 public confidence in the integrity of the legislature.

10 c. Whether the senator's participation is likely
11 to have any significant effect on the disposition of
12 the matter.

13 d. The need for the senator's particular
14 contribution, such as special knowledge of the subject
15 matter, to the effective functioning of the
16 legislature.

17 A senator with a conflict of interest may
18 participate in floor debate if prior to debate the
19 senator indicates the conflict of interest.

20 6. Each senator shall file with the secretary of
21 the senate within ten days after the adoption of the
22 code of ethics by the senate, and within ten days
23 after the convening of the second session of the
24 general assembly, a statement on forms provided by the
25 secretary of the senate setting forth the following
26 information:

27 a. The nature of each business in which the
28 senator is engaged and the nature of the business of
29 each company in which the senator or the senator's
30 spouse has a financial interest. A senator shall not

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1 be required to file a report or be assumed to have a
2 financial interest if an investment in stocks, bonds,
3 bills, notes, mortgages or other securities offered
4 for sale through recognized financial brokers is less
5 than five percent of the total outstanding issue of
6 any such stock, bonds, bills, notes, mortgages or
7 other securities of the offering entity.

8 b. The name of any state or national business,
9 trade, labor, farm, professional, religious,
10 educational or charitable association, foundation or
11 organization which is involved in supporting or
12 opposing legislation brought before the general
13 assembly and by which the senator, the senator's
14 partner or business associate is employed or retained
15 or has rendered services for compensation within the
16 last twelve months.

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

26 Disclosures required under this rule shall be as of
27 the date filed unless provided to the contrary, and
28 shall be amended to include interests and changes
29 encompassed by this rule that occur while the general
30 assembly is in session. All filings under this rule

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1 shall be open to public inspection in the office of
2 the secretary of the senate at all reasonable times.
3 The secretary of the senate shall inform the ethics
4 committee of the statements which are filed and shall
5 report to the ethics committee the names of any
6 senators who appear not to have filed complete
7 statements. The ethics committee shall require any
8 senator who appears not to have filed a complete
9 statement to appear before the committee.
10 7. Members of the general assembly are urged to
11 familiarize themselves with chapter 68B and chapter
12 722.
13 8. Senators shall not charge any amount or item to
14 any charge account to be paid for by any lobbyist or
15 any organization he or she represents.
16 9. A senator shall not charge to the state of Iowa
17 amounts for travel and expenses unless the senator
18 actually has incurred those mileage and expense costs.
19 Senators shall not file the vouchers for weekly
20 mileage reimbursement required by section 2.10,
21 subsection 1, unless the travel was actually incurred
22 at commensurate expense to the senator.
23 10. Complaints against any senator or any lobbyist
24 shall be in writing, made under oath and filed with
25 the ethics committee. If the ethics committee
26 determines that the complaint sets out an apparent
27 violation of the law or code of ethics or rules
28 governing lobbyists, it shall set the matter for
29 hearing, notify the accused of the right to appear in
30 person, to be represented by counsel, to present

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1 statements and evidence and to cross-examine
2 witnesses. The committee shall hold a hearing and
3 consider all relevant evidence and shall make its
4 recommendations to the senate.

1 SENATE RESOLUTION 7
2 By: Committee On Rules And Administration
3 A Senate Resolution relating to gubernatorial
4 appointments requiring senate confirmation.
5 WHEREAS, section 2.32, subsection 7, requires the
6 governor to provide the secretary of the senate with a
7 list of all gubernatorial appointments requiring
8 senate confirmation during this session by February 1;
9 and

- 10 WHEREAS, this information has been submitted and is
 11 on file in the office of the secretary of the senate;
 12 and
 13 WHEREAS, that subsection also requires that the
 14 senate by resolution approve the list or request
 15 corrections by February 15; NOW THEREFORE,
 16 BE IT RESOLVED BY THE SENATE, That the following
 17 list of appointments submitted by the governor
 18 pursuant to section 2.32, subsection 7, and on file
 19 with the secretary of the senate is approved:
 20 Accountancy, Board of
 21 3 terms commencing 5-1-85 and ending 4-30-88
 22 Advisory Investment Board (IPERS)
 23 1 term commencing 5-1-85 and ending 4-30-91
 24 1 unexpired portion of a term ending 4-30-87
 25 Architectural Examiners, Board of
 26 2 terms commencing 5-1-85 and ending 4-30-88
 27 Assessor Education Commission
 28 1 unexpired portion of a term ending 4-30-86
 29 Banking, Superintendent of
 30 1 term commencing 5-1-85 and ending 4-30-89

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- 1 Barber Examiners, State Board of
 2 2 terms commencing 5-1-85 and ending 4-30-88
 3 1 unexpired portion of a term ending 4-30-85
 4 1 unexpired portion of a term ending 4-30-87
 5 Beer and Liquor Control Council, Iowa
 6 1 term commencing 5-1-85 and ending 4-30-90
 7 Blind, Commission for the
 8 1 term commencing 5-1-85 and ending 4-30-88
 9 Campaign Finance Disclosure Commission
 10 2 terms commencing 5-1-85 and ending 4-30-91
 11 Children, Youth, and Families, Commission on, Director
 12 1 term serving at the pleasure of the governor
 13 Chiropractic Examiners, State Board of
 14 2 terms commencing 5-1-85 and ending 4-30-88
 15 City Development Board
 16 1 unexpired portion of a term ending 4-30-86
 17 Civil Rights Commission, Iowa State
 18 4 terms commencing 5-1-85 and ending 4-30-89
 19 1 unexpired portion of a term ending 4-30-87
 20 Commerce Commission
 21 1 term commencing 5-1-85 and ending 4-30-91
 22 Conservation Commission, State
 23 2 terms commencing 5-1-85 and ending 4-30-91
 24 Consumer Advocate
 25 1 term commencing 5-1-85 and ending 4-30-89
 26 Corrections, Board of

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- 27 2 terms commencing 5-1-85 and ending 4-30-89
- 28 Cosmetology Examiners, State Board of
- 29 2 terms commencing 5-1-85 and ending 4-30-88
- 30 County Finance Committee

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- 1 2 terms commencing 5-1-85 and ending 4-30-89
- 2 Credit Union Review Board
- 3 3 terms commencing 5-1-85 and ending 4-30-88
- 4 Criminal and Juvenile Justice Advisory Council
- 5 1 unexpired portion of a term ending 4-30-86
- 6 Dental Examiners, State Board of
- 7 3 terms commencing 5-1-85 and ending 4-30-88
- 8 1 unexpired portion of a term ending 4-30-85
- 9 Higher Education Loan Authority, Iowa
- 10 1 term commencing 5-1-85 and ending 4-30-91
- 11 1 unexpired portion of a term ending 4-30-88
- 12 Energy Policy Council
- 13 2 terms commencing 5-1-85 and ending 4-30-89
- 14 Engineering Examiners, State Board of
- 15 2 terms commencing 5-1-85 and ending 4-30-88
- 16 Family Farm Development Authority, Iowa, Director
- 17 1 term serving at the pleasure of the Governor
- 18 Foster Care Review Board, State
- 19 2 terms commencing 7-1-84 and ending 4-30-85
- 20 2 terms commencing 7-1-84 and ending 4-30-86
- 21 3 terms commencing 7-1-84 and ending 4-30-87
- 22 2 terms commencing 5-1-85 and ending 4-30-88
- 23 Health Facilities Council, State
- 24 1 term commencing 5-1-85 and ending 4-30-91
- 25 Hearing Aid Dealers, Board of Examiners for
- 26 1 term commencing 5-1-85 and ending 4-30-88
- 27 Historical Board, State
- 28 3 terms commencing 5-1-85 and ending 4-30-88
- 29 State Historical Department, Executive Director
- 30 1 term commencing 5-1-85 and ending 4-30-88

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- 1 Housing Finance Authority, Iowa
- 2 3 terms commencing 5-1-85 and ending 4-30-91
- 3 2 unexpired portions of terms ending 4-30-89
- 4 Human Services, Council on
- 5 2 terms commencing 5-1-85 and ending 4-30-91
- 6 Industrial Commissioner
- 7 1 term commencing 5-1-85 and ending 4-30-91
- 8 Job Service Advisory Council
- 9 3 terms commencing 5-1-85 and ending 4-30-91
- 10 Job Service, Director of, Department of

- 11 1 term serving at the pleasure of the Governor
- 12 Jobs Commission
- 13 1 unexpired portion of a term ending 6-30-85
- 14 Judicial Nominating Commission, State
- 15 2 terms commencing 5-1-85 and ending 4-30-91
- 16 Judicial Qualifications, Commission on
- 17 2 terms commencing 5-1-85 and ending 4-30-91
- 18 Labor Commissioner
- 19 1 term commencing 5-1-85 and ending 4-30-87
- 20 Landscape Architectural Examiners, Board of
- 21 3 terms commencing 5-1-84 and ending 4-30-87
- 22 2 terms commencing 5-1-85 and ending 4-30-88
- 23 Law Enforcement Academy Council, Iowa
- 24 2 terms commencing 5-1-85 and ending 4-30-89
- 25 1 unexpired portion of a term ending 4-30-87
- 26 Medical Examiners, State Board of
- 27 3 terms commencing 5-1-85 and ending 4-30-88
- 28 Mental Health and Mental Retardation Commission
- 29 5 terms commencing 5-1-85 and ending 4-30-88
- 30 Merit Employment Commission

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- 1 2 terms commencing 5-1-85 and ending 4-30-91
- 2 Mortuary Science Examiners, State Board of
- 3 2 terms commencing 5-1-85 and ending 4-30-88
- 4 Nursing Examiners, State Board of
- 5 2 terms commencing 5-1-85 and ending 4-30-88
- 6 1 unexpired portion of a term ending 4-30-87
- 7 Nursing Home Administrators, Board of Examiners for
- 8 5 terms commencing 5-1-85 and ending 4-30-88
- 9 Optometry Examiners, State Board of
- 10 2 terms commencing 5-1-85 and ending 4-30-88
- 11 Parole, Iowa Board of
- 12 1 term commencing 5-1-85 and ending 4-30-90
- 13 1 unexpired portion of a term ending 4-30-86
- 14 Pharmacy Examiners, State Board of
- 15 2 terms commencing 5-1-85 and ending 4-30-88
- 16 Physical and Occupational Therapy Examiners, State Board of
- 17 2 terms commencing 5-1-85 and ending 4-30-88
- 18 1 unexpired portion of a term ending 4-30-86
- 19 Podiatry Examiners, State Board of
- 20 2 terms commencing 5-1-85 and ending 4-30-88
- 21 Product Development Corporation, Iowa
- 22 3 terms commencing 5-1-85 and ending 4-30-89
- 23 Psychology Examiners, State Board of
- 24 2 terms commencing 5-1-85 and ending 4-30-88
- 25 Public Health, Commissioner of
- 26 1 term commencing 5-1-85 and ending 4-30-89
- 27 State Racing Commission

- 28 2 terms commencing 5-1-85 and ending 4-30-88
- 29 Real Estate Commission, Iowa
- 30 2 terms commencing 5-1-85 and ending 4-30-88

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- 1 Regents, State Board of
- 2 3 terms commencing 5-1-85 and ending 4-30-91
- 3 1 unexpired portion of a term ending 4-30-89
- 4 Rural Community Development Committee, Iowa
- 5 2 terms deferred 3-15-84 and ending 4-30-90
- 6 Small Business Advisory Council
- 7 5 terms commencing 5-1-85 and ending 4-30-89
- 8 Social Work Examiners, State Board of
- 9 1 term commencing 5-1-84 and ending 4-30-85
- 10 2 terms commencing 5-1-84 and ending 4-30-86
- 11 2 terms commencing 5-1-84 and ending 4-30-87
- 12 1 term commencing 5-1-85 and ending 4-30-88
- 13 Soil Conservation Committee, State
- 14 3 terms commencing 5-1-85 and ending 4-30-91
- 15 Speech Pathology and Audiology Examiners, State Board of
- 16 3 terms commencing 5-1-85 and ending 4-30-88
- 17 Substance Abuse, Director of Department of
- 18 1 term commencing 5-1-85 and ending 4-30-89
- 19 Tax Review, State Board of
- 20 1 term commencing 5-1-85 and ending 4-30-91
- 21 Iowa High Technology Council
- 22 6 terms commencing 5-1-85 and ending 4-30-89
- 23 Transportation Commission, State
- 24 2 terms commencing 5-1-85 and ending 4-30-89
- 25 Veterinary Medicine Examiners, State Board of
- 26 2 terms commencing 5-1-85 and ending 4-30-88
- 27 1 unexpired portion of a term ending 4-30-85
- 28 Water, Air and Waste Management Commission
- 29 7 terms commencing 5-1-85 and ending 4-30-89
- 30 Waterworks and Waste Waterworks Operators,

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- 1 Board of Certification of
- 2 2 terms commencing 5-1-85 and ending 4-30-88

1 SENATE RESOLUTION 9

2 By: Junkins

- 3 A Senate Resolution relating to the extension of
- 4 the federal Supplemental Compensation Program.
- 5 WHEREAS, the federal Supplemental Compensation
- 6 Program for unemployed persons who have exhausted
- 7 their state unemployment compensation benefits, is due

8 to expire on March 31, 1985; and

9 WHEREAS, more than three thousand Iowans are
10 currently receiving this federally funded supplemental
11 compensation; and

12 WHEREAS, virtually no change has occurred during
13 the past year in the total number of persons employed
14 in Iowa; and

15 WHEREAS, initial unemployment claims in Iowa for
16 January, 1985, were twelve percent higher than for
17 January, 1984; and

18 WHEREAS, the loss of this federal supplemental
19 compensation would create a serious hardship for
20 thousand of Iowans; NOW THEREFORE,

21 BE IT RESOLVED BY THE SENATE, That the Iowa State
22 Senate goes on record as requesting the federal
23 government to extend the federal Supplemental
24 Compensation Program under the Tax Equity and Fiscal
25 Responsibility Act of 1982, Pub. L. No. 97-248, for a
26 period of one year until March 31, 1986; and

27 BE IT FURTHER RESOLVED, That a copy of this
28 resolution be forwarded to all members of Iowa's
29 Congressional Delegation and to the United States
30 Secretary of Labor Richard Donovan.

1 SENATE RESOLUTION 10

2 By: Carr

3 A Senate Resolution deferring the confirmation of
4 an appointee to the state judicial nominating
5 commission.

6 WHEREAS, section 2.32 requires the senate to
7 approve, disapprove or by resolution defer
8 consideration of confirmation of a gubernatorial
9 appointment submitted under subsection 1 of that
10 section; and

11 WHEREAS, deferral of an appointment still requires
12 that the senate act upon the appointment prior to
13 adjournment; NOW THEREFORE,

14 BE IT RESOLVED BY THE SENATE, That consideration of
15 the appointment of Flora E. Haker to the state
16 judicial nominating commission is deferred until a
17 later time during this session of the general assembly
18 following review of an opinion of the attorney general
19 regarding the nomination.

1 SENATE RESOLUTION 11

2 By: Committee On Rules And Administration

3 A Resolution to propose changes in Rule 37 of the
4 Rules of the Senate for the 71st General Assembly.

5

Rule 37

6

Appropriations Committee

7

8 The appropriations committee shall consist of
9 eighteen members, eleven of whom shall be members of
10 the majority party and seven of whom shall be members
11 of the minority party. The appropriations committee
12 shall receive bills committed to it and shall assign
13 each to one of the appropriations subcommittees.

14 There shall be nine appropriations subcommittees
15 which shall be named:

15 Claims

16 Justice System

17 Education

18 Health and Human Rights

19 Human Services

20 Natural Resources

21 Regulatory and Licensing

22 State Government

23 Business, Trade, and Transportation

24 The appropriations subcommittees shall receive
25 bills assigned to them or may originate proposed bills
26 within the subcommittee's jurisdiction as defined by
27 the appropriations committee for consideration by the
28 appropriations committee. Each subcommittee may
29 submit amendments to bills together with the
30 subcommittee's recommended action to the

Page 2

1 appropriations committee.

2 If a bill or proposed bill is first submitted by an
3 appropriations subcommittee to the appropriations
4 committee prior to March 15th of each year Friday of
5 the 7th week of the first session or the 5th week of
6 the second session, the appropriations committee may
7 either report the bill out or approve the proposed
8 bill for introduction by the appropriations committee
9 or re-fer it together with the appropriations
10 committee's objections to the appropriations
11 subcommittee from which it was originally referred or
12 which originated the proposed bill.

13 If a bill or proposed bill is submitted to the
14 appropriations committee a second time by an
15 appropriations subcommittee, or if a bill or proposed
16 bill is submitted on or after March 15th of each year
17 Friday of the 7th week of the first session or the 5th
18 week of the second session, the appropriations
19 committee may:

20 1. report the bill or approve the proposed bill
21 for introduction by the appropriations committee;

- 22 2. report the bill with appropriations committee
 23 amendments;
 24 3. draft a new bill for sponsorship by the
 25 appropriations committee and report it; or
 26 4. re-REFER it together with the appropriations
 27 committee's objections to the appropriations
 28 subcommittee from which it was originally referred or
 29 which originated the draft bill.
 30 The appropriations committee is authorized to meet

Page 3

- 1 anytime upon call of the chairperson to:
 2 1. Act upon bills or proposed bills submitted to
 3 it by appropriations subcommittees as provided by this
 4 rule.
 5 2. Prepare, review or revise a proposed
 6 legislative budget.
 7 3. After ~~March 15~~ Friday of the 7th week of the
 8 first session or the 5th week of the second session,
 9 initiate any bill relating to budget or appropriation
 10 matters.
 11 The appropriations committee may meet jointly with
 12 the appropriations committee of the house of
 13 representatives.

1 SENATE RESOLUTION 12

2 By: Committee On Rules And Administration

3 A Senate Resolution relating to daily operations of
 4 the Senate.

5 WHEREAS, the legislative authority of this state is
 6 vested in the General Assembly consisting of the
 7 Senate and the House of Representatives; and

8 WHEREAS, the Senate necessarily incurs substantial
 9 expenses for its daily operations; and

10 WHEREAS, the Senate is authorized to expend funds
 11 from the state treasury necessary to pay for its
 12 expenses and for expenses incurred jointly by the
 13 Senate and House of Representatives; and

14 WHEREAS, it is deemed advisable and proper for the
 15 Senate to make expenditures in accordance with a
 16 budgetary plan; NOW THEREFORE,

17 BE IT RESOLVED BY THE SENATE:

18 Section 1. Expenditures of the Senate payable
 19 pursuant to Iowa Code sections 2.10 through 2.14
 20 inclusive for the regular legislative session and the
 21 interim period during the fiscal year beginning July
 22 1, 1985 and ending June 30, 1986, are budgeted to be
 23 as follows:

- 24 1. Session expenses including members' and
25 temporary staff compensation and other current
26 expenses in an amount not to exceed \$1,724,300.
27 2. Interim expenses including members' and staff
28 compensation and other current expenses in an amount
29 not to exceed \$197,000.
30 3. Fixed expenses, including permanent employees'

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- 1 compensation and equipment in an amount not to exceed
2 \$731,000.
3 Sec. 2. The Secretary of the Senate shall
4 immediately provide written notice to the majority and
5 minority leaders of the Senate and to the Chair and
6 Ranking Member of the Senate Appropriations Committee
7 if actual expenditures payable pursuant to Iowa Code
8 sections 2.10 through 2.14 inclusive exceed the
9 maximum amount allocated to any category of the budget
10 provided by section 1 of this resolution. The written
11 notice shall specify the amount of and reasons for any
12 excess expenditure.
13 Sec. 3. The expenditures referred to in section 2
14 of this resolution shall consist only of those sums
15 required for payment of the various expenses of the
16 General Assembly including such items as legislative
17 printing expenses, unpaid expenses incurred during the
18 interim between sessions of the General Assembly,
19 expenditures incurred pursuant to resolutions, and
20 expenses for purchases of legislative equipment and
21 supplies necessary to carry out the functions of the
22 General Assembly. Expenses for renovation and
23 remodeling of the Senate chamber or offices approved
24 by the Committee on Rules and Administration are not
25 included in the budget set forth in this resolution.
26 Sec. 4. If a special session of the General
27 Assembly is held, the Committee on Rules and
28 Administration shall provide for consideration of a
29 budget for the special session.

1 SENATE RESOLUTION 13

2 By: Committee On Rules And Administration

3 A Resolution revising the schedule for committee action on
4 gubernatorial appointments requiring confirmation by the
5 senate.

6 BE IT RESOLVED BY THE SENATE, That Rule 60, unnumbered
7 paragraphs 2, 3 and 4, of the rules of the senate be
8 amended to read as follows:

9 Investigating Committees. All appointments

10 received from the governor shall be referred to the
11 rules and administration committee by the secretary of
12 the senate on the same day they are read to the
13 senate. The rules and administration committee shall
14 establish an en bloc confirmation calendar which must
15 be filed with the secretary of the senate. Within
16 ~~five (5)~~ three legislative days after receiving an
17 appointment, the committee shall either place a
18 nominee on the en bloc confirmation calendar or assign
19 the nominee to an appropriate standing committee for
20 further investigation, publishing notice of such
21 assignment in the senate journal for the next
22 legislative day. If the rules and administration
23 committee fails to take action on a nominee within the
24 ~~five (5)~~ three days, the nominee shall automatically
25 be placed on the en bloc confirmation calendar.
26 Within the ~~five (5)~~ three legislative days after an
27 appointment has been referred to the rules and
28 administration committee, any ten senators may require
29 that the nominee be assigned to an appropriate
30 standing committee by filing a written, signed request

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1 therefor with the chairperson of the rules and
2 administration committee. The committee chair shall
3 refer the appointment to a subcommittee within one (~~4~~)
4 legislative day after a standing committee receives an
5 appointment for further investigation, publishing
6 notice of such assignment in the senate journal for
7 the next legislative day. Within ~~five (5)~~ ten
8 legislative days after a standing committee receives
9 an appointment for further investigation the
10 subcommittee shall file its report with the standing
11 committee.
12 Within ~~fourteen (14)~~ three legislative days after a
13 standing committee receives an appointment for further
14 investigation, the committee shall conduct an
15 investigation of the nominee and file its report
16 thereon with the secretary of the senate, who shall
17 then place the nominee on the en bloc calendar or
18 individual confirmation calendar as directed by the
19 committee. The failure of a committee to file its
20 report within the prescribed time means that the
21 nominee is to be automatically placed, without
22 recommendation, upon the individual confirmation
23 calendar.

1 SENATE RESOLUTION 14

2 By: Committee On Rules And Administration

3 A Senate Resolution deferring action on the
4 confirmation of appointments submitted by the Governor
5 to the Senate during the last thirty days of the
6 regular session of the General Assembly.

7 WHEREAS, the Governor has submitted appointments to
8 the state lottery commission to the Senate for
9 confirmation within the last thirty days of the first
10 regular session of the Seventy-first General Assembly;
11 and

12 WHEREAS, there is inadequate time for the Senate
13 under its rules to follow its usual procedures for the
14 examination of the appointments and action on these
15 important confirmations; NOW THEREFORE,

16 BE IT RESOLVED BY THE SENATE, That the Senate
17 defers until the second regular session of the
18 Seventy-first General Assembly the consideration of
19 state lottery commission appointments of Emma Chance,
20 Gary Hughes, Joan Axel, John Van Dyke and Monroe
21 Colston submitted by the Governor under section 2.32
22 during the last thirty days of the first regular
23 session of the Seventy-first General Assembly.

1 SENATE CONCURRENT RESOLUTION 1

2 By: Committee On Rules And Administration

3 A Concurrent Resolution relating to distribution of
4 printed legislative materials.

5 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
6 That the superintendent of printing be instructed to
7 mail to each county auditor in the state of Iowa who
8 has filed a written request with the secretary of the
9 senate and the chief clerk of the house, one copy of
10 the daily proof senate and house journals, one copy of
11 each senate and house bill, one copy of each senate
12 and house reprinted bill, one copy of each senate and
13 house enrolled bill, and one copy of each senate and
14 house clip sheet, for the duration of the seventy-
15 first general assembly, and that the same be furnished
16 to such officers free of charge, to be paid for out of
17 the general fund from funds not otherwise
18 appropriated.

19 BE IT FURTHER RESOLVED, That each county auditor
20 may elect to receive daily all of the items enumerated
21 above or only those items designated by the auditor,
22 and that no such mailings will be made until a written
23 request has been filed.

24 BE IT FURTHER RESOLVED, That the superintendent of

25 printing be instructed to mail to each member of
 26 Iowa's congressional delegation who has not waived the
 27 right of receipt, one copy of the daily proof senate
 28 and house journals, one copy of each senate and house
 29 bill, one copy of each senate and house reprinted
 30 bill, one copy of each senate and house enrolled bill,

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1 and one copy of each senate and house clip sheet, for
 2 the duration of the seventy-first general assembly,
 3 and that the same be furnished to such officers free
 4 of charge, to be paid for out of the general fund from
 5 funds not otherwise appropriated.
 6 BE IT FURTHER RESOLVED, That the superintendent of
 7 printing make such mailings at least once weekly.

SENATE CONCURRENT RESOLUTION 2
 By: Committee on Rules and Administration

1 WHEREAS, section 2.11 of the Code provides that "The
 2 compensation of chaplains, officers and employees of the
 3 general assembly shall be fixed by joint action of the house
 4 and senate by resolution at the opening of each session, or as
 5 soon thereafter as conveniently can be done." NOW THEREFORE,
 6 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
 That

7 the compensation for the following officers for the period
 8 commencing January 14, 1985 and ending January 12, 1987, shall
 9 be within the following ranges:

- 10 Secretary of the Senate and Chief
- 11 Clerk of the House \$24,985 to \$42,182
- 12 Assistant Secretary of the Senate, Parliamentarian and
- 13 Assistant Chief Clerk of the House \$20,732 to \$32,328

14 Within the indicated ranges the exact compensation shall be
 15 set or adjusted for the senate officers by the senate rules
 16 and administration committee and for the house officers by the
 17 house rules and administration committee. The committees
 18 shall report the exact compensation assigned to each position
 19 on the next legislative day, or, if such action is during the
 20 interim, on the first day the senate or house shall convene.
 21 Any action by the senate or house to disapprove or amend the
 22 report shall be effective the day after the action.

23 BE IT FURTHER RESOLVED, That the compensation of the
 24 employees of the seventy-first general assembly is set,
 25 effective from January 14, 1985, until January 12, 1987, in
 26 accordance with the following salary schedule:

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1	#7	#8	#9	#10	#11
2	\$8,756.80	\$9,152.00	\$9,526.40	\$9,984.00	\$10,462.40
3	4.21	4.40	4.58	4.80	5.03
4					
5	#12	#13	#14	#15	#16
6	\$10,920.00	\$11,440.00	\$11,960.00	\$12,438.40	\$12,979.20
7	5.25	5.50	5.75	5.98	6.24
8					
9	#17	#18	#19	#20	#21
10	\$13,520.00	\$14,123.20	\$14,747.20	\$15,454.40	\$16,286.40
11	6.50	6.79	7.09	7.43	7.83
12					
13	#22	#23	#24	#25	#26
14	\$17,118.40	\$17,908.80	\$18,657.60	\$19,448.00	\$20,238.40
15	8.23	8.61	8.97	9.35	9.73
16					
17	#27	#28	#29	#30	#31
18	\$21,153.60	\$22,068.80	\$22,984.00	\$23,899.20	\$25,001.60
19	10.17	10.61	11.05	11.49	12.02
20					
21	#32	#33	#34	#35	#36
22	\$26,104.00	\$27,393.60	\$28,724.80	\$30,076.80	\$31,553.60
23	12.55	13.17	13.81	14.46	5.17
24					
25	#37	#38	#39	#40	#41
26	\$33,072.00	\$34,694.40	\$36,420.80	\$38,251.20	\$40,123.20
27	15.90	16.68	17.51	18.39	19.29

28 In this schedule, each numbered block shall be the yearly
 29 and hourly compensation for the pay grade of the number
 30 heading the block. Within each grade there shall be six steps
 31 numbered "1" through "6". In the above schedule the steps for
 32 all grades are determined in the following manner. Each
 33 numbered block is counted as the "1" step for that grade. The
 34 next higher block is counted as the "2" step; the next higher
 35 block is the "3" step; the next higher block is the "4" step;

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1 the next higher block is the "5" step; the next higher block
 2 is the "6" step.
 3 All employees, other than those designated "part-time"
 4 shall be compensated for 40 hours of work in a one-week pay
 5 period. Except for the personnel designated to the contrary
 6 in this resolution, employees who are required to work in
 7 excess of 40 hours in a one-week pay period shall either be
 8 compensated at a rate of pay equal to one and one-half times
 9 the hourly pay provided in this resolution or allowed
 10 compensatory time off at a rate of one and one-half hours for

11 each hour of overtime.

12 The following personnel shall not be paid an overtime

13 premium:

14 Secretary of the Senate

15 Chief Clerk of the House

16 Senate Parliamentarian

17 Assistant Secretary of the Senate

18 Assistant Chief Clerk of the House

19 Senate Legal Counsel

20 House Legal Counsel

21 Finance Officer

22 All Administrative Assistants

23 All Research Analysts

24 All Secretaries to Senators and Representatives

25 All Caucus Staff Directors

26 Secretaries or Executive Secretaries to Caucus or Leader

27 All employees shall be available to work daily until

28 completion of the senate's and house of representatives'

29 business. The secretary of the senate and chief clerk of the

30 house shall schedule all employees' working hours to, as far

31 as possible, maintain regular working hours.

32 BE IT FURTHER RESOLVED, That in the event the salary

33 schedule for employees of the State of Iowa as promulgated by

34 the merit employment commission pursuant to section 19A.9,

35 subsection 2, Code 1985, is revised upward at any time during

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1 the seventy-first general assembly, such revised schedule

2 shall simultaneously be adopted for the compensation of the

3 employees of the seventy-first general assembly assigned a

4 grade by this resolution. The pay ranges of those positions

5 specifically listed on page one of this resolution shall be

6 automatically adjusted to reflect any cost of living increases

7 granted to those employees not included in the collective

8 bargaining agreement made final under chapter 20 of the Code.

9 BE IT FURTHER RESOLVED, That the employees of the seventy-

10 first general assembly be placed in the following pay grades:

11 Employees Of The House

12 Legal Counsel II Grade 33

13 Legal Counsel I Grade 29

14 Executive Secretary to Speaker Grade 23

15 Caucus Staff Director and/or

16 Leader's Administrative Assistant Grade 26 to Grade 31

17 Research Analyst Grade 24 to Grade 28

18 Executive Secretary to Caucus or Leader Grade 17 to Grade 22

19 Executive Secretary to Chief Clerk Grade 23

20 Clerk to Chief Clerk Grade 15

21 Supervisor of Secretaries Grade 20

22 Journal Editor Grade 22 to Grade 24

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23	Assistant Journal Editor	Grade 18 to Grade 20
24	Compositor	Grade 16 to Grade 18
25	Finance Officer	Grade 22 to Grade 27
26	Assistant Finance Officer	Grade 17 to Grade 20
27	Recording Clerk	Grade 20
28	Assistant Legal Counsel	Grade 23
29	Assistant to the Legal Counsel and	
30	Engrossing/Enrolling Clerk	Grade 21
31	Assistant to the Legal Counsel	Grade 21
32	Secretary to Caucus or Leader	Grade 15 to Grade 20
33	Chief Indexer	Grade 19
34	Indexing Assistant	Grade 17
35	Supply Clerk	Grade 15

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1	Swing Clerk	Grade 15
2	Switchboard Operator	Grade 13
3	Secretary I	Grade 13
4	Secretary II	Grade 15
5	Administrative Assistant I	Grade 13
6	Administrative Assistant II	Grade 15
7	Bill Clerk	Grade 13
8	Assistant Bill Clerk	Grade 12
9	File Clerk	Grade 8 or minimum wage, whichever is greater
10	Postmaster	Grade 10
11	Sergeant-at-Arms	Grade 15
12	Assistant Sergeant-at-Arms	Grade 13
13	Doorkeepers	Grade 9
14	Porter	Grade 8 or minimum wage, whichever is greater
15	Cloakroom Attendant	Grade 8 or minimum wage, whichever is greater
16	Pages	Minimum Wage
17	Aide to the Chief Clerk	\$4.00/hr.
18	Employees Of The Senate	
19	Legal Counsel II	Grade 33
20	Legal Counsel I	Grade 29
21	Caucus Staff Director and/or	
22	Leader's Administrative Assistant	Grade 26 to Grade 31
23	Research Analyst	Grade 24 to Grade 28
24	Executive Secretary to Caucus, Leader or	
25	Secretary of the Senate	Grade 17 to Grade 22
26	Secretary to the Secretary of the Senate	Grade 20
27	Journal Editor	Grade 22 to Grade 24
28	Assistant Journal Editor	Grade 18 to Grade 20
29	Compositor	Grade 16 to Grade 18
30	Assistant Legal Counsel	Grade 23
31	Assistant to the Legal Counsel	Grade 17
32	Finance Officer	Grade 22 to Grade 27
33	Assistant Finance Officer	Grade 17 to Grade 20

- 34 Recording Clerk Grade 20
- 35 Secretary to Caucus or Leader..... Grade 15 to Grade 20

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- 1 Chief Indexer Grade 19
- 2 Indexing Assistant Grade 17
- 3 Records and Supply Clerk Grade 19
- 4 Switchboard Operator Grade 13
- 5 Secretary I Grade 13
- 6 Secretary II..... Grade 15
- 7 Administrative Assistant I..... Grade 13
- 8 Administrative Assistant II Grade 15
- 9 Bill Clerk Grade 13
- 10 Assistant Bill Clerk Grade 12
- 11 Postmaster Grade 10
- 12 Sergeant-at-Arms Grade 15
- 13 Assistant Sergeant-at-Arms Grade 13
- 14 Chief Doorkeeper Grade 10
- 15 Doorkeepers Grade 9
- 16 Porter Grade 8 or minimum wage, whichever is greater
- 17 Pages..... Minimum Wage

18 BE IT FURTHER RESOLVED, That the following positions:

- 19 Journal Editor
- 20 Assistant Journal Editor
- 21 Chief Indexer
- 22 Indexing Assistant
- 23 Secretary I
- 24 Secretary II
- 25 Administrative Assistant I
- 26 Administrative Assistant II
- 27 shall each have pay ranges adjusted upward one grade beginning
- 28 with the convening of the 1986 legislative session, unless
- 29 prior to that time, the joint pay subcommittee of the house
- 30 and senate rules and administration committees certifies to
- 31 the chief clerk of the house and secretary of the senate that
- 32 such grade changes are inconsistent with the recommendations
- 33 of the legislative council comparable worth report. Position
- 34 grade changes allowable under the provisions of this paragraph
- 35 which are determined by the joint subcommittee to be

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- 1 inconsistent with the comparable worth recommendations of the
- 2 legislative council shall not be granted. Grade changes
- 3 allowed under this paragraph not found by the joint
- 4 subcommittee to be inconsistent with the legislative council
- 5 report on comparable worth recommendations shall become
- 6 effective on the first day of the 1986 legislative session.
- 7 BE IT FURTHER RESOLVED, That there shall be four classes of

8 appointments as employees of the general assembly:

9 A "permanent full-time" or "permanent part-time" employee
10 is one who is employed the year around and eligible to receive
11 state benefits.

12 An "exempt full-time" employee is one who is employed for
13 the period of the sessions with extensions post-session and
14 pre-session as scheduled. This class is eligible to receive
15 state benefits with the cost of benefits to the state to be
16 paid by the employee when not on the payroll.

17 A "session-only" employee is one who is employed for only a
18 portion of the year, usually the legislative session. This
19 class is not eligible for state benefits, except IPERS.

20 A "part-time" employee is one who is employed to work less
21 than 40 hours per week. This class is not eligible for state
22 benefits, except IPERS if eligible.

23 BE IT FURTHER RESOLVED, That the exact grade for each
24 position to which a range of grades is assigned by this
25 resolution shall be set or changed for senate employees by the
26 senate rules and administration committee and for the house
27 employees by the house rules and administration committee.
28 The committees shall base the assignment upon the following
29 factors:

30 1. The extent of formal education required of the
31 position; and,

32 2. The extent of the responsibilities to be assigned to
33 the position; and,

34 3. The amount of supervision placed over the position;
35 and,

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1 4. The number of persons the position is assigned to
2 supervise and skill and responsibilities of those positions
3 supervised.

4 The committees shall report the exact grades assigned to
5 each position on the next legislative day, or, if such action
6 is during the interim, on the first day the senate or house
7 shall convene. Any action by the senate or house to
8 disapprove a report or a portion of a report shall be
9 effective the day after the action.

10 BE IT FURTHER RESOLVED, That a senator or representative
11 may employ a Secretary I or Secretary II who shall perform
12 such clerical duties as the senator or representative shall
13 designate under the administrative direction, as appropriate,
14 of the secretary of the senate or the chief clerk of the
15 house.

16 Each standing committee chairperson and each appropriations
17 subcommittee chairperson shall designate a secretary of at
18 least the Secretary III level to be the Secretary to the
19 Committee. Such Secretary shall prepare committee minutes,

20 committee reports, type committee correspondence, maintain
21 committee records, and otherwise assist the committee. Such
22 duties shall be performed in accordance with standards which
23 shall be provided by the secretary of the senate and chief
24 clerk of the house. The chairperson of a senate committee may
25 designate any Secretary II to be the committee secretary. The
26 chairperson of a house committee may designate any Secretary
27 II to be the committee secretary. In making the designation,
28 chairpersons shall consider persons for possible designation
29 as the secretary to the committee in the following order:
30 First: The secretary to the chairperson.
31 Second: The secretary to the committee's vice-chairperson.
32 Third: The secretary to any other member of the committee.
33 Fourth: The secretary to any other member in the same
34 house as the committee.
35 A Secretary II is a person who has been certified by Merit

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1 Employment as having passed a typing performance examination
2 of at least 40 words per minute, and a stenographic
3 performance examination of 80 words per minute using either
4 manual or machine dictation which will be transcribed with 80%
5 accuracy.
6 A Secretary I is a person who in the judgment of the
7 senator or representative employing such person possesses the
8 necessary skills to perform the duties such senator or
9 representative shall designate.
10 BE IT FURTHER RESOLVED, That as an alternative to each
11 senator and representative having a secretary, senators or
12 representatives may hire an administrative assistant I or II
13 as provided by this paragraph. Senators or representatives
14 may employ an assistant only if two or more senators or two or
15 more representatives agree to jointly employ a secretary or
16 secretaries and the assistant in a total number not greater
17 than the senators and representatives participating in the
18 joint hiring. Without an agreement between the hiring
19 senators or representatives to the contrary, the secretary or
20 secretaries and the assistant shall each devote their time
21 equally to each of the persons for whom they work.
22 An Administrative Assistant II is a person who has
23 participated in two years of education beyond high school or
24 the equivalent experience, demonstrates a comprehensive
25 knowledge of the legislative process and the capability of
26 properly using the English language in research papers.
27 An Administrative Assistant I is a person who in the
28 judgment of the senators or representatives employing such
29 person, possesses the necessary skills to perform the duties
30 such senators or representatives shall designate.
31 BE IT FURTHER RESOLVED, That a Legal Counsel II shall be a

32 person who has graduated from an accredited school of law and
 33 is admitted to practice in Iowa as an Attorney and Counselor
 34 at Law and possesses either a Masters of Law degree or has at
 35 least two years of legal experience after admission to

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1 practice.

2 A Legal Counsel I shall be a person who has graduated from
 3 an accredited school of law and is admitted to practice in
 4 Iowa as an Attorney and Counselor at Law.

5 BE IT FURTHER RESOLVED, That part-time employees shall be
 6 compensated at the scheduled hourly rate for their pay grade
 7 and step. While assisting interim committees they shall be
 8 compensated at the scheduled hourly rate in grade 16.

9 BE IT FURTHER RESOLVED, That employees of the general
 10 assembly may be eligible for either:

11 a) increases in salary grade or step based on evaluation
 12 of their job performance and recommendations of their
 13 administrative officers, subject to approval of the senate
 14 committee on rules and administration or the house committee
 15 on rules and administration, as appropriate; or

16 b) mobility within pay steps at the discretion of the
 17 chief clerk of the house and the secretary of the senate,
 18 subject to the approval of the house committee on rules and
 19 administration or the senate committee on rules and
 20 administration, as appropriate -- in accord with the following
 21 schedule:

22 (1) Progression from step "1" to "2" -- six months of
 23 actual employment.

24 (2) Progression from step "2" to "3" and step "3" to "4"
 25 and step "4" to "5" -- twelve months of actual employment.

26 (3) Progression from step "5" to "6" -- twenty-four months
 27 of actual employment.

28 BE IT FURTHER RESOLVED, that in addition to the steps
 29 provided in the preceding paragraph, that secretaries to
 30 senators and representatives shall be eligible for additional
 31 steps as provided in this paragraph. At the discretion of the
 32 secretary of the senate and chief clerk of the house and
 33 subject to the approval of the senate committee on rules and
 34 administration or the house committee on rules and
 35 administration, as appropriate, secretaries may be granted

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1 additional steps in accord with the following schedule:

2 1. One additional step for a secretary to a standing
 3 committee, ethics committee or appropriations subcommittee
 4 chairperson who is not the designated committee secretary.

5 2. One additional step for a secretary to a vice-

6 chairperson or ranking member of a standing committee.
 7 3. Two additional steps for a designated secretary to a
 8 standing or ethics committee or appropriations subcommittee or
 9 assistant floor leader or speaker pro tempore or president pro
 10 tempore, and one additional step for each such position held
 11 beyond the first position.

12 BE IT FURTHER RESOLVED, That the entrance salary for
 13 employees of the general assembly shall be at step 1 in the
 14 grade of the position held. Such employee may be hired above
 15 the entrance step if possessing outstanding and unusual
 16 experience for the position, provided that the entrance is not
 17 beyond step 3. Such employee who is hired above the entrance
 18 step shall be mobile above that step in the same period of
 19 time as other employees in that same step. An officer or
 20 employee who is moved to another position may be considered
 21 for partial or full credit for their experience in the former
 22 position in determining the step in the new grade.

23 The entry level for the position of research analyst shall
 24 be grade 24, step 1, unless extraordinary conditions justify
 25 increasing that entry level; however, that entry level may not
 26 be increased beyond grade 26, step 1. A research analyst must
 27 have shown knowledge of legislative rules and procedures as
 28 well as the Code of Iowa to be considered at any grade above a
 29 grade 24, step 1.

30 BE IT FURTHER RESOLVED, That a pay increase for employees
 31 of one step within the pay grade for the position may be made
 32 for exceptionally meritorious service in addition to step
 33 increases provided for in this resolution, upon recommendation
 34 of the secretary of the senate or chief clerk of the house and
 35 the approval of the senate committee on rules and

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1 administration or the house committee on rules and
 2 administration. Exceptionally meritorious service pay
 3 increases shall be governed by the following:
 4 a. The employee must have served in the position for at
 5 least twelve months;
 6 b. Written justification, setting forth in detail the
 7 nature of the exceptionally meritorious service rendered, must
 8 be submitted to the senate rules and administration committee
 9 or house rules and administration committee and approved in
 10 advance of granting the pay increase;

11 c. No more than one exceptionally meritorious service pay
 12 increase may be granted in any twelve-month period.

13 BE IT FURTHER RESOLVED, That the secretary of the senate
 14 and chief clerk of the house shall receive applications for
 15 employment, arrange for any necessary examinations, contact
 16 references and make recommendations for hiring. The senate
 17 rules and administration committee and the house rules and

18 administration committee shall both hire officers and
19 employees for their respective bodies and fill any vacancies
20 which may occur, to be effective at such time as they shall
21 set. The committee shall report the names of those it has
22 hired for the positions specified in this resolution or the
23 filling of any vacancies on the next legislative day or, if
24 such action is during the interim, on the first day the senate
25 or house shall convene. Any action by the senate or house to
26 amend or disapprove a report or a portion of a report shall be
27 effective the day after the action.
28 The chief clerk of the house shall submit to the house
29 committee on rules and administration and the secretary of the
30 senate shall submit to the senate committee on rules and
31 administration the list of names, or amendments thereto, of
32 employee classifications and recommended pay step for each
33 officer and employee. Such list shall include recommendations
34 for the pay step for all employees. Each respective committee
35 shall approve or amend the list of recommended classifications

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1 and pay steps and publish said list in the journal. The
2 secretary of the senate and the chief clerk of the house shall
3 set the period of employment of intermittent employees under
4 such direction as the senate rules and administration
5 committee and the house rules and administration committee may
6 provide.
7 BE IT FURTHER RESOLVED, That permanent employees of the
8 general assembly shall receive vacation allowances, sick
9 leave, health and accident insurance, life insurance, and
10 disability income insurance as are provided for full-time
11 permanent state employees. The computations shall be
12 maintained by the finance officers in each house and
13 coordinated with the state comptroller.
14 BE IT FURTHER RESOLVED, That should any employee have a
15 grievance concerning their compensation, hours of work,
16 performance of work, or other matter, the grievance shall be
17 resolved as provided in this paragraph or by procedures
18 determined by the senate rules and administration committee or
19 the house rules and administration committee.
20 The grievance shall first be brought to the attention of
21 the secretary of the senate or chief clerk of the house. The
22 procedure may be informal and oral except that the secretary
23 or chief clerk shall give his or her final conclusion in
24 writing.
25 An employee may appeal in writing an adverse ruling of the
26 secretary or chief clerk to the senate rules and
27 administration committee or the house rules and administration
28 committee which shall consider the grievance. The committee's
29 consideration shall be informal except that accurate minutes

30 shall be kept and the final conclusion shall be in writing.
 31 Any employee having a grievance shall have access to all
 32 relevant house or senate records, may have the assistance of
 33 counsel, and, if the grievance involves a disciplinary action,
 34 shall have a written statement of the grounds for the
 35 disciplinary action.

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1 BE IT FURTHER RESOLVED, That prior to the convening of the
 2 1986 session of the general assembly, the senate and house
 3 members of the joint pay subcommittee of the senate and house
 4 committees on rules and administration, shall meet in joint
 5 session to consider recommendations for amendments in the
 6 provisions of this resolution based on information contained
 7 in the legislative council report on comparable worth in
 8 general assembly employee compensation and merit department
 9 reports on uses of differing employee pay matrices. Any
 10 recommended amendments to this resolution approved by the
 11 joint subcommittee shall be submitted to the respective
 12 committees on rules and administration in each house for
 13 consideration prior to the convening of the 1986 session of
 14 the general assembly.

15 BE IT FURTHER RESOLVED, That the compensation of chaplains
 16 officiating at the opening of the daily sessions of the house
 17 of representatives and the senate of the seventy-first general
 18 assembly be fixed at ten dollars for each house of the general
 19 assembly, and that mileage for chaplains be fixed at the rate
 20 of twenty-four cents per mile to and from the State Capitol.
 21 The secretary to the senator or representative who is the
 22 chairman of the chaplain's committee shall be granted one pay
 23 step in addition to the step for which that secretary is
 24 otherwise qualified.

1 SENATE CONCURRENT RESOLUTION 3
 2 By: Rules and Administration Committee Resolution
 3 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
 4 That the joint rules of the senate and house in the
 5 seventy-first general assembly shall be:
 6 JOINT RULES OF THE
 7 SENATE AND HOUSE
 8 Rule 1
 9 Suspension of Joint Rules
 10 The joint rules of the general assembly may be
 11 suspended by concurrent resolution, duly adopted by a
 12 constitutional majority of the senate and the house.
 13 Rule 2
 14 Designation of Sessions
 15 Each regular session of a general assembly shall be

16 designated by the year in which such regular session
17 commences.

18

Rule 3

19 Sessions of a General Assembly

20 The election of officers, organization, hiring and
21 compensation of employees, and standing committees in
22 each house of the general assembly and action taken by
23 each house shall carry over from the first to the
24 second regular session and to any extraordinary
25 session of the same general assembly. The status of
26 each bill and resolution shall be the same at the
27 beginning of each session as it was immediately before
28 adjournment of the previous regular or extraordinary
29 session; however the rules of either house may provide
30 for re-referral of some or all bills and resolutions

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1 to standing committees upon adjournment of each
2 session or at the beginning of a subsequent regular or
3 extraordinary session, except those which have been
4 adopted by both houses in different forms.

5 Upon final adoption of a concurrent resolution at
6 any extraordinary session affecting that session, or
7 at a regular session affecting any extraordinary
8 session which may be held before the next regular
9 session, the creation of any calendar by either house
10 shall be suspended and the business of the session
11 shall consist solely of those bills or subject matters
12 stated in the resolution adopted. Bills named in the
13 resolution, or bills containing the subject matter
14 provided for in the resolution, may, at any time, be
15 called up for debate in either house by the majority
16 leader of that house.

17

Rule 4

18 Presentation of Messages

19 All messages between the two houses shall be sent
20 by the secretary of the senate or the chief clerk of
21 the house of representatives, shall be announced and
22 communicated to the chair.

23

24

Rule 5

25 Printing and Form of Bills
26 and Other Documents

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

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1 house of representatives.

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

5 The legal counsel of each house shall approve all
6 bills before introduction.

7 Rule 6

8 Companion Bills

9 Identical bills introduced in each house shall be
10 called companion bills. Each house shall designate
11 the sponsor in the usual way followed in parentheses
12 by the sponsor of the companion bill in the other
13 house. The house where the bill is first introduced
14 shall print the complete text.

15 Rule 7

16 Reprinting of Bills

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

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

26 Rule 8

27 Daily Clip Sheet

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

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1 Rule 9

2 Reintroduction of Bills and Other Measures

3 A bill or resolution which has passed one house and
4 is rejected in the other shall not be introduced again
5 during that general assembly.

6 Rule 10

7 Certification of Bills and Other Enrollments

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

13 Rule 11

14 Code Editor's Correction Bill

15 A bill recommended by the code editor which is

16 introduced by a committee of the house or senate
17 within the first four weeks of convening of a
18 legislative session and which contains code
19 corrections of a nonsubstantive nature shall not be
20 amended on the floor of either house except pursuant
21 to corrective or nonsubstantive amendments filed by
22 the judiciary committee of the house or the senate.

23 Rule 12

24 Amendments by Other House

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

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

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

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

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

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

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

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

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

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

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

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

8 IV. A motion to concur, refuse to concur, recede,
9 insist, or adopt a conference committee report is in
10 order even though the subject matter has previously
11 been acted upon.

12

Rule 13

13

Conference Committee

14

1. Within one legislative day after either house
15 insists upon an amendment to a bill, the presiding
16 officer of the house, after consultation with the
17 majority leader, shall appoint three majority party
18 members and, after consultation with the minority
19 leader, shall appoint two minority party members to a
20 conference committee. The presiding officer of the
21 senate, after consultation with and approval by the
22 majority leader, shall appoint three majority party
23 members and, after consultation with and approval by
24 the minority leader, shall appoint two minority party
25 members to a conference committee. The papers shall
26 remain with the house that originated the bill.

27 2. The conference committee shall meet before the
28 end of the next legislative day after their
29 appointment, shall select a chair and shall discuss
30 the controversy.

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1 3. The authority of the committee shall cover free
2 conference during which the committee has authority to
3 propose amendments to any portion of a bill provided
4 the amendment is within the scope of the title of the
5 bill as passed by the house of origin or amended by
6 the second house.

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

16 house of representatives to the other house.
17 5. The report of agreement is debatable, but
18 cannot be amended. If the report contains recommended
19 amendments to the bill, adoption of the report shall
20 automatically adopt all amendments contained therein.
21 After the report is adopted, there shall be no more
22 debate, and the bill shall immediately be placed upon
23 its final passage.
24 6. Refusal of either house to adopt the conference
25 committee report has the same effect as if the
26 committee had disagreed.
27 7. If the conference committee fails to reach
28 agreement, a report of such failure signed by at least
29 three members of each house shall be given promptly to
30 each house. The bill shall be returned to the house

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1 that originated the bill and the members of the
2 committee shall be immediately discharged and a new
3 conference committee appointed by the presiding
4 officer of each house. The presiding officer of the
5 house, after consultation with the majority leader,
6 shall appoint three majority party members and, after
7 consultation with the minority leader, shall appoint
8 two minority party members. The presiding officer of
9 the senate, after consultation with and approval by
10 the majority leader, shall appoint three majority
11 party members and, after consultation with and
12 approval by the minority leader, shall appoint two
13 minority party members.

14 Rule 14.

15 Enrollment and Authentication of Bills
16 A bill or resolution which has passed both houses
17 shall be enrolled in the house of origin under the
18 direction of either the secretary or the chief clerk
19 and its house of origin shall be certified by the
20 endorsement of the secretary or the chief clerk.

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

23 Rule 15

24 Concerning other Enrollments

25 All resolutions and other matters which are to be
26 presented to the governor for approval shall be
27 enrolled, signed, and presented in the same manner as
28 bills.

29 All resolutions and other matters which are not to
30 be presented to the governor or the secretary of state

16 fiscal note shall be filed by the legislative fiscal
17 director, for distribution, with the secretary of the
18 senate or the chief clerk of the house unless within
19 one legislative day a request for a revised fiscal
20 note is filed with the legislative fiscal director.
21 The legislative fiscal director may request the
22 cooperation of the state comptroller or any state
23 department or agency. If a fiscal note is prepared by
24 the comptroller or any state department or agency at
25 the request of the fiscal director, that fact shall be
26 stated in the note.
27 Each fiscal note shall state in dollars the
28 estimated effect of the bill on the revenues,
29 expenditures, and fiscal liability of the state during
30 the first five years after enactment. The information

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1 shall specifically note the fiscal impact for the
2 first two years following enactment and the
3 anticipated impact for the succeeding three years.
4 Sources of funds for expenditures under the bill shall
5 be stated, including federal funds. If the fiscal
6 director cannot make an accurate estimate, the
7 director shall state the best available estimate or
8 shall state that no dollar estimate can be made and
9 state concisely the reason.
10 The fiscal note shall be attached or printed in the
11 bill following the explanation or shall be printed in
12 the daily clip sheet.
13 A revised fiscal note may be requested by a
14 committee chair or a sponsor of the bill if the fiscal
15 effect of the bill has been changed by adoption of an
16 amendment. However, a request for a revised fiscal
17 note shall not delay action on a bill unless so
18 ordered by the presiding officer of the house in which
19 the bill is under consideration.
20 If a date for adjournment has been set, then a
21 constitutional majority of the house in which the bill
22 is under consideration may waive the fiscal note
23 requirement during the three days prior to the date
24 set for adjournment.

25 Rule 18

26 Legislative Interns

27 Legislators may arrange student internships during
28 the legislative session with Iowa college, university,
29 or law school students, for which the students may
30 receive college credit at the discretion of their

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1 schools. Each legislator is allowed only one intern
 2 at a time per legislative session, and all interns
 3 must be registered with the offices of the secretary
 4 of the senate and the chief clerk of the house.

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

13 The secretary of the senate and the chief clerk of
 14 the house or their designees shall have the following
 15 responsibilities as regards the legislative intern
 16 program:

17 1. Identify a supervising faculty member at each
 18 participating institution who shall be responsible for
 19 authorizing students to participate in the intern
 20 program.

21 2. Provide legislators with a list of
 22 participating institutions and the names of
 23 supervising professors to contact if interested in
 24 arranging for an intern.

25 3. Provide interns with name badges which will
 26 allow them access to the floor of either house when
 27 required to be present by the legislators for whom
 28 they work.

29 4. Provide orientation materials to interns prior
 30 to the convening of each session.

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1 Rule 19

2 Administrative Rules Review Committee Bills

3 A bill which relates to departmental rules and
 4 which is approved by the administrative rules review
 5 committee by a majority of the committee's members of
 6 each house is eligible for introduction in either
 7 house at any time and must be referred to a standing
 8 committee, which must take action on the bill within
 9 three weeks of referral, except bills referred to
 10 appropriations and ways and means committees.

11 Rule 20

12 Time of Committee Passage and Consideration of Bills

13 1. This rule does not apply to concurrent or
 14 simple resolutions, joint resolutions nullifying
 15 administrative rules, senate confirmations, or bills

16 passed by both houses in different forms. Subsection
17 2 of this rule does not apply to appropriations bills,
18 ways and means bills, legalizing acts, administrative
19 rules review committee bills, bills cosponsored by
20 majority and minority floor leaders of one house,
21 bills in conference committee, and companion bills
22 sponsored by the majority floor leaders of both houses
23 after consultation with the respective minority floor
24 leaders. For the purposes of this rule, a joint
25 resolution is considered as a bill.
26 2. To be placed on the calendar in the house of
27 origin, a bill must be first reported out of the
28 committee of first referral by Friday of the 10th week
29 of the first session and the 8th week of the second
30 session. To be placed on the calendar in the other

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1 house, a bill must be first reported out of the
2 committee of first referral by Friday of the 13th week
3 of the first session and the 11th week of the second
4 session.
5 3. During the 11th week of the first session and
6 the 9th week of the second session, each house shall
7 consider only bills originating in that house and
8 unfinished business. During the 14th week of the
9 first session and the 12th week of the second session,
10 each house shall consider only bills originating in
11 the other house and unfinished business. Beginning
12 with the 15th week of the first session and the 13th
13 week of the second session, each house shall consider
14 only bills passed by both houses, bills exempt from
15 subsection 2 and unfinished business.
16 4. A motion to reconsider filed and not disposed
17 of on an action taken on a bill or resolution which is
18 subject to a deadline under this rule may be called up
19 at any time before or after the day of the deadline by
20 the person filing the motion or after the deadline by
21 the majority floor leader, notwithstanding any other
22 rule to the contrary.

23 Rule 21
24 Resolutions

25 1. A "concurrent resolution" is a resolution to be
26 adopted by both houses of the general assembly which
27 expresses the sentiment of the general assembly or
28 deals with temporary legislative matters. It may
29 authorize the expenditure, for any legislative
30 purpose, of funds appropriated to the general

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1 assembly. A concurrent resolution is not limited to,
2 but may provide for a joint convention of the general
3 assembly, adjournment or recess of the general
4 assembly, or requests to a state agency or to the
5 general assembly or a committee. A concurrent
6 resolution requires the affirmative vote of a majority
7 of the senators or representatives present and voting
8 unless otherwise specified by statute. A concurrent
9 resolution does not require the governor's approval
10 unless otherwise specified by statute. A concurrent
11 resolution shall be filed with the secretary of the
12 senate or the chief clerk of the house. A concurrent
13 resolution shall be printed in the bound journal after
14 its adoption.

15 2. A "joint resolution" is a resolution which
16 requires for approval the affirmative vote of a
17 constitutional majority of each house of the general
18 assembly. A joint resolution which appropriates funds
19 or enacts temporary laws must contain the clause "Be
20 It Enacted by the General Assembly of the State of
21 Iowa:", is equivalent to a bill, and must be
22 transmitted to the governor for his approval. A joint
23 resolution which proposes amendments to the
24 Constitution of the State of Iowa, ratifies amendments
25 to the Constitution of the United States, proposes a
26 request to Congress or an agency of the government of
27 the United States of America, proposes to Congress an
28 amendment to the Constitution of the United States of
29 America, nullifies an administrative rule, or creates
30 a special commission or committee must contain the

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1 clause "Be It Resolved by the General Assembly of the
2 State of Iowa:" and shall not be transmitted to the
3 governor. A joint resolution shall not amend a
4 statute in the Code of Iowa.

5 Rule 22

6 Nullification Resolutions

7 A "nullification resolution" is a joint resolution
8 which nullifies all or part of an administrative rule
9 adopted pursuant to chapter 17A of the Code. A
10 nullification resolution shall not amend an
11 administrative rule by adding language or by inserting
12 new language in lieu of existing language.

13 Rule 23

14 Reconsideration of Vetoes

15 1. The senate and house calendar shall include a

16 list known as the "Veto Calendar." The veto calendar
17 shall consist of:

18 a. Bills returned to that house by the governor in
19 accordance with Article III, section 16 of the
20 Constitution of the State of Iowa.

21 b. Appropriations items returned to that house by
22 the governor in accordance with Article III, section
23 16 of the Constitution of the State of Iowa.

24 c. Bills and appropriations items received from
25 the other house after that house has voted to override
26 a veto of them by the governor.

27 2. Vetoed bills and appropriations items shall
28 automatically be placed on the veto calendar upon
29 receipt. Vetoed bills and appropriations items shall
30 not be referred to committee.

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1 3. Upon first publication in the veto calendar,
2 the senate majority leader or the house majority
3 leader may call up a vetoed bill or appropriations
4 item at any time.

5 4. The affirmative vote of two-thirds of the
6 members of the body by record roll call on a motion to
7 reconsider a vetoed bill or appropriations item
8 constitutes a vote to override the executive veto or
9 item veto.

10 5. A motion to reconsider a vetoed bill or
11 appropriations item is debatable. A vetoed bill or
12 appropriation item cannot be amended in this case.

13 6. The vote by which a motion to reconsider a
14 vetoed bill or appropriations item passes or fails to
15 pass either house is not subject to reconsideration
16 under senate rule 24 or house rule 74.

17 7. The secretary of the senate or the chief clerk
18 of the house shall immediately notify the other house
19 of the adoption or rejection of a motion to reconsider
20 a vetoed bill or appropriations item.

21 8. All bills and appropriations items on the veto
22 calendar shall be disposed of before adjournment sine
23 die, unless the house having a bill or appropriation
24 item before it declines to do so by unanimous consent.

25 9. Bills and appropriations items on the veto
26 calendar are exempt from deadlines imposed by joint
27 rule 20.

1 SENATE CONCURRENT RESOLUTION 4

2 By: Committee On Agriculture

3 A Concurrent Resolution to declare an economic

4 emergency, to request Congressional hearings on the
5 crisis, to request federal legislation, and requesting
6 the use of the powers of the state's executive branch.
7 WHEREAS, the State of Iowa, one of the major
8 agricultural states in the United States, is suffering
9 from a financial crisis in agriculture that affects
10 the entire economic health of this state, as well as
11 the economic health of the midwestern and national
12 economies; and
13 WHEREAS, this financial crisis that affects
14 agricultural producers has grown to include the
15 business communities which together form the core of
16 the midwestern economy; and
17 WHEREAS, the factors which created this crisis are
18 beyond the capacity of individuals to manage or
19 control, including sustained high interest rates,
20 declining land values which have eroded farm equity,
21 commodity prices below the cost of production, and
22 successive years of weather-related problems; and
23 WHEREAS, if current economic conditions continue,
24 over thirty-four thousand of Iowa's one hundred
25 fifteen thousand farms currently burdened with a debt-
26 to-asset ratio of over forty percent face the
27 likelihood of insolvency within the next two years;
28 and
29 WHEREAS, the value of Iowa's agricultural land
30 plunged by eleven point three billion dollars during

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1 1984, which represents a twenty percent drop in the
2 value of agricultural land in twelve months, the
3 largest single year decrease in price since the
4 depression of the 1930's, and which caps a thirty-
5 seven percent drop in agricultural land value since
6 1981; and
7 WHEREAS, the value of assets lost in this financial
8 crisis has already negatively affected the machinery
9 market and has forced many farm implement dealers and
10 related agricultural service businesses into
11 bankruptcy; and that an Iowa State University study
12 predicts that equity, net worth, and accumulated
13 wealth of Iowa farms and rural businesses will
14 continue to decline at the current rate of ten billion
15 to twenty billion dollars per year, that the return on
16 farm assets will be lower for 1985 than it was for
17 1982 and 1983 crops, and that twenty-five percent of
18 Iowa's agriculture-related businesses could fail due
19 to bad debts and high interest rates; and
20 WHEREAS, due to this financial crisis, the Iowa

21 civilian labor force has dropped by over one hundred
22 thousand in population since the beginning of fiscal
23 year 1982; and
24 WHEREAS, the average Iowa farmer recorded a net
25 income loss of one thousand eight hundred ninety-one
26 dollars during 1983, and average United States net
27 farm income dropped to six thousand seven hundred
28 ninety-three dollars which represents an income three
29 thousand four hundred seven dollars below the federal
30 poverty level for a family of four; and

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1 WHEREAS, experts expect this crisis to broaden
2 during the immediate weeks prior to the spring 1985
3 planting season, thus endangering the financial health
4 of farmers, state and federally chartered lending
5 institutions, rural small businesses, and agricultural
6 manufacturers; NOW THEREFORE,
7 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
8 That the Seventy-First General Assembly of the State
9 of Iowa declares Iowa to be in a state of economic
10 emergency due to an agricultural depression; and
11 BE IT FURTHER RESOLVED, That the Congress of the
12 United States be requested to immediately hold local
13 and statewide hearings involving the United States
14 Department of Agriculture and federal credit officials
15 to examine the current crisis and to determine the
16 immediate actions necessary to alleviate this crisis,
17 and Congress is further requested to use the 1985
18 federal farm bill to restructure the financial burden
19 currently facing agricultural producers and
20 businesses; and
21 BE IT FURTHER RESOLVED, That the General Assembly
22 of the State of Iowa calls upon the Governor of the
23 State of Iowa to use the powers of the executive
24 branch to address this state of economic emergency
25 brought on by this agricultural depression, however,
26 the passage of this resolution shall not trigger the
27 provisions of section 654.15; and
28 BE IT FURTHER RESOLVED, That the Secretary of State
29 is directed to send copies of this resolution to the
30 President of the United States, the Governor of the

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1 State of Iowa, the Speaker and Clerk of the United
2 States House of Representatives, the President and
3 Secretary of the United States Senate, the Chairperson
4 of the Senate and House of Representatives Agriculture

5 Committees, the Secretary of the United States
 6 Department of Agriculture, each member of the Iowa
 7 Congressional Delegation, and legislative leaders of
 8 states in the midwest.

1 SENATE CONCURRENT RESOLUTION 7

2 By: Committee On Education

3 A Senate Concurrent Resolution for a study of the
 4 collective bargaining process for educators.

5 WHEREAS, teachers have had the right to bargain
 6 collectively for certain terms of their contracts,
 7 including salaries; and

8 WHEREAS, a number of national and state studies
 9 have recommended increased salaries and
 10 responsibilities for educators; and

11 WHEREAS, there is a need to reexamine the system of
 12 collective bargaining and the factors traditionally
 13 associated with the negotiation process as they relate
 14 to educators; NOW THEREFORE,

15 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,

16 That the legislative council is directed to establish
 17 a study committee to conduct a comprehensive study of
 18 the collective bargaining process as it relates to
 19 elementary and secondary school educators. Members of
 20 the study committee shall be appointed by the
 21 legislative council by March 1, 1985 and they shall
 22 include two members representing the Iowa state
 23 education association, two members representing the
 24 Iowa association of school boards, one school district
 25 superintendent, one school principal, and three
 26 citizens of this state who are knowledgeable about the
 27 collective bargaining process. Members of the study
 28 committee shall be reimbursed from section 2.12 of the
 29 Code for actual and necessary expenses incurred as a
 30 member of the study committee; and

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1 BE IT FURTHER RESOLVED, That the areas of
 2 consideration of the study committee shall include but
 3 not be limited to the following:

- 4 1. How to increase trust between the collective
- 5 bargaining units and school administrations.
- 6 2. The advantages of two-year or longer bargaining
- 7 agreements.
- 8 3. How both management and labor can be trained to
- 9 carry out collective bargaining activities.
- 10 4. How to improve teacher and principal
- 11 involvement in the ongoing development of the

12 educational system.

13 5. Problems of professionalization in a collective
14 bargaining atmosphere.

15 6. Problems created by the inclusion of teachers
16 under the general collective bargaining laws of the
17 state.

18 7. Problems of removing incompetent teachers under
19 collective bargaining agreements.

20 8. Innovative ways to carry out the negotiation
21 process.

22 9. The feasibility of changing the timeline for
23 the collective bargaining process so that contract
24 negotiations occur during summer months; and

25 BE IT FURTHER RESOLVED, That the study committee
26 shall report its findings and recommendations to the
27 legislative council not later than November 1, 1985.

1 SENATE CONCURRENT RESOLUTION 10

2 By: Junkins and Hultman

3 A Concurrent Resolution to encourage and support
4 the governor and the Iowa development commission in
5 their efforts to convince the general motors
6 corporation to locate the new saturn factory in Iowa.

7 WHEREAS, the Iowa General Assembly recognizes that
8 General Motors Corporation is considering opening a

9 new factory to produce a new line of automobiles; and
10 WHEREAS, within the next four months the General
11 Motors Corporation is expected to choose a location
12 for this factory; and

13 WHEREAS, this factory is expected to create six
14 thousand new jobs; and

15 WHEREAS, Iowa's workers are among the most
16 productive in the world; and

17 WHEREAS, the Iowa economy is in need of expansion
18 and diversification; and

19 WHEREAS, thousands of skilled workers have lost
20 their jobs because of the condition of the economy;
21 and

22 WHEREAS, many of these workers will not be
23 reinstated because of the economic adjustments taking
24 place; and

25 WHEREAS, the Iowa General Assembly and the people
26 of Iowa are deeply concerned about the economic future
27 of this state; NOW THEREFORE,

28 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
29 That the Iowa General Assembly extends an invitation
30 to the General Motors Corporation to locate its Saturn

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1 plant in Iowa; and
 2 BE IT FURTHER RESOLVED, That the General Assembly
 3 strongly urges the Governor and the Iowa Development
 4 Commission to do their utmost to convince the General
 5 Motors Corporation to locate this new factory in Iowa;
 6 and
 7 BE IT FURTHER RESOLVED, That the Iowa General
 8 Assembly stands ready to provide assistance to the
 9 Governor in this endeavor through taking part in
 10 meetings and discussions and other means as may be
 11 necessary.

1 SENATE CONCURRENT RESOLUTION 19
 2 By: Gettings, Neighbour, Gronstal, Miller
 3 of Des Moines, Dieleman, Horn, Rodgers,
 4 Colton, Wells, Hutchins, Boswell,
 5 Kinley, Junkins and Hultman

6 A Senate Concurrent Resolution relating to the
 7 National Railroad Passenger Corporation.
 8 WHEREAS, the National Railroad Passenger
 9 Corporation, known as Amtrak, serves the citizens of
 10 this state; and

11 WHEREAS, Amtrak has continually improved the
 12 quality of its service and its financial position, and
 13 the number of passengers has increased to a point of
 14 22 million people transported in 1984 and is expected
 15 to increase by 1% to 3% in 1985; as it is the only
 16 rail passenger service in and across the State of
 17 Iowa; and

18 WHEREAS, the Budget presented to the Congress of
 19 the United States by the President would, if enacted,
 20 deprive Amtrak of federal funding required for its
 21 continued existence; NOW THEREFORE,

22 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
 23 That the members of the Iowa General Assembly urge the
 24 members of Congress representing the State of Iowa to
 25 actively support legislation to provide sufficient
 26 funding to keep Amtrak in at least as sound a position
 27 operationally and financially as it is now; and

28 BE IT FURTHER RESOLVED, That the members of the
 29 Iowa General Assembly urge the members of Congress
 30 representing the State of Iowa to actively support

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1 legislation to provide for continued Amtrak service
2 within the State of Iowa; and
3 BE IT FURTHER RESOLVED, That a copy of this
4 resolution shall be presented to each member of
5 Congress representing Iowa.

1 SENATE CONCURRENT RESOLUTION 25
2 By: Committee On Natural Resources
3 A Concurrent Resolution declaring the opposition of
4 the General Assembly to certain proposed federal
5 program reductions.
6 WHEREAS, the United States office of management and
7 budget has proposed to eliminate funding for many
8 conservation programs; and
9 WHEREAS, the proposal includes severe cutbacks for
10 the federal Soil Conservation Service and elimination
11 of the federal Agriculture Stabilization and
12 Conservation Service agricultural conservation
13 program; and
14 WHEREAS, the federal Soil Conservation Service
15 provides technical expertise to the soil conservation
16 districts of Iowa; and
17 WHEREAS, federal Soil Conservation Service programs
18 administered through soil conservation districts
19 include erosion control, flood control, cost-share for
20 conservation practices, reclamation of abandoned
21 mines, and resource conservation and development in
22 rural areas; and
23 WHEREAS, the loss of federal Soil Conservation
24 Service programs would result in a severe reduction of
25 soil conservation assistance to Iowa farmers,
26 resulting in increased soil erosion, impaired water
27 quality and direct economic losses to the state of
28 Iowa and the nation; NOW THEREFORE,
29 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
30 That the Iowa General Assembly declares its opposition

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1 to the adoption of policies to eliminate or
2 drastically reduce funding for conservation programs,
3 and petitions the United States Congress to reject any
4 and all such proposals; and
5 BE IT FURTHER RESOLVED, That copies of this
6 resolution be sent to the President of the United
7 States and to all members of the Iowa Congressional
8 Delegation.

5 commercial and industrial development in the state.
6 WHEREAS, the economy of the state of Iowa will be
7 strengthened by increasing diversification; and
8 WHEREAS, access to capital is a serious impediment
9 to commercial and industrial development in the state;
10 and
11 WHEREAS, the federal government is continuing to
12 tighten traditional capital markets by unprecedented
13 deficit spending, by proposing to terminate funding
14 for Urban Development Action Grants, the Small
15 Business Administration, the Economic Development
16 Administration, General Revenue Sharing, Rural
17 Housing, by proposing to cut federal aid to highways,
18 public housing, rental housing, and mass transit, and
19 by proposing to eliminate the use of tax exempt
20 industrial development revenue bonds; and
21 WHEREAS, with the adoption of Senate File 27, the
22 director of job service is granted the authority to
23 reinvest pension funds as a "prudent person" while
24 considering diversification, liquidity, current return
25 and projected return and when consistent with these
26 considerations reinvestments shall be made to enhance
27 the economy in the state; and
28 WHEREAS, investments in Iowa originated mortgage
29 backed securities which are rated AAA with a one
30 hundred percent guarantee as to principal and

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1 interest, provide liquidity and earnings similar to
2 ten-year United States Treasury bonds, and provide the
3 access to capital which can help with Iowa economic
4 development efforts; NOW THEREFORE,
5 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,
6 That the director of job service and the advisory
7 investment board of the Iowa Public Employees
8 Retirement System are urged to investigate investment
9 opportunities which provide construction and mortgage
10 financing for new commercial and industrial
11 development throughout the state.

**SUPPLEMENT
TO THE
SENATE JOURNAL**

**Seventy-first General Assembly
1985 Regular Session**

SENATE BILLS APPROVED, ITEM VETOED OR VETOED SUBSEQUENT TO ADJOURNMENT

The following is a record of action on Senate bills by the Governor and transmitted to the Secretary of State after the close of the 1985 Regular Session:

- 13 — Allowing 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. Approved May 24.
- 24 — Imposing a state alternative minimum tax to replace the state minimum tax under the individual income tax and making the act retroactive. Approved May 31.
- 27 — Relating to the investment policies for funds available to certain state agencies. Approved May 24.
- 81 — 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. Approved May 24.
- 103 — Authorizing the board of supervisors to sell or lease a county hospital for use as a private hospital with voter approval. Approved May 23.
- 110 — 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 with or in the Republic of South Africa, providing for divestiture of the investments, and providing for civil penalties. Approved May 30.
- 156 — Relating to programs administered by the Iowa college aid commission, to establish an Iowa college work-study program, and to change the method of administering the state scholarship program. Approved May 29.
- 157 — Permitting a savings and loan association to obtain deposit insurance from an insurance plan approved by the supervisor of savings and loans or permitting a savings and loan association to voluntarily liquidate in lieu of obtaining and maintaining the insurance. Approved May 20.
- 218 — Relating to the return of juveniles alleged to be delinquent from another state under the interstate compact on juveniles. Approved May 23.
- 224 — Relating to discrimination on the basis of gender and marital status. Approved May 9.

- 244 —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. Approved May 9.
- 250 —Relating to the provision of statewide library services by the reorganization of the state library of Iowa and the regional library system. Approved May 29.
- 254 —Relating to administrative endorsements and certificates issued by the board of educational examiners. Approved May 29.
- 264 —Eliminating the net worth eligibility requirement for loans from the conservation practices revolving loan fund. Approved May 22.
- 271 —Relating to refund of tuition policies of certain postsecondary institutions and to prescribe a penalty. Approved May 29.
- 290 —Relating to the sale of antique motor vehicles. Approved May 9.
- 295 —Relating to the violation of laws concerning alcoholic liquor and beer by establishing the penalty for transporting an open container of alcoholic liquor or beer in a motor vehicle as a simple misdemeanor, and by removing the duty of a liquor control licensee to break empty liquor bottles. Approved May 24.
- 296 —Relating to the deposit and investment of public funds. Approved May 24.
- 306 —Relating to certain requirements for the filling of prescriptions for controlled substances and poisons. Approved May 6.
- 309 —Relating to dishonored checks, drafts, or orders for payment and providing penalties. Approved May 24.
- 317 —Relating to qualifying for office. Approved May 7.
- 328 —Relating to the eligibility of graduates of colleges of pharmacy located outside the United States to take the licensure exam in Iowa. Approved May 8.
- 329 —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. Approved May 24.
- 349 —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. Approved May 17.

- 355 —Relating to the publication of notice of a hearing on an amendment to an urban revitalization plan. Approved May 9.
- 359 —Relating to the declaration of value for real estate transfers, and providing an effective date. Approved May 9.
- 364 —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. Disapproved May 30. (See Governor's Veto Message).
- 374 —Relating to the giving of false information on a blood plasma sale application to blood plasma taking personnel and providing a penalty. Approved May 24.
- 376 —Reclassifying and adding certain controlled substances to the schedules in chapter 204. Approved May 8.
- 377 —Relating to the jurisdiction of the probate court with respect to trusts administered by banks and trust companies. Approved May 20.
- 383 —Relating to the establishment of a special unemployment compensation contribution rate for certain expanding employers. Approved May 30.
- 385 —Providing for payment of prevailing wage rates on public construction projects and to provide enforcement through the Labor Commissioner and providing penalties. Disapproved May 20. (See Governor's Veto Message).
- 387 —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, requiring rules to be adopted to provide for the assignment of registration plates to the person, requiring certain counties to send a statement relating to due registration fees to owners of motor vehicles and allowing a refund of unexpired registration fees for certain vehicles. Approved May 8.
- 393 —Relating to the fee for transferring real estate by the county auditor. Approved May 9.
- 398 —Relating to school reorganization. Approved May 29.
- 401 —Relating to the harboring or enticing away of children and providing penalties. Approved May 23.
- 406 —Relating to the destruction of noxious weeds and providing a penalty. Approved May 22.
- 407 —Relating to the licensing of real estate brokers and real estate salespersons and providing for an effective date. Approved May 7.

- 413 —Relating to farm-to-market road fund allocations. Approved May 7.
- 423 —Relating to claims in estates for which there is insurance coverage. Approved May 8.
- 424 —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. Approved May 23.
- 433 —Relating to the certification and regulation of respiratory care practitioners and providing a penalty. Approved May 20.
- 435 —Relating to the distribution of monthly employment and unemployment statistics by the Department of Job Service. Approved May 31.
- 438 —Allowing licensed optometrists to administer and prescribe certain pharmaceutical agents. Approved May 31.
- 445 —Exempting the director, deputy director and two administrative heads of the Iowa beer and liquor control department from the state merit system. Approved May 8.
- 449 —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. Approved May 30.
- 450 —Creating Iowa Commerce Commission pilot programs for energy conservation improvements. Approved May 28.
- 452 —Authorizing conversion of certain real property to a mobile home. Approved May 9.
- 455 —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. Approved May 28.
- 459 —Relating to real property which is subject to foreclosure. Approved May 31.
- 463 —Relating to the disposal of hazardous wastes, providing for a civil penalty, and providing for an effective date. Approved May 28.
- 465 —Relating to agricultural limestone. Approved May 16.
- 466 —Relating to the bonding requirements for a holder of a permit to sell seed. Approved May 7.

- 467 — Relating to the predisposition investigation and report in a juvenile delinquency proceeding. Approved May 8.
- 473 — Relating to the rights of a person having mental retardation, a developmental disability or chronic mental illness and providing an effective date and an appropriation. Approved May 31.
- 480 — Relating to time lines and requirements for a certificated school employee to accept an extracurricular contract and providing that the act takes effect upon its publication. Approved May 6.
- 497 — Prohibiting political subdivisions or agencies of this state from requiring their employed peace officers to issue a certain number of citations or memorandums. Approved May 30.
- 502 — Relating to the financial security and reporting requirements of insurance companies and providing for administrative penalties. Approved May 30.
- 503 — Relating to self-insurance plans. Approved May 31.
- 507 — To legalize the proceedings of the city council of the city of Stanwood relating to the boundaries of the city. Approved May 28.
- 509 — Relating to the inspection of fruit-tree or forest reservations and making the act retroactive. Approved May 6.
- 511 — Extending the time for the completion of the flood plain mapping plan. Approved May 8.
- 514 — Relating to garnished accounts of supervised financial organizations. Approved May 8.
- 515 — Relating to the election to become a senior judge. Approved May 8.
- 521 — Relating to insurance trade practices and providing penalties. Approved May 30.
- 524 — Creating a residential care licensing classification for the mentally ill. Approved May 14.
- 525 — Authorizing the director of general services to assign unmarked motor vehicles to the Department of Justice. Approved May 14.
- 526 — Requiring successful completion of a professional education program relating to education of the handicapped and gifted and talented before issuance of any certificate, endorsement, or approval by the Department of Public Instruction. Approved May 14.
- 538 — Relating to an agricultural supply dealer's lien. Approved May 28.
- 539 — Relating to motor vehicle fuel. Approved May 6.

- 547 — Providing for collective bargaining on a statewide basis with certified employee organizations representing employees of the judicial department. Approved May 14.
- 560 — Relating to the establishment of and improvements within a secondary road assessment district. Approved May 16.
- 561 — 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. Approved May 30.
- 564 — 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, prohibiting the collection for certain sales, services and use tax not paid by those corporations. Approved May 31.
- 565 — Relating to the use and 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 moneys from the road use tax fund to the rise fund, for use in road or street projects which promote economic development in the state, by crediting moneys from the road use tax fund to the public transit assistance fund, 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 in 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, by allowing certain truck tractors to be registered as special trucks, and making penalties applicable. Approved May 30.
- 568 — 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. Approved May 16.

- 570 — Making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures and making certain procedures retroactive. Item vetoed May 24. (See Governor's Item Veto Message).
- 574 — Relating to when electricity, steam, and other taxable services used to produce marketable food products for human consumption are sold for processing for purposes of the processing exemption under the state sales, services and use tax. Approved May 30.
- 575 — Relating to and making appropriations to state agencies for capital projects and providing that part of the act takes effect upon publication. Approved May 31.
- 576 — Relating to the granting of a partial real property tax credit for new construction of research-service facilities. Approved May 30.
- 577 — Relating to the economy of the state of Iowa, by amending the definition of small business for purposes of the Iowa Housing Finance Authority's program for which bonds may be issued, by changing the name of the Iowa Housing Finance Authority, 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 deposited in the title guaranty fund, by providing that the Iowa Housing Finance Authority initiate a self-sustaining title guarantee program for title of real property, creating a commitment costs fund, creating a title guaranty fund, by modifying the limitations on bank offices upon merger or acquisition, by providing for an alternative non-judicial 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, by creating an Iowa economic protective and investment authority, providing for the authority's powers and duties, providing for incentives for lending institutions to participate in the operating assistance program, providing for a five-year write-off of interest brought down under the authority's operating assistance program, permitting life insurance companies and associations to invest in bonds of the African development bank, providing for the valuation of real property held by or used to secure loans held by lending institutions, providing for the disposal of real property held by a state bank, by modifying the investment powers of the state chartered savings and loan associations and savings banks, revising the requirements of amendments to a uniform commercial code financing statement, providing for stipulation of redemption periods, providing for an alternative nonjudicial voluntary foreclosure procedure including providing for redemption periods for lienholders, providing for the execution of foreclosure judgments, providing for the creation of the Iowa export trading company, providing for interim study committees, and providing an effective date. Approved May 31.

- 578 — Relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, providing adjustments for salary, health insurance, and per diem, and making coordinating amendments to the Code. Approved June 3.
- 580 — Exempting from the state sales, services, and use tax the gross receipts from the rental of motion picture films, video and audio tapes and discs, records, photos, copy, scripts or other media used for the purpose of transmitting that which can be seen, heard or read under certain conditions. Approved May 31.
- 581 — Providing for the promotion of the pork industry in this state by creating an Iowa pork producers council, authorizing an assessment on the sale of porcine animals, and imposing penalties. Approved May 28.
- 583 — Relating to the imposition of certain taxes by imposing the barrel tax and the gallonage tax to beer and wine manufactured in Iowa and correcting references to an additional real property tax under the local option tax provisions of Senate File 395. Approved May 28.
- 584 — Providing for the time required for action on gubernatorial appointments which require confirmation by the Senate and are submitted to the Senate during the last thirty days prior to adjournment sine die and providing an effective date by publication. Approved May 16.
- 585 — Appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants. Approved May 31.
- 586 — Appropriating moneys from the general fund of the state to the legislative council for the use of the Iowa world trade center selection advisory committee effective upon publication. Approved May 15.
- 587 — Relating to and appropriating petroleum overcharge funds. Approved May 16.
- 588 — Amending statutory provisions relating to the medical assistance program by requiring the department of human services to deposit certain payments in the medical assistance fund and to grant certain children automatic eligibility for medical assistance. Approved May 16.
- 589 — Relating to the licensure of dietitians. Approved May 31.

GOVERNOR'S ITEM VETO MESSAGE

May 24, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

I hereby transmit Senate File 570, an act making corrections and other changes relating to court reorganization, court fees, court-imposed fines and costs and the suspension of motor vehicle licenses and the setoff of income tax refunds and rebates, administrative closures under chapter 601A, the ability to pay a criminal fine, the judicial retirement system, and other court procedures and making certain procedures retroactive.

Senate File 570 is approved May 24, 1985, with the exception of Section 27, which I hereby disapprove.

Senate File 570 makes a number of changes in our court system, including adjusting court fees and modifying the judicial retirement system. Specifically, this bill provides for an increase in certain court fees and fines and applies a portion of those additional revenues to the judicial retirement system.

At the present time, the judicial retirement system has an unfunded liability of over \$700,000. The additional revenues derived from the fee adjustments in Senate File 570 will eliminate that liability and will make the retirement system actuarially sound. I am pleased that the General Assembly has acted to make that fund secure.

However, Senate File 570 also requires certain judges to pay a larger percentage of their salaries to the judicial retirement system. Those judges with less than seven years of experience must pay an additional three percent of their salaries into the fund; those with seven to twelve years are required to contribute two percent more; and judges with thirteen to eighteen years of experience must contribute an additional one percent of their salaries. While there may be a need in the future to increase the pension contribution rate, the increase required in Senate File 570 is unfair, unwise and untimely.

Separate legislation passed by the General Assembly froze all judicial salaries for the next fiscal year. This salary freeze, in combination with the required increase in judicial contributions to the retirement fund, will effectively cut the take-home pay of many of our judges. This is an appropriate time to limit pay increases for those on the state payroll; I recommended a salary freeze for legislators and the governor for the next two years. But it is unfair to single out judges for a cut in pay.

This reduction would hit hardest those judges who are new to the bench. As a result, it could adversely affect our ability to attract top flight attorneys to judicial positions. I am concerned that justice would be the ultimate loser if Section 27 of Senate File 570 were to become law.

Finally, an actuarial study of the judge's pension system will be conducted this summer. The General Assembly should wait for the results of that study before making major changes in the retirement system. Moreover, no additional pension contributions from judges are needed at this time to make the system actuarially sound.

In short, Section 27 of Senate File 570 unfairly singles out judges for a cut in pay. Such a reduction could harm the quality of justice in Iowa and is not needed to ensure the actuarial soundness of the judicial retirement system.

For the above reasons, I respectfully disapprove of this section in accordance with Amendment IV of the Amendments of 1968 to the Constitution of the State of Iowa. All other items of Senate File 570 are hereby approved as of this date.

Very truly yours,
TERRY E. BRANSTAD
Governor

GOVERNOR'S VETO MESSAGES

May 20, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
LOCAL

Dear Madam Secretary:

Senate File 385, 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, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 385 would establish a new chapter in the Iowa Code known as the "Prevailing Wage Rate Act." The act requires governmental bodies entering into contracts for public improvements over \$2,000 in counties over 20,000 population to include in the contracts provisions requiring the payment of prevailing wages to laborers and mechanics. The Labor Commissioner is to determine the prevailing wages based on projects similar in character in the city or county in which the work is to be performed. The bill also provides for the enforcement of payment of prevailing wages by the Labor Commissioner and provides penalties for violation of the law.

I am sensitive to the concerns of the proponents of this bill regarding the economic hardships faced by many unemployed construction workers. I have listened to and have carefully considered their arguments for this bill. However, Iowa construction jobs can only be created within the fiscal constraints of the state budget.

Requiring the payment of a prevailing wage on public construction projects will substantially increase the cost of projects paid by state and local taxpayers. The fiscal note prepared by the Legislative Fiscal Bureau estimates that this bill would add over \$15 million to the cost of public projects. Several state agencies provided me with projected cost increases of between ten and twenty-five percent.

It would be inappropriate to implement a new prevailing wage law at a time when some state operating budgets have been frozen or cut in order to meet our constitutional responsibilities for a balanced budget.

Senate File 385 would mandate expensive reporting procedures, increase administrative costs and generally complicate the completion of public construction projects. These requirements would impede efficient administration of construction contracts and place an additional burden on many small businesses including minority, and female contractors. The General Assembly failed to provide the necessary funding and staff which everyone acknowledges would be necessary to enforce this legislation.

I am not aware of any state which has placed these added financial and administrative burdens upon their taxpayers in recent years. In fact, since 1978, five states --- Alabama, Arizona, Florida, Idaho and Utah --- have repealed prevailing wage laws. Other states, including Colorado and New Hampshire, are presently considering the repeal of similar laws. Now is not the time for Iowa to impose this additional burden on its taxpayers.

In summary, after careful study and review, it is my conclusion that Senate File 385 would substantially increase the costs of construction projects for taxpayers and increase regulatory burdens. If we are forced to pay more for each construction project, fewer state projects can be undertaken, and fewer jobs will be available.

For the reasons mentioned above, I hereby respectfully disapprove Senate File 385.

Very truly yours,
TERRY E. BRANSTAD
Governor

May 30, 1985

The Honorable Mary Jane Odell
Secretary of State
State Capitol Building
L O C A L

Dear Madam Secretary:

Senate File 364, 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, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 364 is the so-called scope of bargaining bill. This bill makes substantial changes in the Iowa Public Employee Relations Act which was enacted in 1974. Senate File 364 modifies chapter 20 of the Iowa Code by substantially expanding the list of items which are mandatory subjects of public employee collective bargaining. This bill also makes other significant changes in the Public Employment Relations Act including strictly limiting the number of employees who are exempt from the bargaining process because of their confidential relationship with managers who make decisions affecting labor relations.

The current Iowa Public Employment Relations Act strikes a balance between the rights of public employers and employees under collective bargaining. Chapter 20 strictly defines the list of items which must be bargained in order to maintain this balance between employer and employee rights. These strict limitations on mandatory subjects of bargaining are appropriate given the fact that the ultimate resolution of disputes under chapter 20 is binding arbitration.

I understand that the proponents of Senate File 364 believe the courts and administrative agencies have too narrowly interpreted the statutory language which outlines the mandatory subjects of bargaining. However, I am concerned that this bill not only broadly and vaguely redefines these items but substantially expands the scope of collective bargaining beyond the items originally included in the Iowa Public Employment Relations Act.

Of specific concern is an amendment to chapter 20 which would make subject of bargaining proposals which "reasonably relate" to wages. This language could be interpreted to broadly expand the meaning of all the items currently in the mandatory list. Moreover, this definition could reasonably make the size of classes in our public schools mandatorily subject to bargaining.

In addition, Senate File 364 expands the scope of bargaining to include items which would likely add to the cost of government while reducing funds available for purposes other than personnel costs. Of greatest concern are these additional bargainable items:

Promotion Procedures

Current promotional procedures are covered by statute and Merit rules and provide appropriate protections to employees. Adding promotion procedures to the mandatory list of items subject to bargaining could substantially increase the influence of seniority on promotion decisions and would be contrary to fundamental Merit system principles. Promotion of public employees should be done on the employee's ability to do the work. And, in order to accomplish that, public employers must have the flexibility to make promotion decisions without strict limitations placed in collective bargaining contracts.

Criteria for staff reduction and recall

Under the present, staff reduction procedures are already mandatory subjects of bargaining. However, Senate File 364 would require public employers to bargain over decisions to initially implement a staff reduction. Public employers need to retain the ability to order a staff reduction when necessary.

Senate File 364 would restrict public employers' abilities to make those kinds of essential determinations and could result in a budget crisis if needed staff reductions are prohibited by bargaining contract.

Minimum Equipment and Staffing

Senate File 364 would require the employer to bargain over the type of equipment that would be provided to employees and the staffing levels which are required at public work places. The ability to determine staffing levels and appropriating equipment is essential to a public employer's ability to operate government efficiently. This language could, for example, make mandatorily subject to bargaining the number of police officers assigned to each patrol car. Management must retain this essential right to control staff and to make staffing decisions.

Senate File 364 would also expand the list of items in a number of other areas which would reduce needed management authority. Expanding the scope of collective bargaining to require negotiation on these topics could substantially tip the delicate balance in our existing Public Employment Relations Act toward the side of the unions. While I understand the interest among public employees to have input into personnel decisions in a number of these areas, it would be inappropriate to require public employers to bargain on each of these items.

At the present time, public employers can permissibly bargain many of these items and, in the case of state government, a number of items included in Senate File 364 are already negotiated.

However, the state should not mandate that these items be negotiated by city and county governments and schools districts. This would violate fair play toward these local units of government.

In addition, Senate File 364 also substantially limits the number of employees who are exempted from the bargaining process because of their confidential relationship with state managers. Currently, the employees of the Iowa Merit Employment Department are appropriately exempted from collective bargaining because of their confidential relationship with those involved in management decisions. The modified definition of confidential employee included in Senate File 364 could extend union coverage to many of the Merit Department's employees and other confidential employees which could severely restrict the ability of management to efficiently provide information and services to those involved in the collective bargaining process.

In short, Iowa's present Public Employment Relations Act strikes a delicate balance between management and union rights. To maintain this balance is critical to the smooth functioning of government at both the state and local levels. Current laws work quite well in meeting that goal and should not be altered at this time. Moreover, this bill would substantially tip the balance in favor of the unions by significantly adding to the items which must be made subject to collective bargaining. These items could substantially restrict the ability of public employers to efficiently and effectively manage government and to control costs for Iowa taxpayers.

For the above reasons, I hereby respectfully disapprove Senate File 364.

Very truly yours,
TERRY E. BRANSTAD
Governor

COMMUNICATIONS FROM THE SECRETARY OF STATE
SUBSEQUENT TO ADJOURNMENT OF THE 1985 REGULAR SESSION

May 9, 1985

Ms. K. Marie Thayer
Secretary of the Senate
Senate Chamber
L O C A L

Dear Ms. Thayer:

I hereby certify that Senate File 318 was published in The Sioux City Journal, Sioux City, Iowa on April 29, 1985 and in The New Iowa Bystander, Des Moines, Iowa on May 3, 1985.

I further certify that Senate File 200 was published in The Sioux City Journal, Sioux City, Iowa on April 29, 1985 and in The New Iowa Bystander, Des Moines, Iowa on May 3, 1985.

ALSO:

May 21, 1985

I hereby certify that Senate File 490, was published in The Forest City Summit, Forest City, Iowa on May 2, 1985 and in the Lake Mills Graphic, Lake Mills, Iowa on May 8, 1985 without expense to the State of Iowa.

I further certify that Senate File 456 was published in The Holstein Advance, Holstein, Iowa on May 2, 1985 and in the Estherville Daily News, Estherville, Iowa on May 8, 1985.

ALSO:

May 30, 1985

I hereby certify that Senate File 509 was published in The Manchester Press, Manchester, Iowa on May 15, 1985 and in the Diamond Trail News, Sully, Iowa on May 15, 1985.

I further certify that Senate File 480 was published in The Clinton Herald, Clinton, Iowa on May 13, 1985 and in The Maquoketa Sentinel-Press, Maquoketa, Iowa on May 15, 1985.

ALSO:

June 3, 1985

I hereby certify that Senate File 586 was published in the Diamond Trail News, Sully, Iowa on May 22, 1985 and in The Cascade Pioneer-Advertiser, Cascade, Iowa on May 23, 1985.

I further certify that Senate File 13 was published in The Toledo Chronicle, Toledo, Iowa on May 29, 1985 and in the Ackley World-Journal, Ackley, Iowa on May 30, 1985.

I further certify that Senate File 409 was published in The Red Oak Express, Red Oak, Iowa on May 10, 1985 and in the Fort Madison Daily Democrat, Fort Madison, Iowa on May 10, 1985.

ALSO:

June 7, 1985

I hereby certify that Senate File 539 was published in The Bancroft Register, Bancroft, Iowa on May 15, 1985 and in The Cedar Valley Times, Vinton, Iowa on May 10, 1985.

I further certify that Senate File 157 was published in The Toledo Chronicle, Toledo, Iowa on May 25, 1985 and in the Business Record, Des Moines, Iowa on May 27, 1985.

I hereby certify that Senate File 584 was published in the Ames Daily Tribune, Ames, Iowa on May 22, 1985 and in The Des Moines Register, Des Moines, Iowa on May 24, 1985.

ALSO:

June 14, 1985

I hereby certify that Senate File 303 was published in the Ames Daily Tribune, Ames, Iowa on May 3, 1985 and in the Waterloo Courier Cedar Falls Record, Waterloo, Iowa on May 6, 1985.

ALSO:

June 18, 1985

I hereby certify that Senate File 575 was published in The Guttenberg Press, Guttenberg, Iowa on June 12, 1985 and in The Cascade Pioneer-Advertiser, Cascade, Iowa on June 13, 1985.

ALSO:

June 20, 1985

I hereby certify that Senate File 561 was published in the Dallas County News, Adel, Iowa on June 6, 1985 and in The Lamoni Chronicle, Lamoni, Iowa on June 12, 1985.

ALSO:

June 24, 1985

I hereby certify that Senate File 449 was published in the Iowa City Press-Citizen, Iowa City, Iowa on June 7, 1985 and in the Muscatine Journal, Muscatine, Iowa on June 11, 1985.

ALSO:

June 27, 1985

I hereby certify that Senate File 459 was published in The Schleswig Leader, Schleswig, Iowa on June 13, 1985 and in The Belle Plaine Union, Belle Plaine, Iowa on June 19, 1985.

I further certify that Senate File 103 was published in the Clear Lake Mirror-Reporter, Clear Lake, Iowa on May 29, 1985 and in The Red Oak Express, Red Oak, Iowa on June 4, 1985.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

COMMUNICATIONS

The following communications were received and placed on file in the office of the Secretary of the Senate subsequent to adjournment of the 1985 Regular Session:

DEPARTMENT OF HUMAN SERVICES

On May 7, 1985, a copy of the Pre-expenditure Report of the Proposed Social Services Block Grant for the period July 1, 1985 to June 30, 1986, prepared by the Program Support Unit of the Bureau of Adult, Children and Family services of the Department of Human Services.

DEPARTMENT OF TRANSPORTATION

On May 7, 1985, a copy of the annual report on Iowa's Public Transit Programs administered by the Department of Transportation in 1984 pursuant to Sec. 601J.4, Sub. 2, Code of Iowa.

SENATE CONCURRENT RESOLUTION 19

On June 3, 1985, acknowledgment from Senator Charles E. Grassley of receipt of enrolled copy of Senate Concurrent Resolution 19, adopted by the 1985 Session of the Seventy-first General Assembly regarding Amtrak funding.

DEPARTMENT OF REVENUE

On June 13, 1985, a copy of the Department of Revenue's Annual Report for the fiscal year ending June 30, 1984; and, a copy of the 1983 Iowa Individual Income Tax Annual Statistical Report.

DEPARTMENT OF TRANSPORTATION

On June 26, 1985, a copy of the Iowa Transportation Policy for the fiscal year 1986 in accordance with Sec. 307.10(1), Code of Iowa.

On June 26, 1985, a copy of the 1986 Iowa Railway Finance Authority Policy adopted by the Iowa Railway Finance Authority Board adopted on June 20, 1985. This policy is a continuation of the original policy adopted by the board on November 12, 1980.

DEPARTMENT OF CORRECTIONS

On July 9, 1985, a copy of the Offender Classification Study pursuant to Chapter 1306, 1984 Acts of the Seventieth General Assembly, accepted at the Board of Corrections meeting held on June 26, 1985, and prepared by a contract agreement with independent experts at the Center for Effective Public Policy in Philadelphia, Pennsylvania.

DEPARTMENT OF REVENUE

On July 11, 1985, a copy of the Department of Revenue Statistical Report on Corporate Income and Franchise Tax Returns filed in the year 1984.

DEPARTMENT OF JOB SERVICE

On July 15, 1985, a copy of the Actuarial Report of the Iowa Job Insurance System as of December 31, 1984, pursuant to the Acts of the Sixty-seventh General Assembly, Chapter 54.

DEPARTMENT OF TRANSPORTATION

On July 17, 1985, a copy of the 1985 Iowa Primary Road Sufficiency Log, containing sufficiency ratings for the primary highway system, pursuant to Chapter 307A.1(12), Code of Iowa.

DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT

On July 30, 1985, a copy of the annual report for the year 1984 prepared by the Iowa Department of Water, Air and Waste Management.

DEPARTMENT OF TRANSPORTATION

On August 5, 1985, a copy of the Progress Report of the Public and Private Transportation Coordination Project prepared by the Iowa Department of Transportation pursuant to Sec. 601J.2(2), Code of Iowa.

CRIMINAL AND JUVENILE JUSTICE PLANNING AGENCY

On August 9, 1985, a copy of the Progress Report of the Juvenile Victim Restitution Program pursuant to Chapter 232A, Code of Iowa.

ANNOUNCEMENT BY THE PRESIDENT
OF THE SENATE

President Anderson announced on May 13, 1985, a reappointment to the following commission:

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

Senator David Readinger, reappointed to a term expiring April 30, 1989.

IN MEMORIAM

Senate

- Buck, Howard C. October 10, 1899 - March 3, 1985
Dewel, Duane March 6, 1901 - May 31, 1984
Doran, A. V. "Al" January 22, 1905 - January 17, 1985
Hansen, Peter F. January 19, 1895 - January 20, 1985
Lucken, J. Henry February 6, 1896 - June 30, 1984
Prince, Gerald William November 13, 1906 - March 30, 1985
Vance, Clifford M. August 10, 1902 - December 10, 1984

HOWARD C. BUCK

MR. PRESIDENT: Your committee appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Howard C. Buck, begs leave to submit the following memorial:

Howard C. Buck was born October 10, 1899, in Marshall County, Iowa, to E.W. and Lena Miller Buck. Mr. Buck passed away March 3, 1985, in State Center, Iowa.

Mr. Buck graduated from the State Center High School in 1916. On March 12, 1920, in La Moille, he was married to Erma Newton; she preceded him in death in May, 1979.

He had been engaged in farming since 1920 in the Melbourne area, and also had been in the grain and feed business in Melbourne for several years.

Mr. Buck was active in many community affairs, including the Masonic Lodge, Farm Bureau, State Center Community Club, Kiwanis, Marshalltown Senior Citizens, State Center Rose Society, and was a member of the First United Methodist Church.

He served as a member of the Iowa House of Representatives in the 53rd, 54th, 55th, and 56th General Assemblies (1949-1956) representing Marshall County.

Senator Buck served as a member of the Iowa Senate in the 57th and 58th General Assemblies (1957-1960) and the 59th and 60th General Assemblies (1961-1964), from the 28th Senatorial district.

Now Therefore, Be It Resolved by the Senate of the Seventy-first General Assembly of Iowa: That in the passing of the Honorable Howard C. Buck, the State has lost an honored citizen and a faithful and useful public servant, and that the Senate, by this resolution, expresses its appreciation of his service to this community, state and nation and tenders its sympathy and kindest regards to members of his family.

Be It Further Resolved: That a copy of this resolution be entered into the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to his son, Wayne Buck and daughters Wilma (Mrs. Gene) Baker, Dorothy (Mrs. Ted) Campbell, and Marilyn (Mrs. Clifford) Nobriga.

EMIL J. HUSAK, Chair
CHARLES BRUNER
JOHN SOORHOLTZ

Committee

DUANE DEWEL

MR. PRESIDENT: Your committee appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Duane Dewel, begs leave to submit the following memorial:

Duane Dewel was born March 6, 1901, at Burt, Iowa, son of William and Emma Louise Dewel. He passed away May 31, 1984, in Algona, Iowa, at the age of 83.

Mr. Dewel graduated from Algona High School in 1918, and attended the University of Iowa for two years before transferring to the University of Missouri where he graduated with a degree in journalism in 1922. He was editor and publisher of the Algona Advance until 1968. He was married to Dorothy Snodgrass on July 18, 1927, and they had two children, William C. of Boone, North Carolina and Marjorie (Mrs. Peter Pickford) of Danville, California.

Senator Dewel was elected to serve in the Iowa Senate in the 1944 election. He served three terms in the Senate during the 51st (1945-1946), 52nd (1947-1948), 55th (1953-1954), 56th (1955-1956), 57th (1957-1958), and the 58th (1958-1959) General Assemblies. He was elected Senate Majority Leader during the 56th General Assembly.

After leaving the Iowa Senate, Mr. Dewel served as a lobbyist for the Iowa Press Association. He was a past president of the Pioneer Lawmakers Association. Mr. Dewel joined the Kiwanis Club just three weeks after its formation in 1924 and served the Club as secretary, president and governor of the Nebraska-Iowa district. He was named a Kiwanis Life Fellow in 1974.

Now Therefore, Be It Resolved by the Senate of the Seventy-first General Assembly of Iowa: That in the passing of the Honorable Duane Dewel, the State has lost an honored citizen and a faithful and useful public servant, and that the Senate, by this resolution, expresses its appreciation of his service to the state and tenders its sympathy and kindest regards to the members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

BERL E. PRIEBE, Chair
C. JOSEPH COLEMAN
LEE W. HOLT

Committee

A.V. "AL" DORAN

MR. PRESIDENT: Your committee appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable A.V. "Al" Doran, begs leave to submit the following memorial:

A.V. "Al" Doran was born in Beaver, Iowa, January 22, 1905, son of Lester G. and Clara E. Doran, a pioneer Boone County family. Senator Doran passed away January 17, 1985.

Mr. Doran was educated in public schools. He graduated from Drake Law School in 1931 with an LL.B degree and Order of Coif. On April 18, 1937, he was married to Gwendolyn Williams.

Mr. Doran was a practicing lawyer from 1931 until he retired in 1974. He served in the Iowa Senate during the 60th General Assembly, 1963-1964.

Mr. Doran was a member of the Masonic Lodge, White Shrine, Eastern Star, Lions Club (past president), Elks Lodge, Farm Bureau, director of Boone Community School District 14 years, past president of the school board, Chamber of Commerce, past president of Drake Law School Alumni Association, director of Industrial Development Coop., farm owner and chairman of the board of Boone State Bank & Trust Co.

Now Therefore, Be It Resolved by the Senate of the Seventy-first General Assembly of Iowa: That in the passing of the Honorable A.V. Doran, the State has lost an honored citizen and a faithful and useful public servant and that the Senate, by this resolution, expresses its appreciation of his service to this community, state and nation and tenders its sympathy and kindest regards to members of his family.

Be It Further Resolved: That a copy of this resolution be entered into the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to Mr. Doran's daughter, Lynne Baker.

NORMAN RODGERS, Chair
JOHN N. NYSTROM
C. JOSEPH COLEMAN

Committee

PETER F. HANSEN

MR. PRESIDENT: Your committee appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Peter F. Hansen, begs leave to submit the following memorial:

Peter F. Hansen was born on a farm near Manning, Carroll County, Iowa, to John L. and Mary Biehl Hansen on January 19, 1895. Mr. Hansen passed away January 20, 1985, in Sarasota, Florida, and is survived by his wife, Inez.

Mr. Hansen graduated from Manning High School in 1912 and served during World War I. On July 3, 1939, he was married to Inez I. Moeller in Manning, Iowa.

Mr. Hansen returned to Manning after serving his country to form and operate with Herman Pahde the Hansen-Pahde Company, a grocery and dry goods firm for many years. During this time, he served as President of the Independent Businessmen's Association and was a state board member of the Associated Retailers of Iowa.

Mr. Hansen was very active in community affairs, being a member of the Manning Chamber of Commerce, Manning Drum and Bugle Corps, and the Emil Ewoldt American Legion Post in Manning. He was an organizer of the Drum and Bugle Corps, as well as the drive to build the Legion Hall in Manning.

Senator Hansen served as a member of the Iowa Senate in the 58th and 59th General Assemblies (1959-1962) representing the 48th Senate district, and during the 60th and 61st General Assemblies (1963-1966) representing the 30th Senate district.

Now Therefore, Be It Resolved by the Senate of the Seventy-first General Assembly: That in the passing of the Honorable Peter F. Hansen, the State has lost an honored citizen and a faithful and useful public servant, and that the Senate, by this resolution, expresses its appreciation of his service to his community, state and nation and tenders its sympathy and kindest regards to members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

BILL HUTCHINS, Chair
DONALD V. DOYLE
NORMAN G. RODGERS

Committee

J. HENRY LUCKEN

MR. PRESIDENT: Your committee appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable J. Henry Lucken, begs leave to submit the following memorial:

J. Henry Lucken was born in Akron, Iowa, to Gerhard and Caroline Beerman Lucken on February 6, 1896. Mr. Lucken passed away June 30, 1984, in Le Mars, Iowa, after a long illness and is survived by his wife, Cecelia; a daughter, Lucile Fox; and four sons, Donald W., Robert E., Frank E., and Ronald G. Lucken.

Mr. Lucken graduated from Akron High School and took a business course at Westmar College. He married Cecelia Woll on December 17, 1917 at Merrill. They farmed on the same farm in Johnson Township, Plymouth County, until retiring in 1971. He served with Company A, 19th Mounted Military Police during World War I.

Mr. Lucken served for 25 years as a Johnson Township School Board member and 24 years as chairman; 26 years as director of Plymouth Co-op Oil Company and 24 years as director of the Area Federal Land Bank Board. He was instrumental in establishing the Rural Electrification Association.

Mr. Lucken was a member of Plymouth Presbyterian Church where he served as an elder. He was a longtime member and past master of Freedom Masonic Lodge in Akron, Sioux City Consistory, Abu Bekr Shrine Temple, where he was awarded KCCCH honors in 1965, life member and past commander of Hoschler Post 186, American Legion, and officer of World War I Barracks 1507.

J. Henry Lucken served as a member of the House of Representatives in the 52nd and 53rd General Assemblies (1947-1950); 54th and 55th General Assemblies (1951-1954); 56th and 57th General Assemblies (1955-1958); and 58th General Assembly (1959-1960). He was then elected State Senator for the 17th Senatorial District representing Cherokee and Plymouth Counties and served in the 59th General Assembly (1961-1962); 60th and 61st General Assemblies (1963-1966); and 62nd and 63rd General Assemblies (1967-1970).

Now Therefore, Be It Resolved by the Senate of the Seventy-first General Assembly of Iowa: That in the passing of the Honorable J. Henry Lucken, the State has lost an honored citizen and a faithful and useful public servant, and that the Senate, by this resolution, expresses its appreciation of his service to his community, state and nation and tenders its sympathy and kindest regards to members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

DONALD DOYLE, Chair

LEE HOLT

DOUGLAS RITSEMA

Committee

GERALD WILLIAM PRINCE

MR. PRESIDENT: Your committee appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Gerald William Prince, begs leave to submit the following memorial:

Gerald William Prince was born November 13, 1906, to Harry and Clara Bruhn who lived in Dysart, Iowa. Mr. Prince graduated from the public schools at Pinestone, Minnesota, and in 1926 was united in marriage to Esther Brinkman. On March 30, 1985, at age 78, Gerald passed away at the Guthrie County Hospital.

Gerald W. Prince was well known in Guthrie County for his many activities in Guthrie Center, including owner and operator of an appliance store, secretary for the Guthrie County Fair Board for 25 years, served for a period of time on the Iowa State Fair Board, and later farmed west of Guthrie Center. He remained active in the community until ill health forced him to reside at the New Homestead Care Facility in Guthrie Center.

Gerald W. Prince served the State of Iowa as a State Senator during the 57th (1957-1958) and 58th (1958-1959) General Assemblies representing Audubon, Dallas and Guthrie Counties.

Now Therefore, Be It Resolved by the Senate of the Seventy-first General Assembly of Iowa: That in the passing of the Honorable Gerald W. Prince, the State has lost an honored citizen and a faithful and useful public servant, and that the Senate, by this resolution, expresses its appreciation of his service to this community, state and nation and tenders its sympathy and kindest regards to members of his family.

Be It Further Resolved: That a copy of this resolution be entered into the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to Mr. Prince's son, Gordon Prince.

NORMAN G. RODGERS, Chair
C.W. BILL HUTCHINS
JOHN NYSTROM

Committee

CLIFFORD M. VANCE

MR. PRESIDENT: Your committee appointed to prepare a suitable resolution commemorating the life, character and public service of the late Honorable Clifford M. Vance, begs leave to submit the following memorial:

Clifford M. Vance was born in New London, Iowa, on August 10, 1902, to William R. and Nellie Elliott Vance. Mr. Vance passed away December 10, 1984, in Mt. Pleasant, Iowa, at the age of 82. Mr. Vance is survived by his son, Randall S. Vance of Burlington, Iowa, and his daughter, Mrs. Marilyn Beemblossom, of Eaton Rapids, Michigan.

Mr. Vance was educated in the New London schools and graduated from New London High School in 1920. He received a Bachelor of Arts degree from the University of Iowa in 1924 and a Juris Doctorate degree from the university in 1926.

Mr. Vance was married to Doris Chandler, June 1, 1927, in Mt. Pleasant, Iowa, and she died February 3, 1984.

Mr. Vance had been in general law practice in Mt. Pleasant since 1926. He served as Henry County attorney for two terms and was a member of the Henry County, Iowa State and American Bar Associations. Mr. Vance was president of the Henry County Bar Association for 20 years. He also served on the board of governors of the Iowa State Bar Association.

Mr. Vance was an original member of the Incorporation of the Insurance Plan Savings and Loan Association in 1937 and served on that board until May 1, 1982. He also served on the boards of the Masonic Temple, First United Methodist Church, the first city Planning Commission and the Mt. Pleasant Chamber of Commerce. He was a 50-year member of the Mt. Pleasant Rotary Club, serving as president in 1937.

He was a member of Masonic Lodge 8 AF&AM; a 32nd degree Mason in the Davenport Consistory of the Scottish Rite; and KAABA Shrine, Davenport. He served on the original board of the Mt. Pleasant Bank and Trust Company from 1947-1960 and the board of the Henry County Memorial Hospital from 1934-1948. He was a charter member of the Mt. Pleasant Golf and Country Club.

Mr. Vance was elected to the Iowa House of Representatives for the 56th General Assembly (1956-1958), and then elected to the Iowa Senate for the 57th, 58th, 60th, 60th Extra, and 61st General Assemblies (1958-1966), representing the counties of Henry and Jefferson. Mr. Vance was elected President Pro Tempore of the Senate in the 60th General Assembly.

Now Therefore, Be It Resolved by the Senate of the Seventy-First General Assembly of Iowa: That in the passing of the Honorable Clifford M. Vance, the State has lost an honored citizen and a faithful and useful public servant, and that the Senate, by this resolution, expresses its sympathy and kindest regards to members of his family.

Be It Further Resolved: That a copy of this resolution be spread upon the Journal of the Senate and that the Secretary of the Senate be instructed to forward an enrolled copy to the family of the deceased.

CHARLES P. MILLER, Chair
LOWELL L. JUNKINS
FORREST V. SCHWENGELS
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Senate File 290 - Senator Hannon—631

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House File 484 - Senator Brown—1785
House File 494 - Senator Junkins—1489
House File 494 - Senator Hutchins—1580
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House File 584 - Senator Gettings—1469
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(See also Rules and Administration and/or President of the United States, Congress, Federal Agencies and/or Study Committees in this General Index and/or Senate Concurrent Resolutions, Senate Resolutions, and House Concurrent Resolutions listed in Legislative Index Volume)

Resolutions relating to:

- Senate Concurrent Resolution 1, journals, bills, etc., furnished county auditors, also Iowa's congressional delegation—15 adopted, 26
- Senate Concurrent Resolution 2, compensation of chaplains, officers and employees—24, 27-28, 50, 51 adopted, 55
- Senate Concurrent Resolution 3, joint rules, Senate and House—24, 28, 29, 55-58, 59 adopted, 70-81, 91-92, 103, 125, 126 adopted
- Senate Concurrent Resolution 6, pay tribute to Robert A. Case, journalist—122, 143, 167, 259 adopted
- Senate Concurrent Resolution 9, joint rules, amendments by suspension of germaneness—153, 168, 384-385, 399-400, 458 adopted
- Senate Concurrent Resolution 10, urge GMC locate its Saturn Plant in Iowa—296, 223 adopted, 361
- Senate Concurrent Resolution 11, public transportation, funding—276, 279, 343, adopted
- Senate Concurrent Resolution 12, create a research, dissemination, and development process for education needs, public instruction—290, 294, 343 adopted
- Senate Concurrent Resolution 13, importance of the arts for complete education—318, 345, 393, 518, 526, 596 adopted
- Senate Concurrent Resolution 14, support U.S. Government's efforts to resolve POW/MIA issue—344, 360, 393, 444 - 445, 504 adopted
- Senate Concurrent Resolution 21, Women's History Week, March 3, 1985—542, 573 adopted
- Senate Concurrent Resolution 28, interstate compact for controlling bovine brucellosis, Sec. of Ag.—917, 920-921, 1023 adopted
- Senate Concurrent Resolution 34, exempt Senate File 492 from joint rule 20—1200, 1195, 1243-1244 adopted, 1653
- Senate Concurrent Resolution 37, suspend joint rules, conference committee report, SF 395—1295, 1296 adopted

- Senate Concurrent Resolution 41, request dept. of public safety increase enforcement of school bus safety laws—1467, 1556, 1677, 1680, 1717, 1792 (HCR 31 substituted), 1793 w/d
- Senate Concurrent Resolution 42, budget freeze, appropriation—1507, 1556, 1717
- Senate Concurrent Resolution 44, people's freedom of decision—1677, 1772, 1959
- Senate Concurrent Resolution 50, adjournment, Friday, May 3, 1985—1841, 1845, 1996-1997 adopted as amended, 2002
- Senate Concurrent Resolution 51, investment of pension funds, commercial and industrial development—1873, 1876, 1881 adopted, 2002
- Senate Concurrent Resolution 52, interim studies, Legislative Council determine priorities—1904, 1912, 1920 adopted, 1921
- Senate Concurrent Resolution 53, special session, improve education in Iowa—1933, 1970
- Senate Resolution 1, Senate rules—20, 22, 23 adopted, 29
- Senate Resolution 2, commemorate Martin Luther King Day—24, 31 adopted
- Senate Resolution 3, amend Senate rules—170, 166, 199-200 adopted, 200, 271, 320-321
- Senate Resolution 4, amend Senate rules re lobbying—244
- Senate Resolution 5, lobbyists, Senate rules governing—273, 274-275, 343 adopted
- Senate Resolution 6, Senate Code of Ethics—273, 276, 343-344, 365, 382-383 adopted
- Senate Resolution 7, Governor's appointees, approved list—378, 384, 423-424 adopted, 427
- Senate Resolution 8, commemorate founding of League of Women Voters—409, 443, 813
- Senate Resolution 10, defer confirmation of Flora E. Haker—1367, 1385-1386 adopted
- Senate Resolution 11, change Senate rule 37—1841, 1845, 1849 adopted
- Senate Resolution 12, legislative expenses—1873, 1876, 1882 adopted
- Senate Resolution 13, amend Senate rule 60, revise schedule for committee action on governor's appointments—1904, 1912, 1923-1924 adopted
- Senate Resolution 14, defer action, Governor's appointments, State Lottery Commission—1908, 1912, 1920 adopted
- House Concurrent Resolution 1, joint convention, Tuesday, January 15, 1985, 10:00 a.m., Governor Branstad's State of the State Message—21 adopted
- House Concurrent Resolution 2, joint convention, Thursday, January 17, 1985, 10:00 a.m., Chief Justice, W.W. Reynoldson's condition of the Judicial Department's Message—23, 24 adopted
- House Concurrent Resolution 3, joint convention, Thursday, January 24, 1985, 10:00 a.m., Governor Branstad's Budget Message—23, 56, 57 adopted
- House Concurrent Resolution 12, recognize and support the National Crisis Action Rally—503, 508, adopted, 518
- House Concurrent Resolution 17, joint Memorial Session, Tuesday, April 9, 1985, 7:30 p.m.—701, 741, 938, 951, 965 adopted, 1035
- House Concurrent Resolution 18, joint session, Wednesday, April 17, 1985, 1:30 p.m. Pioneer Lawmakers present program—701, 741, 939, 951, 965 adopted, 1035

- House Concurrent Resolution 19, designate March 3, 1985 as "Women's History Week"—702, 741, 952
- House Concurrent Resolution 31, school bus safety laws—1750, 1792-1793 adopted
- House Concurrent Resolution 37, telephone service for legislators—1964, 1967, 1970
- House Concurrent Resolution 41, ten-year building program, board of regents—1912, 1914, 1915, 1924-1925 adopted as amended - Vetoed by Governor
- House Concurrent Resolution 43, payment of fees for legal services, general assembly—1918, 1935-1936 adopted

GENTLEMAN, JULIA B.—Senator Forty-first District

- Bills introduced—30, 184, 205, 278, 378, 703, 721
- Amendments filed—50, 55, 190, 211, 237, 242, 252, 271, 365, 502, 616, 666, 718, 745, 762, 773, 774, 874, 886, 995, 1042, 1045, 1046, 1088, 1106, 1120, 1171, 1178, 1197, 1218, 1250, 1264, 1294, 1318, 1390, 1470, 1482, 1528, 1592, 1609, 1681, 1694, 1760, 1812, 1852, 1866, 1871, 1878, 1915, 1994
- Amendments offered—58, 382, 383, 509, 666, 761, 762, 773, 774, 874, 889, 890, 913, 1110, 1180, 1229, 1252, 1282, 1292, 1294, 1422, 1478, 1482, 1528, 1694, 1760, 1812, 1866, 1994
- Amendments withdrawn—1180, 1181, 1252, 1292, 1609
- Appointed to Commission on Children, Youth and Families—104
- Petitions presented—350
- Resolutions offered—409, 542, 1507
- Standing committees and subcommittees appointed to—44
- Subcommittee assignments—82, 217, 219, 220, 307, 308, 310, 311, 313, 314, 315, 389, 392, 393, 394, 395, 468, 470, 472, 473, 560, 561, 562, 563, 691, 809, 811, 813, 816, 817, 948, 950, 953, 1138, 1139, 1140, 1208, 1209, 1210, 1211, 1212, 1213, 1343, 1543
- Subcommittee assignments, governor's appointments—107, 181, 881, 901, 902, 930

GETTINGS, DONALD E.—Senator Thirty-third District

- Bills introduced—64, 164, 227, 245, 433, 572, 653, 721
- Amendments filed—271, 633, 638, 871, 874, 875, 909, 913, 963, 1203, 1389, 1470, 1471, 1490, 1506, 1509, 1512, 1558, 1652, 1680, 1709
- Amendments offered—909, 1501, 1502, 1509, 1709
- Amendments withdrawn—1203
- Appointed to Law Enforcement Academy Council—104
- Appointed to Senate Ethics Committee—43
- Committee appointments—103, 1768
- Called up appointees listed on Individual Confirmation Calendar—1379, 1382, 1385
- Presided at sessions of the Senate—202, 263
- Reports—125, 1828
- Resolutions offered—344, 493
- Standing committees and subcommittees appointed to—44
- Subcommittee assignments—216, 217, 310, 311, 312, 315, 389, 390, 467, 469, 815, 389, 390, 467, 469, 470, 562, 563, 691, 693, 694, 811, 948, 950, 952, 953, 1137, 1140, 1141, 1142, 1213, 1343, 1345, 1543, 1717, 1959, 1960
- Subcommittee assignments, governor's appointments—107, 902

GOODWIN, NORMAN J.—Senator Nineteenth District

- Bills introduced—344, 610, 720
- Amendments filed—856, 871, 875, 913, 1203, 1483, 1490, 1521, 1546
- Amendments withdrawn—1203
- Petitions presented—715
- Resolutions offered—1507
- Standing committees and subcommittees appointed to—44
- Subcommittee assignments—82, 216, 219, 309, 390, 394, 471, 473, 562, 689, 690, 811, 816, 949, 950, 952, 1138, 1139, 1209, 1211, 1343, 1543
- Subcommittee assignments, governor's appointments—923, 930

GOVERNOR BRANSTAD, TERRY E.—

- Addressed joint convention—32-38
- Bills signed by—488, 584, 632, 713-714, 744-745, 919, 1004, 1085, 1248, 1351, 1543-1544, 1580, 1591, 1631, 1678-1679, 1771, 1836, 1874, 1962, 3092-3099
- Budget Message—132-138
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- Communications from—87-90, 152, 377, 531, 783, 827-835, 1146, 1166-1167, 1578-1579, 1839
- Item veto messages—1948-1949, 3100-3101
- Veto messages—1000-1004, 3101-3105
- Resolution relating to Budget Message, HCR 3—23, 56, 57 adopted
- Resolution relating to Condition of the State Message, HCR 1—21 adopted
- Closing message—2008-2009

GRATIAS, ARTHUR L.—Senator Fifteenth District

- Bills introduced—19, 294, 300, 338, 362, 378, 388, 409, 442, 610, 627, 721
- Amendments filed—111, 144, 156, 175, 526, 644, 1073, 1079, 1189, 1490, 1506, 1642, 1666, 1862, 1964, 1994
- Amendments offered—162, 185, 1642, 1862, 1994
- Appointed to College Aid Commission—
- Committee appointments—1855
- Escorted essay winners, Women's History Week, sponsored by commission on Status of Women, to the well and read winning essay—573
- Reports—1868
- Resolutions offered—1167, 1507
- Standing committees and subcommittees appointed to—44
- Subcommittee assignments—83, 216, 217, 218, 220, 221, 305, 306, 308, 309, 311, 312, 313, 316, 391, 393, 394, 395, 466, 467, 468, 469, 470, 472, 473, 558, 559, 562, 689, 690, 692, 693, 809, 810, 811, 813, 815, 816, 948, 950, 951, 952, 953, 954, 1136, 1139, 1143, 1208, 1209, 1210, 1212, 1214, 1959
- Subcommittee assignments, governor's appointments—106, 107, 930, 931

GRONSTAL, MICHAEL E.—Senator Fiftieth District

- Bills introduced—92, 139, 163, 164, 184, 205, 378, 494, 572, 576, 634, 703, 721, 800

Amendments filed—230, 234, 335, 439, 447, 633, 638, 664, 871, 874, 875, 885, 913, 1036, 1045, 1088, 1107, 1120, 1159, 1220, 1267, 1276, 1306, 1333, 1390, 1471, 1506, 1558, 1582, 1599, 1646, 1680, 1692, 1698, 1699, 1706, 1744, 1906, 1976
 Amendments offered—241, 664, 893, 894, 1083, 1126, 1267, 1409, 1513, 1516, 1569, 1599, 1637, 1646, 1692, 1698, 1699, 1706, 1906, 1941, 1976
 Amendments withdrawn—1706
 Appointed to Iowa Commission on Interstate Cooperation—632
 Committee appointments—8, 1738, 1901, 1920
 Presided at sessions of the Senate—1674, 1827
 Reports—1843, 1947, 1977
 Request, individual confirmation calendar—1225
 Resolutions offered—344, 493
 Standing committees and subcommittees appointed to—44
 Subcommittee assignments—83, 217, 219, 305, 307, 315, 316, 389, 390, 392, 467, 468, 470, 471, 558, 562, 689, 690, 691, 692, 693, 809, 810, 812, 814, 815, 817, 949, 950, 951, 1136, 1139, 1140, 1142, 1208, 1209, 1211, 1344, 1717, 1959, 1960
 Subcommittee assignments, governor's appointments—881

HALL, HURLEY W.—Senator Twenty-fourth District

Bills introduced—19, 78, 101, 610, 653
 Amendments filed—271, 386, 652, 664, 782, 926, 1039, 1042, 1045, 1062, 1107, 1145, 1171, 1189, 1204, 1470, 1521, 1546, 1672, 1680, 1773, 1837, 1984
 Amendments offered—437, 704, 705, 1292, 1435
 Amendments withdrawn—1204, 1523, 1672
 Called up appointee listed on Individual Confirmation Calendar—1379
 Presented Jeff Moe, Indianapolis, Indiana and Bert Casey, Iowa City, Iowa, freshman members of the 1984-85 Iowa Hawkeyes basketball team—1505
 Standing committees and subcommittees appointed to—44
 Subcommittee assignments—82, 216, 315, 390, 391, 394, 468, 558, 562, 689, 690, 691, 813, 815, 816, 949, 950, 954, 1136, 1137, 1139, 1209, 1210
 Subcommittee assignments, governor's appointments—923

HANNON, BEVERLY A.—Senator Twenty-second District

Bills introduced—164, 494, 721, 845, 917
 Amendments filed—230, 782, 824, 855, 871, 875, 888, 913, 1089, 1188, 1276, 1318, 1389, 1418, 1506, 1528, 1581, 1852
 Amendments offered—238, 1328, 1406
 Amendments withdrawn—999, 1643
 Appointed to Iowa Commission on Interstate Cooperation—632
 Committee appointments—32
 Petitions presented—843, 1366
 Presided at sessions of the Senate—410, 486, 1420
 Resolutions offered—344, 542
 Standing committees and subcommittees appointed to—44
 Subcommittee assignments—82, 83, 216, 218, 308, 309, 311, 312, 313, 390, 391, 392, 393, 394, 469, 560, 562, 563, 693, 810, 815, 816, 817, 948, 949, 950, 951, 952, 954, 1137, 1139, 1142, 1210, 1211, 1543, 1717
 Subcommittee assignments, governor's appointments—106, 901, 930

HEALTH DATA COMMISSION—

Senator appointed to—104

HEARINGS—

Cavanaugh, Patrick, Director, Beer and Liquor Control Council—400
 Pawlewski, Norman, Department of Health—881
 Binnie, Barbara, Board of Parole—1058

HESTER, JACK W.—Senator Forty-ninth District

Bills introduced—123, 176, 264, 300, 610
 Amendments filed—276, 286, 871, 875, 913, 932, 1039, 1042, 1043, 1045, 1171,
 1202, 1327, 1483, 1490, 1598, 1702
 Amendments offered—598, 1043, 1461, 1598
 Amendments withdrawn—1043
 Appointed to Iowa Commission on Interstate Cooperation—632
 Committee appointments—5, 1768
 Parliamentary inquiry re Senate File 32, motion to override Governor's veto—
 1162
 Presided at sessions of the Senate—945
 Reports—5-7
 Resolutions offered—1507
 Standing committees and subcommittees appointed to—45
 Subcommittee assignments—216, 217, 219, 220, 305, 306, 308, 310, 312, 313, 314,
 317, 467, 468, 470, 471, 472, 473, 558, 559, 563, 689, 690, 691, 693, 694, 809,
 812, 814, 815, 816, 954, 1136, 1140, 1142, 1143, 1211, 1213, 1214, 1345, 1346,
 1960
 Subcommittee assignments, governor's appointments—901, 930, 931

HOLDEN, EDGAR H.—Senator Twentieth District, Assistant Minority Leader

Bills introduced—17, 19, 20, 38, 52, 63, 79, 176, 205, 245, 294, 300, 318, 337, 338,
 361, 362, 434, 610, 858, 1953
 Amendments filed—22, 23, 29, 55, 58, 157, 186, 211, 230, 260, 286, 295, 298, 427,
 533, 639, 652, 666, 745, 824, 871, 875, 913, 926, 939, 1036, 1039, 1042, 1045,
 1051, 1062, 1077, 1079, 1081, 1082, 1088, 1120, 1171, 1189, 1197, 1198, 1293,
 1318, 1389, 1431, 1432, 1448, 1470, 1517, 1581, 1612, 1627, 1645, 1646, 1648,
 1652, 1672, 1681, 699, 1703, 1746, 1749, 1753, 1762, 1764, 1765, 1878, 1900,
 1902, 1903, 1944, 1956
 Amendments offered—22, 23, 58, 186, 235, 260, 890, 1039, 1042, 1043, 1050, 1051,
 1077, 1081, 1082, 1110, 1151, 1165, 1177, 1254, 1265, 1433, 1480, 1501, 1514,
 1517, 1523, 1553, 1626, 1645, 1646, 1648, 1668, 1689, 1699, 1746, 1749, 1753,
 1762, 1764, 1902, 1903, 1944, 1956
 Amendments withdrawn—58, 235, 296, 1177, 1266, 1291, 1523, 1699, 1945
 Appointed to Health Data Commission—104
 Committee appointments—14, 32, 132, 1738, 1901
 Petitions presented—350, 1032
 Reports—47-48, 1843, 1977
 Resolutions offered—1507
 Standing committees and subcommittees appointed to—45

Subcommittee assignments—83, 215, 216, 305, 306, 307, 309, 310, 312, 389, 391, 392, 395, 467, 468, 469, 470, 471, 560, 562, 689, 690, 692, 809, 810, 811, 812, 813, 814, 815, 817, 949, 950, 951, 952, 953, 954, 1137, 1138, 1142, 1213, 1214, 1343, 1344, 1345, 1717, 1959, 1960
 Subcommittee assignments, governor's appointments—930

HOLT, LEE—Senator Sixth District

Bills introduced—245, 300, 337, 338, 351, 361, 388, 475, 610, 720
 Amendments filed—502, 616, 871, 875, 913, 1189, 1203, 1204, 1490, 1699, 1704
 Amendments offered—339, 681, 722
 Amendments withdrawn—1203, 1204
 Appointed to Legislative Council—250
 Committee appointments—8, 353, 1449, 1768, 1901, 1973, 2006
 Presided at sessions of the Senate—1436, 1481, 1515, 1566
 Reports—1977, 2006, 3112, 3114-3115
 Request to print resolution re Iowa State Patrol's 50th Anniversary—1075
 Resolutions offered—344, 1507, 1629
 Standing committees and subcommittees appointed to—45
 Subcommittee assignments—220, 305, 307, 308, 313, 314, 317, 393, 395, 467, 469, 471, 472, 473, 558, 561, 690, 694, 809, 811, 812, 954, 1136, 1137, 1138, 1143, 1208, 1211, 1213, 1214, 1344, 1959, 1960
 Subcommittee assignments, governor's appointments—881, 902
 Welcomed Paul and Eva Hybschmann from Denmark, guests of Senator Hultman—1447

HORN, WALLY E.—Senator Twenty-fifth District

Bills introduced—164, 202, 206, 222, 223, 227, 245, 264, 294, 351, 415, 423, 434, 493, 687, 758, 858
 Amendments filed—225, 427, 633, 665, 718, 871, 872, 873, 874, 875, 877, 878, 887, 888, 893, 895, 911, 912, 913, 1156, 1506, 1546, 1582, 1694, 1697, 1699, 1837, 1914, 1915
 Amendments offered—497, 596, 873, 874, 878, 893, 894, 911, 912, 1242, 1245, 1656, 1694, 1697
 Amendments withdrawn—872, 895
 Committee appointments—8, 1855
 Petitions presented—1031
 Presented Melissa Tyler, Disneyland's 1985 Ambassador to the World—1879
 Presided at sessions of the Senate—1245
 Reports—1868
 Request, individual calendar—615
 Resolutions offered—122, 318, 344, 493, 1821
 Standing committees and subcommittees appointed to—45
 Subcommittee assignments—83, 215, 216, 217, 218, 219, 305, 307, 308, 309, 310, 312, 313, 314, 391, 392, 393, 395, 468, 469, 470, 472, 473, 558, 559, 560, 561, 691, 694, 811, 813, 814, 816, 817, 948, 949, 953, 954, 1136, 1137, 1138, 1140, 1141, 1142, 1208, 1344, 1345, 1346
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Senate File 507, S-4221—1964
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 Senate File 562, S-3989—1666
 Senate File 564, S-4166—1878
 Senate File 565, S-4235—1965
 Senate File 570, S-4220—1964
 Senate File 574, S-4216—1964
 Senate File 575, S-4238—1999
 Senate File 576, S-4256—1999
 Senate File 577, S-4230—1964
 Senate File 578, S-4239—1999
 Senate File 581, S-4222—1964
 Senate File 583, S-4257—1999
 Senate File 585, S-4215—1964
 Senate File 586, S-4214—1964
 Senate Concurrent Resolution 4, S-3020—85
 Senate Concurrent Resolution 19, S-3478—1037
 House File 139, S-4035—1723
 House File 231, S-4036—1723
 House File 315, S-4193—1914
 House File 451, S-4113—1773
 House File 462, S-4093—1726
 House File 476, S-4037—1723
 House File 484, S-4038—1723
 House File 523, S-4039—1723
 House File 571, S-4024—1723
 House File 642, S-3959—1632
 House File 747, S-4155—1837
 House File 771, S-4151—1837

HULTMAN, CALVIN O.—Senator Forty-seventh District, Minority Floor Leader

Addressed the Senate—4-5
 Bills introduced—39, 139, 202, 279, 300, 361, 403, 507, 531, 610, 677, 720, 860,
 1593, 1705, 1821, 1828, 1886, 1887, 1919
 Amendments filed—29, 55, 59, 124, 241, 533, 616, 633, 645, 767, 768, 782, 788,
 790, 1063, 1076, 1078, 1178, 1179, 1189, 1260, 1293, 1352, 1387, 1490, 1495,
 1496, 1512, 1680, 1699, 1704, 1709, 1711, 1723, 1749, 1753, 1837, 1871, 1902,
 1922, 1976, 1983, 1995
 Amendments offered—57, 58, 59, 124, 619, 645, 776, 777, 788, 789, 790, 836, 1076,
 1077, 1078, 1179, 1425, 1495, 1496, 1628, 1699, 1703, 1704, 1709, 1711, 1749,
 1753, 1882, 1943
 Amendments withdrawn—59, 776, 789, 1328, 1387, 1512, 1749, 1983
 Appointed to Legislative Council—250
 Appointments made to Senate Ethics Committee—43
 Committee appointments—103, 1205, 1920
 Petitions presented—267, 1365
 Reports—125, 1290
 Resolutions offered—493, 720, 1507
 Standing committees and subcommittees appointed to—45

Subcommittee assignments—219, 307, 312, 396, 470, 689, 694, 813, 950, 951, 952, 953, 1209, 1345, 1346, 1959, 1960

HUMAN RESOURCES, COMMITTEE ON—

Appointed and appointments to—40

Appointees, investigation of—105, 864

Bills introduced—169, 362, 456, 721, 758, 803, 879, 964, 985, 1043

Amendments filed—144, 757, 1188, 1202, 1306

Amendments offered—185, 966, 1399, 1404, 1406, 1482

Investigating committee reports—190, 250 266, 284, 334, 360, 386, 1059, 1187, 1247-1248

Resolutions offered—1297

Subcommittee assignments—82, 306, 307, 308, 310, 311, 312, 313, 391, 393, 394,

468, 470, 472, 473, 562, 691, 692, 809, 810, 813, 816, 817, 948, 950, 953, 1137,

1139, 1140, 1142, 1209, 1210, 1211, 1345

Subcommittee assignments, governor's appointments—106-107, 930

HUSAK, EMIL J.—Senator Thirty-eighth District, Assistant Majority Floor Leader

Bills introduced—101, 164, 176, 244, 245, 319, 403, 422, 475, 507

Amendments filed—335, 633, 855, 871, 875, 913, 1045, 1079, 1171, 1174, 1202, 1505, 1581-1582, 1612, 1659

Amendments offered—603, 1079, 1110, 1182, 1237, 1403, 1522, 1524, 1748, 1792

Amendments withdrawn—1523

Committee appointments—713, 1768

Petitions presented—1031

Presided at sessions of the Senate—91, 224, 609, 641, 642, 774, 784, 805, 859, 947, 1683, 1692, 1731, 1747, 1750

Resolutions offered—1467

Rulings—609, 642, 775, 1751

Standing committees and subcommittees appointed to—45

Subcommittee assignments—82, 218, 305, 306, 309, 312, 389, 392, 394, 467, 470,

471, 558, 561, 689, 690, 691, 692, 809, 810, 814, 1136, 1139, 1143, 1211, 1213, 1344, 1543, 1960

Subcommittee assignments, governor's appointments—106, 901, 931

Welcomed the Honorable Steve Sovern, former member of the Senate—782

Reports—3111

HUTCHINS, C.W. (Bill)—Senator Forty-eighth District, Assistant Majority Floor Leader

Bills introduced—20, 39, 61, 113, 205, 253, 264, 278, 403, 428, 456, 556, 941

Amendments filed—85, 161, 168, 190, 234, 257, 533, 633, 675, 855, 1037, 1089, 1156, 1174, 1189, 1432, 1483, 1490, 1612, 1652, 1659, 1692, 1693, 1765, 1878, 1915, 1976, 1995

Amendments offered—161, 255, 280, 683, 1254, 1420, 1442, 1670, 1692

Amendments withdrawn—1668, 1995

Appointed to Legislative Council—250

Called up appointees listed on En Bloc Confirmation Calendar—197-199, 1129, 1337

Committee appointments—103, 353, 1216, 1738, 1973, 2006

Petitions presented—1365

- Presented Jayne Danner, Carroll, 1985 Iowa Junior Miss—114
- Presented Mr. Sueo Omori, Mr Tomiaski Aonuma, Mr. Kazus Nishimura, Mr. Kiyokazu Takota, Mr. Shigematsu Moejim and Mr. Mitsugi Katsumta and their tour conductor, Mr. Chishio Uchida, Japanese members of the Diet of Yamanashi Prefecture (equivalent to Iowa House of Representatives)—1919
- Reports—125, 1843, 2006, 3113-3114, 3115-3116
- Resolutions offered—493, 1167
- Standing committees and subcommittees appointed to—45
- Subcommittee assignments—83, 215, 216, 309, 310, 392, 468, 469, 561, 692, 693, 810, 811, 812, 813, 814, 815, 817, 949, 951, 952, 1142, 1209, 1213, 1345, 1346, 1959, 1960
- Subcommittee assignments, governor's appointments—901, 930

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(See also En Bloc Confirmation Calendar)

Placement on by Senators:

- Celli, Jeanann by Senator Horn—615
- Dallager, Lee A. by Senator Carr—1185
- Haker, Flora E. by Senator Carr—1185
- Huff, Gary L. by Senator Palmer—920
- Mayner, Alexa L. by Senator Priebe—963
- Meylor, Donald J. by Senator Charles P. Miller—920
- Mueller, Kenneth L. by Senator Charles P. Miller—920
- Nielsen, Marlys by Senator Neighbour—920
- Seitsinger, Anita E. by Senator Carr—1185
- Snyder, Donald E. by Senator Carr—1185
- Thoms, Allan T. by Senator Gronstal—1225

Placement on by Standing Committees:

- Binnie, Barbara by Judiciary Committee—1270
- Clemens, David L. by Transportation Committee—1059
- Greig, John M. by Appropriations Committee—1226
- McCullagh, James G. by Human Resources Committee—360
- Pawlewski, Norman L. by Human Services Committee—1059
- Tyler, James R. by Appropriations Committee—1226
- Van Ekeren, Jacklyn K. by Appropriations Committee—1044
- Reports recommending appointments be confirmed—360
- Reports, no recommendation, appointments - 1226, 1270
- Reports, without recommendation, appointments - 1226, 1270
- Appointees listed called up - 1335-1336, 1375-1385, 1973-1974
- Confirmation - 1335-1336, 1375-1385, 1973-1974
- Failed to be confirmed—1116-1117, 1151, 1153, 1379

INTERGOVERNMENTAL RELATIONS, IOWA ADVISORY COMMISSION ON—
Senators appointed to—104

INTERIM COMMITTEES—

(See Legislative Council and/or Study Committees)

INTERSTATE COOPERATION COMMISSION ON—

Senators appointed to—632

INTRODUCTION OF AMENDMENTS FILED BY ANOTHER SENATOR—

Amendments introduced—338

INTRODUCTIONS—

(See Addressed the Senate, Lieutenant Governor Anderson, Robert T. and/or Presentations)

INVESTIGATING COMMITTEES—Governor's Appointments—

Committees to—106-107, 151, 181, 400, 881, 901-903, 923, 930-931, 1770, 1875

Reports—154, 178, 190, 207, 250, 266, 274, 284, 293, 334, 360, 386, 447, 939, 959
1044, 1058, 1059, 1102-1103, 1170, 1187, 1226, 1247-1248, 1270, 1275Reports called up—197-199, 379-381, 739-740, 1129-1134, 1335-1336, 1337-1340,
1375-1385, 1973-1974

IOWA BOUNDARY COMMISSION—

Senators appointed to—104

IOWA JOBS COMMISSION—

Senators appointed to—631

IPERS ADVISORY INVESTMENT BOARD—

Senators appointed to—27

JENSEN, JOHN W.—Senator Eleventh District, Assistant Minority Floor Leader

Bills introduced—59, 101, 205, 245, 264, 278, 300, 338, 344, 361, 403, 434, 531,
572, 610, 653, 720, 858Amendments filed—80, 234, 271, 423, 533, 633, 749, 750, 791, 871, 875, 887, 913
1078, 1333, 1390, 1457, 1417, 1470, 1483, 1582, 1599, 1612, 1699Amendments offered—339, 423, 749, 750, 791, 1451, 1568, 1588, 1599, 1616, 1627
Amendments withdrawn—80, 1078Called up appointees listed on Individual Confirmation Calendar—1376, 1380,
1381, 1382, 1383, 1384

Committee appointments—14, 103, 1738, 1920

Introduced amendments filed by Senator Holden—338

Introduced members of the Waverly Shell Rock High School Choir—868

Petitions presented—350

Reports—47-48, 125, 1843

Resolutions—344, 1507

Standing committees and subcommittees appointed to—45

Subcommittee assignments—82, 311, 312, 316, 389, 390, 391, 394, 395, 468, 469,
470, 559, 561, 562, 690, 692, 810, 811, 812, 813, 815, 816, 949, 950, 951, 953,
1137, 1139, 1140, 1210, 1211, 1343, 1345, 1959

Subcommittee assignments, governor's appointments—107, 902

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Condition of the State and Budget Message of Governor Terry E. Branstad—
32-38

Resolution relating to, HCR 1—21 adopted
 Budget Message of Governor Terry E. Branstad—132-138
 Resolution relating to, HCR 3—23, 56, 57 adopted
 Condition of the Judicial Department Message of Chief Justice W.W. Reynoldson
 —73-78
 Resolution relating to, HCR 2—23, 24 adopted
 Memorial Services—1277-1280
 Resolution relating to, HCR 17—701, 741, 938, 951, 965 adopted, 1035
 Pioneer Lawmakers program—1449-1450
 Resolution relating to, HCR 18—701, 741, 939, 951, 965 adopted, 1035

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Resolutions relating to:

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JUDICIARY, COMMITTEE ON—

Appointed and appointments to—41

Appointees, investigation of—105, 864, 1665, 1875

Bills introduced—123, 183, 318, 351, 403, 415, 433, 442, 474, 475, 476, 575, 654,
 720, 777, 800, 839, 879, 899, 917, 933, 934, 946, 964, 975, 996, 997

Amendments filed—286, 514, 526, 540, 745, 939, 963, 1036, 1250, 1276, 1352,
 1366, 1417, 1491

Amendments offered—321, 598, 600, 604, 848, 889, 890, 1020, 1267, 1413, 1414,
 1422, 1423, 1478, 1479, 1518, 1654, 1656, 1808

Investigating committee reports—154, 959, 1270

Resolutions offered—826, 1262, 1342

Subcommittee assignments—217, 218, 219, 220, 305, 308, 309, 310, 313, 314, 315,
 316, 317, 392, 393, 394, 395, 468, 469, 470, 471, 472, 473, 559, 560, 561, 562,
 563, 691, 694, 811, 812, 813, 814, 816, 817, 949, 950, 954, 1137, 1138, 1139,
 1140, 1141, 1208, 1209, 1212, 1213, 1343, 1344, 1345, 1346

Subcommittee assignments, governor's appointments—107, 901-902, 1770

JUNKINS, LOWELL L.—Senator Thirty-first District, Majority Floor Leader

Addressed the Senate—2-4, 367-368

Bills introduced—169, 378, 403, 456, 508, 677, 1593, 1705, 1821, 1828, 1886,
 1887, 1919

Amendments filed—29, 80, 221, 225, 230, 241, 533, 633, 663, 1036, 1145, 1497,
 1499, 1506, 1511, 1522, 1524, 1530, 1533, 1535, 1592, 1699, 1704, 1708, 1710,
 1711, 1862, 1984, 1997

Amendments offered—225, 238, 241, 663, 705, 1181, 1497, 1499, 1511, 1524,
 1530, 1533, 1535, 1699, 1704, 1708, 1711, 1997

Amendments withdrawn—57, 80, 235, 511, 1524, 1530, 1533, 1535, 1577, 1862

Appointed to Legislative Council—250

Appointments made to Energy Policy Council—168
 Appointments made to Senate Ethics Committee—43
 Called up appointees listed on En Bloc Confirmation Calendar—379-381, 739-740
 Called up appointees listed on Individual Confirmation Calendar—1973
 Committee appointments—103, 353, 1205
 Motion to override Governor's veto, Senate File 32—1161
 Nominated Senator Norman Rodgers as candidate for President pro tempore of the Senate—13
 Petitions presented—28-29, 100, 167, 267, 350, 421, 492, 715, 843, 844, 1032, 1248, 1249, 1365, 1366, 1580
 Presented "The Kids on the Block", a puppeteering group from Dubuque—1683
 Reports—9-11, 11-12, 14, 107-110, 125, 144, 174, 386, 584, 823, 861-863, 863-866, 1186-1187, 1225, 1290, 1665, 1875, 3116-3117
 Resolutions offered—493, 647
 Standing committees and subcommittees appointed to—45
 Welcomed Spider-Man with remarks re child abuse—367-368

KINLEY, GEORGE R.—Senator Fortieth District

Bills introduced—62, 95, 122, 164, 278
 Amendments filed—211, 221, 633, 665, 877, 885, 1204, 1432, 1521, 1581, 1612, 1627, 1752
 Amendments offered—225, 240, 665, 877, 1457, 1627, 1752
 Amendments withdrawn—1204, 1627
 Appointed to Senate Ethics Committee—43
 Petitions presented—267, 1031, 1249
 Presided at sessions of the Senate—339, 361, 438, 547, 762, 913, 1297, 1587, 1653, 1694, 1970, 1976, 1978, 1980, 1981, 1989
 Resolutions offered—493
 Rulings—439, 914, 915, 1587, 1588, 1656, 1657, 1660, 1979, 1980, 1984, 1991
 Standing committees and subcommittees appointed to—45
 Subcommittee assignments—82, 306, 390, 392, 394, 395, 473, 559, 560, 562, 690, 691, 692, 693, 810, 811, 812, 813, 815, 817, 948, 953, 954, 1137, 1138, 1140, 1141, 1210, 1213, 1344, 1345,
 Subcommittee assignments, governor's appointments—923, 930
 Welcomed the Honorable Merlin D. Hulse, former member of the Senate—1665

LABOR AND INDUSTRIAL RELATIONS, COMMITTEE ON—

Appointed and appointments to—41
 Appointees, investigation of—105, 864
 Bills introduced—366, 367, 556, 610, 617, 750, 1355
 Investigating committee reports—178, 1058
 Resolutions offered—1355
 Subcommittee assignments—309, 310, 312, 315, 316, 396, 468, 469, 472, 560, 689, 692, 694, 817, 949, 950, 952, 953, 1139, 1343, 1960
 Subcommittee assignments, governor's appointments—107, 902

LAW ENFORCEMENT ACADEMY COUNCIL—

Senator appointed to—104

LEGISLATIVE COUNCIL—

(See also Study Committees)

Senators appointed to—250

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Senators appointed to—305

LIEUTENANT GOVERNOR ANDERSON, ROBERT T., President of the Senate—

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boards—104-105, 250, 304-305, 592, 631-632

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Assignment of bills—53-54, 69, 97-98, 105, 127, 143, 168, 171, 180, 196, 270-
271, 285-286, 298, 345, 359-360, 401-402, 426, 443, 462, 488, 505, 538, 567-
568, 584, 615, 651, 674, 699, 716, 741, 767, 798, 823, 855, 884-885, 924, 931-
932, 1033, 1062, 1085, 1118, 1144, 1169, 1197, 1226, 1270, 1317, 1351, 1431,
1556, 1645, 1651, 1678, 1772, 1836-1837, 1841, 1846, 1874, 1892, 1970, 2007Bills signed by—430, 529-530, 567, 591, 672-673, 725, 841, 881, 1032, 1217, 1259,
1315, 1431, 1544-1545, 1557, 1611, 1631, 1721, 1770, 1843, 1911, 1962, 2005

Chair cast an "aye" vote to break tie:

Senate File 19, S-3099—281

House File 225, S-3384 to S-3348—877

House File 225, S-3384 to S-3348—898

Committees appointed by in joint conventions—32, 132, 1449

Committees appointed by in Senate—5, 7-8, 13, 14, 233, 2006

Presentations:

Presented Senator Norman Rodgers, President pro tempore to the Senate
—13Presented Governor Terry E. Branstad, Condition of the State address
—32

Presented Governor Terry E. Branstad, Budget Message—132

Presented the Honorable Gerard Collins, member of the Fianna Fail
Party of the Parliament of Ireland—759Presented the Honorable Robert D. Fulton, former Lieutenant Governor
and Governor of Iowa who addressed the joint convention, Pioneer
Lawmakers—1450Presented Senator Norman G. Rodgers, President pro tempore of the Senate
who welcomed Pioneer Lawmakers on behalf of the Senate—1450Presented the Honorable John Connors, Speaker pro tempore of the House
of Representatives who welcomed Pioneer Lawmakers on behalf of the
House—1450

Presented the Honorable Eugene Hill, former member of the Senate who responded to the welcome and announced legislators eligible to become members of Pioneer Lawmakers and honorary memberships—1450

Presided at joint conventions—32, 132, 1449

Presided at sessions of the Senate—1, 5, 21, 30, 31, 38, 49, 56, 59, 61, 63, 87, 92, 101, 113, 122, 130, 131, 152, 176, 183, 258, 273, 278, 287, 294, 296, 299, 318, 336, 351, 356, 366, 377, 388, 408, 422, 428, 432, 448, 466, 474, 515, 527, 531, 532, 542, 571, 574, 587, 617, 653, 659, 664, 677, 701, 747, 749, 758, 800, 845, 857, 871, 889, 909, 927, 933, 941, 942, 964, 975, 983, 996, 1009, 1038, 1064, 1075, 1146, 1157, 1172, 1175, 1179, 1187, 1228, 1234, 1241, 1251, 1261, 1262, 1281, 1289, 1294, 1307, 1319, 1354, 1367, 1374, 1391, 1418, 1423, 1425, 1433, 1449, 1472, 1480, 1497, 1507, 1510, 1518, 1532, 1548, 1553, 1560, 1568, 1575, 1583, 1593, 1613, 1626, 1633, 1642, 1646, 1653, 1668, 1683, 1692, 1698, 1701, 1707, 1775, 1783, 1812, 1830, 1835, 1841, 1849, 1879, 1886, 1890, 1892, 1917, 1945, 1966, 1969, 1978, 1993, 2004

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Resolutions signed by—1785

Rulings—59, 103, 260, 281, 339, 619, 620, 664, 665, 750, 849, 873, 874, 875, 876, 877, 890, 893, 894, 895, 896, 909, 912, 967, 1013, 1148, 1153, 1160, 1163, 1177, 1178, 1180, 1183, 1234, 1255, 1264, 1265, 1266, 1268, 1291, 1292, 1293, 1295-1296, 1308, 1310, 1322, 1323, 1387, 1424, 1502, 1511, 1512, 1519, 1553, 1570, 1575, 1577, 1586, 1597, 1598, 1599, 1601, 1602, 1627, 1628, 1637, 1639, 1640, 1645, 1646, 1647, 1649, 1672, 1689, 1703, 1704, 1708, 1710, 1711, 1812, 1882, 1883, 1884, 1885, 1947, 1969

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Welcomed:

The Honorable William Gluba, former member of the Senate—465

The Honorable Eugene Hill, former member of the Senate—700

The Honorable John Mowry, former member of the Senate—994

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Item veto messages received—1948-1949

Veto messages received—1000-1004

Closing message from Governor Terry E. Branstad—2008-2009

Final adjournment 1985 Regular Session of the Seventy-first General Assembly, SCR 50—1841, 1845, 1996-1997 adopted as amended

LIND, THOMAS A.—Senator Thirteenth District

Bills introduced—17, 18, 19, 20, 62, 71, 79, 113, 122, 278, 300, 319, 337, 338, 376, 378, 409, 486, 575, 610, 720, 845

Amendments filed—124, 182, 211, 407, 427, 532, 633, 638, 844, 871, 875, 925, 932, 1036, 1046, 1189, 1202, 1352, 1470, 1476, 1505, 1506, 1521, 1546, 1576, 1582, 1631, 1632, 1643, 1651, 1652, 1692, 1694, 1696, 1697, 1699, 1723, 1847, 1878

Amendments offered—254, 1050, 1426, 1427, 1576, 1639, 1643, 1692, 1694, 1697, 1699, 1840

Amendments withdrawn—533, 1425, 1427, 1643, 1699, 1884

Committee appointments—2006

Reports—2006

Resolutions offered—1507, 1667

Standing committees and subcommittees appointed to—45

Subcommittee assignments—82, 83, 219, 308, 309, 315, 390, 391, 392, 471, 689, 692, 693, 811, 815, 816, 951, 1136, 1139, 1210, 1211, 1212, 1343, 1543

LOCAL GOVERNMENT, COMMITTEE ON—

Appointed and appointments to—41

Bills introduced—351, 475, 523, 668, 846, 899, 946, 975

Amendments filed—286, 447, 675, 963, 1227, 1333, 1352

Amendments offered—342, 546, 1251, 1435, 1475, 1519

Subcommittee assignments—216, 219, 307, 308, 315, 390, 391, 468, 470, 471, 473, 558, 560, 689, 690, 691, 692, 694, 811, 815, 816, 950, 951, 952, 953, 1139, 1209, 1210, 1211, 1212, 1343, 1344, 1345, 1543

MAJORITY FLOOR LEADER, Lowell L. Junkins—Senator Thirty-first District

(See Junkins, Lowell L., Senator Thirty-first District, Majority Floor Leader

MANN, Jr. TOM —Senator Forty-third District

Bills introduced—61, 102, 164, 206, 245, 278, 299, 378, 423, 428, 455, 487, 494, 581, 846, 859

Amendments filed—29, 186, 502, 526, 570, 638, 639, 641, 885, 888, 895, 910, 914, 915, 925, 926, 967, 1045, 1046, 1052, 1062, 1063, 1107, 1145, 1189, 1197, 1249, 1250, 1333, 1352, 1366, 1390, 1483, 1499, 1505, 1506, 1546, 1547, 1588, 1598, 1601, 1649, 1666, 1681, 1725, 1751, 1764, 1799, 1810, 1915, 1956, 1965, 1979, 1983

Amendments offered—186, 545, 580, 638, 639, 641, 729, 730, 850, 890, 895, 910, 914, 915, 967, 974, 1048, 1052, 1148, 1234, 1252, 1267, 1283, 1323, 1358, 1395, 1400, 1414, 1499, 1509, 1518, 1598, 1628, 1638, 1649, 1654, 1691, 1751, 1764, 1799, 1808, 1937, 1956, 1979

Amendments withdrawn—974, 1233, 1252, 1253, 1399, 1509, 1656, 1691, 1983

Called up appointee listed on Individual Confirmation Calendar—1375

Committee appointments—5-7, 72, 1920, 1973

Notice of public hearing—1058

Petitions presented—421, 715, 1580

Reports—1947

Resolutions offered—24, 153, 344

Standing committees and subcommittees appointed to—45

Subcommittee assignments—216, 217, 218, 219, 220, 305, 306, 307, 313, 314, 315, 316, 317, 392, 393, 394, 396, 466, 467, 468, 469, 470, 471, 472, 558, 559, 560, 561, 562, 689, 690, 691, 693, 694, 809, 810, 812, 814, 815, 817, 948, 949, 950, 952, 953, 954, 1136, 1138, 1139, 1140, 1141, 1142, 1143, 1213, 1214, 1343, 1345, 1346, 1717, 1960

Subcommittee assignments, governor's appointments—107, 181, 901, 902, 903, 1770, 1875

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Resolution relating to, HCR 17—701, 741, 938, 951, 965 adopted, 1035
 Senate Memorial Committee—1004
 In Memoriam list—1278-1279, 3110-3117
 Supplemental reports—713, 1216-1217

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Request for immediate message to House rescinded—1532, 1534, 1907
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 From Governor Terry E. Branstad, item veto—1948-1949, 3100-3101
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MILLER, ALVIN V.—Senator Tenth District

Bills introduced—205, 378, 403, 434
 Amendments filed—190, 638, 871, 875, 887, 925, 1089, 1306, 1390, 1483, 1490, 1521, 1546, 1582, 1711, 1837
 Amendments offered—342, 636, 1238, 1357, 1466, 1475
 Committee appointments—1768
 Petitions presented—1155
 Reports—1828-1829
 Resolutions offered—344
 Standing committees and subcommittees appointed to—45
 Subcommittee assignments—82, 217, 219, 307, 308, 309, 315, 317, 390, 394, 395, 466, 468, 469, 470, 471, 473, 558, 559, 562, 563, 690, 692, 693, 812, 816, 949, 952, 1136, 1137, 1138, 1139, 1210, 1211, 1212, 1213, 1344, 1345
 Subcommittee assignments, governor's appointments—151, 901, 923

MILLER, CHARLES P.—Senator Thirtieth District

Bills introduced—63, 64, 164, 169, 184, 188, 197, 244, 245, 278, 294, 319, 352, 356, 378, 403, 409, 434, 474, 494, 572, 634, 653, 703, 869
 Amendments filed—230, 526, 570, 633, 700, 849, 1120, 1188, 1189, 1352, 1359, 1395, 1417, 1483, 1490-1491, 1495, 1496, 1521, 1546, 1581, 1612, 1652, 1711, 1915

- Committee appointments—72, 233, 353, 1004, 1738, 1768
- Escorted President pro tempore Senator Norman Rodgers to the rostrum—13
- Motion to reconsider, Sec. 4 of Senate File 552, item vetoed by the Governor—1950
- Reports—353, 713, 1216-1217, 1831, 1868, 3116-3117
- Request, introduction - appointee, Kenneth L. Mueller—919
- Request, individual confirmation calendar—920
- Resolutions offered—493
- Standing committees and subcommittees appointed to—45
- Subcommittee assignments—82, 215, 217, 218, 306, 308, 311, 313, 316, 390, 391, 394, 470, 471, 473, 559, 563, 689, 691, 811, 813, 816, 951, 953, 1138, 1139, 1140, 1142, 1209, 1211, 1343, 1344, 1345, 1543
- Subcommittee assignments, governor's appointments—106, 151, 400, 902, 903, 930

MINORITY FLOOR LEADER, Calvin O. Hultman, Senator Forty-seventh District
(See Hultman, Calvin O.—Senator Forty-seventh District, Minority Floor Leader)

MOTION TO OVERRIDE GOVERNOR'S VETO—

Filed:

Senate File 32—1161

Lost:

Senate File 32—1162-1163

MOTIONS TO RECONSIDER AND RULINGS—

Motions to reconsider—

Filed:

- Senate File 13—1317
- Senate File 24, S-3116—440
- Senate File 24(3)—1990
- Senate File 24(2)—1991
- Senate File 57, S-3067A—235
- Senate File 57, S-3097—242
- Senate File 70—345
- Senate File 184—1259
- Senate File 186, S-3186—650
- Senate File 249(2)—585
- Senate File 261—745
- Senate File 274—615
- Senate File 296, S-3980B to S-3824—1686
- Senate File 332—534
- Senate File 332—535
- Senate File 332—536
- Senate File 356—757
- Senate File 364—676
- Senate File 364—1963
- Senate File 383, S-3218A—734
- Senate File 383(2)—745
- Senate File 387, S-3779A—1595
- Senate File 395—668

Senate File 421—994
Senate File 422—798
Senate File 432—994
Senate File 433, S-3479—1040
Senate File 434—1532
Senate File 434, S-3853—1533
Senate File 442—1103
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Senate File 462, S-3475B—1317
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Senate File 475—1170
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Senate File 499—1088
Senate File 503(3)—1034
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Senate File 570—1963
Senate File 572, S-4061—1700
Senate File 572—1771
Senate File 574—1998
Senate File 575, Senate refused to concur in S-4238 as amended—1981
Senate File 575, S-4242 to S-4238—1984
Senate File 577, S-4133—1771
Senate File 577, S-4112A—1780
Senate File 577—1792
Senate File 578—1989
Senate File 591—1913
Senate Resolution 3—200
Confirmation of Norman Pawlewski—1151

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House File 128—1447
House File 183, S-3201B—710
House File 183—725
House File 225, S-3365 to S-3348—885
House File 225, S-3384 to S-3348—885
House File 225, S-3349—912
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House File 244—1504
House File 308—1365
House File 308, S-3739—1365
House File 308—1430
House File 315(3)—1431
House File 315—1962
House File 319—1416
House File 413—1430
House File 438, S-3985—1813
House File 451, S-3811 as amended—1642
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House File 469—1365
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House File 555, S-3426—1585
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House File 652—1416
House File 684, S-3804—1647
House File 686, S-3900—1577
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House File 740, S-3688—1489
House File 753(3)—1963
House File 753, S-4209—1963
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Senate File 387, S-3779A—1596
Senate File 434—1532
Senate File 434, S-3853—1533
Senate File 461, S-3571—1285
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Senate File 532—1890
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Confirmation of Norman L. Pawlewski—1152
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House File 766—1898

Lost:

Senate File 24—1991
Senate File 433—1040
Senate File 447—1160
Senate File 475—1264
Senate File 482—2003
Senate File 552, Sec. 4, Motion to override Governor's Item Veto—1950
Senate File 565—1600
Senate File 565, S-3918—1601
Senate File 570, S-4094—1799
Senate File 574—2003
House File 308—2003
House File 315—2004
House File 319—2004
House File 571, S-3754—1531
House File 684, S-3804—1647

Withdrawn:

Senate File 13—1340

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Senate File 70—461
Senate File 249(2)—1235
Senate File 261—759
Senate File 274—1236
Senate File 332(3)—1098
Senate File 356—1229
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Senate File 421—1290
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Senate File 432—1255
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Ruled out of order (motions to reconsider filed):

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Senate File 447—1160
Senate File 475—1264
Senate File 503(2)—1241
Senate File 533(2)—2004
Confirmation of Norman L. Pawlewski—1153
House File 225—1096
House File 308, S-3739—2004
House File 315(3)—1806
House File 686—1754
House File 753, S-4209—1969

Withdrawn:

Senate File 577—1792
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House File 29—1128
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House File 413—1606
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House File 540—1617
House File 652—1416

House File 686, S-3900—1577

House File 686—1581

House File 686, S-3900—1581

House File 753(3)—1968

House File 780—1989

MURPHY, LARRY—Senator Fourteenth District

Bills introduced—164, 278, 379, 494, 519, 654, 721, 806

Amendments filed—129, 144, 175, 182, 335, 439, 633, 638, 644, 663, 665, 707, 718, 799, 871, 875, 888, 913, 1107, 1120, 1145, 1170, 1171, 1174, 1202, 1250, 1276, 1293, 1294, 1333, 1352, 1432, 1448, 1470, 1482, 1506, 1509, 1512, 1602, 1612, 1642, 1994

Amendments offered—203, 522, 644, 663, 665, 707, 894, 1113, 1163, 1292, 1293, 1294, 1297, 1370, 1453, 1482, 1512, 1639, 1640

Amendments withdrawn—1291, 1481, 1602, 1941, 1994

Appointed to Iowa Jobs Commission—631

Committee appointments—5, 132, 1768

Called up appointees listed on Individual Confirmation Calendar—1376, 1377

Petitions presented—843, 1031, 1155, 1365

Presided at sessions of the Senate—1787, 1908

Reports—5-7, 1821

Resolutions offered—344

Standing committees and subcommittees appointed to—46

Subcommittee assignments—82, 83, 217, 218, 220, 306, 307, 308, 310, 311, 312, 315, 316, 391, 393, 394, 395, 469, 470, 558, 559, 560, 562, 563, 689, 691, 693, 813, 816, 817, 948, 950, 952, 953, 954, 1137, 1208, 1209, 1210, 1212, 1543, 1717

Subcommittee assignments, governor's appointments—106, 881, 930

NATURAL RESOURCES, COMMITTEE ON—

Appointed and appointments to—41

Appointees, investigation of—865

Bills introduced—245, 654, 917, 918, 931

Amendments filed—298, 540, 1089, 1202, 1306

Amendments offered—341, 704, 1403, 1461, 1462

Appointees, investigation of—865

Investigating committee reports—1102

Resolutions offered—455, 803

Subcommittee assignments—82, 216, 218, 219, 309, 310, 316, 390, 394, 561, 562, 689, 690, 694, 816, 951, 1139, 1140, 1210, 1211

Subcommittee assignments, governor's appointments—930-931

NEIGHBOUR, JOHN A.—Senator Thirty-fourth District

Bills introduced—164, 245, 319, 383, 494, 610, 721

Amendments filed—638, 757, 888, 1088, 1306, 1490, 1519, 1521, 1546, 1558

Amendments offered—1091, 1519, 1564

Appointed to Iowa Commission on Interstate Cooperation—632

Committee appointments—14, 1449

Reports—47-48

Request, individual confirmation calendar—920

Resolutions offered—344, 493

Standing committees and subcommittees appointed to—46

Subcommittee assignments—82, 216, 219, 307, 308, 310, 315, 316, 390, 394, 468, 471, 473, 560, 562, 690, 694, 815, 953, 1139, 1209, 1211, 1212, 1343, 1344, 1543

Subcommittee assignments, governor's appointments—902, 930

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For President pro tempore of the Senate—13

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NYSTROM, JOHN N.—Senator Forty-fourth District

Bills introduced—91, 93, 278, 403, 415, 610, 721, 751

Amendments filed—286, 514, 664, 871, 875, 913, 1202, 1483, 1490-1491, 1546, 1581-1582, 1582, 1612, 1680, 1692, 1693, 1914, 1915

Amendments offered—534, 1692

Amendments withdrawn—664

Committee appointments—713, 1216, 1738

Presented Iowa's six entries and their coaches, Third International Winter Special Olympics Games, Salt Lake City, Utah—1614

Reports—1868-1869, 3112-3113, 3115-3116

Resolutions offered—122, 318, 1507, 1705

Standing committees and subcommittees appointed to—46

Subcommittee assignments—82, 215, 216, 219, 307, 308, 310, 311, 315, 316, 390, 391, 392, 395, 396, 466, 468, 470, 559, 560, 561, 563, 691, 692, 694, 810, 811, 812, 814, 815, 816, 817, 948, 950, 952, 1136, 1137, 1140, 1142, 1210, 1211, 1343, 1344, 1345, 1346, 1717

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By Sergeant-at-Arms, James E. Briles—9-11

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PALMER, WILLIAM D.—Senator Thirty-ninth District

- Bills introduced—122, 206, 245, 278, 378, 576
- Amendments filed—211, 533, 663, 799, 875, 887, 1106, 1107, 1171, 1490, 1546, 1582, 1692, 1765, 1866, 1871, 1878
- Amendments offered—533, 663, 871, 875, 1765, 1866, 1871
- Amendments withdrawn—1871
- Committee appointments—1205, 1901
- Reports—1290, 1977
- Request, individual confirmation calendar—920
- Resolutions offered—344
- Standing committees and subcommittees appointed to—46
- Subcommittee assignments—216, 305, 306, 307, 310, 312, 392, 467, 468, 469, 471, 558, 559, 561, 690, 692, 809, 810, 812, 814, 815, 816, 817, 949, 953, 954, 1137, 1138, 1143, 1212, 1213, 1344, 1346, 1959, 1960
- Subcommittee assignments, governor's appointments—901, 930

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- Elected permanent Parliamentarian of the Senate—9-11
- Took oath—11

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PIONEER LAWMAKERS ASSOCIATION OF IOWA—

- Address by former Governor Robert D. Fulton—1450, 1485, 1488
- Program by—1449-1450
- Senator Norman G. Rodgers, President pro tempore welcomed Pioneer Lawmakers on behalf of the Senate—1450
- The Honorable Eugene Hill, former member of the Senate announced legislators eligible to become members of Pioneer Lawmakers, also honorary memberships—1450
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Senate File 572, S-4064 - Senator Ritsema—1697
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- Senator Junkins presented "The Kids on the Block", a puppeteering group from Dubuque—1683
- Senator Dieleman presented Geselle Mulder, Pella Tulip Queen and members of her court—1782
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- Senator Small presented Dr. Peter Halmos, Hungary; Ms. Rosa Dell'Aversana, Italy; Ms. Olaug Krogsaeter, Norway; Mr. Tomasz Kazmierczak, Poland; Ms. Prisca St. Paul, Saint Lucia; Ms. Annemarie Aebi, Switzerland; Ms. Thitiza Phaobtong, Thailand; Mr. Mohammad Yousef, West Bank and Ms. Fanny Chirisa, Zimbabwe, 1985 U. off. Council of International Programs participants—1850
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- Senate Concurrent Resolution 30, change federal legislation, sale of agricultural land, penalties on lenders—917, 1020, 1045, 1067 adopted
- Senate Concurrent Resolution 32, encourage establishment of the U.S. Institute of Peace in Iowa—1056, 1061, 1166 adopted
- Senate Concurrent Resolution 43, U.S. postmaster general select commemorative stamp honoring fairs and expositions—1629, 1678, 1959
- Senate Concurrent Resolution 45, sale of Conrail, disapprove merger—1705, 1772, 1959
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- House Concurrent Resolution 26, encourage the establishment of the U.S. Institute of Peace in Iowa—1775, 1837, 1913, 1921 adopted
- House Concurrent Resolution 29, request and urge Congress to take certain actions to assist farmers—1750, 1837, 1913, 1921 adopted, 1921-1922, 1960
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- Amendments offered—80, 257, 424, 664, 704, 707, 708, 709, 749, 750, 894, 1066, 1067, 1090, 1251, 1323, 1327, 1511, 1599, 1601, 1637, 1703, 1802, 1803, 1945, 1979
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 House File 686, S-3604, S-3625, S-3658, S-3896—1575
 House File 686, S-3617—1577
 House File 686, motion filed to reconsider vote—1754
 House File 686, S-3902—1755
 House File 740, S-3802—1570
 House File 753, S-4225—1969
 House File 753, motion filed to reconsider vote—1969
 House File 761, S-4070—1885
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 House File 771, S-4030—1704
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RULES AND ADMINISTRATION, COMMITTEE ON—

Appointees referred to—87-90, 152, 531, 783-784, 827-835, 1146, 1166-1167, 1578-1579, 1839
 Appointees referred to standing committees—105, 144, 174, 386, 823, 863-866, 1665, 1875
 Appointees placed on En Bloc Confirmation calendar—110, 174, 584, 861-863, 1186-1187
 Reports, administration—9-11, 11-12, 14, 107-110, 1225
 Resolutions offered—15, 20, 378, 1295, 1841, 1873, 1904, 1908
 Resolutions relating to:
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 Senate Concurrent Resolution 2, compensation—24, 27-28, 50, 51 adopted, 55
 Senate Concurrent Resolution 3, joint rules—24, 28, 29, 55, 57-58, 59 adopted, 70-81, 91-92, 103, 125, 126 adopted
 Senate Concurrent Resolution 37, joint rules, suspend, consideration of specific Conference Committee Report, SF 395—1295, 1296 adopted, 1307

- Senate Concurrent Resolution 50, adjournment—1841, 1845, 1996-1997 adopted as amended, 2002
- Senate Concurrent Resolution 52, interim studies—1904, 1912, 1920 adopted, 1921
- Senate Resolution 1, permanent rules of the Senate—20, 22, 23 adopted, 29
- Senate Resolution 3, amend permanent rules—170, 166, 199-200 adopted, 200, 271, 320-321
- Senate Resolution 5, rules governing lobbyists—273, 274-275, 343 adopted
- Senate Resolution 6, Senate Code of Ethics—273, 276, 343-344, 365, 382-383 adopted
- Senate Resolution 7, Governor's appointees, approved list—378, 384, 423-424 adopted, 427
- Senate Resolution 10, defer confirmation of Flora E. Haker—1367, 1385-1386 adopted
- Senate Resolution 11, change Senate Rule 37—1841, 1845, 1849 adopted
- Senate Resolution 12, Senate legislative expenses—1873, 1876, 1882 adopted
- Senate Resolution 13, amend Senate Rule 60, revise schedule, committee action on appointments—1904, 1912, 1923-1924 adopted
- Senate Resolution 14, defer action on confirmation of appointments, state lottery commission—1908, 1912, 1920 adopted

RULES OF APPELLATE PROCEDURE—

(See Supreme Court of Iowa)

RULES OF CIVIL PROCEDURE—

(See Supreme Court of Iowa)

RULES OF CRIMINAL PROCEDURE—

(See Supreme Court of Iowa)

SCHWENGELS, FORREST V. — Senator Thirty-second District

Bills introduced—101, 264, 278, 300, 337, 338, 361, 362, 388, 409, 415, 422, 433, 456, 610, 720, 721, 860, 869

Amendments filed—211, 234, 1036, 1037, 1174, 1197, 1198, 1915

Amendments offered—18

Appointed to Energy Policy Council—168

Appointed to Communications Review Committee—592

Committee appointments—353

Petitions presented—1031, 1032

Reports—3116-3117

Resolutions offered—344

Standing committees and subcommittees appointed to—46

Subcommittee assignments—82, 215, 217, 220, 307, 308, 310, 316, 390, 391, 393, 469, 470, 559, 561, 563, 689, 812, 814, 815, 948, 949, 1137, 1139, 1142, 1209, 1344

Subcommittee assignments, governor's appointments—903, 930

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Assignment of seats to members—16-17

Assignment of seats in Press Gallery—8

SECRETARY OF STATE, Mary Jane Odell—

Certification—6-7

Communication from re publication of SJR 9 & SJR 2001, 1984—25-26

Communications from—1073, 1197, 1221, 1489, 1556, 1998

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Appointment of page—14

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Communication from Secretary of State re bills became law—1073, 1197, 1221, 1489, 1556, 1998, 3107-3109

Communications received and on file—28, 67-68, 87-90, 94-95, 121, 152, 165 249, 292, 320, 377, 431, 463, 531, 592, 783, 827-835, 845, 927-928, 1105-1106, 1146, 1166-1167, 1216, 1276, 1329, 1578-1579, 1727, 1785, 1839

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Election of—9-11

Took oath—11

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Reports, Certificates of Recognition—25, 115, 277, 525, 906, 959, 1058, 1087-1088, 1170, 1206, 1362, 1447, 1504, 1611, 1679, 1911

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Reports on corrections in engrossment, Senate Rule 21—249, 276, 360, 374, 798, 1073, 1106, 1315, 1557, 1722, 1874, 1914

Reports on corrections in enrollment, Senate Rule 21—527-528, 1468, 2005

Request for introduction—919

Resolutions relating to:

Senate Resolution 12, legislative expenses - 1873, 1876, 1882 adopted

SENATE CONCURRED—

Senate File 24, S-4231 as amended—1976

Senate File 25, S-3130—381-382

Senate File 27, S-3888—1621-1622

Senate File 77, S-3135—410

Senate File 79, S-3667—1341

Senate File 103, S-3821 as amended—1616

Senate File 110, S-4083—1737

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Senate File 157, S-3887—1584

Senate File 163, S-3129—330

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Senate File 349, S-4217—1927
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Senate File 377, S-3778—1615
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Senate File 480, S-3781—1602
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 House File 484, S-4038 to H-3890—1735
 House File 523, S-4039 to H-3790—1730
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SMALL, ARTHUR A.—Senator Twenty-third District

Bills introduced—62, 102
 Amendments filed—234, 239, 638, 644, 762, 784, 874, 876, 878, 885, 888, 1171, 1188, 1189, 1260, 1294, 1306, 1326, 1318, 1374, 1390, 1431, 1432, 1491, 1512, 1525, 1546, 1582, 1592, 1652, 1700, 1710, 1773, 1780, 1810, 1818, 1847, 1852, 1878, 1922, 1942
 Amendments offered—234, 239, 638, 762, 784, 873, 878, 893, 894, 1230, 1326, 1374, 1479, 1501, 1510, 1627, 1628, 1640, 1700, 1710, 1780, 1799, 1810, 1812, 1818, 1880, 1885, 1922, 1924, 1942
 Amendments withdrawn—234, 893, 1294, 1585, 1882
 Appointed to Senate Ethics Committee—43
 Investigating committee reports—154
 Petitions presented—1032
 Presented Dr. Peter Halmos, Hungary; Ms. Rosa DellAversana, Italy; Mrs. Olaug Krogsaeter, Norway; Mr. Tomasz Kazmierczak, Poland; Ms. Prisca St. Paul, Saint Lucia; Ms. Annemarie Aebi, Switzerland; Ms. Thitiaja Phaobtong, Thailand; Mr. Mohammand Youse, West Bank and Ms. Fanny Chirisa, Zimbabwe, 1985 U.off. Council of International Programs participants—1850

Subcommittee assignments—218, 219, 220, 313, 314, 317, 389, 390, 392, 393, 472, 473, 559, 560, 561, 562, 563, 694, 812, 813, 814, 950, 1140, 1141, 1142, 1209, 1211, 1212, 1213, 1345

Standing committees and subcommittees appointed to—46

Subcommittee assignments, governor's appointments—902

SMALL BUSINESS AND ECONOMIC DEVELOPMENT, COMMITTEE ON—

Appointed and appointments to—41

Appointees, investigation of—105, 865

Bills introduced—793, 997

Amendments filed—1218

Amendments offered—1627

Investigating committee reports—154, 1102

Subcommittee assignments—813, 1210, 1212

Subcommittee assignments, governor's appointments—151, 902

SOORHOLTZ, JOHN E.—Senator Thirty-Sixth District

Bills introduced—122, 164, 278, 319, 338, 351, 403, 507, 610

Amendments filed—211, 257, 335, 665, 871, 875, 877, 887, 913, 1490, 1582, 1659, 1726, 1763, 1878, 1976

Amendments offered—1659, 1763

Committee appointments—713, 1933

Reports—1974, 3111

Resolutions offered—344, 1507, 1873

Standing committees and subcommittees appointed to—46

Subcommittee assignments—82, 216, 217, 305, 310, 312, 316, 392, 466, 467, 469, 558, 559, 561, 563, 692, 693, 809, 814, 949, 951, 1136, 1141, 1142, 1143, 1211, 1212, 1344, 1543, 1959, 1960

Subcommittee assignments, governor's appointments—151, 901

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Chairmen listed—40-42

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Subcommittees appointed and appointments to—42-43

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Richard D. Johnson, Chairman

Communications from, stating claims filed—94-95, 463, 927-928, 1329

Claims (approved)—94-95 (See House Journal Pages 82-97 for itemized listing)

Claims (disapproved)—94-95, 165, 463, 927-928, 1329 (See House Journal Pages 82-97 for itemized listing)

STATE GOVERNMENT, COMMITTEE ON—

Appointed and appointments to—41

Appointees, investigation of—174, 386, 865-866

Bills introduced—164, 183, 227, 279, 367, 476, 493, 557, 668, 720, 728, 777, 793, 794, 846, 947, 985, 1057

Amendments filed—211, 718, 727, 782, 799, 1036, 1905
 Amendments offered—224, 838, 849, 1041, 1230, 1905
 Amendments withdrawn—1028
 Investigating committee reports—293, 447, 1102-1103, 1170
 Resolutions offered—1056, 1813, 1841
 Subcommittee assignments—215, 216, 217, 218, 220, 306, 307, 308, 309, 310, 315,
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 1118, 1168, 1187, 1678, 1721

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Resolutions relating to:

Senate Concurrent Resolution 7, collective bargaining process for educators,
 study—131, 143, 161 adopted
 Senate Concurrent Resolution 8, public instruction review laws and
 administration rules re education, report—139, 144, 161 adopted
 Senate Concurrent Resolution 22, emergency medical services, study—720,
 767, 950
 Senate Concurrent Resolution 23, review long-term needs for chronically ill
 individuals, study—720, 767, 950, 1030, 1209

- Senate Concurrent Resolution 24, cattle industry, study—803, 817, 859
- Senate Concurrent Resolution 25, oppose federal reductions, conservation—803, 820, 973 adopted, 1035, 1917
- Senate Concurrent Resolution 26, nonapproved nonpublic schools and home instruction, public instruction study—806, 818, 885, 1175-1176 adopted, 1188
- Senate Concurrent Resolution 27, judicial resources, identified needs and allocation mechanism, study—826, 842, 977 adopted, 1035
- Senate Concurrent Resolution 29, Iowa's noxious weed control, study—917, 921, 985, 1209
- Senate Concurrent Resolution 31, cattle industry, study—934, 935, 1392
- Senate Concurrent Resolution 33, establish an Iowa grain indemnity authority, study—1167, 1187, 1209
- Senate Concurrent Resolution 35, liability of social hosts re consumption of alcoholic beverages, study—1262, 1271, 1392
- Senate Concurrent Resolution 36, requiring child support recovery unit, dept. of human services, to function as a statewide child and spousal support collection agency, study—1297, 1302, 1392
- Senate Concurrent Resolution 38, exempt living expenses from statutory liens, study—1334, 1347, 1415
- Senate Concurrent Resolution 39, chronic juvenile runaways, study—1342, 1347, 1415
- Senate Concurrent Resolution 40, final report, tax study committee, study—1388, 1389, 1506, 1569, 1570-1571 adopted
- Senate Concurrent Resolution 46, safe work environment, users of computer terminals, study—1813, 1811, 1840, 1959
- Senate Concurrent Resolution 47, merged area schools funding and governance, study—1821, 1846
- Senate Concurrent Resolution 48, public retirement systems, study—1841, 1860
- Senate Concurrent Resolution 49, school finance, study—1841, 1845, 1888 adopted
- Senate Concurrent Resolution 54, education services and facilities for hearing and visually impaired persons with contiguous states, joint subcommittee—1989, 2007
- House Concurrent Resolution 42, operation of vehicles under influence of drugs and/or alcoholic beverages, study—1887, 1913, 1921 adopted, 1935-1936

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Chief Justice of Supreme Court, The Honorable W.W. Reynoldson

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Resolution relating to the Judicial Department Message:

House Concurrent Resolution 2—23, 24 adopted

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TAYLOR, RAY—Senator Ninth District

Bills introduced—18, 19, 59, 64, 91, 245, 253, 265, 278, 300, 331, 337, 338, 344, 351, 352, 361, 362, 388, 409, 610, 687, 721, 783

Amendments filed—211, 221, 226, 271, 520, 526, 540, 585, 638, 640, 652, 661, 666, 782, 855, 871, 875, 885, 911, 913, 1076, 1088, 1089, 1156, 1171, 1175, 1189, 1202, 1250, 1268, 1320, 1323, 1483, 1490, 1506, 1582, 1699, 1884, 1964, 1979

Amendments offered—226, 235, 240, 520, 548, 609, 638, 639, 661, 666, 848, 911, 967, 1076, 1092, 1175, 1268, 1308, 1320, 1808, 1840

Amendments withdrawn—226, 239, 640, 662, 1884

Appointed to Senate Ethics Committee—43

Appointed to Iowa Commission on Interstate Cooperation—632

Committee appointments—233, 1004

Petitions presented—100, 167, 1031

Reports—353, 713, 1216-1217

Resolutions offered—344, 1507

Standing committees and subcommittees appointed to—47

Subcommittee assignments—82, 83, 220, 306, 307, 315, 317, 391, 392, 393, 396, 473, 562, 563, 691, 692, 693, 809, 810, 812, 949, 950, 953, 954, 1137, 1141, 1208, 1210, 1211, 1212

Subcommittee assignments, governor's appointments—106, 107, 901, 930

TIEDEN, DALE L.—Senator Sixteenth District

Bills introduced—62, 122, 170, 245, 278, 352, 356, 361, 367, 388, 434, 572, 610, 653, 687, 858, 947, 964

Amendments filed—55, 58, 162, 168, 335, 664, 718, 911, 926, 1039, 1042, 1045, 1076, 1078, 1170, 1171, 1202, 1218, 1483, 1497, 1521, 1581, 1582, 1592, 1612, 1659, 1692, 1765, 1802, 1964

Amendments offered—57, 58, 162, 341, 664, 1462, 1497, 1523, 1670, 1692

Amendments withdrawn—1078, 1497

Appointed to Legislative Council—250

Committee appointments—233, 1004, 1768

Escorted President pro tempore Senator Norman Rodgers to the rostrum—13

Petitions presented—267, 350, 843, 1032, 1155

Reports—353, 713, 1216-1217, 1821, 1828-1829, 1834

Resolutions offered—344, 1507

Standing committees and subcommittees appointed to—47

Subcommittee assignments—82, 216, 217, 307, 310, 389, 390, 392, 468, 470, 558, 561, 562, 690, 691, 692, 694, 810, 813, 814, 815, 816, 949, 950, 951, 953, 954, 1137, 1139, 1140, 1209, 1211, 1344, 1346, 1717

Subcommittee assignments, governor's appointments—106, 181, 881, 930

TRANSPORTATION, COMMITTEE ON—

Appointed and appointments to—41

Appointees, investigation of—866

Bills introduced—433, 434, 634, 646, 687, 763, 879, 898, 899, 975

Amendments filed—540, 616, 925, 1189, 1276, 1680

- Amendments offered—1368, 1457, 1792
 - Investigating committee reports—1059
 - Resolutions offered—279, 432
 - Subcommittee assignments—82, 216, 217, 311, 315, 390, 394, 395, 467, 468, 473, 559, 560, 562, 563, 690, 691, 692, 693, 694, 811, 812, 813, 816, 948, 949, 952, 954, 1136, 1137, 1138, 1139, 1140, 1141, 1210, 1211, 1213, 1343, 1345, 1717
 - Subcommittee assignments, governor's appointments—923
- VANDE HOEF, RICHARD—Senator Fourth District**
- Bills introduced—90, 91, 122, 169, 184, 244, 278, 279, 300, 337, 338, 344, 351, 361, 388, 403, 610, 720
 - Amendments filed—55, 286, 526, 532, 570, 665, 718, 727, 750, 877, 1063, 1088, 1156, 1189, 1352, 1483, 1490, 1491, 1546, 1547, 1612, 1702, 1703
 - Amendments offered—440, 546, 626, 665, 735, 914, 1078, 1093, 1115, 1464, 1641, 1642, 1702
 - Amendments withdrawn—546, 685
 - Appointed to Iowa Advisory Commission on Intergovernmental Relations—104
 - Committee appointments—1775
 - Petitions presented—267
 - Reports—1821
 - Resolutions offered—344, 1507
 - Standing committees and subcommittees appointed to—47
 - Subcommittee assignments—82, 217, 307, 308, 310, 311, 317, 391, 470, 472, 560, 561, 692, 693, 694, 810, 814, 815, 816, 1139, 1142, 1211, 1212, 1213, 1344, 1345
 - Subcommittee assignments, governor's appointments—106, 151, 901, 902, 930
- WALDSTEIN, ARNE—Senator Fifth District, Assistant Minority Floor Leader**
- Bills introduced—245, 278, 300, 338, 361, 388, 403, 409, 422, 442, 476, 542, 543, 576, 610, 646, 858, 898
 - Amendments filed—50, 80, 211, 230, 240, 245, 257, 271, 335, 338, 533, 585, 727, 750, 767, 768, 885, 887, 888, 963, 1037, 1051, 1073, 1089, 1156, 1171, 1189, 1306, 1327, 1333, 1352, 1374, 1425, 1432, 1490, 1519, 1521, 1546, 1582, 1659, 1693, 1702, 1703, 1764, 1765, 1773, 1878, 1964, 1979
 - Amendments offered—80, 240, 340, 609, 775, 776, 913, 1051, 1091, 1122, 1282, 1356, 1374, 1425, 1435, 1519, 1572, 1693, 1703, 1764, 1777, 1891
 - Amendments withdrawn—239, 776, 913, 1327
 - Presided at sessions of the Senate—783
 - Resolutions offered—1507
 - Standing committees and subcommittees appointed to—47
 - Subcommittee assignments—82, 216, 219, 308, 309, 310, 317, 390, 468, 469, 471, 473, 558, 560, 563, 689, 691, 692, 693, 694, 811, 812, 814, 816, 1139, 1209, 1210, 1212, 1344, 1345
 - Subcommittee assignments, governor's appointments—901-902
- WAYS AND MEANS, COMMITTEE ON—**
- Appointed and appointments to—42
 - Bills introduced—486, 646, 647, 1100, 1201, 1261, 1319, 1467, 1674, 1696, 1705, 1741, 1752, 1889
 - Amendments filed—175, 616, 824, 1308, 1680, 1878

Amendments offered—225, 297, 871, 1323, 1748, 1889

Resolutions offered—1388

Subcommittee assignments—216, 305, 306, 307, 312, 466, 467, 470, 471, 558, 559, 561, 689, 690, 692, 693, 809, 810, 811, 812, 1136, 1138, 1142, 1143, 1211, 1213, 1214, 1717, 1959

WELLS, JAMES D.—Senator Twenty-sixth District

Bills introduced—19, 30, 131, 158, 169, 184, 205, 206, 244, 264, 278, 300, 356, 367, 378, 403, 415, 432, 434, 494, 572, 610, 653, 846

Amendments filed—144, 271, 633, 652, 871, 875, 913, 1036, 1062, 1189, 1318, 1483, 1490-1491, 1521, 1546

Amendments offered—966, 1048, 1370

Amendments withdrawn—1164

Appointed to Communications Review Committee—592

Committee appointments—14, 1738, 1768, 1855

Notice of public hearing—881

Presented Andre Ribeiro from Assis, Brazil—931

Reports—47-48, 1834, 1868, 1868-1869

Resolutions offered—344, 493

Standing committees and subcommittees appointed to—47

Subcommittee assignments—82, 83, 216, 309, 311, 315, 390, 393, 468, 469, 470, 471, 472, 473, 560, 689, 692, 693, 694, 809, 811, 813, 815, 948, 949, 950, 952, 953, 954, 1139, 1140, 1210, 1212, 1343, 1344, 1345, 1543

Subcommittee assignments, governor's appointments—106, 107, 901

WELSH, JOE J.—Senator Seventeenth District

Bills introduced—101, 164, 205, 244, 245, 278, 299, 572, 653

Amendments filed—225, 230, 240, 633, 641, 665, 708, 874, 876, 877, 885, 886, 888, 963, 1062, 1078, 1081, 1188-1189, 1189, 1306, 1352, 1387, 1470, 1491, 1494, 1495, 1496, 1497, 1501, 1505, 1509, 1512, 1522, 1527, 1529, 1546, 1581, 1582, 1612, 1652, 1680, 1697, 1708, 1709, 1711, 1712, 1759, 1744, 1745, 1764, 1772, 1773, 1852, 1855, 1859, 1867, 1871, 1878, 1915, 1942, 1979, 1984

Amendments offered—225, 240, 665, 708, 872, 876, 877, 893, 896, 912, 914, 1028, 1078, 1373, 1387, 1493, 1495, 1496, 1497, 1501, 1510, 1523, 1524, 1529, 1530, 1646, 1672, 1697, 1708, 1709, 1710, 1712, 1759, 1764, 1794, 1852, 1855, 1856, 1859, 1867, 1871, 1945, 1972, 1984

Amendments withdrawn—240, 893, 896, 1181, 1182, 1373, 1495, 1496, 1512, 1522, 1527, 1646, 1672, 1712, 1855

Appointed to Legislative Council—250

Called up appointee listed on Individual Confirmation Calendar—1378

Committee appointments—1205, 1768

Petitions presented—1031, 1249, 1365

Presided at sessions of the Senate—240, 487, 496, 639, 1126, 1340, 1341, 1409, 1467, 1753, 1936

Reports—1290, 1821, 1828, 1828-1829, 1831, 1834

Resolutions offered—344, 1705

Rulings—240, 241, 1754, 1755, 1764, 1941, 1943, 1944, 1945

Standing committees and subcommittees appointed to—47

Subcommittee assignments—215, 216, 217, 218, 219, 220, 306, 308, 310, 312, 393, 469, 559, 560, 561, 563, 689, 692, 812, 815, 817, 948, 949, 950, 1136, 1138, 1139, 1140, 1141, 1142, 1210, 1543, 1717

Subcommittee assignments, governor's appointments—881, 903

Welcomed the Honorable Phil Hill, former member of the House and Senate—
1145