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1986

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1986

**REGULAR SESSION
SEVENTY-FIRST
GENERAL ASSEMBLY**

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

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STATE OF IOWA
Des Moines

SEVENTY-FIRST GENERAL ASSEMBLY

1986 Regular Session

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AND IOWA COURT OF APPEALS JUDGES

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RICHARD D. JOHNSON, <i>Auditor of State</i>	Sheldahl
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**MEMBERS OF THE SENATE
SEVENTY-FIRST GENERAL ASSEMBLY
1986 REGULAR SESSION**

LEONARD L. BOSWELL

Address Davis City
Age 52
Occupation Farmer
Senatorial District 46—Decatur, Adair, Adams, Cass, Clarke, Ringgold, Taylor, Union
Former Legislative Service 71 (1st)

JOE BROWN

Address Montezuma
Age 34
Occupation Public Sector Marketing Manager
Senatorial District 27—Poweshiek, Iowa, Johnson
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

CHARLES BRUNER

Address Ames
Age 37
Senatorial District 37—Story
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

BOB CARR

Address Dubuque
Age 47
Occupation Securities Broker
Senatorial District 18—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

C. JOSEPH COLEMAN

Address Clare
Age 62
Occupation Farmer, Businessman
Senatorial District 7—Webster, Humboldt
Former Legislative Service 57, 58, 59, 60, 60X, 61, 62, 63, 64, 65, 66, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

MILO COLTON

Address Sioux City
Age 42
Occupation Educator
Senatorial District 1—Woodbury
Former Legislative Service 70, 71 (1st)

JOY CORNING

Address Cedar Falls
Age 53
Occupation Homemaker
Senatorial District 12—Black Hawk
Former Legislative Service 71 (1st)

MEMBERS OF THE SENATE—71st GENERAL ASSEMBLY
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PATRICK J. DELUHERY

Address Davenport
Age 43
Occupation College Teacher
Senatorial District 21—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

WM. W. (BILL) DIELEMAN

Address Pella
Age 54
Occupation Life Insurance Underwriter
Senatorial District 35—Marion, Jasper, Polk, Warren
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

DONALD V. DOYLE

Address Sioux City
Age 60
Occupation Lawyer
Senatorial District 2—Woodbury, Ida, Monona
Former Legislative Service 57, 58, 61, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

RICHARD F. DRAKE

Address Muscatine
Age 58
Occupation General Farming
Senatorial District 28—Muscatine, Des Moines, Louisa, Washington
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

EUGENE FRAISE

Address Fort Madison
Age 53
Occupation Farmer
Senatorial District 31—Lee, Des Moines, Van Buren
Former Legislative Service none

JULIA B. GENTLEMAN

Address Des Moines
Age 54
Occupation Housewife
Senatorial District 41—Polk
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

DONALD E. GETTINGS

Address Ottumwa
Age 62
Occupation Retired—Deere & Co.
Senatorial District 33—Wapello, Appanoose, Davis
Former Legislative Service 67 (2nd), 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

MEMBERS OF THE SENATE—71st GENERAL ASSEMBLY
1986 REGULAR SESSION—Continued

NORMAN J. GOODWIN

Address DeWitt
Age 72
Occupation Retired County Extension Director
Senatorial District 19—Clinton, Cedar
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

ARTHUR L. GRATIAS

Address Nora Springs
Age 65
Occupation Farmer, Educator
Senatorial District 15—Floyd, Cerro Gordo, Chickasaw, Howard, Mitchell
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

MICHAEL E. GRONSTAL

Address Council Bluffs
Age 35
Occupation Shipping Clerk
Senatorial District 50—Pottawattamie
Former Legislative Service 70, 71 (1st)

HURLEY W. HALL

Address Marion
Age 50
Occupation Retired Telephone Engineer/Farmer
Senatorial District 24—Linn, Buchanan, Delaware
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

BEVERLY A. HANNON

Address Anamosa
Age 53
Occupation Homemaker/Student
Senatorial District 22—Jones, Cedar, Linn
Former Legislative Service 71 (1st)

JACK W. HESTER

Address Honey Creek
Age 56
Occupation Farmer
Senatorial District 49—Pottawattamie, Cass, Harrison, Shelby
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

EDGAR H. HOLDEN

Address Davenport
Age 71
Occupation Entrepreneur
Senatorial District 20—Scott
Former Legislative Service 62, 63, 64, 65, 67 (2nd), 68, 69, 69X, 69XX, 70, 71 (1st)

MEMBERS OF THE SENATE—71st GENERAL ASSEMBLY ix
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LEE W. HOLT

Address Spencer
Age 76
Occupation Automobile Dealer
Senatorial District 6—Clay, Dickinson, Emmett, Palo Alto
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

WALLY E. HORN

Address Cedar Rapids
Age 52
Occupation Teacher
Senatorial District 25—Linn
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

CALVIN O. HULTMAN

Address Red Oak
Age 44
Occupation Businessman
Senatorial District 47—Montgomery, Fremont, Mills, Page, Pottawattamie
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

EMIL J. HUSAK

Address Toledo
Age 55
Occupation Farmer
Senatorial District 38—Tama, Benton, Black Hawk, Marshall
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

C.W. BILL HUTCHINS

Address Audubon
Age 54
Occupation Businessman
Senatorial District 48—Audubon, Carroll, Crawford, Shelby
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

JOHN W. JENSEN

Address Plainfield
Age 59
Occupation Farmer
Senatorial District 11—Bremer, Black Hawk, Butler, Grundy
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

GEORGE R. KINLEY

Address Des Moines
Age 48
Occupation Owner—Driving Range and Golf Sales
Senatorial District 40—Polk
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

MEMBERS OF THE SENATE—71st GENERAL ASSEMBLY
1986 REGULAR SESSION—Continued

JIM LIND

Address Waterloo
Age 30
Occupation Service Station Owner/Operator
Senatorial District 13—Black Hawk
Former Legislature Service none

TOM MANN, JR.

Address Des Moines
Age 36
Occupation Attorney
Senatorial District 43—Polk
Former Legislative Service 70, 71 (1st)

ALVIN V. MILLER

Address Ventura
Age 64
Occupation Insurance Agency-Retail Merchant
Senatorial District 10—Cerro Gordo, Winnebago, Worth
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

CHARLES P. MILLER

Address Burlington
Age 67
Occupation Doctor of Chiropractic
Senatorial District 30—Des Moines, Henry
Former Legislative Service 60, 60X, 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

LARRY MURPHY

Address Oelwein
Age 33
Occupation Free-lance Writer
Senatorial District 14—Fayette, Black Hawk, Buchanan, Chickasaw
Former Legislative Service 71 (1st)

JOHN N. NYSTROM

Address Boone
Age 52
Occupation Legislator
Senatorial District 44—Boone, Carroll, Greene, Story
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

WILLIAM D. PALMER

Address Des Moines
Age 51
Occupation Insurance Executive
Senatorial District 39—Polk
Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

MEMBERS OF THE SENATE—71st GENERAL ASSEMBLY xi
1986 REGULAR SESSION—Continued

JOHN A. PETERSON

Address Albia
 Age 51
 Occupation Livestock Market Owner
 Senatorial District 34—Monroe, Clark, Lucas, Warren, Wayne
 Former Legislative Service none

BERL E. PRIEBE

Address Algona
 Age 67
 Occupation Farmer, Businessman
 Senatorial District 8—Kossuth, Hancock, Humboldt, Palo Alto, Pocahontas, Winnebago
 Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

DAVID M. READINGER

Address Des Moines
 Age 49
 Occupation Sales
 Senatorial District 42—Polk
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

JACK RIFE

Address Moscow
 Age 42
 Occupation Farmer
 Senatorial District 29—Muscatine, Scott
 Former Legislative Service 70, 71 (1st)

JAMES R. RIORDAN

Address Waukee
 Age 36
 Occupation Nursery Owner
 Senatorial District 45—Dallas, Adair, Guthrie, Madison
 Former Legislative Service none

DOUGLAS RITSEMA

Address Orange City
 Age 33
 Occupation Lawyer
 Senatorial District 3—Sioux, Plymouth, Woodbury
 Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

FORREST V. SCHWENGELS

Address Fairfield
 Age 70
 Occupation Real Estate Salesman
 Senatorial District 32—Jefferson, Keokuk, Mahaska, Wapello
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

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ARTHUR A. SMALL, JR.

Address Iowa City
Age 52
Occupation Attorney
Senatorial District 23—Johnson
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69XX, 70, 71 (1st)

JOHN SOORHOLTZ

Address Melbourne
Age 56
Occupation Farmer/Pork Producer
Senatorial District 36—Marshall, Jasper
Former Legislative Service 70 (2nd), 71 (1st)

RAY TAYLOR

Address Steamboat Rock
Age 62
Occupation Farmer, Business
Senatorial District 9—Hardin, Franklin, Hamilton, Hancock, Wright
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

DALE L. TIEDEN

Address Elkader
Age 63
Occupation Retired
Senatorial District 16—Clayton, Allamakee, Winneshiek
Former Legislative Service 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

RICHARD VANDE HOEF

Address Harris
Age 60
Occupation Farmer
Senatorial District 4—Osceola, Cherokee, Clay, Lyon, O'Brien, Sioux
Former Legislative Service 69, 69X, 69XX, 70, 71 (1st)

ARNE WALDSTEIN

Address Alta
Age 60
Occupation Professional Farm Management Rural Appraiser
Senatorial District 5—Buena Vista, Calhoun, Pocahontas, Sac, Webster
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

JAMES D. WELLS

Address Cedar Rapids
Age 57
Occupation Cereal Company Employee
Senatorial District 26—Linn
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71 (1st)

MEMBERS OF THE SENATE—71st GENERAL ASSEMBLY
1986 REGULAR SESSION—Continued

JOE J. WELSH

Address Dubuque
Age 30
Occupation Businessman
Senatorial District 17—Dubuque, Jackson, Jones
Former Legislative Service 68, 69, 69X, 69XX, 70, 71 (1st)

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 13, 1986

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1986 Regular Session of the Seventy-first General Assembly convened at 10:00 a.m., and the Senate was called to order by Lieutenant Governor Robert T. Anderson.

Prayer was offered by the Reverend Julia E. Poulsen, pastor of the St. Luke United Methodist Church, Newton, Iowa.

OPENING REMARKS BY THE LIEUTENANT GOVERNOR

Lieutenant Governor Anderson addressed the Senate as follows:

Senators, staff, pages and guests, welcome to the beginning of the second session of the Seventy-first General Assembly. I would like to extend a special welcome to Senators Riordan, Peterson, and Fraise who are serving for the first time. As you know, Senator Riordan replaces our good friend Norm Rodgers who left us to work for the Iowa Development Commission. Senator John Peterson was elected following the sudden death of Senator Neighbour, and Senator Fraise was elected to serve the unexpired term of Senator Junkins, who resigned for reasons still unclear to me.

Much has changed in each of our lives since we were last together. Each of us has experienced struggles and joys, births and deaths . . . events that touch us all very personally. The sharing of our own lives is a part of the legislative process that is not well communicated by the news media, but it has enormous impact on who we are and how we make decisions. We are personally shaken by the loss of our friends and colleagues John Neighbour and Tom Lind.

Tom's presence in the Senate reminded us daily of his tenacity and his fierce will to make a difference in the days and months he had remaining. In contrast, many of us were with John Neighbour shortly before his death. He continued to work to increase opportunities for people in his legislative district with the same vigor and personal caring that he had shown earlier as a county supervisor. Both men remind us that while we can make a tremendous difference in our own life and the lives of others, we are not in control. Let us take a moment to silently remember Tom and John in our own way . . .

I am before you for the third time as Lt. Governor and President of the Senate after spending months visiting most of your Senate districts. After listening to the difficult times that most Iowans currently face, I pulled a copy of the 1935 Senate Journal from its shelf in the law library, dusted it off and turned to Governor Clyde Herring's message to the legislature in joint convention for the opening of the 46th General Assembly on January 15, 1935. He began:

"Two years ago I came before you at a time when adversity was running high; when our country had fallen upon evil days; when men of courage had all but lost hope. Today, the sun is shining and hope and confidence fill our hearts and souls."

He continued, recounting his speech of 1933, "You are met as the 45th General Assembly of Iowa in one of the darkest hours of our history. This session transcends in importance those previous years for reasons which are distressingly plain. Our principal basic industry is prostrate. Our farmers are not realizing production costs. Bank failures, actions in foreclosure of rural and urban homes, and of stocks of merchants constitute a large part of the business of our courts. Few of our industries are operating at a profit, and many of their operations are stopped. Men and women eagerly seeking the opportunity to earn their living can find no work. Despair is in the heart of the debtor and mute appeal for help in the faces of our heavily burdened citizens."

Much improved in those two years and Governor Herring added: ". . . when this administration came into power two years ago, the people of Iowa were facing destruction from the greatest financial catastrophe ever endured by any people. Our backs were bowed to the storm. We were in full retreat. Our commanders were inert, hesitant, uncertain. They gave no marching orders. Their very unwillingness to act was accepted by the people as inability to act, and as men lost confidence in their leaders, they lost hope for themselves."

What happened in those two years that provided hope between 1933 and 1935? Governor Herring understood that boldness and action in Washington had to be matched here in Iowa. He helped Iowans understand that the seeds of recovery were homegrown. Like Tom Lind and John Neighbour, he understood that while we don't control our fate, we make a tremendous difference in our future.

In 1986, all of us as leaders must recognize that Governor Herring's words are as true today as they were in 1935. It is our responsibility to restore hope for Iowans, but to do so we must act with boldness, courage and innovation. The times can't afford uncertainty. As leaders we must find opportunity in crisis. We must not be unwilling to act lest Iowans determine that we too are unable to act. While it isn't my place to recommend to you a detailed agenda . . . at least not this year, let me briefly identify four themes that need to be part of this legislative session.

1. The first is fiscal integrity. We must provide the resources to assure that Iowans once again have confidence in our budgeting practices. Just as farmers and small business people must measure their bottom lines more accurately during these difficult times, government can no longer afford to disguise reality if we

are to keep the public's trust. Generally accepted accounting practices are not a luxury in Iowa. They are absolutely necessary if we are to truly understand our fiscal condition.

2. Secondly, we must walk in the shoes of our constituents and understand that the agricultural depression is exacting a very real cost on people's lives on the farm and in our cities. While we seek to reduce unwarranted governmental expenses, let us remember that the needs of our elderly and families without income on the farm and in our cities are not going away. Bandages don't cure disease, but they stop hemorrhages, and creative bandages are necessary while we look for long term action. Let us resolve to help reduce the tension between farmers and lenders. We can do so by embracing the concept of mediation and assist in funding efforts that help farmers and lenders address problems together. It worked well in Governor Herring's day and can be modified to work today.

3. Let's demonstrate our commitment to invest in Iowa's future. Initiatives to promote buying Iowa products and hiring Iowa workers, improve education, strengthen family farms, reorganize government, preserve the environment, and provide urban and rural economic development won't be completed in one year, but they must have a solid beginning if we are to restore confidence in our future.

4. Finally, we must recognize that government can't solve all of our problems, but it can be a catalyst for change. That will require new partnerships and new cooperation between political parties, between the legislative and executive branches, with local government and with leaders in the private sector. None of us is as smart as all of us. Let us emphasize Iowa's strengths and share what is working in other states, in Iowa, and within our local communities. We can make a difference right here at home. In the spirit of Governor Herring and John Neighbour and Tom Lind, let us begin.

REMARKS BY THE MAJORITY LEADER

Senator Hutchins addressed the Senate as follows:

Mr. President, members of the Senate, staff, and friends: today we gather mindful of just how fragile we are as individuals, how truly fleeting our disagreements are, and yet how enduring our Iowa government really is. Since we last gathered here in May of 1985, many changes have occurred—two of our members have resigned to pursue new challenges, and two others have come to the end of life itself. We will miss our departed colleagues greatly—both for their friendship and their contributions to the Senate. The Senate will not be the same this year without these four individuals, and I know you join me in treasuring good memories of our departed friends, Tom Lind and John Neighbour, and wishing Norm Rodgers and Lowell Junkins well on their new undertakings.

As I said before, however, our system of government goes on. Today we welcome three new Senators, each of whom has the potential to make great contributions in their own way. To Senator Riordan, Senator-elect Peterson, and Senator-elect Fraise I extend a special welcome. I look forward to your fresh and enthusiastic new perspectives on our work.

I appreciate the opportunity to serve as your Majority Leader this session. To serve as leader of this Senate is an HONOR I thank you for, and a RESPONSIBILITY I am learning more about with each passing day. You all know as well as I do that in these difficult times the job of Majority Leader will not be easy, and that in many ways Lowell Junkins will be a tough act to follow. I am committed to giving the job all I've got, and with your help and counsel I believe we can have a successful session. I may be new to this position, but I am not a stranger to you or to the legislative process. My door is always open to you—together we will get the job done.

Now, let me tell you about my plans for this session. We all know that there is much work to be done for our state. There are challenges to be met in many areas if Iowa is to prosper in the future—such issues as jobs and economic development, agricultural revitalization, environmental protection, governmental reorganization, education reforms, and budget and taxation decisions will command most of our attention, as they should. And, while I know that real progress in these areas does not come all at once, we can make strong efforts this year that will be part of longer term solutions to these challenges. In order to accomplish all that we must in these and other important areas, however, this must be a session of hard work by all of us. This does not necessarily mean that we will be in session longer into the spring, but it does mean we will be working long and hard during our “hundred days”. It means Friday sessions will be the routine—starting this very first week—not the exception. It means we may occasionally shorten our lunchtime or extend our usual evening adjournment a little later than in past years. The people of Iowa will appreciate the results this extra effort will produce.

I respect each of you for the commitment you have to making our state a better place to live and work, and the effort you continue to make in the Senate. While we may not always agree about the methods to accomplish our goals. I know that we all share a real concern for our state, a respect for the Senate, and real regard for each other's concerns and abilities. Your help and support is something I really appreciate, and I will try my best this year to deserve your continued confidence.

Let's get to work.

REMARKS BY THE MINORITY LEADER

Senator Hultman addressed the Senate as follows:

Mr. President, Members of the Senate, and Staff: I, too, would like to pay my respects to our two departed members of the Senate. I know as I look down here and see the empty chair where Tom Lind sat that he was a great inspiration to me and everytime you thought you were getting tired and worn out, all you had to do was to look at Tom. If you will recall, the last day of the previous session, he stayed around here to make sure he got his final vote in. He was a great inspiration and we are all going to miss Tom Lind and John Neighbour. John made a great contribution, even though he was here only one year. We welcome the new members and know they can fill these voids and will continue to work in the traditions of the Senate.

Mr. President, as you stated, and as Senator Hutchins stated, we have some severe times and severe problems in the State of Iowa. There are a number of things we should do and can do and will do if we cooperate and work together.

Let me go through what has appeared in the newspapers and try to put it into perspective. We have heard time and time again that we are going to reorganize government. Well, to J. Q. Public out there, reorganization means you are just going to use different blocks and consolidate and to do that just isn't effective unless we do it right and put a lot of time and effort into it. If it is done properly, we can make a more effective and responsive government. Perhaps we should change that term from reorganization or restructuring to talking about making a more efficient, more effective government to serve the people of Iowa better. I think that ought to be our end goal in this respect.

The second thing we hear about is downsizing. Downsizing needs to be done. We have a \$107 million shortfall this year. We have to do that or raise taxes. If I read the people of Iowa right, today, they do not want tax increases whether they be property tax, sales tax, income tax, or any other tax increase because they cannot afford it. It is time we, as a state, do exactly as the farmers have had to do for the last few years, what small businesses are doing and what families are doing—to do without, cut back, reallocate the finances and resources you have to do the best job possible.

When we are doing this downsizing, or budget cutting, whichever way you want to look at it, I think there are some positive things in it. It's not unlike when you move out of a house that you lived in for 30 years. You arbitrarily do not move everything from the attic, the basement, and the garage to the new house. You figure out what you need and you move just that. When we go through this downsizing period, I think that is what we need to look at. We have a limited amount of resources—how do we get the most out of those resources? In doing this, and if we have learned any lesson in the General Assembly, it ought to be that we do not do what the Federal government had done to us. We do not want to balance the state budget on the backs of the local property taxpayers. We must keep those commitments that we have to those local governments on the property tax relief that we sent them. If we do that and allocate our services, the people of Iowa are going to think we have done a good job. In doing this, we have to look ahead and program the future of Iowa. When we are doing this downsizing and reorganization, I think there are about three things we need to keep in front of our minds. What can we do for excellence in education? How do we reallocate

those resources to make sure we are getting the job done and moving ahead in education. Number 2, and not necessarily in this order, the farm crisis. Have we done everything we can do in the State of Iowa for the agricultural community and agricultural related community? Number 3 - What can we do for economic development? What can we do to get this state back to the point where we are healthy, strong and vibrant again?

If we keep these things in mind, keep it in perspective, and keep the politics out of it, Iowa will be stronger because we went through a traumatic time.

ANNOUNCEMENT OF VACANCIES

President Anderson announced that he had received notification from the office of Governor Branstad of the following vacancies in the Senate subsequent to adjournment of the 1985 session:

District 45—Norman G. Rodgers, resignation effective July 11, 1985.

District 31—Lowell L. Junkins, resignation effective December 1, 1985.

District 34—John A. Neighbour, deceased.

District 13—Thomas A. Lind, deceased.

COMMITTEE ON CREDENTIALS

Senator Hutchins moved that the committee on Credentials for the Seventy-first General Assembly examine and report on the elections in Senate Districts 31, 34 and 45.

The motion prevailed by a voice vote.

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

The Senate resumed session, President Anderson presiding.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the persons name in the attached copies of certifications of the Secretary of State duly elected to and entitled to seats in the Senate for the 1986 Session of the Seventy-first General Assembly.

THOMAS MANN, JR. Chair
DONALD V. DOYLE
JACK W. HESTER

LARRY MURPHY
DOUGLAS RITSEMA

CERTIFICATION-STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, MARY JANE ODELL, Secretary of the State of Iowa, custodian of the files and records pertaining to the elections in the state, do hereby certify that the State Canvassing Board has declared that at a Special Election held on January 7, 1986, Eugene Fraise was elected to fill a vacancy in the office of State Senator of the Thirty-first District, for the balance of the four-year term, which began on January 2, 1983.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this 13th Day of January, 1986

MARY JANE ODELL, Secretary of State

I, MARY JANE ODELL, Secretary of the State of Iowa, custodian of the files and records pertaining to the elections in the state, do hereby certify that the State Canvassing Board has declared that at a Special Election held on September 10, 1985, Jim R. Riordan was elected to fill a vacancy in the office of State Senator of the Forty-fifth District, for the balance of the four-year term, which began on January 2, 1983.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this 30th Day of September, 1985

MARY JANE ODELL, Secretary of State

I, MARY JANE ODELL, Secretary of the State of Iowa, custodian of the files and records pertaining to the elections in the state, do hereby certify that the State Canvassing Board has declared that at a Special Election held on December 17, 1985, John A. Peterson was elected to fill a vacancy in the office of State Senator of the Thirty-fourth District, for the balance of the four-year term, which began on January 2, 1985.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this 24th Day of December, 1985

MARY JANE ODELL, Secretary of State

Senator Mann moved the adoption of the Supplemental Report of the committee on Credentials.

The motion prevailed by a voice vote.

President Anderson announced that the Senator from District 45, James R. Riordan, was administered the oath of office on December 9, 1985, by Senator Bill Hutchins and witnessed by Senators James D. Wells, Michael E. Gronstal and Emil J. Husak.

Senators Peterson and Fraise were escorted to the bar of the Senate by Senators Coleman and Murphy, were duly sworn and subscribed their names to the oath of office.

ANNOUNCEMENT OF ELECTION

President Anderson announced he had received notification from the office of Governor Branstad that the election for Senate District 13 will be held on January 28, 1985.

COMMITTEE TO NOTIFY THE GOVERNOR

Senator Hutchins moved that a committee of three be appointed to notify the Governor that the Senate was organized and ready to receive any communication he might be ready to transmit.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Priebe, Chair; Bruner and Soorholtz.

COMMITTEE TO NOTIFY THE HOUSE

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

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

COMMITTEE FROM THE HOUSE

A committee from the House appeared and notified the Senate that the House was duly organized and ready to receive any communication the Senate might be ready to transmit.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Hutchins placed in nomination the name of Senator James D. Wells of Linn County as a candidate for the office of President pro tempore of the Senate for the 1986 session of the Seventy-first General Assembly.

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

The Chair announced that Senator Wells had been elected President pro tempore of the 1986 session of the Seventy-first General Assembly.

President Anderson requested Senators Husak, Gronstal and Holden to escort Senator Wells to the rostrum.

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

Senator Wells addressed the Senate with the following remarks:

It is with much humility and responsibility that I accept this position. With the issues facing this body a spirit of cooperation and working together will be a necessity if we are going to achieve the goals set out by the citizens of this state and leadership of our respective parties.

The time I will be spending in the chair will be with a theme of fairness for all.

Thank you for your support. I will do my utmost to do my part for a successful session.

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Priebe reported that the committee assigned to notify the governor that the Senate was organized and ready to receive communications had performed its duty.

The report was accepted and the committee discharged.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Dieleman reported that the committee assigned to notify the House that the Senate was organized and ready for business had performed its duty.

The report was accepted and the committee discharged.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

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

MR. PRESIDENT: Your committee on rules and administration begs leave to submit the names of the following personnel for permanent officers, employees and secretaries to Senators for the 1986 Session of the Seventy-first General Assembly:

Administrative

Secretary to the Secretary.....Donna Stinson
Secretary to the Secretary.....Greg Johnson
Recording Clerk.....Lori Bristol

Indexing

Assistant Indexer.....Nancy Gibson

Journal

Journal Clerk.....Julie Elder

Legal Counsel

Assistant to Legal Counsel.....Jeanne K. Johnson
Assistant to Legal Counsel/
Assistant Finance Officer.....Jennifer R. Mitchell

Majority Caucus

Research Analyst	Joanne A. Griep
Research Analyst	William B. Haigh

Minority Caucus

Caucus Staff Director	Paula Dierenfeld
Research Analyst	Kaye Drahozal
Research Analyst	Carol Garten

Sergeant-at-arms

Sergeant-at-arms	Alfred J. Klocke
Assistant Sergeant-at-arms	Lynn E. Brandt
Doorkeeper	Svend A. Christensen

Services

Assistant Bill Clerk	Gregory Glass
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Secretaries to Senators

Secretary	Ginger Brown
Secretary	M. Ann Richards
Secretary	Todd Von Stein
Secretary	Lisa Plambeck
Secretary	Kristen Dieleman
Secretary	Lisa Anania
Secretary	Lynn Potter
Secretary	Patricia Potter
Secretary	Chris Keleher
Secretary	Gaye E. Pack
Secretary	Claudia Shepherd
Secretary	Linda Betten
Secretary	Roxanne Nichols
Secretary	Vicki Davis
Secretary	Candy Boucher
Secretary	Joyce Chamberlain
Secretary	Tracy Templeton

BILL HUTCHINS, Chair

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

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

ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Anderson announced that Daryl Frey had been appointed Administrative Assistant to the Lieutenant Governor.

ASSIGNMENT OF SEATS IN THE PRESS GALLERY

Senator Hutchins moved that the Secretary of the Senate be authorized to assign seats to the representatives of the news media and that appropriate badges be provided for their use.

The motion prevailed by a voice vote and the Secretary assigned the following:

- 51 DES MOINES REGISTER, Tom Witosky
- 52 THE ASSOCIATED PRESS, Mike Glover
- 53 WOI-TV, Julie Rutz
- 54 WHO-TV/WHO RADIO, Brooks Humphreys
- 55 UNITED PRESS INTERNATIONAL, Bill Brewer
- 56 IOWA LEGISLATIVE NEWS SERVICE, Jo VonStein
- 57 KRNT/KRNQ RADIO, Dana Gannon
- 58 CEDAR RAPIDS GAZETTE, Ken Sullivan
- 59 QUAD-CITY TIMES, Tom Davidson
- 60 IOWA NEWSPAPER ASSOCIATION, Harrison Weber
- 61 KWWL TV, Christopher Scholl
- 62 WATERLOO COURIER, Eric Woolson
- 63 DUBUQUE TELEGRAPH HERALD, Patt Johnson
- 64 KCCI TV, Anne Hawkins

GENERAL ASSIGNMENT

AFSCME PRIDE NEWS: Larry Scarpino
 THE ASSOCIATED PRESS: Tom Seery, Mark Mittlestadt
 CEDAR RAPIDS GAZETTE: Judy Daubenmier
 DAILY IOWAN: Kirk Brown
 THE DES MOINES REGISTER: Jane Norman, David Yepsen, Charles Bullard,
 David Elbert, Elizabeth Flansburg
 IOWA LEGISLATIVE NEWS SERVICE: Nan Hagen
 IOWA RADIO NETWORK: C. Ross Martin
 KASI/KCCQ: Rich Fellingham, Gary McCoy
 KCCI TV: Dana Cardin, Michele Morrisey Byrgad, Donna Smith, John Houghton,
 Tim Bloomquist, Craig Parsons, Dave Warner, Todd Magel

KDSM TV: Michelle Schwartz, Jo Tucci, Lynn Webster, Roger McGregor, Perry Garner

KIOA/KMGK: Deb Ryan, Jim Bleikamp, Jackie King, Jim Frye, Steve Dahlman

KRNT/KRNQ RADIO: Robin Shepard, Laurie Chesling, John Garcia, Pam Dixon, Roger Summitt, Dale Woolery

KWLO/KFMW: Lora Mercer

KWWL TV: Bonnie Kirschman, John Dodge, Lorri Jewett

UNITED PRESS INTERNATIONAL: Scott Sonner, Cornell Fowler, Lisa Lavia
WHO FARM NEWS: Bob Quinn

WHO RADIO: Mark Carros, Dan Ivis, Ane Placko, Chris Riedel, Ev Hickman, Larry Cotlar, Dan Smith

WHO TV: Mike Borland, Mike Sims, Cortney Kintzer, Steve Carns, John Windschitl, Matt Hoffmann, Bill Gibb, Scott Hohenshell

WOI RADIO: Kay Henderson, Laura Young

WOI TV: Julie Rutz, Rick Fuller, Rod Minor, Jo Ann Merrigan, Clyde Rail, Jeff Nowakowski, Mark Mills

APPOINTMENT OF SENATE PAGES

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

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

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following personnel as Pages for the Senate for the 1986 Session of the Seventy-first General Assembly:

Karen Austin, Wapello

Dee Clark, Council Bluffs

Crystal Cook, Reinbeck

Matthew Curran, Eldridge

Ann Disterhaupt, Glenwood

Steve Gibbs, Waterloo

Krysta Gooding, Hartford

David Howell, Griswold

Ryan Krogmeier, Fort Madison

Julie Minich, Des Moines

Barbara Petersen, Des Moines

Krista Tank, Blencoe

Brian Wagner, Corwith

Layna Youngquist, Montrose

Anne Hansen, Lieutenant Governor's Page, Grand Mount

Scott Saveraid, Secretary's/Parliamentarian's Page, Dexter

BILL HUTCHINS, Chair

Senator Hutchins moved the adoption of the report and the appointment of the Senate Pages listed in the report of the committee on Rules and Administration.

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

COMMITTEE ON MILEAGE

Senator Hutchins moved that a member be appointed to the Committee on Mileage to assist the members appointed during the 1985 Session and to file a Supplemental Report to the Senate of any mileage changes and the mileage for senators in Districts 45, 34, 31 and 13.

The motion prevailed by a voice vote and the Chair appointed Senator Boswell.

INTRODUCTION OF BILLS

Senate File 2001, by Mann, a bill for an act relating to employment practices by providing civil damages for employer actions which violate public policy or result in the wrongful discharge of an employee.

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

Senate File 2002, by Hannon, a bill for an act relating to the use and disposal of dead animals, by eliminating an exception to the duty to dispose of carcasses.

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

Senate File 2003, by Hutchins, a bill for an act relating to the establishment of a drainage subdistrict.

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

Senate File 2004, by Mann, a bill for an act relating to the possession and sale of, and responsibility and liability for, pistols, revolvers, and stun guns and providing penalties.

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

Senate File 2005, by Priebe, a bill for an act relating to and making an appropriation for research into fertilizers which minimize the contamination of groundwater.

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

Senate File 2006, by Holden, a bill for an act relating to the taxation under the sales, services and use tax of the rental of recreational vehicles, recreational boats, and motor vehicles subject to registration.

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

Senate File 2007, by Holden, a bill for an act to provide notice to property owners of unpaid sewer or solid waste charges.

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

Senate File 2008, by Ritsema, a bill for an act to broaden the goals to be served in the determination of appropriate criminal sentences.

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

Senate File 2009, by Ritsema, a bill for an act relating to the frequency of issuing a limited license to conduct games of skill or chance and raffles.

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

Senate File 2010, by Priebe, a bill for an act related to the inspection, calibration, and sealing of gasoline pumps by the department of agriculture and providing a penalty.

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

Senate File 2011, by Ritsema, a bill for an act relating to the award of punitive or exemplary damages.

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

Senate File 2012, by Dieleman, a bill for an act prohibiting the use of a live animal, other than dogs being trained, in the course of training a dog to race and providing penalties.

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

Senate File 2013, by Holden, a bill for an act to provide a labor of litter gathering as a penalty for littering on public highways.

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

Senate File 2014, by Mann, a bill for an act relating to the time for entering into an agreement to use the alternative nonjudicial voluntary foreclosure procedure for real estate mortgages.

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

Senate File 2015, by Taylor, a bill for an act relating to court costs and attorney fees in actions brought under provisions on new motor vehicle warranties.

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

Senate File 2016, by Holden, Readinger, Rife and Goodwin, a bill for an act relating to and making appropriations to public agencies and programs for the fiscal year beginning July 1, 1986, and making a corresponding amendment to the Code.

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

Senate File 2017, by Waldstein, a bill for an act relating to earnings or interest on gifts made to the state or a state institution.

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

Senate File 2018, by Mann, a bill for an act relating to the introduction in evidence of a finding of probable cause relating to a discriminatory or unfair practice complaint.

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

Senate Joint Resolution 2001, by Taylor, a joint resolution proposing an amendment to the Constitution of the State of Iowa to repeal the requirement that each Act shall have on subject which shall be expressed in the title.

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

RESIGNED AS MEMBER OF CONFERENCE COMMITTEE

President Anderson announced that Senator Hutchins had resigned as a member of the conference committee 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.

APPOINTMENT TO COMMITTEE

President Anderson announced the appointment of Senator Husak to the conference committee on House File 764 to replace Senator Hutchins.

IMMEDIATE MESSAGE

Senator Hutchins asked and received unanimous consent to send an immediate message to the House on the change in the conference committee to House File 764.

SELECTION OF SEATS

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

Senator Hutchins moved that the holdover senators be granted the privilege of retaining the seats occupied by them during the 1985 session of the Seventy-first General Assembly, or the privilege of selecting new seats by seniority from the unassigned seats, that any senator having any handicap be allowed to select his or her seat from the unassigned seats; and that the newly elected senators select their seats from the unassigned seats; that the order of selection be based on names being drawn by lot by the parliamentarian if senators desiring new seats have the same seniority. In addition, the majority floor leader and the minority floor leader be permitted to select their seats.

The motion prevailed by a voice vote.

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

NAME	SEAT NO.
Boswell of Decatur	2
Brown of Poweshiek	19
Bruner of Story	23
Carr of Dubuque	21
Coleman of Webster	13
Colton of Woodbury	3
Corning of Black Hawk	4
Deluhery of Scott	47
Dieleman of Marion	29
Doyle of Woodbury	15
Drake of Muscatine	40
Fraise of Lee	11
Gentleman of Polk	30
Gettings of Wapello	5
Goodwin of Clinton	26
Gratias of Floyd	24
Gronstal of Pottawattamie	9
Hall of Linn	36
Hannon of Jones	20
Hester of Pottawattamie	6
Holden of Scott	22
Holt of Clay	10
Horn of Linn	17
Hultman of Montgomery	46
Husak of Tama	7
Hutchins of Audubon	49
Jensen of Bremer	28
Kinley of Polk	43
Mann of Polk	31
Miller of Cerro Gordo	39
Miller of Des Moines	45
Murphy of Fayette	25
Nystrom of Boone	38
Palmer of Polk	41
Peterson of Monroe	16
Priebe of Kossuth	37
Readinger of Polk	44
Rife of Muscatine	8
Riordan of Dallas	33
Ritsema of Sioux	12
Schwengels of Jefferson	42
Small of Johnson	27
Soorholtz of Marshall	32
Taylor of Hardin	50
Tieden of Clayton	48

Vande Hoef of Osceola 14
 Waldstein of Buena Vista 34
 Wells of Linn 35
 Welsh of Dubuque 1

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 101, a resolution amending the permanent rules of the senate for the 1986 session of the seventy-first general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION

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

Senate Resolution 101

On motion of Senator Hultman, Senate Resolution 101, a resolution amending the permanent rules of the senate for the 1986 Session of the Seventy-first General Assembly, was taken up for consideration.

Senator Holden offered amendment S—5001 filed by him from the floor to pages 1 and 2 of the resolution and called for a division: page 1, lines 2 through 34 as division S—5001A; page 1, lines 35 through 50 and page 2 as division S—5001B.

Senator Gronstal raised the point of order that division S—5001A was not germane to the resolution.

The Chair ruled the point not well taken and division S—5001A in order.

Senator Holden moved the adoption of division S—5001A, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—5001B, which motion prevailed by a voice vote.

Senator Hultman moved the adoption of Senate Resolution 101 as amended.

A non record roll call was taken.

The ayes were 46, nays 1.

The resolution having received a constitutional majority was declared to have been adopted as amended by the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 13, 1986, adopted the following concurrent resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 101, a resolution providing that a joint convention be held on January 14, 1986, for the purpose of hearing the governor deliver the condition of the state and budget message.

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

House Concurrent Resolution 102, a resolution providing that a joint convention be held on January 16, 1986, at 10:00 a.m. and that Chief Justice Reynoldson be invited to present his message of the condition of the judicial department.

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

ADOPTION OF RESOLUTIONS

Senator Hutchins asked and received unanimous consent to take up for immediate consideration House Concurrent Resolutions 101 and 102.

House Concurrent Resolution 101

On motion of Senator Hutchins, House Concurrent Resolution 101, a resolution providing for a joint convention on January 14, 1986, for the governor's condition of the state and budget message, was taken up for consideration.

Senator Hutchins moved the adoption of House Concurrent Resolution 101, which motion prevailed by a voice vote and the resolution was adopted.

House Concurrent Resolution 102

On motion of Senator Hutchins, House Concurrent Resolution 102, a resolution providing for a joint convention on January 16, 1986, for the condition of the judicial department's message, was taken up for consideration.

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

INTRODUCTION OF BILLS

Senate File 2019, by Carr, a bill for an act relating to the repeal of special tax levies by cities.

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

Senate File 2020, by Holt, a bill for an act relating to the membership of the advanced emergency medical care council.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:45 a.m., until 5:00 p.m.

APPENDIX

COMMUNICATIONS

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

Dear Lieutenant Governor Anderson and Members of the Senate:

We thank you so much for the lovely floral tribute to John. The red carnation arrangement was beautiful.

We deeply appreciate the many members attending his services.

Sincerely,
Elva Neighbour and family

DEPARTMENT OF PUBLIC SAFETY

On September 6, 1985, a copy of the annual reports for the Iowa Department of Public Safety for the calendar years 1983 and 1984.

DEPARTMENT OF TRANSPORTATION

On October 5, 1985, a detailed report of the 1982 Governor's Blue Ribbon Transportation Task Force recommendations on improving transportation.

CIVIL RIGHTS COMMISSION

On October 31, 1985, a copy of the annual report for the Iowa Civil Rights Commission for the fiscal year 1985.

JUDICIAL RETIREMENT SYSTEM

On November 19, 1985, a report of the Actuarial Valuation as of July 1, 1985, for the State of Iowa Judicial Retirement System.

DEPARTMENT OF HUMAN SERVICES

On November 22, 1985, a copy of the annual report on the Iowa Department of Human Services in 1984 pursuant to Chapter 217.21 of the Code of Iowa. Additional copies may be obtained by contacting the Department of Human Services.

COMMISSION ON CHILDREN, YOUTH AND FAMILIES

On December 3, 1985, a copy of the annual report of the Iowa Commission on Children, Youth and Families for the year 1985 pursuant to Section 237B.4, Code of Iowa.

DEPARTMENT OF HUMAN SERVICES

On December 4, 1985, a copy of the Final Report of the Medically Indigent Program Study Advisory Group pursuant to the requirements of H.F. 771, section 3, subsection 2e, unnumbered paragraph 6. Additional copies of the report may be obtained by contacting the Department of Human Services. On December 4, 1985, a copy of the Final Report of the Title XIX Perinatal Services and Obstetrical Access Program Study Advisory Group pursuant to the requirements of House File 771, section 3, subsection 2e, unnumbered paragraph 5. Additional copies may be obtained by contacting the Department of Human Services.

DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT

On December 26, 1985, a copy of the Annual Report for the year 1985 for the Department of Water, Air and Waste Management describing the condition of the Hazardous Waste Remedial Fund and a report on the sites registered on the Registry of Abandoned or Uncontrolled Disposal Sites, pursuant to Section 455B.425 and Section 455B.427 of the Code of Iowa. Additional copies may be obtained by contacting the Department of Water, Air and Waste Management.

DEPARTMENT OF PUBLIC SAFETY

On December 30, 1985, a report by the Iowa Department of Public Safety concerning the enforcement and public awareness of School bus safety laws in Iowa pursuant to House Concurrent Resolution No. 31, adopted by the 1985 Session of the Seventy-first General Assembly.

DEPARTMENT OF TRANSPORTATION

On January 2, 1986, a copy of the 1986-1991 Transportation Improvement Program as required by Section 307A.2(12) of the Code of Iowa.

DEPARTMENT OF WATER, AIR AND WASTE MANAGEMENT

On January 2, 1986, a copy of a Preliminary Report to the General Assembly on Toxic Cleanup Days as required by House File 728.

DEPARTMENT OF TRANSPORTATION

On January 2, 1986, a copy of the 1985 Iowa Airport Sufficiency Ratings as required by Section 328.12 of the Code of Iowa. Additional copies may be obtained by contacting the Office of Advance Planning.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

City of Mount Pleasant—In recognition of their Sesquicentennial. Senator Charles Miller (June 1, 1985).

The Onawa Sentinel—Anniversary of 100 years in publishing. Senator Donald V. Doyle (July 4, 1985).

St. Paul United Church of Christ, West Burlington—Celebration of 100th birthday anniversary. Senator Charles P. Miller (September 28, 1985).

Coach Greg Purnell and the Linn-Mar High School football team—For winning the Class 4-A high school state football championship. Senator Hurley W. Hall (November 15, 1985).

The Rt. Rev. Msgr. Sebastian G. Menke—For decades of service to the citizens of Iowa. Senator Patrick J. Deluhery (December 1, 1985).

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

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

		Class	Grade	Step
Secretary of the Senate	K. Marie Thayer	P-FT	\$29,495.23	
Parliamentarian	Ann VerHeul	E-FT	33	2
Administrative				
Secretary to the Secretary	Donna Stinson	S-O	20	1
Secretary to the Secretary	Greg Johnson	S-O	20	1
Finance Officer	Mary Ann Abbott	P-FT	27	7
Recording Clerk	Lori Bristol	S-O	20	1
Records and Supply Clerk	Mary Buban	S-O	19	3
Indexing				
Chief Indexer	Caryll Wilbur	P-FT	20	6
Assistant Indexer	Nancy Gibson	P-FT	18	1
Journal				
Journal Editor	C.J. Kelly	P-FT	25	7
Assistant Journal Editor/ Exec. Secretary	Nancy Smith	P-FT	22	4
Journal Clerk	Julie Elder	S-O	21	1

Legal Counsel

Assistant Secretary	Cynthia A. Clingan	P-FT	27	6
Assistant to Legal Counsel	Jeanne Johnson	S-O	17	2
Assistant to Legal Counsel	Jennifer Mitchell	S-O	17	1

Majority Caucus

Administrative Assistant to Majority Leader	Greg Nichols	P-FT	31	4
Caucus Staff Director	Dennis Harbaugh	P-FT	31	1
Research Analyst	Joanne A. Griep	P-FT	24	1
Research Analyst	Mary Gannon	P-FT	25	1
Research Analyst	Debbie O'Leary	P-FT	24	1
Research Analyst	William B. Haigh	P-FT	24	1
Research Analyst	Joseph Rasmussen	P-FT	25	2
Executive Secretary to Majority Leader	Kathy Hillman	P-FT	22	3
Secretary to Caucus	Mary Bustad	P-FT	19	1

Minority Caucus

Administrative Assistant to Minority Leader	Judy Bertelsen	P-FT	30	4
Caucus Staff Director	Paula Dierenfeld	P-FT	30	1
Research Analyst	James M. Boose	P-FT	24	2
Research Analyst	Carol D. Olson	P-FT	24	2
Research Analyst	Carol Garten	P-FT	24	1
Research Analyst	Kaye Drahozal	P-FT	24	1
Executive Secretary to Caucus	Nancy Henter	P-FT	22	2
Secretary to Minority Leader	Betty Wise	S-O	19	3

Sergeant-at-arms

Sergeant-at-arms	Alfred J. Klocke	S-O	15	4
Assistant Sergeant-at-arms	Jack Levine	S-O	13	2
Assistant Sergeant-at-arms	Lynn E. Brandt	S-O	13	1
Chief Doorkeeper	Ray J. Prosperi	S-O	10	3
Doorkeeper	Robert Doyle	S-O	9	1
Doorkeeper	Domenic P. Morrow	S-O	9	2
Doorkeeper	Frank J. Murphy	S-O	9	2
Doorkeeper	E. A. Samuelson	S-O	9	2
Doorkeeper	Svend Christensen	S-O	9	1

Services

Bill Clerk	Maxine Gunton	S-O	13	6
Assistant Bill Clerk	Gregory Glass	S-O	12	1
Switchboard Operator	Betty Lawler	S-O	13	3
Switchboard Operator	Fredda Wright	S-O	13	1
Postmaster	Dino Masolini	S-O	10	2
Porter	James M. Sullivan	S-O	8	6

Pages

Senate Page	Karen Austin	S-O	Minimum Wage
Senate Page	Dee Clark	S-O	Minimum Wage
Senate Page	Crystal Cook	S-O	Minimum Wage
Senate Page	Matthew Curran	S-O	Minimum Wage
Senate Page	Ann Disterhaupt	S-O	Minimum Wage
Senate Page	Steve Gibbs	S-O	Minimum Wage

Senate Page	Krysta Gooding	S-O	Minimum Wage
Senate Page	Anne Hansen	S-O	Minimum Wage
Senate Page	David Howell	S-O	Minimum Wage
Senate Page	Ryan Krogmeier	S-O	Minimum Wage
Senate Page	Julie Minich	S-O	Minimum Wage
Senate Page	Barbara Petersen	S-O	Minimum Wage
Senate Page	Scott Saveraid	S-O	Minimum Wage
Senate Page	Krista Tank	S-O	Minimum Wage
Senate Page	Brian Wagner	S-O	Minimum Wage
Senate Page	Layna Youngquist	S-O	Minimum Wage

Senate Secretaries

Senate Secretary	Lisa Anania	S-O	16	4
Senate Secretary	Joyce R. Anderson	S-O	16	5
Senate Secretary	Linda Betten	S-O	14	2
Senate Secretary	Candy Boucher	S-O	14	1
Senate Secretary	Ann Blanchard	S-O	14	3
Senate Secretary	Ginger Brown	S-O	14	2
Senate Secretary	Joyce Chamberlain	S-O	14	4
Senate Secretary	Paula Cox	S-O	16	6
Senate Secretary	Vicki Davis	S-O	14	3
Senate Secretary	Kristen Dieleman	S-O	14	3
Senate Secretary	Katie Doyle	S-O	16	8
Senate Secretary	Alyce Elmitt	S-O	16	8
Senate Secretary	Steven Falck	S-O	14	3
Senate Secretary	Judy Frazier	S-O	16	5
Senate Secretary	Beverly Gettings	S-O	16	5
Senate Secretary	Betty Gottschalk	S-O	16	5
Senate Secretary	Jo Ann Hanover	S-O	16	5
Senate Secretary	Barbara Harrison	S-O	16	7
Senate Secretary	Jeanne Heller	S-O	16	5
Senate Secretary	Dorothy Husak	S-O	14	5
Senate Secretary	JoAnn Hutchins	S-O	14	4
Senate Secretary	Myrtle Jensen	S-O	14	5
Senate Secretary	Chris Keleher	S-O	14	3
Senate Secretary	Pat King	S-O	16	3
Senate Secretary	Frances Kurtz	S-O	16	5
Senate Secretary	Jean McClatchey	S-O	16	6
Senate Secretary	Virginia Miller	S-O	16	5
Senate Secretary	Marcella Nelson	S-O	16	7
Senate Secretary	Roxanne Nichols	S-O	14	1
Senate Secretary	Gaye Pack	S-O	14	3
Senate Secretary	Carole Peterson	S-O	16	5
Senate Secretary	Lisa Plambeck	S-O	14	3
Senate Secretary	Lynn Potter	S-O	14	2
Senate Secretary	Patricia Potter	S-O	14	2
Senate Secretary	Rosemary Randolph	S-O	16	7
Senate Secretary	Ann Richards	S-O	14	3
Senate Secretary	Gerry Rydell	S-O	16	6
Senate Secretary	Flo Saf	S-O	16	4
Senate Secretary	Beverly Samuelson	S-O	16	4
Senate Secretary	Hazel Schroedel	S-O	16	6
Senate Secretary	Claudia Sheperd	S-O	14	3
Senate Secretary	Harriet Vande Hoef	S-O	14	3
Senate Secretary	Todd Von Stein	S-O	14	2
Senate Secretary	Katheryn Walden	S-O	16	2
Senate Secretary	Elizabeth Wasker	S-O	16	6
Senate Secretary	Margaret Wimmer	S-O	14	4
Senate Secretary	Tracy Templeton	S-O	14	1

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., President Anderson presiding.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 13, 1986, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the Senate is asked:

House File 244, a bill for an act relating to programs relating to substance abuse (S—5002).

INTRODUCTION OF BILLS

Senate File 2021, by Hultman, a bill for an an act exempting a racetrack facility licensed under chapter 99D from real estate property taxes.

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

Senate File 2022, by Hultman, a bill for an an act providing a criminal penalty for reporting false information to the department of human services regarding an act of child abuse.

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

Senate File 2023, by Hultman, a bill for an act relating to gambling by permitting lottery tickets and shares to be sold or pools based on the score or outcome of bona fide athletic contests to be conducted on the premises of establishments that serve or sell alcoholic beverages, wine, or beer.

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

Senate File 2024, by Hultman, a bill for an act relating to the science and math supplemental grant program for high school graduates and providing an effective date.

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

Senate File 2025, by Gratias, a bill for an act relating to the donation of anatomical gifts after the death of a person.

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

PETITION

The following petition was presented and placed on file by:

Senator Taylor from eight residents of Franklin County favoring legislation enacting a state motorcycle helmet law and mandatory use of seatbelts.

STUDY BILLS RECEIVED

SSB 2001 State Government

Relating to mobile deputy registrars.

SSB 2002 State Government

Authorizing a city to support more than one municipal band.

SSB 2003 State Government

To allow candidates to become mobile deputy registrars.

SSB 2004 State Government

Relating to the payment of lottery prizes.

SSB 2005 State Government

Relating to the political affiliation of members of precinct election boards.

SSB 2006 State Government

Relating to gambling by permitting lottery tickets and shares to be sold on the premises of establishments that serve or sell alcoholic beverages, wine or beer and providing for an effective date.

SSB 2007 State Government

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa defining an "item" for the exercise of the item veto power.

SSB 2008 State Government

Relating to programs relating to substance abuse and providing a retroactive effective date.

SSB 2009 State Government

Relating to the registration of electors.

SSB 2010 State Government

To provide that an eligible elector residing in a precinct may register to vote at the polling place on election day, and subjecting violators to a penalty as provided by law.

SSB 2011 State Government

Related to the review and confirmation of nominees to examining boards.

SSB 2012 State Government

Relating to the appointed members of the state judicial nominating commission.

SSB 2013 Agriculture

Relating to the security interest in farm products.

SSB 2014 Agriculture

Providing that a person who buys farm products from a person engaged in farming takes the products subject to any security interest on the products.

SSB 2015 Judiciary

Relating to the criminal penalty for the fraudulent use of registration.

SSB 2016 Judiciary

Allowing persons providing consent for the issuance of a motor vehicle license to a minor to withdraw the consent and require cancellation of the minor's license.

SSB 2017 Judiciary

Relating to the department of human services' access to criminal history data regarding potential investigative employees.

SSB 2018 Judiciary

Establishing a criminal penalty under Iowa's criminal code for the violation of federal law regarding the acquisition, sale, or purchase of federal agricultural surplus commodities.

SSB 2019 Judiciary

Relating to the confinement of defendants sentenced to determinate or indeterminate terms.

SSB 2020 State Government

Relating to contributions by judges to the judicial retirement fund, and providing an effective date.

BILLS ASSIGNED TO COMMITTEE

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

SJR	2001	State Government
SF	2001	Labor and Industrial Relations
SF	2002	Agriculture
SF	2003	Agriculture
SF	2004	Judiciary
SF	2005	Appropriations
SF	2006	Ways and Means
SF	2007	Local Government
SF	2008	Judiciary
SF	2009	State Government
SF	2010	Agriculture
SF	2011	Judiciary
SF	2012	Judiciary
SF	2013	Judiciary
SF	2014	Commerce
SF	2015	Transportation
SF	2016	Appropriations
SF	2017	State Government
SF	2018	Judiciary
SF	2019	Ways and Means
SF	2020	State Government
SF	2021	Ways and Means

SF	2022	Human Resources
SF	2023	Judiciary
SF	2024	Education
SF	2025	Human Resources
HF	493	Transportation
HF	601	Labor and Industrial Relations
HF	698	Small Business & Economic Development
HF	710	Transportation
HF	781	Appropriations

AMENDMENTS FILED

S—5001	S. R.	101	Edgar H. Holden
S—5002	H. F.	244	House amendment

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:04 p.m., until 9:00 a.m., Tuesday, January 14, 1986.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 14, 1986

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

Prayer was offered by Dr. Mark Lieder, pastor of the United Methodist Church, Woodward, Iowa.

The Journal of Monday, January 13, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 13, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2017, a bill for an act relating to gambling by permitting lottery tickets and shares to be sold on the premises of establishments that serve or sell alcoholic beverages, wine, or beer, providing that the pari-mutuel betting and lottery statutes are exceptions to gambling restrictions contained in chapter 99B.

This bill was read first time and assigned to the committee on **State Government**.

INTRODUCTION OF BILLS

Senate Joint Resolution 2002, by Carr, a Joint Resolution proposing an amendment to the Constitution of the State of Iowa

regarding the political affiliation of members of judicial nominating commissions.

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

Senate File 2026, by Ritsema, a bill for an act relating to the award of punitive or exemplary damages.

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

Senate File 2027, by Schwengels, a bill for an act relating to food service in public office buildings.

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

Senate File 2028, by Hall, a bill for an act relating to the civil liability for losses caused by the distribution of beer or intoxicating liquor to a person while the person is intoxicated, or if the distribution results in intoxication.

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

Senate File 2029, by Doyle, a bill for an act relating to the sending, or causing to be sent, of a minor to a place of prostitution or to become a prostitute, and providing penalties.

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 41 present, 8 absent and a quorum present.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 244

Senator Welsh called up for consideration House File 244, a bill for an act relating to programs relating to substance abuse, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5002 to Senate amendment H—4267 filed January 13, 1986.

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. 244) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none:

Absent or not voting, 6:

Deluhery	Kinley	Mann	Palmer
Small	Taylor		

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

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 101, duly adopted, the Senate proceeded to the House under the direction of the Parliamentarian and Sergeant-at-arms.

JOINT CONVENTION

The joint convention convened at 9:50 a.m., President Anderson presiding.

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

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

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

The motion prevailed by a voice vote and the President appointed as such committee Senators Peterson, Fraise and Gratias, on the part of the Senate, and Representatives Beatty, Hester and Woods, on the part of the House.

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

Members of the Executive Council and the Attorney General were escorted into the House chamber.

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

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

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

Mr. President, Mr. Speaker, Mr. Chief Justice, Justices and Judges, State Officials, Senators and Representatives, Distinguished Guests and Friends:

Before I begin this condition of the state message, I want to ask all of you to join me in sending a message to a guy by the name of Jim Murray with the L.A. Times. Jim—we are proud to be Iowans and although we lost a football game on New Years Day, we are tough and we are coming back.

I'm here today to report to you on the condition of the State. It must begin with a discussion about the worst agricultural crisis since the Great Depression. Land values in our state have dropped 60 percent since 1981, with over \$40 billion of wealth drained from Iowa.

The problems in agriculture are not limited to our family farmers; they have also affected our small towns and large cities. Factory workers, teachers and even our children have not been spared from the crisis in agriculture.

We Iowans are fighting to save an industry which was the stable, reliable base of our state's economy just a decade ago. The adjustment has been difficult, in some cases outright cruel.

1985 was a tough year in Iowa. Yet, we Iowans faced reality with courage. Across the nation, the farm crisis is headline news from time to time; but in Iowa, we live with it day to day.

We've lost some material wealth; but we've not lost our spirit, our determination and our commitment to the future. We have just begun to fight, not just to retain the Iowa we know, but to build a brighter future.

We have consistently pushed for action to help America's farmers. Although we have suffered some setbacks, we have also scored some victories. We must not leave any stone unturned.

We must continue pressuring the federal government for meaningful debt restructuring for our agricultural debt. I plan to continue my personal efforts on behalf of our farmers.

Our goal must be to keep the farmers on the land. I recommend state action to help do that. We should establish:

*A Special Emergency Fund — seeded by state dollars, that commercial banks can use to provide emergency loans to farmers.

*A Special Ombudsman — to act as a watchdog over policies of the Farm Credit System, the Farmers Home Administration and commercial banks.

*A Linked Deposits Program — which will invest state dollars in lending institutions that provide lower interest loans for farmers.

*A Farmer Retraining Program — which will help farmers who are forced off the farm develop their skills and find new jobs in the state.

We must continue the Emergency Hotline system and special mediation program to train people in every county to help farmers and lenders work out their problems peacefully.

Finally, I recommend a special program to help buy down interest rates for those Iowans who want to begin farming. Family farms are a valuable part of Iowa's heritage. We must provide our sons and daughters with the same opportunities as our parents provided us.

In the midst of the crisis in 1985, we took stock of our strengths: our pride in our work, our excellent education system, our active faith in our communities, our families, each other and in God.

In the midst of the crisis, we had the foresight to take significant action to diversify our state's economy. We removed some major obstacles to job creation and made Iowa more competitive.

In the midst of the crisis, we Iowans became more unified in our faith and in our ability to work our way out of these problems. That is the first step to building a new and stronger Iowa.

Today, I will show you a blueprint for the Iowa of the future. This blueprint is a plan for action. Our strength is its foundation. We must build on our strength, our pride in our work, our highly productive workers, our outstanding education, our friendly, caring people and our faith in what we can accomplish.

We must expand our economy in new areas. We must identify and nurture the growth industries best suited for the Iowa of the future. We must develop new products and new markets.

As we build, we must promote our strength as never before. Iowans cannot take a back seat to anyone. We have a good quality of life and we need to tell the world about it.

We need to be a state of people who are not afraid to take the initiative. These are extraordinary times and they call for extraordinary action. To take the normal path means we accept things the way they are. We cannot do that. Winston Churchill said, "This is no time for ease and comfort. It is time to dare and endure."

I say to you: The time is now to preserve Iowa's quality of life. The time is now to build a stronger and more prosperous future. The time is now to provide our children with an Iowa that they, too, will be proud of and will work hard to protect.

My challenge to you is crucial to a new and stronger Iowa.

*Streamline government — make it fit the times and avoid tax increases.

*Strengthen our commitment to creating jobs — make us second to no other state, and

*In education — we should build on the best.

Iowans demand discipline and direction in attacking the hard realities of today. Iowans refuse to pay for more government than they can afford. Iowans refuse to accept higher taxes as the answer. Iowans want and need more jobs. Iowans recognize the future of this state is dependent on a strong education for our children.

My first challenge to you is to streamline government and avoid tax increases. In the last two decades, our population has grown just slightly over five percent. Your state government workforce has grown by over 70 percent.

Next year, we face a \$107 million budget problem. We cannot continue government as usual. On December 3, I presented you the most comprehensive government restructuring and downsizing program in our state's history.

The budget I am presenting to you today is based on this new streamlined state government. We in the Executive Branch are moving forward in the implementation process and the Legislature must also act. You have indicated you are up to the challenge and you have already taken some important initial steps. It is essential that restructuring and downsizing be completed this session.

Our work cannot stop there. We must assure Iowans that their taxes will not go up, when they can least afford it. State operating budgets should be frozen. Property taxes should be frozen. Yet, we should meet our obligations to school districts and local governments and take the next step in court reorganization.

This budget is fair. It is balanced. It reflects our times. I strongly urge you to take swift action to assure Iowans that there will be no state tax increase and no property tax increase.

My next challenge to you is: make our efforts to create jobs second to no other state. We cannot let up. We must move forward aggressively. We must take the initiative and seize every opportunity for more businesses and jobs.

Last year, we eliminated the sales and use tax on machinery, equipment and computers. We repealed the personal property tax. These changes have already begun to pay off in new jobs for Iowans.

Together, we must continue removing barriers to economic development. This year, let us remove the most uncompetitive features of our Unemployment and Workers' Compensation systems, while still protecting unemployed or injured workers.

Eliminating barriers is important; but, we must do even more to ensure Iowa's success in economic development. Our strategy for economic development includes:

- *Improving our business climate;
- *Assisting small and existing businesses, and
- *Marketing and promoting Iowa.

To improve our business climate, we need to provide new incentives to help rural Iowa and our cities. This can be done by creating economic development areas to target incentive packages to new and expanding industry.

We have analyzed the competition from other states and have put together a package that no other state can match. If you adopt my recommendations, Iowa will have a job creating package that will be second to none.

To help finance local economic development projects, we should establish a bond bank and provide funding for our community economic betterment program. We also need to place reasonable limitations in our tort law.

We must not forget that over 60 percent of our new jobs in Iowa are created by small businesses. We need to help our home grown businesses by fully funding our small business incubators, our Main Street Iowa program, and our procurement program to make sure we get our fair share of federal contracts.

Iowa has the potential to be a national center of telecommunications and biotechnology. We can create new businesses by nurturing these growth areas. We can double the amount of new jobs created in the telecommunications field in our state in 1986 and I know of at least two new companies who have already told me of their interest in moving their biotechnology research to Iowa, if we make a commitment in that field. I challenge you today to join me in that commitment to Iowa's future.

No economic development strategy would be complete without renewed emphasis on marketing and promoting Iowa. Last year, we proved that marketing Iowa works. We invested a small amount in promoting tourism and it paid big dividends — tourism was up 20 percent. With Homecoming '86 as our theme this year, we can do even better.

Individual Iowans and businesses can also help in our marketing efforts by becoming Iowa Ambassadors. We can use this unique partnership to tell the rest of the country about Iowa, our quality products, our productive workers, and our good quality of life.

Marketing Iowa's products must go beyond our nation's borders. I recommend we should start a Small Business Export Finance Program to help our small businesses compete in the international marketplace. This program can generate at least \$20 million dollars of additional international trade for Iowa and over 500 new jobs for Iowans.

Right now, Japan is our biggest foreign customer for Iowa products. Iowa needs to get an even bigger share of the Japanese markets. We can do that by establishing an Iowa office in Japan.

Our blueprint to build a new future for Iowa must include renewing our commitment to excellence in education. Our children are the future and what they learn in the classroom today will make the difference for the Iowa of tomorrow.

Despite our revenue shortfall, this budget provides \$35 million more in aid to our local schools. This aid would not have been possible without the restructuring and downsizing of state government.

We must take action to reduce administrative costs in education. Reducing administrative costs will provide more money for our children's classroom instruction.

I recommend we provide extra state aid to schools that share administrative staff. We also should provide property tax incentives for school districts that reorganize.

Excellence in education is dependent upon quality teachers in the classroom. We must attract and retain our best college graduates to the teaching profession. I recommend we increase beginning teacher salaries and establish a career ladder for our best teachers. I also encourage private support for our First in the Nation Education effort.

As we strengthen our commitment to excellence in education for our children, we should act to protect the quality of life for the people who built this state.

In recognition of the top priority of the Older Iowans Legislature, I recommend a substantial commitment of funds to assist elderly Iowans who wish to remain in their own homes. This should include a home-based care program and support for families of Alzheimer's Disease victims.

During these difficult times, we must not forget our needy Iowans. My budget includes \$15 million dollars of supplemental funds this year, to maintain our Human Services program.

To protect the safety of all Iowans, we should adopt uniform, nationally recognized standards for drunk-driving laws. Third offense drunk drivers should not go to prison, but to a secure treatment facility.

By getting those people out of the prison system, we can eliminate the cap on the prison population. The Parole Board should not be forced to endanger the public by releasing prisoners because of an arbitrary lid.

Restructuring and downsizing government, strengthening our commitment to economic development, job creation, and building on the best in Iowa's education are not promises, but challenges.

Together, we can make this blueprint for Iowa's future a reality. We cannot let minor differences cloud our vision for Iowa's future. Iowans expect action and its up to us, you and I to respond.

This is a tough assignment, but no tougher than the times. We have the spirit, the determination and the commitment to build a better Iowa.

Abraham Lincoln once observed, "The future comes only one day at a time. Let us begin today, to make tomorrow."

Throughout our state's history, Iowans have risen to meet the challenge of the times. I believe, today will be no difference.

Thank you.

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

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

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

INTRODUCTION OF BILLS

Senate File 2030, by Priebe, a bill for an act relating to the livestock health advisory council, by including horse and dog breeders on the council.

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

Senate File 2031, by Priebe, a bill for an act relating to the purchase of air transportation for state employee travel.

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

Senate File 2032, by Priebe, a bill for an act to require the county treasurer to provide property tax statements to each property owner

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

Senate File 2033, by Priebe, a bill for an act requiring a merchant to immediately honor a manufacturer or distributor's rebate

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

Senate File 2034, by Priebe, a bill for an act relating to conservation easements

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

Senate File 2035, by Priebe, a bill for an act relating to severed mineral interests, by requiring registration and the payment of a registration fee, providing for renewals at five-year intervals, providing for forfeiture to the county upon failure to comply with registration requirements, providing for notice and opportunity for hearing, and providing for acquisition by the surface owner upon payment of certain costs and fees

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

Senate File 2036, by Priebe, a bill for an act relating to the sales, services, and use tax on the gross receipts from the sale or rental of implements of husbandry, depreciable replacement parts, and grain dryers

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

Senate File 2037, by Priebe, a bill for an act relating to the labeling of fuel sold as kerosene

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

RECESS

On motion of Senator Brown, the Senate recessed at 11:50 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 13, 1986, 2:11 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: C. Miller.

Committee Business: Reassigned bills to subcommittees.

Adjourned: 2:24 p.m.

EDUCATION

Convened: January 13, 1986, 2:10 p.m.

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

Members Absent: Taylor.

Committee Business: Organizational meeting.

Adjourned: 3:22 p.m.

RULES AND ADMINISTRATION

Convened: January 13, 1986, 9:45 a.m.

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

Members Absent: Kinley.

Committee Business: Approved proposed committee resolution amending the permanent rules.

Adjourned: 9:51 a.m.

STATE GOVERNMENT

Convened: January 13, 1986, 4:05 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Corning, Drake, Gentleman, Horn, Rife, Schwengels and Welsh.

Members Absent: C. Miller and Mann.

Committee Business: Discussed government reorganization; SSB 2006 failed recommendation for passage.

Adjourned: 4:50 p.m.

TRANSPORTATION

Convened: January 13, 1986, 3:10 p.m.

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

Members Absent: none.

Committee Business: Reassigned bills to subcommittees; approved LSB 4571 XS and ordered redrafted for final approval as a committee bill.

Adjourned: 3:30 p.m.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MILEAGE

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

NAME	ROUND TRIP MILES
Fraise, Eugene S.	348
Gratias, Arthur L.	244
Peterson, John A.	130
Riordan, James R.	26

Respectfully submitted,

JAMES D. WELLS, Chair
EDGAR H. HOLDEN
JOHN W. JENSEN
LEONARD L. BOSWELL

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2017, a bill for an act relating to gambling by permitting lottery tickets and shares to be sold on the premises of establishments that serve or sell alcoholic beverages, wine, or beer, providing that the pari-mutuel betting and lottery statutes are exceptions to gambling restrictions contained in chapter 99B, and providing for an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Nystrom, Coleman, Corning, Drake, Gentleman, Horn, C. Miller, Rife and Welsh. Nays, 3: Dieleman, Bruner and Schwengels. Absent or not voting, 1: Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

The President announced the following standing committee appointments for the 1986 Session of the Seventy-first General Assembly:

AGRICULTURE

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

APPROPRIATIONS

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

COMMERCE

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

EDUCATION

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

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

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

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

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

A. Miller Chair C. Miller Vice Chair	Waldstein Ranking Member Wells	Priebe Fraise Hall	Goodwin Vande Hoef
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NATURAL RESOURCES

Hall Chair Priebe Vice Chair	Schwengels Ranking Member Husak Peterson	Hannon Riordan Doyle Goodwin	Tieden Hester Gratias
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RULES AND ADMINISTRATION

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

Small Chair	Rife Ranking Member	Peterson Brown	Ritsema Waldstein
Boswell Vice Chair	Fraise Doyle	Riordan Readinger	Vande Hoef

STATE GOVERNMENT

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

TRANSPORTATION

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

WAYS AND MEANS

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

ANNOUNCEMENT OF SUBCOMMITTEE APPOINTMENTS

The President announced the assignment of the following standing Appropriations Subcommittees for the 1986 Session of the Seventy-first General Assembly:

BUSINESS, TRADE AND TRANSPORTATION

Gettings Chair	Coleman Vice Chair	Holt Ranking Member	Priebe Holden
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CLAIMS

Welsh Chair	Palmer Vice Chair	Soorholtz Ranking Member	Kinley Taylor
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EDUCATION

Horn Chair	Brown Vice Chair	Nystrom	Small
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HEALTH AND HUMAN RIGHTS

Colton Chair	A. Miller Vice Chair	Readinger Ranking Member	Fraise Rife
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HUMAN SERVICES

Deluhery Chair	Hannon Vice Chair	Vande Hoef Ranking Member	Bruner Gentleman
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JUSTICE SYSTEM

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

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

Gronstal Chair	Boswell Vice Chair	Goodwin Ranking Member	Riordan Jensen
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STATE GOVERNMENT

Dieleman Chair	Wells Vice Chair	Schwengels Ranking Member	Mann Corning
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SUBCOMMITTEE ASSIGNMENTS

Senate File 2004

JUDICIARY: Doyle, Chair; Taylor and Mann

Senate File 2008

JUDICIARY: Ritsema, Chair; Mann and Small

Senate File 2011

JUDICIARY: Ritsema, Chair; Mann and Small

Senate File 2012

JUDICIARY: Dieleman, Chair; Deluhery and Gentleman

Senate File 2013

JUDICIARY: Ritsema, Chair; Holt and Dieleman

Senate File 2018

JUDICIARY: Mann, Chair; Horn and Gentleman

Senate File 2023

JUDICIARY: Carr, Chair; Mann and Holt

House File 493

TRANSPORTATION: Coleman, Chair; Doyle and Jensen

House File 601

LABOR AND INDUSTRIAL RELATIONS: Deluhery, Chair; Wells and Jensen

House File 710

TRANSPORTATION: A. Miller, Chair; Hall and Goodwin

House File 781

APPROPRIATIONS: Welsh, Chair; Gronstal and Tieden

SSB 2015

JUDICIARY: Doyle, Chair; Drake and Mann

SSB 2016

JUDICIARY: Doyle, Chair; Gentleman and Mann

SSB 2017

JUDICIARY: Carr, Chair; Small and Holt

SSB 2018

JUDICIARY: Dieleman, Chair; Coleman and Hester

SSB 2019

JUDICIARY: Carr, Chair; Doyle and Gentleman

LSB 4571 XS

TRANSPORTATION: Coleman, Chair; Hall and Doyle

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2038, by Gentleman, a bill for an act relating to dealership practices by providing protections and remedies for dealers.

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

Senate File 2039, by Horn, a bill for an act relating to the acceptance of goods or property from a minor as security for a loan, and providing a penalty.

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

Senate File 2040, by Murphy, Hall and Bruner, a bill for an act to require a one-time, extensive test for water contaminants in public water supplies.

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

Senate File 2041, by committee on Judiciary, a bill for an act relating to schedule I and schedule II controlled substances regulated by the board of pharmacy examiners.

Read first time and **placed on calendar**.

APPENDIX

COMMITTEE REPORT

JUDICIARY

Final Bill Action: SENATE FILE 2041, a bill for an act relating to schedule I and schedule II controlled substances regulated by the board of pharmacy examiners.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Mann and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Wednesday, January 15, 1986.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 15, 1986

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

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

The Journal of Tuesday, January 14, 1986, was approved.

INTRODUCTION OF BILLS

Senate File 2042, by Committee on Judiciary, a bill for an act relating to the costs of collecting and distributing support payments.

Read first time and **placed on calendar**.

Senate File 2043, by Committee on Judiciary, a bill for an act relating to qualification of nonprofit corporations as conservators.

Read first time and **placed on calendar**.

Senate File 2044, by Committee on Judiciary, a bill for an act relating to the admissibility of the reports and findings of the criminalistics laboratory in forfeiture proceedings.

Read first time and **placed on calendar**.

SPECIAL GUEST

Senator Tieden presented Jolene Hjerleid of Decorah, the 1986 Iowa Junior Miss. She is the daughter of Homer and Renee Hjerleid.

Jolene, a senior at Decorah Senior High School, is a member of the National Honor Society, President of the speech, drama and science clubs, active in choir and band and enjoys sports of all kinds. Her future career plans are in the areas of theatre arts and English.

Jolene, who was accompanied in her visit to the Senate by her mother and Jack Guter, chairman of the Iowa Junior Miss program, will represent Iowa at the National Junior Miss Pageant in Mobile, Alabama in June of this year.

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

The Senate resumed session, President pro tempore Wells presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:35 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 14, 1986, 2:46 p.m.

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

Members Absent: none.

Committee Business: Approved SSB 2013, LSB 601.71 and LSB 6508S 71 as committee bills.

Adjourned: 3:02 p.m.

HUMAN RESOURCES

Convened: January 14, 1986, 8:15 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Coleman, Readinger, Vande Hoef and Gratias (arrived 8:20 a.m.).

Members Absent: Wells (excused), Taylor (excused), Carr, Murphy and C. Miller.

Committee Business: Discussed bills pending from the 1985 session; received report from the Rural Medical Services Interim Committee.

Adjourned: 8:27 a.m.

JUDICIARY

Convened: January 14, 1986, 1:50 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Small.

Members Absent: Mann, Vice Chair and Taylor.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:45 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: January 14, 1986, 2:35 p.m.

Members Present: Gettings, Vice Chair; Jensen, Ranking Member; Colton, Holden, Hultman, Rife and Wells.

Members Absent: Mann, Chair; Deluhery and Welsh (all excused).

Committee Business: Reassigned bills to subcommittees.

Adjourned: 2:45 p.m.

LOCAL GOVERNMENT

Convened: January 14, 1986, 1:35 p.m.

Members Present: A. Miller, Chair; Waldstein, Ranking Member; Fraise, Goodwin, Hall, Priebe, Vande Hoef and Wells.

Members Absent: C. Miller, Vice Chair (excused) and Priebe.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:10 p.m.

STATE GOVERNMENT

Convened: January 14, 1986, 9:19 a.m.

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

Members Absent: Mann.

Committee Business: Discussed and recommended House File 2017 for passage.

Adjourned: 9:29 a.m.

STATE GOVERNMENT

Convened: January 14, 1986, 3:43 p.m.

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

Members Absent: Dieleman, Vice Chair and Mann.

Committee Business: Established a schedule and subcommittee for sections of the reorganization legislation.

Adjourned: 4:15 p.m.

ANNOUNCEMENT OF SUBCOMMITTEE APPOINTMENTS

President Anderson announced the following additional assignments to a standing Appropriations Subcommittee:

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Ranking Member - John N. Nystrom

Member - Arthur L. Gratias

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 101, a concurrent resolution commemorating those who have lost their lives because of the farm crisis.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 102, a concurrent resolution protesting the proposed corn loan rates.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2042, a bill for an act relating to the costs of collecting and distributing support payments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Mann and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2043, a bill for an act relating to qualification of nonprofit corporations as conservators.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Small and Horn. Nays, none. Absent or not voting, 2: Mann and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2044, a bill for an act relating to the admissibility of the reports and findings of the criminalistics laboratory in forfeiture proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Small. Nays, none. Absent or not voting, 2: Mann and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**APPOINTMENTS BY THE
PRESIDENT OF THE SENATE**

President Anderson announced the following appointments to statutory committees:

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

David M. Readinger (appointed May 13, 1985) — Term ending April 30, 1989.

**ADVISORY INVESTMENT BOARD OF
IOWA PUBLIC EMPLOYEES RETIREMENT SYSTEM
(Sec. 97B.8, Code Supplement 1985)**

Charles Bruner (appointed August 8, 1985) — Term ending June 30, 1987.

COMMISSION ON THE AGING
(Sec. 249B.2, Code of Iowa)

Norman J. Goodwin (appointed August 8, 1985) — Term ending June 30, 1989.

COMPENSATION, EXPENSES AND SALARIES
FOR ELECTED STATE OFFICIALS COMMISSION
(Chapter 2A, Code of Iowa)

Leonard Jones, Manilla (appointed August 8, 1985) — Term ending June 30, 1990.

EDUCATION COMMISSION OF THE STATES
(Sec. 272B.2, Code of Iowa)

Arthur L. Gratias (appointed August 8, 1985) — Term ending June 30, 1989.

HEALTH DATA COMMISSION
(Sec. 145.2, Code of Iowa)

Edgar H. Holden (appointed August 8, 1985) — Term ending June 30, 1986.

MEDICAL ASSISTANCE ADVISORY COUNCIL
(Sec. 249A.4, Code of Iowa)

Michael E. Gronstal and Dale L. Tieden (appointed August 8, 1985) — Terms ending June 30, 1987.

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

James D. Wells (appointed August 8, 1985) — Term ending June 30, 1987.

COMMUNICATIONS REVIEW COMMITTEE
(Sec. 2.35, Code of Iowa)

Milo Colton (appointed August 28, 1985) — Term ending with convening of next General Assembly.

COMMUNITY CULTURAL GRANTS COMMISSION
(Sec. 7A.52, Code Supplement 1985)

Leonard L. Boswell (appointed August 28, 1985) — Term ending June 30, 1988.

LEGISLATIVE COUNCIL
(Sec. 2.41, Code of Iowa)

Beverly A. Hannon (appointed December 11, 1985) — Unexpired term with convening of next General Assembly.

SUBCOMMITTEE ASSIGNMENTS

Senate File 30

NATURAL RESOURCES: Riordan, Chair; Doyle and Gratias

Senate File 49

LOCAL GOVERNMENT: Wells, Chair; Hall and Goodwin

Senate File 84

LOCAL GOVERNMENT: Hall, Chair; Wells and Waldstein

Senate File 122

LOCAL GOVERNMENT: Vande Hoef, Chair; Priebe and Fraise

Senate File 167

LOCAL GOVERNMENT: Wells, Chair; A. Miller and Waldstein

Senate File 184

LOCAL GOVERNMENT: C. Miller, Chair; A. Miller and Waldstein

Senate File 238

LOCAL GOVERNMENT: A. Miller, Chair; Hall and Waldstein

Senate File 352

LOCAL GOVERNMENT: Goodwin, Chair; Wells and Fraise

Senate File 388

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

Senate File 399

NATURAL RESOURCES: Peterson, Chair; Doyle and Goodwin

Senate File 486

LOCAL GOVERNMENT: Wells, Chair; Hall and Goodwin

Senate File 510

NATURAL RESOURCES: Peterson, Chair; Hall and Goodwin

Senate File 522

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

Senate File 2007

LOCAL GOVERNMENT: Wells, Chair; Waldstein and Fraise

Senate File 2015

TRANSPORTATION: Doyle, Chair; Gettings and Nystrom

Senate File 2025

HUMAN RESOURCES: Gratiyas, Chair; Wells and Carr

House File 360

LOCAL GOVERNMENT: A. Miller, Chair; Hall and Waldstein

House File 497

NATURAL RESOURCES: Riordan, Chair; Goodwin and Doyle

House File 610

LOCAL GOVERNMENT: Wells, Chair; A. Miller and Waldstein

House File 645

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Priebe

House File 724

LOCAL GOVERNMENT: Wells, Chair; Waldstein and C. Miller

SSB 2001

STATE GOVERNMENT: Carr, Chair; Drake and Rife

SSB 2002

STATE GOVERNMENT: Welsh, Chair; Schwengels and Horn

SSB 2003

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

SSB 2004

STATE GOVERNMENT: Carr, Chair; Horn and Rife

SSB 2005

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

SSB 2006

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

SSB 2007

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

SSB 2008

STATE GOVERNMENT: Mann, Chair; Dieleman and Corning

SSB 2009

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

SSB 2010

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

SSB 2011

STATE GOVERNMENT: Welsh, Chair; Nystrom and Coleman

SSB 2012

STATE GOVERNMENT: Drake, Chair; Carr and Bruner

SSB 2020

STATE GOVERNMENT: Dieleman, Chair; Mann and Gentleman

SSB 2021

JUDICIARY: Doyle, Chair; Holt and Dieleman

SSB 2022

JUDICIARY: Horn, Chair; Deluhery and Drake

SSB 2023

JUDICIARY: Dieleman, Chair; Horn and Hester

SSB 2024

JUDICIARY: Mann, Chair; Gentleman and Carr

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President pro tempore Wells presiding.

INTRODUCTION OF BILLS

Senate File 2045, by Priebe, a bill for an act relating to bovine brucellosis, by providing definitions, and providing for branding of feeders, vaccination requirements, the adoption of rules, the movement of cattle, and reimbursement and indemnification for spayed and slaughtered cattle.

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

Senate File 2046, by Mann, a bill for an act relating to the compensation of collegiate athletes.

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

Senate File 2047, by Bruner, Wells, Boswell, Hultman, and Holt, a bill for an act relating to hospitals.

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

Senate File 2048, by Wells, a bill for an act establishing requirements for the use and operation of cabooses on railroad trains.

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

Senate File 2049, by Committee on Transportation, a bill for an act relating to the purchases of American made products and purchases from American based businesses.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 101, by Committee on Agriculture, a concurrent resolution commemorating those who have lost their lives because of the farm crisis.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 102, by Committee on Agriculture, a concurrent resolution protesting the proposed corn loan rates.

Read first time and **placed on calendar**.

APPENDIX

STUDY BILLS RECEIVED

SSB 2021 Judiciary

To require that information relating to drunken driving be issued to drivers at the time of license renewal.

SSB 2022 Judiciary

To include instruction concerning substance abuse in approved drivers education courses.

SSB 2023 Judiciary

Requiring the posting of notice in state liquor stores and licensed premises explaining the operation of and penalties of the laws which prohibit the operation of a motor vehicle by a person who is intoxicated.

SSB 2024 Judiciary

Relating to the liability of social hosts for injuries to persons as a result of intoxication.

SSB 2025 State Government

Relating to elections.

SSB 2026 Energy and Environment

Relating to pilot programs regarding energy conservation projects.

BILLS ASSIGNED TO COMMITTEE

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

SJR	2002	State Government
SF	2026	Judiciary
SF	2027	State Government
SF	2028	Judiciary
SF	2029	Judiciary

SF	2030	Agriculture
SF	2031	State Government
SF	2032	Local Government
SF	2033	Commerce
SF	2034	Natural Resources
SF	2035	Local Government
SF	2036	Ways and Means
SF	2037	Agriculture
SF	2038	Commerce
SF	2039	Judiciary
SF	2040	Natural Resources

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: SENATE FILE 2049, a bill for an act relating to the purchases of American made products and purchases from American based businesses.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, Drake, Doyle, Gettings, Goodwin, Jensen, A. Miller and Nystrom. Nays, none. Absent or not voting, 2: Hall and Kinley (excused).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5003	S. J. R.	2	Ray Taylor
S—5004	H. F.	2017	Edgar H. Holden
			Lee W. Holt
			Dale L. Tieden
			Wm. W. Dieleman
			Alvin V. Miller
			Norman J. Goodwin
			Richard Vande Hoef
			Jack W. Hester
			John W. Jensen
			Forrest V. Schwengels
			Arne Waldstein
			John Soorholtz
			Eugene Fraise
			Julia B. Gentleman

Berl E. Priebe
David M. Readinger
Ray Taylor
Judiciary

S-5005

S.F.

2043

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Thursday, January 16, 1986.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 16, 1986

The Senate met in regular session at 9:02 a.m., President Anderson presiding.

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

The Journal of Wednesday, January 15, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the day and January 17, 1986, on request of Senator Hultman; Senator Vande Hoef for the morning on request of Senator Holden.

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

The Senate resumed session, President Anderson presiding.

INTRODUCTION OF BILL

Senate File 2050, by Committee on Agriculture, a bill for an act relating to the security interest in farm products and providing an effective date.

Read first time and **placed on calendar**.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 102, duly adopted, the Senate proceeded to the House under the direction of the Parliamentarian and the Sergeant-at-arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 102, duly adopted, the joint convention was called to order at 10:00 a.m., President Anderson presiding.

Senator Hutchins moved that the roll call be dispensed with and that the President of the joint convention be authorized to declare a quorum present, which motion prevailed by a voice vote.

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

Senator Hutchins moved that a committee of four, two members from the Senate and two members from the House, be appointed to escort Governor Terry E. Branstad to the State of the Judiciary Department Message.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Riordan and Waldstein, on the part of the Senate, and Representatives Varn and Petersen, on the part of the House.

Senator Hutchins moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify the Honorable W.W. Reynoldson, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Doyle, Coleman and Taylor, on the part of the Senate, and Representatives Jay, Chapman and Kremer, on the part of the House.

State Officials Robert Lounsberry, Secretary of Agriculture; Michael Fitzgerald, Treasurer of State and Tom Miller, Attorney General, were escorted into the House chamber.

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

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

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

President Anderson then presented Chief Justice Reynoldson, who delivered the following State of the Judicial Department Message:

Mr. President, Mr. Speaker, Governor Branstad, Senators, Representatives, State Officials, Justices and Judges, Distinguished Guests, and fellow Iowans:

We first were invited here eight years ago to report on the condition of Iowa's judicial branch of government. Today I feel more comfortable, for I see in this chamber the faces of so many friends: Senators and Representatives I have grown to know, respect, and admire. We think the information we bring may assist you this session in reaching several decisions that will determine the pace and quality of justice our mutual constituents shall experience for years to come.

If you will indulge one of the oldest persons in the room in offering unsolicited advice, this will be a session when you might listen less to the doomsayers. History and experience can teach us much about times like these—including the wisdom of always using our heads while not entirely ignoring our hearts.

I am an Iowan not by birth, but by deliberate choice. During all of my "teen" years, my farm family suffered the depression of the '30s and Nebraska's long searing drought. When we left, the bank owned the farm my grandfather homesteaded. I shall never forget, however, my first and lasting impressions of beautiful Iowa: rich soil, green grass in the roadside ditches instead of tumbleweeds, ears of corn as long and heavy as a man's forearm hanging over the fences, a friendly people with a strong work ethic and solid values. Those great and irreplaceable resources—strong people and rich land—are still here, and with reasonable care and attention, shall remain.

It is true that we gather in a time of temporary traumatic social and economic change, when the future and fortunes of many Iowans ride on our trial dockets (a 6.3 percent increase in 1985), and when violence and threats of violence make it imperative that troubled people have ready access to, and the opportunity to be promptly heard, in our courts.

It is a time when the legislature and the Governor agree that the executive branch must be streamlined and reorganized. We can relate to that, because the judicial branch is already well along with the reorganization you so carefully and wisely charted for us. Your study by three successive joint interim committees resulted in the 1983 adoption of the court reorganization that is now contained in Iowa Code Chapter 602.

Among other improvements, this bill brings together and coordinates, over a five-year period ending in Fiscal Year 88, the several components serving the judicial system. The non-expanded goal of making all state government more effective and responsive underscores the recommendation of the Governor, and

many of you individually, that the restructuring of the judicial branch continue in accordance with your 1983 blueprint.

The sound reasons that supported court reorganization are recorded in your interim committee reports, but let us explore one dimension of the problem Chapter 602 was designed to solve. The judicial branch began keeping case load statistics in 1956. An examination of these statistics from 1956 through 1985 dramatically demonstrates the growth of litigation. In this 29-year period probate filings increased 52 percent, civil cases 135 percent, juvenile cases 243 percent, and criminal cases 570 percent. During the same period, the number of district judges increased from 70 to 99, a 41 percent.

How have we collectively sought to cope with it all: increases in judicial business of 52 percent, 135 percent, 243 percent, and 570 percent?

First, we observe that Iowa's trial judges have worked, and continue to work, longer and harder, despite the fact that inflation has drained the purchasing power of their salaries 47 percent in the last eight years.

Second, you have responded by providing some personnel support for the judicial districts, including law clerks for pure research, court administrators, case coordinators, and other professional managers. This permits the judges more time for judging. Your innovative efforts also have provided a small cadre of experienced part-time senior judges.

Your reorganization action in 1983 overhauled an archaic and inefficient support structure originally designed to serve county courts, which were abolished in 1868. Under this progressive legislation, jury fees have been paid by the state since October 1, 1983. Shorthand reporters became a part of the judicial department July 1, 1984; court attendants January 1, 1985; and juvenile court officers July 1, 1985. Each year the state has reallocated from the counties additional court-generated revenues. Through the current fiscal year this reallocation will generate a substantial net gain for the state general fund.

Your Chapter 602 blueprint calls for the state to assume expense of the offices of the clerks of the Iowa District Court, and to consolidate the personnel of those offices into the state judicial system, on July 1, 1986. This will permit the third branch to keep and train professional persons to accelerate the paper flow and case management demanded by its staggering case load. It will eliminate the conflicting tax source considerations that have resulted in costly and artificial barriers between the functions of recordation, money collections, jury management, and court administration.

The judicial system and the clerks' offices have worked hard together in preparation for this transition. Budgets have been finalized with the invaluable assistance of the district fiscal officers. Job descriptions have been developed, along with explanations of benefits. Three judicial districts held elections for bargaining representation on December 19. Collective bargaining efforts between the organized clerks' offices and the judicial department are ongoing and aimed for

July 1, 1986. The hiring moratorium you statutorily fixed is currently in effect for the clerks.

The clerks, individually and through their association, continue to support your reorganization legislation. The necessity to phase in the restructuring of the judicial branch has made it difficult for them, because many financially hard-pressed counties have lost interest in these offices. Last fall, in judicial district budget submissions before the Supreme Court, we learned the clerks were governmental orphans, that broken equipment has not been replaced and personnel vacancies have not been funded. We ask only for some indispensable equipment in this budget, but a failure to continue the reorganization at this point would further demoralize these persons and hamstring vital court operations.

In keeping its commitment on July 1, 1986, the state will send two important messages:

First, it will tell the farmers, homeowners, and main street merchants that the burden of the state's court system will no longer ride on their backs, but will be carried by all Iowans who, in the final analysis, have the benefits of its protection and the right to utilize its services.

Second, the state will make the point that government reorganization does not always mean pushing unavoidable expenses down to a lower governmental unit and a narrower tax base, a "solution" now so prevalent at the national level: Rather, the concept of reorganization involves a rational reexamination and restructuring of basic governmental functions to arrive at the model that generates the highest overall economy and effectiveness for Iowa's citizens.

The \$56 million budget for the coming fiscal year that we submit today thus includes funding for the offices of the clerks of court and expenses of the state judicial officers, at a combined cost of \$22.9 million. Through careful budgeting and scrutiny, this figure is \$2.5 million below our tentative estimates submitted last year. The budget includes expenditures for the other components, already brought in by the reorganization, that are over \$1 million less than the total approved by your justice system appropriations subcommittee in the 1985 session. This is the result of increased experience, effective management of the more recently acquired components, and careful scrutiny by staff and judicial officers.

Maintaining chapter 602 on course will bring in anticipated additional revenues of \$2.4 million in fiscal year 87. Thus far, during implementation of chapter 602, new court-generated revenues for the state general fund have exceeded expenditures for state court reorganization by \$20 million. When we add fiscal year 87 and the assumption of clerks' office costs, such receipts will still exceed expenditures by \$5.4 million during the four-year period. In the first two years under court reorganization, court-generated revenues remitted to the state soared 470 percent, from \$3.7 to \$21.3 million, and are expected to reach \$29.3 million in fiscal year 87. After assumption of the clerks' offices, third branch personnel will comprise about 4.3 percent of the state's employees. The judicial system budget will total about 2.5 percent of the total state budget.

In summary, your judicial branch reorganization generates more and speedier judicial production on less judge power. Continuing this year, it will provide tax relief for hard-pressed farmers, whose largest single farm expenditure may well be their real estate tax bill.

We also have submitted, pursuant to your directions, a supplemental request for \$600,000 for current fiscal year 86.

Following the frantic closing hours of the 1985 session, there appeared in these halls large campaign-type buttons carrying the words, "I think I survived the 1985 session." The judicial branch did not quite make it, a fact we promptly reported to leadership on both sides of the aisle when we finished counting our casualties.

As a result of the seven percent cut we sustained late in the session, only four of our budget categories—judicial branch salaries, travel, communications, and jury and witness fees—total 97 percent of the present Fiscal Year 86 appropriation. The balance is wholly insufficient for law books, office supplies, equipment maintenance, and all the other essentials. Without our supplemental asking, the courtroom doors necessarily will close for some Iowans, a chilling prospect that will reverse our long-standing objective of taking the courts to the people. We are confident you will respond, as you have in the past, to the state's need for full court services for the balance of this fiscal year.

Those of you who have worked with him must share our admiration for state court administrator William O'Brien, whose talents were nationally recognized this year by his election as President of the Conference of State Court Administrators. His national office has given him an additional perspective on state court operations. He can verify that Iowa's legislative and executive branches have been leaders in responding to today's demands for judicial services. Other states continue to adopt state court funding of their court systems, most recently California in 1985.

Two recurring topics should not be overlooked merely because they are so familiar. During this interim you have studied the judgeship allocation formula and judicial retirement. We ask you to proceed carefully and thoughtfully on these issues, for ultimately the stake is nothing less than the quality of justice in Iowa.

This need is not new. In approximately 350 B.C., the great Greek philosopher, Plato, writing about magistrates who "should [be] trained in the habits of law, and be well educated, that they may have a right judgment," added that even the best of statutes can be made "ridiculous and useless" by unsuitable judges.

Assessing these needs for a quality judiciary and an efficient court structure will not be easy for you in these stressful times when organized, articulate, and strong constituencies compete for your attention. You do not need me to tell you the cause of justice has no organized constituency, the thousands of Iowans served by the judicial branch are not organized. No one speaks for them. They are at arm's length with one another. Most never expected to be in court, and all hope never to return. Still, providing the full measure of justice they require--now more than ever--is a special trust placed in your keeping, not by the clamor of political forces, but by the awesome appropriation power delegated to you in the Iowa Constitution.

We are proud of Iowa's trial judges, represented in these chambers today by the chief judges of the eight judicial districts. These chief judges will meet this afternoon as the judicial council considers, among other matters, appointment of district committees of judges, lawyers, and lay persons to devise means to implement the case disposition time standards adopted as a goal by the supreme court on August 22, 1985.

Our pride in the district court includes the district associate judges and magistrates, and the clerks of court. Together, they disposed of more than 800,000 simple misdemeanors, small claims, and scheduled violations in 1985.

On the appellate level, our six-person Iowa Court of Appeals broke all prior records by disposing of 637 cases in 1985 and they deserve Iowa's commendation.

In addition to its adjudicatory function, Iowa's supreme court has sought to combine its assigned constitutional duty of supervising and administering the judicial branch with the progressive leadership demanded by changing times. Our goals always have been the delivery of quality justice without delay, and the protection of Iowans who utilize, or may utilize, legal and judicial services. In this we have had the unfailing cooperation and assistance of Iowa's lawyers and judges.

Additionally, we somehow have found time to attend to a myriad of responsibilities not involving immediate litigation. For example, we are cooperating with executive branch agencies in addressing common problems relating to children and families: with the Department of Human Services regarding child placement initiatives and studies; with the Iowa Criminal and Juvenile Justice Planning Agency on proposals to strengthen juvenile court processes and avoid, if possible, the dangers of child prisoners in county jails. We have been engaged in a continuing endeavor with Drake University Law School's Iowa Center for Law-Related Education to install in Iowa's school systems instructional units designed to teach respect for the law and its contribution to civilized society. Next month, on February 7, we will cosponsor with the center

and others a law-related education conference that will be attended by educators from across the state.

Following an exciting recommendation in the final report of the Child Placement Study Advisory Committee, the judicial branch is seeking private funding for a pilot project, to be launched in one judicial district, to link each child in the juvenile court system with a volunteer lay person advocate. This not only will assure that a single concerned adult is tracking the child's progress at all times, it will save money to the extent these volunteers can provide nonlegal services that a court-appointed attorney might otherwise perform. The concept has been legislated in other states and our pilot project should demonstrate it can be successful in Iowa.

Further, we today offer to explore with the Commission on Children, Youth and Families and other interested parties avenues that will lead to a coordination of efforts, an exchange of information, and an effective design of services in which the court and its professionals are involved, for our goal can be and is nothing less than the best interests of our children.

Before closing, we want to mention two historical landmarks, now in view on our horizon, in which you may also have an interest.

First, you may recall that in 1984, as we celebrated the centennial birthday of this Capitol, I mentioned in our message that the courtroom was not dedicated until June 8, 1886. We suspect, but cannot prove, it was a problem of judicial appropriations! In any event, on or about June 8 of this year, we will celebrate the 100th anniversary of the dedication of the State Capitol's Courtroom. A statewide planning committee, including Senator Tom Mann and Representative Betty Jean Clark, funded by the Iowa State Bar Foundation, is in place. You will be invited to join us as we go back to our judicial "roots" for further inspiration to face Iowa's future, which, I suggest, soon will be much brighter than many now envision.

Second, you may be aware that in 1987 the whole nation will be recognizing the bicentennial of the United States Constitution. The Iowa judicial branch intends to contribute to, and participate in, the birthday celebration for this fundamental law that looms so large in our daily deliberations.

Although occasionally the oath we take to follow the constitution compels us to reach unpopular decisions, it is the beacon that guides America's way to the freedoms enjoyed by no other people on earth, and it undergirds the liberty we so often take for granted.

The centennial of our own courtroom and the bicentennial of our national constitution remind us of our long tradition of justice under law. It has been said that government touches people more closely in the courtroom than at any other point in their lives. Iowans have always demanded, as well they should, that all courtroom encounters be just ones, for justice is, as Daniel Webster said, "The ligament which holds civilized beings and civilized nations together."

Together, we have accomplished much. Together still, we should be about the work of providing Iowans an ever-improving quality of justice through their courts.

Thank you.

Chief Justice Reynoldson was escorted from the House chamber by the committee previously appointed.

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

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

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

RECESS

On motion of Senator Gronstal, the Senate recessed at 11:43 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE AND TRANSPORTATION

Convened: January 15, 1986, 10:45 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Organization and general discussion of budget.

Adjourned: 11:11 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 15, 1986, 10:45 a.m.

Members Present: Horn, Chair; Nystrom, Ranking Member; Gratias and Small.

Members Absent: Brown, Vice Chair (excused).

Committee Business: Organizational Meeting.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 15, 1986, 10:50 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: none.

Committee Business: Committee members were reminded of the January 15 public meeting at 4:00 p.m. regarding Medicaid Reimbursement; Steve Timmons, LFB, conducted an overview of the budget forms the subcommittee would be working with.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 15, 1986, 10:40 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Waldstein and Carr (arrived 11:05 a.m.).

Members Absent: none.

Committee Business: Organizational meeting.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: January 15, 1986, 10:42 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member; Jensen and Riordan.

Members Absent: none.

Committee Business: Fiscal Bureau presented a brief overview of the budget process based on reorganization.

Adjourned: 11:08 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 15, 1986, 10:40 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member and Corning.

Members Absent: Mann (excused).

Committee Business: Discuss agenda, Joint Rule 20, budget forms and supplemental requests.

Adjourned: 11:05 a.m.

AGRICULTURE

Convened: January 15, 1986, 3:30 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentations by Wallace Dick, Commerce Commission; Denise Horner, Insurance Commission and Dean Mitchell, IGF Insurance.

Adjourned: 4:25 p.m.

EDUCATION

Convened: January 15, 1986, 2:40 p.m.

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

Members Absent: Corning (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:00 p.m.

ENERGY AND ENVIRONMENT

Convened: January 15, 1986, 9:03 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr (arrived 9:04 a.m.), Hultman, A. Miller and Rife.

Members Absent: Brown and Soorholtz.

Committee Business: Discussed interim subcommittee work and announced bills from the 1985 session would be reassigned at next meeting.

Adjourned: 9:04 a.m.

NATURAL RESOURCES

Convened: January 15, 1986, 8:00 a.m.

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

Members Absent: Doyle.

Committee Business: Reassigned bills from the 1985 session to subcommittees.

Adjourned: 8:12 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 16, 1986, 8:35 a.m.

Members Present: Boswell, Vice Chair; Rife, Ranking Member; Doyle, Fraise, Peterson, Ritsema and Vande Hoef.

Members Absent: Small, Chair (excused), Readinger, Riordan and Waldstein (excused).

Committee Business: Reassigned bills from the 1985 session to subcommittees.

Adjourned: 8:44 a.m.

TRANSPORTATION

Convened: January 15, 1986, 2:30 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair (arrived 2:35 p.m.); Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, A. Miller and Nystrom.

Members Absent: Kinley (excused).

Committee Business: Assigned bill to subcommittee; approved LSB 4571 as a committee bill.

Adjourned: 2:40 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2050 (SSB 2013), a bill for an act relating to the security interest in farm products.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2051, a bill for an act relating to the attachment of child and spousal support liens to real property and providing a retroactive effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS

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

COMMUNITY CULTURAL GRANTS COMMISSION

On January 16, 1986, a copy of the Annual Report of the Iowa Community Cultural Grant submitted by the Community Cultural Grants Commission.

INSURANCE DEPARTMENT

On January 15, 1986, a copy of the Iowa Health Data Commission's Annual Report pursuant to Sec. 145.6, Code of Iowa.

OFFICE FOR PLANNING AND PROGRAMMING

On January 13, 1986, a copy of the 1985 Annual Report on Community Action Programs in Iowa, pursuant to Sec. 7A.28, Code of Iowa.

On January 14, 1986, a copy of the 1985 Annual Report of the Job Training Partnership Program in Iowa, pursuant to Chapter 7B, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS**Senate File 5**

EDUCATION: Gratias, Chair; Murphy and Wells

Senate File 17

EDUCATION: Corning, Chair; Murphy and Hannon

Senate File 20

EDUCATION: Gratias, Chair; Taylor and Wells

Senate File 43

EDUCATION: Taylor, Chair; Gratias and Murphy

Senate File 89

EDUCATION: Riordan, Chair; Gratias and Murphy

Senate File 93

EDUCATION: Riordan, Chair; Gratias and Murphy

Senate File 132

EDUCATION: Horn, Chair; Wells and Gratias

Senate File 152

EDUCATION: Horn, Chair; Colton and Corning

Senate File 190

EDUCATION: Hannon, Chair; Murphy and Corning

Senate File 193

EDUCATION: Corning, Chair; Taylor and Wells

Senate File 196

EDUCATION: Horn, Chair; Riordan and Gratias

Senate File 197

EDUCATION: Corning, Chair; Colton and Gratias

Senate File 243

EDUCATION: Gratias, Chair; Murphy and Wells

Senate File 279

EDUCATION: Colton, Chair; Hannon and Taylor

Senate File 300

EDUCATION: Gratias, Chair; Corning and Colton

Senate File 305

EDUCATION: Murphy, Chair; Gratias and Riordan

Senate File 311

EDUCATION: Taylor, Chair; Gratias and Wells

Senate File 327

EDUCATION: Wells, Chair; Murphy and Corning

Senate File 357

EDUCATION: Gratias, Chair; Wells and Horn

Senate File 427

EDUCATION: Corning, Chair; Hannon and Wells

Senate File 462

ENERGY AND ENVIRONMENT: Gronstal, Chair; Colton and Rife

Senate File 593

EDUCATION: Wells, Chair; Hannon and Corning

Senate File 2002

AGRICULTURE: Hester, Chair; Waldstein and Husak

Senate File 2003

AGRICULTURE: Priebe, Chair; Husak and Waldstein

Senate File 2010

AGRICULTURE: Palmer, Chair; Fraise and Vande Hoef

Senate File 2020

STATE GOVERNMENT: Carr, Chair; Bruner, Dieleman, Nystrom and Drake

Senate File 2022

HUMAN RESOURCES: Gentleman, Chair; Bruner and Vande Hoef

Senate File 2024

EDUCATION: Murphy, Chair; Riordan and Gratias

Senate File 2026

JUDICIARY: Ritsema, Chair; Small and Mann

Senate File 2028

JUDICIARY: Mann, Chair; Doyle and Ritsema

Senate File 2029

JUDICIARY: Doyle, Chair; Horn and Holt

Senate File 2039

JUDICIARY: Horn, Chair; Mann and Ritsema

Senate Concurrent Resolution 54

EDUCATION: Colton, Chair; Riordan and Corning

House File 547

HUMAN RESOURCES: Murphy, Chair; Bruner, Gentleman, Readinger and Hannon.

SSB 2013

AGRICULTURE: A. Miller, Chair; Boswell, Husak, Soorholtz and Hester.

SSB 2014

AGRICULTURE: A. Miller, Chair; Boswell, Husak, Soorholtz and Hester

SSB 2026

ENERGY AND ENVIRONMENT: Gronstal, Chair; Soorholtz and Carr

LSB 7612 SF

AGRICULTURE: Husak, Chair; Fraise and Soorholtz

LSB 7614 SF

AGRICULTURE: Husak, Chair; Fraise and Soorholtz

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2051, by Committee on Judiciary, a bill for an act relating to the attachment of child and spousal support liens to real property and providing a retroactive effective date.

Read first time and **placed on calendar**.

Senate File 2052, by Committee on State Government, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date.

Read first time and **placed on calendar**.

QUORUM CALL

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

The vote revealed 41 present, 8 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Holt and Hultman for the afternoon on request of Senator Jensen.

WITHDRAWN

Senator Ritsema asked and received unanimous consent that **Senate File 210** be withdrawn from further consideration of the Senate.

Senator Priebe asked and received unanimous consent that **Senate File 281** be withdrawn from further consideration of the Senate.

Senator Holden asked and received unanimous consent that **Senate File 221** be withdrawn from further consideration of the Senate.

Senator Corning asked and received unanimous consent that **Senate File 233** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2017.

House File 2017

On motion of Senator Horn, House File 2017, a bill for an act relating to gambling by permitting lottery tickets and shares to be sold on the premises of establishments that serve or sell alcoholic beverages, wine, or beer, providing that the pari-mutuel betting and lottery statutes are exceptions to gambling restrictions contained in chapter 99B, and providing for an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5004 filed by Senators Holden, et al., on January 15, 1986, to page 1 of the bill.

Senator Welsh raised the point of order that amendment S—5004 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5004 out of order because the amendment addressed the promotional aspects and did not deal with the body of the bill.

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. 2017) the vote was:

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

Ayes, 31:

Brown	Carr	Coleman	Colton
Corning	Deluhery	Doyle	Drake
Fraise	Gettings	Gratias	Gronstal
Hall	Hannon	Hester	Horn
Husak	Hutchins	Kinley	Miller, A.V.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Small	Soorholtz
Tieden	Wells	Welsh	

Nays, 13:

Boswell	Bruner	Dieleman	Gentleman
Goodwin	Holden	Jensen	Mann
Nystrom	Riordan	Ritsema	Vande Hoef
Waldstein			

Absent or not voting, 5:

Holt	Hultman	Miller, C.P.	Schwengels
Taylor			

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the afternoon on request of Senator Jensen.

WITHDRAWN

Senator Horn asked and received unanimous consent that **Senate Files 298 and 335** be withdrawn from further consideration of the Senate.

Senator Mann asked and received unanimous consent that **Senate Files 340 and 478** be withdrawn from further consideration of the Senate.

Senator Gronstal asked and received unanimous consent that **Senate File 457** be withdrawn from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2017** be **immediately messaged** to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the day on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2049.

Senate File 2049

On motion of Senator Coleman, Senate File 2049, a bill for an act relating to the purchases of American made products and purchases from American based businesses, was taken up for consideration.

Senator Jensen asked unanimous consent that further action on Senate File 2049 be deferred.

Objection was raised by Senator Coleman.

Senator Coleman withdrew his objection and action on **Senate File 2049** was **deferred**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 102.

Senate Concurrent Resolution 102

On motion of Senator Boswell, Senate Concurrent Resolution 102, a concurrent resolution protesting the proposed corn loan rates, was taken up for consideration.

Senator Boswell moved the adoption of Senate Concurrent Resolution 102, which motion prevailed by a voice vote and the resolution was adopted.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

SF	2045	Agriculture
SF	2046	Education
SF	2047	Local Government
SF	2048	Transportation

STUDY BILLS RECEIVED

SSB 2027 Agriculture

Relating to loans for ethanol production.

SSB 2028 Agriculture

Relating to bonded warehouses for agricultural products, and providing an effective date.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2052 (SSB 2020), a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Horn, Rife, Welsh and Gentleman. Nays, none. Absent or not voting, 4: Nystrom, Mann, Schwengels and C. Miller.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 736, a bill for an act to include a physician's assistant on the board of medical examiners.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Dieleman, Bruner, Coleman, Corning, Drake, Horn, Rife and Welsh. Nays, 1: Gentleman. Absent or not voting, 4: Nystrom, Mann, C. Miller and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5006

S. C. R.

101

Douglas Ritsema

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:35 p.m., until 10:00 a.m., Monday, January 20, 1986.

JOURNAL OF THE SENATE

EIGHTH CALENDAR DAY
FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 20, 1986

The Senate met in regular session at 10:14 a.m., President Anderson presiding.

Prayer was offered by the Reverend Tecumshea S. Holmes, pastor of the Burns United Methodist Church, Des Moines, Iowa.

The Journal of Thursday, January 16, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Gratijs and Schwengels for the day on request of Senator Hultman; Senators Mann and Miller of Des Moines for the day and Senator Coleman for the morning on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2041.

Senate File 2041

On motion of Senator Horn, Senate File 2041, a bill for an act relating to schedule I and schedule II controlled substances regulated by the board of pharmacy examiners, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2041) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Miller, A.V.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 8:

Brown	Coleman	Gratias	Gronstal
Mann	Miller, C.P.	Murphy	Schwengels

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2042.

Senate File 2042

On motion of Senator Doyle, Senate File 2042, a bill for an act relating to the costs of collecting and distributing support payments, was taken up for consideration.

President pro tempore Wells took the chair at 10:26 a.m.

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

On the question "Shall the bill pass?" (S.F. 2042) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley

Miller, A.V.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 9:

Brown	Coleman	Gratias	Gronstal
Mann	Miller, C.P.	Murphy	Schwengels
Wells			

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2043.

Senate File 2043

On motion of Senator Doyle, Senate File 2043, a bill for an act relating to qualification of nonprofit corporations as conservators, was taken up for consideration.

Senator Doyle offered amendment S—5005 filed by the committee on Judiciary on January 15, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5005 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2043) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Small	Soorholtz

Taylor
Welsh

Tieden

Vande Hoef

Waldstein

Nays, none.

Absent or not voting, 8:

Brown
Miller, C.P.

Coleman
Murphy

Gratias
Schwengels

Mann
Wells

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

WITHDRAWN

Senator Taylor asked and received unanimous consent that **Senate Files 234** and **235** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2044.

Senate File 2044

On motion of Senator Doyle, Senate File 2044, a bill for an act relating to the admissibility of the reports and findings of the criminalistics laboratory in forfeiture proceedings, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2044) the vote was:

Ayes, 41:

Boswell
Corning
Drake
Goodwin
Hester
Hultman

Bruner
Deluhery
Fraise
Gronstal
Holden
Husak

Carr
Dieleman
Gentleman
Hall
Holt
Hutchins

Colton
Doyle
Gettings
Hannon
Horn
Jensen

Kinley	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Welsh			

Nays, none.

Absent or not voting, 8:

Brown	Coleman	Gratias	Mann
Miller, C.P.	Murphy	Schwengels	Wells

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

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

Senate Concurrent Resolution 101

On motion of Senator Boswell, Senate Concurrent Resolution 101, a concurrent resolution commemorating those who have lost their lives because of the farm crisis, was taken up for consideration.

Senator Ritsema offered amendment S—5006 filed by him on January 16, 1986, to page 1 of the resolution and moved its adoption.

Amendment S—5006 was adopted by a voice vote.

Senator Boswell moved the adoption of Senate Concurrent Resolution 101 as amended, which motion prevailed by a voice vote and the resolution was adopted as amended.

Senator Miller of Cerro Gordo asked and received unanimous consent to take up for consideration Senate File 2050.

Senate File 2050

On motion of Senator Miller of Cerro Gordo, Senate File 2050, a bill for an act relating to the security interest in farm products and providing an effective date, was taken up for consideration.

Senator Priebe offered amendment S—5008 filed by Senators Priebe, Husak and Tieden from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5008 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2050) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Peterson

Absent or not voting, 5:

Coleman	Gratias	Mann	Miller, C.P.
Schwengels			

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

WITHDRAWN

Senator Jensen asked and received unanimous consent that **Senate File 226** be withdrawn from further consideration of the Senate.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2050 passed the Senate on January 20, 1986.

JACK RIFE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2050 passed the Senate on January 20, 1986.

ALVIN V. MILLER

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Dieleman asked and received unanimous consent to take up for consideration Senate File 2052.

Senate File 2052

On motion of Senator Dieleman, Senate File 2052, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date, 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. 2052) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Small	Soorholtz	Taylor
Vande Hoef	Wells	Welsh	

Nays, 1:

Tieden

Absent or not voting, 5:

Coleman	Mann	Miller, C.P.	Schwengels
Waldstein			

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

Senator Dieleman asked and received unanimous consent to take up out of order House File 736.

House File 736

On motion of Senator Dieleman, 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 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. 736) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Gronstal
Hannon	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Murphy	Priebe
Rife	Riordan	Small	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, 15:

Corning	Gentleman	Goodwin	Hall
Hester	Holden	Holt	Horn
Nystrom	Palmer	Peterson	Readinger
Ritsema	Soorholtz	Wells	

Absent or not voting, 6:

Coleman	Gratias	Hultman	Mann
Miller, C.P.	Schwengels		

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

INTRODUCTION OF BILLS

Senate File 2053, by Horn, a bill for an act relating to the reorganization and financing of school districts, including minimum enrollment requirements, payment of principal and interest on lawful bonded indebtedness, adjusting the amount of the foundation property tax levy, adjusting the additional property tax levy, providing an additional discretionary amount for school districts, using state aid and levying a discretionary property tax, and making appropriations.

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

Senate File 2054, by Committee on Judiciary, a bill for an act to require that information relating to drunken driving be issued to drivers at the time of license renewal.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 103, by Riordan, a concurrent resolution to commemorate Dr. Martin Luther King, Jr. Day.

Read first time and assigned to the committee on **Rules and Administration**.

REQUEST FOR IMMEDIATE MESSAGE WITHDRAWN

Senator Hutchins asked unanimous consent that Senate Files 2041, 2042, 2043, 2044, 2052, Senate Concurrent Resolution 101 and House File 736 be immediately messaged to the House.

Senator Hutchins withdrew his request.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:54 a.m., until 4:00 p.m.

APPENDIX

COMMUNICATIONS

The following communications were received in the office of the Secretary of the Senate on January 6, 1986:

January 2, 1986

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

Dear Ms. Thayer:

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

These include 82 claims of a general nature that have been denied by the State Appeal Board during May - December, 1985.

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

Sincerely,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

January 6, 1986

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

Dear Ms. Thayer:

In accordance with Section 25A.12, Code of Iowa, we are hereby submitting to the General Assembly all General Tort claims, Highway Tort claims, and Settlements & Judgments (general and highway) paid during 1985 by the State Appeal Board under Chapter 25A.

The attached report shows the name of each claimant, a brief description of each claim, the amount claimed and the amount approved.

Sincerely,
WILLIAM KRAHL
State Comptroller

Receipt of the above is hereby acknowledged.

K. MARIE THAYER,
Secretary of the Senate

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

REPORTS OF COMMITTEE MEETINGS

ENERGY AND ENVIRONMENT

Convened: January 16, 1986, 2:42 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr, Gronstal, A. Miller, Brown (arrived 2:43 p.m.); Rife and Soorholtz (both arrived 2:44 p.m.)

Members Absent: Hultman (excused).

Committee Business: Alan Stokes of the Iowa Department of Water and Waste Management presented proposed bills, which were discussed by the committee; assigned bills to subcommittees; reassigned bills from the 1985 session to subcommittees.

Adjourned: 3:12 p.m.

JUDICIARY

Convened: January 16, 1986, 1:30 p.m.

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

Members Absent: Drake.

Committee Business: Assigned bills to subcommittees; approved SSB 2021 and LSB 7034SF as committee bills.

Adjourned: 2:05 p.m.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 2054 (SSB 2021), a bill for an act to require that information relating to drunken driving be issued to drivers at the time of license renewal.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 103, a concurrent resolution to commemorate January 20, 1986, as Dr. Martin Luther King, Jr. Day.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file by:

Senator Tieden from thirty-five residents of Clayton County opposing legislation merging the Iowa Braille and Sight Saving School for the Blind with the Iowa School for the Deaf.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2001

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

Senate Joint Resolution 2002

STATE GOVERNMENT: Mann, Chair; Coleman and Dieleman

Senate File 52

STATE GOVERNMENT: Carr, Chair; Bruner, Dieleman, Drake and Nystrom

Senate File 105

STATE GOVERNMENT: Carr, Chair; Bruner, Dieleman, Drake and Nystrom

Senate File 139

STATE GOVERNMENT: Dieleman, Chair; Corning and Rife

Senate File 145

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

Senate File 161

HUMAN RESOURCES: Wells, Chair; Murphy and Vande Hoef

Senate File 170

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

Senate File 236

STATE GOVERNMENT: Welsh, Chair; Carr and Nystrom

Senate File 312

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

Senate File 390

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

Senate File 519

JUDICIARY: Mann, Chair; Small and Holt

Senate File 529

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

Senate File 535

JUDICIARY: Doyle, Chair; Mann and Ritsema

Senate File 2009

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 2017

STATE GOVERNMENT: Welsh, Chair; Dieleman and Drake

Senate File 2027

STATE GOVERNMENT: Rife, Chair; Schwengels and Horn

Senate File 2031

STATE GOVERNMENT: Schwengels, Chair; Drake and Welsh

House File 35

JUDICIARY: Horn, Chair; Carr and Gentleman

House File 681

HUMAN RESOURCES: Wells, Chair; Hannon and Gratias

House File 721

JUDICIARY: Small, Chair; Deluhery and Taylor

SSB 2031

JUDICIARY: Doyle, Chair; Mann, Small, Ritsema and Gentleman

AFTERNOON SESSION

The Senate reconvened at 4:12 p.m., President Anderson presiding.

QUORUM CALL

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

The vote revealed 40 present, 9 absent and a quorum present.

WITHDRAWN

Senator Gratias asked and received unanimous consent that **Senate File 272** be withdrawn from further consideration of the Senate.

Senator Corning asked and received unanimous consent that **Senate File 427** be withdrawn from further consideration of the Senate.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for immediate consideration Senate Concurrent Resolution 103.

Senate Concurrent Resolution 103

On motion of Senator Riordan, Senate Concurrent Resolution 103, a resolution to commemorate January 20, 1986, as Dr. Martin Luther King, Jr. Day, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved the adoption of Senate Concurrent Resolution 103, which motion prevailed by a voice vote and the resolution was adopted.

UNFINISHED BUSINESS (Deferred January 16, 1986)

Senate File 2049

The Senate resumed consideration of Senate File 2049, a bill for an act relating to the purchases of American made products and purchases from American based businesses, deferred on January 16, 1986.

Senator Jensen offered amendment S—5007 filed by him from the floor to page 1 of the bill and called for a division: lines 2 through 9 as division S—5007A; lines 10 through 12 as division S—5007B; lines 16 through 19 as division S—5007C and lines 13 through 15 as division S—5007D.

Senator Jensen moved the adoption of division S—5007A and requested a record roll call.

On the question “Shall division S—5007A be adopted?” (S.F. 2049) the vote was:

Ayes, 16:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Hultman	Jensen
Nystrom	Readinger	Rife	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 26:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Riordan	Ritsema	Small
Wells	Welsh		

Absent or not voting, 7:

Boswell	Holden	Holt	Kinley
Mann	Miller, C.P.	Schwengels	

Division S—5007A lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell for the afternoon on request of Senator Hutchins.

BUSINESS PENDING

Senate File 2049

The Senate resumed consideration of Senate File 2049.

Senator Jensen moved the adoption of division S—5007B.

A non record roll call was requested.

The ayes were 19, nays 22.

Division S—5007B lost.

Senator Jensen moved the adoption of division S—5007C.

A non record roll call was requested.

The ayes were 20, nays 23.

Division S—5007C lost.

Senator Jensen withdrew division S—5007D.

President pro tempore Wells took the chair at 4:49 p.m.

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

On the question “Shall the bill pass?” (S.F. 2049) the vote was:

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

Ayes, 24:

Brown	Bruner	Carr	Colton
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Miller, A.V.
Murphy	Palmer	Peterson	Priebe
Riordan	Soorholtz	Wells	Welsh

Nays, 18:

Coleman	Corning	Drake	Gentleman
Goodwin	Gratias	Hester	Hultman

Jensen	Nystrom	Readinger	Rife
Ritsema	Small	Taylor	Tieden
Vande Hoef	Waldstein		

Voting present, 1:

Holt

Absent or not voting, 6:

Boswell	Holden	Kinley	Mann
Miller, C.P.	Schwengels		

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2049 failed to pass the Senate on January 20, 1986.

C. JOSEPH COLEMAN

APPENDIX

STUDY BILLS RECEIVED

SSB 2029 State Government

Relating to the board of parole.

SSB 2030 State Government

To allow Sunday sales for class "B" wine permittees.

SSB 2031 Judiciary

Relating to the offense of operating a motor vehicle while under the influence of alcohol or drugs.

AMENDMENTS FILED

S—5007	S.F.	2049	John W. Jensen
S—5008	S.F.	2050	Berl E. Priebe
			Emil J. Husak
			Dale L. Tieden

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:17 p.m., until 9:00 a.m., Tuesday, January 21, 1986.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 21, 1986

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

Prayer was offered by the Reverend George Weitzel, pastor of the Nishna Valley United Methodist Church, Emerson, Iowa.

The Journal of Monday, January 20, 1986, was approved.

INTRODUCTION OF BILLS

Senate File 2055, by Husak, a bill for an act eliminating unattended coin-operated car wash and wax services as taxable services for purposes of the state sales, services, and use tax.

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

Senate File 2056, by Dieleman, a bill for an act relating to the priorities of the consumer advocate in representing the interests of consumers and the general public.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:12 a.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 20, 1986, 3:15 p.m.

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

Members Absent: none.

Committee Business: Reassigned bills from the 1985 session to subcommittees and discussed and deferred action on Senate File 400.

Adjourned: 3:35 p.m.

RULES AND ADMINISTRATION

Convened: January 20, 1986, 11:58 a.m.

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

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 103.

Adjourned: 11:59 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 88

COMMERCE: Palmer, Chair; Peterson and Holden

Senate File 396

COMMERCE: Peterson, Chair; Priebe and Holden

Senate File 397

EDUCATION: Murphy, Chair; Corning and Colton

Senate File 403

EDUCATION: Murphy, Chair; Colton and Corning

Senate File 408

EDUCATION: Murphy, Chair; Wells and Gratias

Senate File 420

COMMERCE: Priebe, Chair; Holden and Peterson

Senate File 448

COMMERCE: Kinley, Chair; Deluhery, Holden and Tieden

Senate File 536

EDUCATION: Colton, Chair; Horn and Corning

Senate File 543

COMMERCE: Palmer, Chair; Kinley and Holden

Senate File 545

COMMERCE: Holden, Chair; Peterson and Gronstal

Senate File 550

EDUCATION: Murphy, Chair; Wells, Corning, Gratias and Colton

Senate File 566

COMMERCE: Holden, Chair; Palmer and Kinley

Senate File 2001

LABOR & INDUSTRIAL RELATIONS: Mann, Chair; Colton and Jensen

Senate File 2005

APPROPRIATIONS: Dieleman, Chair; Schwengels and Husak

Senate File 2014

COMMERCE: Deluhery, Chair; Priebe and Tieden

Senate File 2016

APPROPRIATIONS: Gronstal, Chair; Ritsema and Colton

Senate File 2033

COMMERCE: Palmer, Chair; Kinley and Holden

Senate File 2038

COMMERCE: Tieden, Chair; Palmer and Peterson

Senate File 2046

EDUCATION: Hannon, Chair; Wells and Corning

House File 274

EDUCATION: Murphy, Chair; Hannon and Taylor

House File 450

EDUCATION: Murphy, Chair; Colton and Gratiias

House File 456

COMMERCE: Peterson, Chair; Holden and Tieden

House File 619

EDUCATION: Murphy, Chair; Wells and Hannon

House File 661

EDUCATION: Colton, Chair; Wells and Corning

House File 720

EDUCATION: Murphy, Chair; Hannon and Corning

SSB 2029

STATE GOVERNMENT: Carr, Chair; Bruner, Dieleman, Drake and Nystrom

SSB 2030

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

COMMUNICATION

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

Dear Kind Friends:

The flowers were beautiful! And thank you for your support and prayers.

You are very special people and Tom and I were so privileged to share these years with you.

With Love,
Barbara Lind

BILL REASSIGNED TO COMMITTEE

President Anderson announced the reassignment of **Senate File 2047** from the committee on **Local Government** to the committee on **Human Resources**.

BILL ASSIGNED TO COMMITTEE

President Anderson announced the assignment of **Senate File 2053** to the committee on **Education**.

STUDY BILL RECEIVED

SSB 2032 State Government

Relating to the political party affiliation of appointments to a state board, commission, or council.

AFTERNOON SESSION

The Senate reconvened at 5:15 p.m., President pro tempore Wells presiding.

INTRODUCTION OF BILL

Senate File 2057, by Corning, Colton, Hannon, and Mann, a bill for an act relating to the licensing of marital and family therapists and mental health counselors.

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

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2042 passed the Senate on January 20, 1986.

EDGAR H. HOLDEN

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:16 p.m., until 9:00 a.m., Wednesday, January 22, 1986.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 22, 1986

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

Prayer was offered by the Reverend John Mitman, pastor of the St. Paul's Episcopal Church, Des Moines, Iowa.

The Journal of Tuesday, January 21, 1986, was approved.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

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

Dear Ms. Thayer:

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

May 9, 1985

To the Iowa Advance Funding Authority pursuant to Section 442A.5, Code Supplement 1985, for six-year terms beginning immediately and ending April 30, 1991:

Betty Jo Harker, Ames, Story County, Iowa, and Marvin R. Selden, West Des Moines, Polk County, Iowa.

Gerald P. Donovan, Sioux City, Woodbury County, Iowa, to the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

May 16, 1985

David Earl Crosson, Pittsburg, Pennsylvania, as Executive Director of the Iowa State Historical Department pursuant to Section 303.3, 1985 Code of Iowa, for a term beginning August 9, 1985, and ending April 30, 1988.

May 31, 1985

Edward J. Stanek, Des Moines, Polk County, Iowa, as Commissioner of the Lottery pursuant to Section 99E.3, Code Supplement 1985, for a term beginning immediately and serving at the pleasure of the Governor.

Keith Heffernan, Waukee, Dallas County, Iowa, as Executive Director of the Office for Planning and Programming pursuant to Section 7A.1, 1985 Code of Iowa, for a term beginning immediately and serving at the pleasure of the Governor.

July 1, 1985

Lynda D. Zachar, Cedar Rapids, Linn County, Iowa, to the Advisory Investment Board (IPERS) pursuant to Section 97B.8, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

Janet A. Mortimore, Clio, Wayne County, Iowa, to the Board of Certification of Waterworks and Waste Waterworks Operators pursuant to Section 455B.214, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

Robert A. Jackson, Sr., Des Moines, Polk County, Iowa, to the Board of Parole pursuant to Section 904.2, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1988.

Marsha McGlaughlin, Jesup, Buchanan County, Iowa, to the City Development Board pursuant to Section 368.9, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

To the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2, Code Supplement 1985:

Robert D. Benton, Des Moines, Polk County, Iowa, for a four-year term beginning immediately and ending April 30, 1989.

Margaret P. Borgen, Des Moines, Polk County, Iowa, for a four-year term beginning immediately and ending April 30, 1989.

Donald C. Byers, Newton, Jasper County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

Constantine W. Curris, Cedar Falls, Black Hawk County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

William L. Lepley, Council Bluffs, Pottawattamie County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

Arthur A. Neu, Carroll, Carroll County, Iowa, for a six-year term beginning immediately and ending April 30, 1991.

Mary E. Sievert, Davenport, Scott County, Iowa, for a six-year term beginning immediately and ending April 30, 1991.

To the Iowa Community Cultural Grants Commission pursuant to Section 7A.52, Code Supplement 1985, for three-year terms beginning immediately and ending April 30, 1988:

David L. Charles, West Des Moines, Polk County, Iowa; Rita K. Courtney, Long Grove, Scott County, Iowa; Cynthia B. Lidgett, Des Moines, Polk County, Iowa; and Ronald H. Schectman, Carroll, Carroll County, Iowa.

To the Respiratory Care Advisory Committee pursuant to Section 135F.13, Code Supplement 1985:

Greg A. Hicklin, Des Moines, Polk County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

Earl L. Howard, Bloomfield, Davis County, Iowa, for a one-year term beginning immediately and ending April 30, 1986.

Benita L. Strait, Iowa City, Johnson County, Iowa, for a three-year term beginning immediately and ending April 30, 1988.

Sara E. Sutton, Fort Dodge, Webster County, Iowa, for a one-year term beginning immediately and ending April 30, 1986.

Joan M. Treirvieler, Dubuque, Dubuque County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

Pamela G. Kapple, Sigourney, Keokuk County, Iowa, to the State Board of Dental Examiners pursuant to Section 147.14(4), 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

To the State Board of Dietitian Examiners pursuant to Section 147.13, Code Supplement 1985:

Connie J. Freese, Waverly, Bremer County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

Jill M. Gift, Council Bluffs, Pottawattamie County, Iowa, for a three-year term beginning immediately and ending April 30, 1988.

Phyllis Henderson, West Des Moines, Polk County, Iowa, for a three-year term beginning immediately and ending April 30, 1988.

Jeannette L. Miller, Fort Dodge, Webster County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

Mary Jane Oakland, Ames, Story County, Iowa, for a one-year term beginning immediately and ending April 30, 1986.

James W. Vander Woude, Rock Rapids, Lyon County, Iowa, to State Board of Engineering and Land Surveying Examiners pursuant to Section 114.3, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

To the State Board of Speech Pathology and Audiology Examiners pursuant to Section 147.14(9), 1985 Code of Iowa, for unexpired terms beginning immediately and ending April 30, 1988:

Janet Irwin, Solon, Johnson County, Iowa, and Phyllis L. Kelly, Charles City, Floyd County, Iowa.

To the Title Guaranty Division Board pursuant to Section 220.2(1), Code Supplement 1985:

M. Jane Bell, Atlantic, Cass County, Iowa, for a four-year term beginning immediately and ending April 30, 1989.

Allen K. Buchanan, Algona, Kossuth County, Iowa, for a six-year term beginning immediately and ending April 30, 1991.

Robert W. DeCook, Oskaloosa, Mahaska County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

Robert K. Friedrich, Ames, Story County, Iowa, for a two-year term beginning immediately and ending April 30, 1987.

LeRoy H. Redfern, Cedar Falls, Black Hawk County, Iowa, for a four-year term beginning immediately and ending April 30, 1989.

August 22, 1985

Joe S. Warrick, Oskaloosa, Mahaska County, Iowa, to the Small Business Advisory Council pursuant to Section 28.44, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

Harlan Van Gerpen, Cedar Falls, Black Hawk County, Iowa, to the State Board of Public Instruction pursuant to Section 257.1, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1988.

August 26, 1985

Marjorie P. Groves, Jewell, Hamilton County, Iowa, to the Commission on Judicial Qualifications pursuant to Section 602.2102, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1991.

October 21, 1985

Ruth M. Roberts, Cedar Rapids, Linn County, Iowa, to the Board of Architectural Examiners pursuant to Section 118.1, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

Arthur E. Dahl, Muscatine, Muscatine County, Iowa, to the Iowa Product Development Corporation pursuant to Section 28.83, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

November 1, 1985

To the State Library Commission pursuant to Section 303A.3, Code Supplement 1985:

Opal M. Baker, Denison, Crawford County, Iowa, for a four-year term beginning immediately and ending April 30, 1989.

Donna M. Burns, Shellrock, Butler County, Iowa, for a four-year term beginning immediately and ending April 30, 1989.

Ralph A. Dorner, Des Moines, Polk County, Iowa, for reappointment to a two-year term beginning immediately and ending April 30, 1987.

Julia F. Falk, Shenandoah, Page County, Iowa, for reappointment to a two-year term beginning immediately and ending April 30, 1987.

Norman McMullin, Dubuque, Dubuque County, Iowa, for reappointment to a two-year term beginning immediately and ending April 30, 1987.

Martin D. Phelan, Davenport, Scott County, Iowa, for reappointment to a four-year term beginning immediately and ending April 30, 1989.

November 5, 1985

John Desmond Crotty, Pocahontas, Pocahontas County, Iowa, to the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1986.

January 3, 1986

Jewel Kintzinger, Grinnell, Poweshiek County, Iowa, to the Iowa Higher Education Loan Authority pursuant to Section 261A.6, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1990.

Ruby Abebe, Waterloo, Black Hawk County, Iowa, to the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

Edward G. Winger, Urbandale, Polk County, Iowa, to the State Board of Optometry Examiners pursuant to Section 147.14(6), 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

Nancy Barcelo, Iowa City, Johnson County, Iowa, to the State Foster Care Review Board pursuant to Section 237.16, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1988.

William R. Bernau, Crawfordsville, Washington County, Iowa, as Superintendent of Banking pursuant to Section 524.203, 1985 Code of Iowa, for an unexpired term beginning January 10, 1986, and ending April 30, 1989.

January 7, 1986

Keith G. Briscoe, Storm Lake, Buena Vista County, Iowa, to the Iowa Product Development Corporation pursuant to Section 28.83, 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1987.

January 14, 1986

Allan T. Thoms, Dubuque, Dubuque County, Iowa, as Director of the Iowa Development Commission pursuant to Section 28.3, 1985 Code of Iowa, for a term beginning January 27, 1986, and serving at the pleasure of the Governor.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:13 a.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 21, 1986, 9:45 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner (arrived 9:55 a.m.) and Gentleman.

Members Absent: none.

Committee Business: Commissioner Reagen of the Department of Human Services was present and discussed the federal and downsizing government impacts on his department; he also gave an overview of the department's budget for FY 86-87.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 21, 1986, 9:40 a.m.

Members Present: C. Miller, Chair (arrived 11:05 a.m.); Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Hearing on the judicial department budget.

Adjourned: 11:35 a.m.

AGRICULTURE

Convened: January 21, 1986, 3:00 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Fraise, Palmer (arrived 3:15 p.m.), Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 2027 and 2028 as committee bills; recommended passage of House File 656.

Adjourned: 3:33 p.m.

COMMERCE

Convened: January 21, 1986, 8:08 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal (arrived 8:10 a.m.), Jensen, Palmer, Peterson, Priebe and Tieden.

Members Absent: Nystrom.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:13 a.m.

HUMAN RESOURCES

Convened: January 21, 1986, 8:47 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Gratias, Murphy (arrived 8:52 a.m.), Taylor, Vande Hoef and Wells.

Members Absent: C. Miller (excused), Coleman and Readinger.

Committee Business: Assigned bills to subcommittees; announced hearing on H.F. 547 on January 24 from 2:00-4:00 p.m.

Adjourned: 9:03 a.m.

JUDICIARY

Convened: January 21, 1986, 4:00 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: Assigned bills to subcommittees; discussed and deferred action on Senate File 2029; discussed, amended and deferred action on proposed committee resolution recommending that the legislative council create a liability and litigation study commission.

Adjourned: 4:40 p.m.

LOCAL GOVERNMENT

Convened: January 21, 1986, 4:02 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Fraise, Goodwin, Hall, Priebe, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended Senate Files 84 and 184 and House File 645 for passage.

Adjourned: 5:06 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 656, a bill for an act relating to the labeling of foods, by requiring certain foods to be labeled with information concerning the country of original production.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 84, a bill for an act relating to the regulation of firearms by a political subdivision.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 184, a bill for an act authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 645, a bill for an act relating to the appointment of a clerk to the board of supervisors.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Priebe and Wells. Nays, none. Absent not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS

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

TREASURER OF IOWA

On January 20, 1986, a copy of a report listing all South Africa related investments administered by the treasurer and their value on December 31, 1985, pursuant to Sec. 12A.4(2)(a), Code Supplement 1985.

IOWA PUBLIC EMPLOYEES RETIREMENT SYSTEM

On January 20, 1986, a copy of a report summarizing South Africa related investments in the IPERS portfolio on December 31, 1985, pursuant to Sec. 12A.4(2)(a), Code Supplement 1985.

DEPARTMENT OF REVENUE

On January 17, 1986, a copy of the Department of Revenue's Annual Report for the fiscal year ending June 30, 1985.

DEPARTMENT OF PUBLIC SAFETY

On January 17, 1986, a copy of the Report and Recommendations concerning the State Medical Examiner pursuant to 85 Acts, Chapter 262, Sec. 5(5).

STATE BOARD OF REGENTS

On January 17, 1986, a copy of the State Board of Regents Ten-year Building Program 1986-96 pursuant to Sec. 262A.3, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

Senate File 56

LOCAL GOVERNMENT: C. Miller, Chair; Fraise, Vande Hoef

Senate File 141

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

Senate File 179

LOCAL GOVERNMENT: Priebe, Chair; Fraise and Waldstein

Senate File 192

LOCAL GOVERNMENT: Hall, Chair; Priebe and Vande Hoef

Senate File 301

LOCAL GOVERNMENT: Wells, Chair; C. Miller and Vande Hoef

Senate File 542

HUMAN RESOURCES: Hannon, Chair; Wells and Taylor

Senate File 2030

AGRICULTURE: Soorholtz, Chair; Vande Hoef and Palmer

Senate File 2032

LOCAL GOVERNMENT: Priebe, Chair; Hall and Goodwin

Senate File 2035

LOCAL GOVERNMENT: Priebe, Chair; Hall and Goodwin

Senate File 2037

AGRICULTURE: A. Miller, Chair; Fraise and Vande Hoef

Senate File 2045

AGRICULTURE: Palmer, Chair; Soorholtz and Waldstein

SSB 2032

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Eleventh grade students from Keokuk Catholic School, Keokuk, Iowa. Senator Fraise.

AFTERNOON SESSION

The Senate reconvened at 4:09 p.m., President pro tempore Wells presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 20, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2018, a bill for an act to determine the jurisdiction of the state over providers of health care benefits.

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

INTRODUCTION OF BILLS

Senate File 2058, by Hutchins, a bill for an act relating to real estate foreclosure, by providing application to real estate used for small business, extending the declaration period, and providing an effective date.

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

Senate File 2059, by Gettings, a bill for an act to repeal the authorization for institutions to obtain dogs for scientific research.

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

Senate File 2060, by Mann, a bill for an act relating to the application of a convicted or sentenced defendant for appeal or post-conviction relief.

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

Senate File 2061, by Schwengels, Readinger and Rife, a bill for an act to give preference to Iowa firms in all purchases by governmental agencies.

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

Senate File 2062, by Boswell, a bill for an act relating to membership sales, by exempting cooperatives organized under chapter 499.

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

Senate File 2063, by Committee on Agriculture, a bill for an act relating to loans for ethanol production.

Read first time and **placed on calendar**.

Senate File 2064, by Committee on Agriculture, a bill for an act relating to licensed dealers and warehouses for agricultural products, and providing an effective date.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 104, by Priebe and Wells, a concurrent resolution regarding the investigation of grain standards.

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

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2003, a bill for an act establishing a drainage subdistrict.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2063 (SSB 2027), a bill for an act relating to loans for ethanol production.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2064 (SSB 2028), a bill for an act relating to licensed dealers and warehouses for agricultural products, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 397, a bill for an act to require drivers of certain school buses to wear seat belts when the school bus is in motion and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Murphy, Horn, Gratias, Colton, Corning, Hannon, Riordan, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 400, a bill for an act relating to a violation for failure to yield to or illegally passing a school bus.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Murphy, Horn, Gratias, Colton, Corning, Hannon, Riordan, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Pursuant to Senate Rule 38, Senate File 400 was referred to the committee on Judiciary.

BILLS ASSIGNED TO COMMITTEE

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

SF	2055	Ways and Means
SF	2056	State Government
SF	2057	State Government

STUDY BILL RECEIVED

SSB 2033 State Government

Relating to the disclosure of information on professional liability and products liability insurance.

AMENDMENTS FILED

S—5009	S. F.	469	Wm. W. Dieleman
S—5010	S. F.	397	Joy Corning Ray Taylor

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:11 p.m., until 9:00 a.m., Thursday, January 23, 1986.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 23, 1986

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

Prayer was offered by the Reverend Arthur Nichols, pastor of the Reorganized Church of Jesus Christ of Latter Day Saints, Knoxville, Iowa.

The Journal of Wednesday, January 22, 1986, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 21, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2068, a bill for an act relating to the suspension of motor vehicle licenses for the failure to pay a fine, penalty, surcharge, or court cost.

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

House File 2070, a bill for an act relating to the filing fees of statutory liens for filing with the clerk of district court.

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

INTRODUCTION OF BILLS

Senate File 2065, by Vande Hoef, a bill for an act relating to eligibility for a two-year license to conduct games of skill, games of chance, and raffles.

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

Senate File 2066, by Waldstein, Tieden, Dieleman, Holden, and Priebe, a bill for an act relating to attorney fees awarded pursuant to a contingent fee arrangement.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:16 a.m., until 5:00 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

Convened: January 22, 1986, 10:15 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Hearing on the Department of Corrections - substance abuse.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: January 22, 1986, 3:05 p.m.

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

Members Absent: Palmer.

Committee Business: Recommended passage of Senate File 2003 and approved SSB 2028 as a committee bill.

Adjourned: 3:40 p.m.

EDUCATION

Convened: January 22, 1986, 3:15 p.m.

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

Members Absent: none.

Committee Business: Assigned House File 450 to a subcommittee; corrected the minutes of the last meeting; recommended passage of Senate File 397; recommended passage of Senate File 400 as amended.

Adjourned: 3:15 p.m.

NATURAL RESOURCES

Convened: January 22, 1986, 8:00 a.m.

Members Present: Hall, Chair; Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Peterson, Riordan and Tieden.

Members Absent: Priebe, Vice Chair and Schwengels, Ranking Member (excused).

Committee Business: Assigned bills to subcommittees and discussed forthcoming conservation commission bills.

Adjourned: 8.11 a.m.

COMMUNICATIONS

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

STATE BOARD OF REGENTS

On January 20, 1986, a report from the State Board of Regents specifying, pursuant to Sec. 12A.4, Code Supplement 1985, in a report that all regent institutions previously holding investments have completed divesture.

IOWA DEPARTMENT OF HUMAN SERVICES

On January 22, 1986, a copy of the "Study to Determine the Feasibility of Establishing a Centralized Registry for Severely Disabled Persons" pursuant to Chapter 259, 1985 Acts of the Seventy-first General Assembly.

CORRECTED COMMITTEE REPORT

(Filed January 22, 1986)

EDUCATION

Final Bill Action: SENATE FILE 400, a bill for an act relating to a violation for failure to yield to or illegally passing a school bus.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S--5012.

Final Vote: Ayes, 9: Murphy, Horn, Gratias, Colton, Corning, Hannon, Riordan, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Pursuant to Senate Rule 38, Senate File 400 was referred to the committee on Judiciary on January 22, 1986.

SUBCOMMITTEE ASSIGNMENTS

Senate File 400

JUDICIARY: Mann, Chair; Small, Horn, Taylor and Ritsema

House File 450 (Reassigned)

EDUCATION: Colton, Chair; Hannon and Gratias

SSB 2033

STATE GOVERNMENT: Dieleman, Chair; Carr and Nystrom

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following governor's appointments to state boards and commissions to Senate standing committees as indicated for investigation on January 23, 1986:

APPROPRIATIONS

Iowa Community Cultural Grants Commission:

Rita K. Courtney, Cynthia B. Lidgett, David L. Charles and Ronald H. Scheetman.

COMMERCE

Superintendent of Banking — William R. Bernau.

EDUCATION

Iowa Higher Education Loan Authority — Jewel Kintzinger.

State Board of Public Instruction — Harlan Van Gerpen.

First in the Nation in Education Foundation Governing Board:

Robert D. Benton, Margaret P. Borgen, Donald C. Byers, Constantine W. Curris, William L. Lepley, Arthur A. Neu and Mary E. Sievert.

HUMAN RESOURCES

State Foster Care Review Board — Nancy Barcelo.

Respiratory Care Advisory Committee:

Greg A. Hicklin, Earl L. Howard, Benita L. Strait, Sara E. Sutton and Joan M. Treirvieler.

State Board of Dietitian Examiners:

Connie J. Freese, Jill M. Gift, Phyllis Henderson, Jeannette L. Miller and Mary Jane Oakland.

JUDICIARY

Commissioner of the Lottery — Edward J. Stanek.

Iowa State Civil Rights Commission — Ruby Abebe.

Board of Parole — Robert A. Jackson, Sr.

Title Guaranty Division Board — M. Jane Bell, Allen K. Buchanan, Robert W. DeCook, Robert K. Friedrich and LeRoy H. Redfern.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Small Business Advisory Council — Joe S. Warrick.

Director of the Iowa Development Commission — Allan T. Thoms.

Iowa Product Development Corporation:

Keith G. Briscoe and Arthur E. Dahl.

STATE GOVERNMENT

Executive Director of the Office for Planning and Programming — Keith Heffernan.

Executive Director of the Iowa State Historical Department — David Earl Crosson.

WAYS AND MEANS

Iowa Advance Funding Authority:

Betty Jo Harker and Marvin R. Selden.

CONFERENCE COMMITTEE REPORT RECEIVED
(Filed January 23, 1986)

A conference committee report signed by the following Senate and House members was filed January 23, 1986, 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 Senate:

CHARLES BRUNER, Chair
EMIL J. HUSAK
THOMAS MANN, JR.

On the Part of the House:

RALPH ROSENBERG, Chair
JAMES D. O'KANE
DAVID TABOR
DARRELL R. HANSON
HUGO SCHNEKLOTH

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 105, a concurrent resolution paying tribute to Edward H. Jones and his memory.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Hutchins, Gettings, Gronstal and Jensen. Nays, none. Absent or not voting, 2: Hultman and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5011	S. F.	2051	Donald V. Doyle
S—5012	S. F.	400	Education
S—5013	S. F.	2054	Douglas Ritsema
S—5014	S. F.	2064	Emil J. Husak
			Eugene Fraise
			John Soorholtz

AFTERNOON SESSION

The Senate reconvened at 5:03 p.m., President pro tempore Wells presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 23, 1986, passed the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 104, a concurrent resolution paying tribute to Edward H. Jones and his memory.

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

INTRODUCTION OF BILLS

Senate File 2067, by Miller of Des Moines, a bill for an act to provide for the revocation of an operator's license or nonoperator's identification card when used for identification in committing theft by issuing a worthless check.

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

Senate File 2068, by Miller of Des Moines, a bill for an act relating to standards of transparency for motor vehicle windshields and windows.

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

Senate File 2069, by Miller of Des Moines, a bill for an act relating to the issuance of temporary certificates for chiropractors.

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

Senate File 2070, by Miller of Des Moines, a bill for an act to prohibit driving a motor vehicle on other than the paved or main traveled part of the highway with certain exceptions and providing a penalty.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 105, by Rules and Administration, a concurrent resolution paying tribute to Edward H. Jones and his memory.

Read first time and **placed on calendar**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Miller of Des Moines and Mann for the afternoon session on request of Senator Hutchins; Senators Hultman, Schwengels and Vande Hoef for the afternoon session on request of Senator Jensen.

ADOPTION OF RESOLUTION

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 105.

Senate Concurrent Resolution 105

On motion of Senator Hutchins, Senate Concurrent Resolution 105, a resolution paying tribute to Edward H. Jones and his memory, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolution 104** be substituted for **Senate Concurrent Resolution 105**.

Senator Hutchins moved the adoption of House Concurrent Resolution 104, which motion prevailed by a voice vote and the resolution was adopted.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 105** be withdrawn from further consideration of the Senate.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2064.

Senate File 2064

On motion of Senator Husak, Senate File 2064, a bill for an act relating to licensed dealers and warehouses for agricultural products, and providing an effective date, was taken up for consideration.

Senator Husak offered amendment S—5014 filed by Senators Husak, Fraise and Soorholtz from the floor to pages 1 and 3 of the bill and moved its adoption.

Amendment S—5014 was adopted by a voice vote.

Senator Husak offered amendment S—5015 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5015 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2064) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Small	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 5:

Hultman	Mann	Miller, C.P.	Schwengels
Vande Hoef			

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2064** and **House Concurrent Resolution 104** be **immediately messaged** to the House.

WITHDRAWN

Senator Brown asked and received unanimous consent that **Senate File 260** be withdrawn from further consideration of the Senate.

Senator Welsh asked and received unanimous consent that **Senate File 396** be withdrawn from further consideration of the Senate.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

SF	2058	Commerce
SF	2059	Local Government
SF	2060	Judiciary
SF	2061	State Government
SF	2062	Commerce
HF	2018	Commerce
SCR	104	Agriculture

STUDY BILL RECEIVED

SSB 2034 Agriculture

Relating to unclaimed winnings from pari-mutuel betting.

AMENDMENT FILED

S—5015 S. F. 2064 Emil J. Husak

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:29 p.m., until 10:00 a.m., Monday, January 27, 1986.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 27, 1986

The Senate met in regular session at 10:08 a.m., President Anderson presiding.

Prayer was offered by the Reverend Ray Birkner, pastor of the United Church of Christ, Cedar Falls, Iowa.

The Journal of Thursday, January 23, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the morning on request of Senator Jensen and Senator Miller of Des Moines 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 January 23, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 102, a bill for an act relating to smoking in public places and public meetings and applying penalties.

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

House File 2069, a bill for an act prohibiting the transportation of an open container of wine in a motor vehicle and incorporating a penalty.

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

ALSO: That the House has on January 23, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 590, a bill for an act relating to mobile deputy registrars (S—5016).

ALSO: That the House has on January 24, 1986, adopted the conference committee report and passed 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.

INTRODUCTION OF BILLS

Senate File 2071, by Brown, a bill for an act relating to the adoption of rules prescribing scholastic requirements for student participation in interscholastic contests and competitions.

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

Senate File 2072, by Murphy, a bill for an act to require the certification of sanitary landfill operators and providing a penalty.

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

Senate File 2073, by Welsh, a bill for an act relating to the issuance of two-year licenses to conduct games of skill, chance, or raffles.

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

Senate File 2074, by Bruner, a bill for an act relating to the voluntary contributions by special zero-rated employers to meet the applicable percentage of excess for requirement of the unemployment compensation law, in order to retain their special zero rates.

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

QUORUM CALL

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

The vote revealed 43 present, 6 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2051

On motion of Senator Doyle, Senate File 2051, a bill for an act relating to the attachment of child and spousal support liens to real property and providing a retroactive effective date, was taken up for consideration.

Senator Doyle asked and received unanimous consent that further action on **Senate File 2051** be deferred.

Senate File 2054

On motion of Senator Doyle, Senate File 2054, a bill for an act to require that information relating to drunken driving be issued to drivers at the time of license renewal, was taken up for consideration.

Senator Ritsema offered amendment S—5013 filed by him on January 23, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5013 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2054) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 4:

Coleman

Hultman

Mann

Miller, C.P.

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

CONFERENCE COMMITTEE REPORT CONSIDERED
(House File 764)

House File 764

Senator Bruner called up the conference committee report 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, filed January 23, 1986.

President pro tempore Wells took the chair at 10:50 a.m.

Senator Bruner 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 were adopted.

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

On the question "Shall the bill pass?" (H.F. 764) the vote was:

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

Ayes, 23:

Boswell
Colton
Fraise
Husak
Murphy
Small

Brown
Deluhery
Gettings
Hutchins
Palmer
Wells

Carr
Dieleman
Gronstal
Kinley
Readinger
Welsh

Coleman
Doyle
Hannon
Miller, A.V.
Riordan

Nays, 23:

Bruner	Corning	Drake	Gentleman
Goodwin	Gratias	Hester	Holden
Holt	Horn	Hultman	Jensen
Nystrom	Peterson	Priebe	Rife
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 3:

Hall	Mann	Miller, C.P.
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 184.

Senate File 184

On motion of Senator Kinley, Senate File 184, a bill for an act authorizing a county having a population of two hundred fifty thousand or more to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5017 filed by him from the floor to page 1 and to the title page of the bill.

President Anderson took the chair at 11:43 a.m.

Senator Holden asked unanimous consent that further action on amendment S—5017 be deferred.

Senator Holden withdrew his request.

Senator Holden moved the adoption of amendment S—5017.

A non record roll call was requested.

The ayes were 27, nays 19.

Amendment S—5017 was adopted.

Senator Ritsema rose on a point of information to inquire if the motion to reconsider amendment S—3236 to Senate File 184 filed by Senator Gentleman on April 9, 1985, was in order.

The Chair advised that pursuant to Section 467, paragraph 3 of Mason's Manual of Legislative Procedure, the motion to reconsider was terminated with adjournment of the 1985 Regular Session.

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

On the question "Shall the bill pass?" (S.F. 184) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Hester

Absent or not voting, 2:

Mann Miller, C.P.

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 11:56 a.m., until 5:00 p.m.

APPENDIX**COMMUNICATION**

The following communication was received in the office of the Secretary of the Senate on January 22, 1986:

January 20, 1986

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

Dear Ms. Thayer:

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

These include 2 claims of a general nature. This supplements our filing of January 6, 1986.

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

Very truly yours,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

K. Marie Thayer
Secretary of the Senate

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

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

EDUCATION

As members of the First in the Nation in Education Foundation Governing Board:

ROBERT D. BENTON: Horn, Chair; Riordan and Taylor.
MARGARET P. BORGEN: Hannon, Chair; Horn and Gratias.
DONALD C. BYERS: Riordan, Chair; Murphy and Taylor.
CONSTANTINE W. CURRIS: Wells, Chair; Murphy and Corning.
WILLIAM L. LEPLEY: Colton, Chair; Hannon and Taylor.
ARTHUR A. NEU: Murphy, Chair; Hannon and Gratias.
MARY E. SIEVERT: Gratias, Chair; Murphy and Horn.

As a member of the Iowa Higher Education Loan Authority:

JEWEL KINTZINGER: Riordan, Chair; Colton and Gratias.

As a member of the State Board of Public Instruction:

HARLAN VAN GERPEN: Corning, Chair; Murphy and Hannon.

HUMAN RESOURCES

As members of the Respiratory Care Advisory Committee:

GREG A. HICKLIN: Coleman, Chair; Gentleman and Murphy.
EARL L. HOWARD: Murphy, Chair; C. Miller and Vande Hoef.
BENITA L. STRAIT: Hannon Chair; Wells and Taylor.
SARA E. SUTTON: Readinger, Chair; Coleman and Gentleman.
JOAN M. TREIRVIELER: Gentleman, Chair; Hannon and Carr.

As members of the State Board of Dietitian Examiners:

CONNIE J. FREESE: Gratias, Chair; Murphy and C. Miller.
JILL M. GIFT: Vande Hoef, Chair; Murphy and Hannon.
PHYLLIS HENDERSON: Taylor, Chair; Readinger and Bruner.
JEANNETTE L. MILLER: Bruner, Chair; Coleman and Gratias.
MARY JANE OAKLAND: Carr, Chair; Bruner and Vande Hoef.

As a member of the State Foster Care Review Board:

NANCY BARCELO: Wells, Chair; Gentleman and Carr.

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: January 23, 1986, 4:15 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Mann.

Committee Business: Assigned bills to subcommittees; recommended confirmation of the governor's appointees to the State Lottery Board; discussed and deferred action on SSB 2023.

Adjourned: 4:55 p.m.

RULES AND ADMINISTRATION

Convened: January 23, 1986, 2:30 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Gronstal and Jensen.

Members Absent: Hultman, Ranking Member and Kinley.

Committee Business: Approved proposed committee senate concurrent resolution paying tribute to Edward H. Jones and his memory.

Adjourned: 2:31 p.m.

WAYS AND MEANS

Convened: January 23, 1986, 4:05 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Bruner, Dieleman and Riordan (both arrived 4:06 p.m.); Gratias, Gronstal, Holden, Holt, Readinger and Soorholtz.

Members Absent: Brown and Mann.

Committee Business: Assigned bills to subcommittees.

Adjourned: 4:10 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Tieden from one hundred eighteen residents of Clayton County opposing legislation merging the Commission on the Aging under the Department of Human Services.

REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the appointments of Joan U. Axel, Emma M. Chance, Monroe J. Colston, Gary Hughes and John W. Van Dyke as members of the **State Lottery Board**, completed its investigation on January 23, 1986, and recommended the appointments be **confirmed**.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 764 failed to pass the Senate on January 27, 1986.

BERL E. PRIEBE

SUBCOMMITTEE ASSIGNMENTS

Senate File 6

WAYS AND MEANS: Holden, Chair; Readinger, Riordan, Dieleman and Husak

Senate File 28

WAYS AND MEANS: Bruner, Chair; Riordan, Boswell, Gratias and Holden

Senate File 33

WAYS AND MEANS: Palmer, Chair; Riordan, Dieleman, Soorholtz and Gratias

Senate File 45

WAYS AND MEANS: Riordan, Chair; Palmer and Gratias

Senate File 61

WAYS AND MEANS: Holden, Chair; Bruner and Riordan

Senate File 74

WAYS AND MEANS: Riordan, Chair; Husak and Readinger

Senate File 87

WAYS AND MEANS: Bruner, Chair; Riordan and Holden

Senate File 94

WAYS AND MEANS: Riordan, Chair; Husak and Gratias

Senate File 95

WAYS AND MEANS: Soorholtz, Chair; Riordan and Mann

Senate File 118

WAYS AND MEANS: Riordan, Chair; Gronstal and Holt

Senate File 176

WAYS AND MEANS: Soorholtz, Chair; Holden and Riordan

Senate File 185

WAYS AND MEANS: Dieleman, Chair; Soorholtz, Hester and Riordan

Senate File 212

WAYS AND MEANS: Holden, Chair; Riordan and Bruner

Senate File 237

WAYS AND MEANS: Husak, Chair; Riordan and Hester

Senate File 277

WAYS AND MEANS: Riordan, Chair; Brown and Gratias

Senate File 294

WAYS AND MEANS: Bruner, Chair; Riordan and Hester

Senate File 360

WAYS AND MEANS: Palmer, Chair; Gronstal, Riordan, Holt and Holden.

Senate File 394

WAYS AND MEANS: Holden, Chair; Palmer and Riordan

Senate File 419

WAYS AND MEANS: Riordan, Chair; Dieleman and Gratias

Senate File 520

WAYS AND MEANS: Mann, Chair; Riordan and Holt

Senate File 541

HUMAN RESOURCES: Hannon, Chair; Wells and Taylor

Senate File 548

WAYS AND MEANS: Gronstal, Chair; Riordan and Grattias

Senate File 2006

WAYS AND MEANS: Mann, Chair; Gronstal and Holden

Senate File 2019

WAYS AND MEANS: Bruner, Chair; Gronstal and Holt

Senate File 2021

WAYS AND MEANS: Palmer, Chair; Brown and Soorholtz

Senate File 2036

WAYS AND MEANS: Husak, Chair; Gronstal and Hester

Senate File 2055

WAYS AND MEANS: Palmer, Chair; Riordan and Hester

BILLS ASSIGNED TO COMMITTEE

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

SF	2065	Ways & Means
SF	2066	Judiciary
SF	2067	Judiciary
SF	2068	Transportation
SF	2069	State Government
SF	2070	Transportation
HF	2068	Judiciary
HF	2070	Judiciary

PRESENTATION OF VISITORS

President Anderson welcomed the Honorable Richard Gephardt, United States Congressman from Missouri, who was present in the Senate chamber.

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

Ten students, members of the Boy Scout Troop 155 from Sheldon, Iowa, accompanied by Pete Hamill and Bruce Waddingham. Senator Vande Hoef.

AMENDMENTS FILED

S—5016	S.F.	590	House
S—5017	S.F.	184	Edgar H. Holden

AFTERNOON SESSION

The Senate reconvened at 5:05 p.m., President Anderson presiding.

QUORUM CALL

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

The vote revealed 43 present, 6 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the afternoon session on request of Senator Waldstein.

MOTION TO RECONSIDER ADOPTED

Senator Priebe called up the motion to reconsider House File 764 filed by him on January 27, 1986, found on page 157 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 764) the vote was:

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

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Hutchins	Kinley	Miller, A.V.
Murphy	Palmer	Peterson	Readinger
Riordan	Small	Wells	Welsh

Nays, 18:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Jensen	Priebe	Rife	Ritsema

Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 3:

Mann	Miller, C.P.	Nystrom
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The motion prevailed.

Senator Priebe moved to reconsider the vote by which House File 764 went to its last reading, which motion prevailed by a voice vote.

House File 764

On motion of Senator Priebe, 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, was taken up for reconsideration.

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

On the question "Shall the bill pass?" (H.F. 764) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Hutchins	Kinley	Miller, A. V.
Murphy	Palmer	Peterson	Priebe
Readinger	Riordan	Small	Taylor
Tieden	Wells	Welsh	

Nays, 15:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Jensen	Rife	Ritsema	Schwengels
Soorholtz	Vande Hoef	Waldstein	

Absent or not voting, 3:

Mann	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.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 397

On motion of Senator Murphy, Senate File 397, a bill for an act to require drivers of certain school buses to wear seat belts when the school bus is in motion and providing a penalty, was taken up for consideration.

Senator Corning offered amendment S—5010 filed by Senators Corning and Taylor on January 22, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5010 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 397) the vote was:

Ayes, 37:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Murphy	Palmer
Priebe	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Waldstein
Wells			

Nays, 9:

Coleman	Gentleman	Hultman	Peterson
Readerger	Rife	Tieden	Vande Hoef
Welsh			

Absent or not voting, 3:

Mann Miller, C.P. Nystrom

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

Senate File 2003

On motion of Senator Priebe, Senate File 2003, a bill for an act relating to the establishment of a drainage subdistrict, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2003) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 4:

Mann Miller, C.P. Nystrom Tieden

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2063.

Senate File 2063

On motion of Senator Husak, Senate File 2063, a bill for an act relating to loans for ethanol production, was taken up for consideration.

Senator Colton took the chair at 5:38 p.m.

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

On the question "Shall the bill pass?" (S.F. 2063) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 7:

Carr	Corning	Gentleman	Holden
Ritsema	Small	Welsh	

Absent or not voting, 3:

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

House File 645

On motion of Senator Fraise, House File 645, a bill for an act relating to the appointment of a clerk to the board of supervisors, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 645) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Readerger
Rife	Riordan	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 8:

Corning	Gentleman	Goodwin	Gratias
Holden	Holt	Ritsema	Waldstein

Absent or not voting, 3:

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

MOTION TO RECONSIDER WITHDRAWN

Senate File 2042

Senator Holden withdrew the motion to reconsider Senate File 2042, a bill for an act relating to the costs of collecting and distributing support payments, filed by him on January 21, 1986, and found on page 118 of the Senate Journal.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 27, 1986, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 2064, a bill for an act relating to licensed dealers and warehouses for agricultural products (S—5018).

INTRODUCTION OF BILLS

Senate File 2075, by Fraise, a bill for an act providing for election of the members of the commerce commission.

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

Senate File 2076, by Corning, a bill for an act relating to meetings and records of public hospitals.

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

Senate File 2077, by Boswell, a bill for an act to amend zoning statutes to authorize allowing elderly and handicapped persons to reside in temporary housing on the same property as a principal dwelling and to require the state building code commissioner to adopt rules.

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

Senate File 2078, by Boswell, a bill for an act relating to cooperative associations.

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

Senate File 2079, by Gratias, a bill for an act relating to the qualifications of fiduciaries by making the requirements the same for resident and nonresident natural persons to serve as fiduciaries.

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

APPENDIX**STUDY BILLS RECEIVED****SSB 2035 Ways and Means**

Relating to the state homestead tax credit program and the providing of a property tax credit for certain agricultural lands upon which the general school fund levies for school districts exceed five dollars and forty cents by making standing limited appropriations, limiting the homesteads and agricultural lands that are eligible for credit, and providing for the excess of each standing limited appropriation to be available for use for certain purposes, repealing the agricultural land tax credit, and providing an effective date.

SSB 2036 Judiciary

To prohibit interference with official acts of correctional officers, and providing penalties.

SSB 2037 Judiciary

Prohibiting the transportation of an open container of wine in a motor vehicle and incorporating a penalty.

SSB 2038 State Government

To establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication.

SSB 2039 Commerce

Relating to the Iowa insurance guaranty association.

SSB 2040 Commerce

Relating to the regulation of insurance holding companies and providing for penalties.

SSB 2041 Commerce

Relating to insurance guaranty associations by creating an Iowa life and health insurance guaranty association.

SSB 2042 Transportation

Authorizing concurrent jurisdiction over state park and institutional roads which are extensions of municipal streets.

SSB 2043 Transportation

Prohibiting price discrimination in the sale or lease of motor vehicles by motor vehicle manufacturers, distributors, or wholesalers and providing for enforcement and penalties.

AMENDMENTS FILED

S—5018	S.F.	2064	House
S—5019	H.F.	656	James Wells
S—5020	H.F.	656	James Riordan Leonard L. Boswell

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:09 p.m., until 9:00 a.m., Tuesday, January 28, 1986.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 28, 1986

The Senate met in regular session at 9:02 a.m., President Anderson presiding.

Prayer was offered by the Reverend Orrin Potter, pastor of the United Methodist Church, Urbandale, Iowa.

The Journal of Monday, January 27, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Mann, Riordan and Murphy for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 2080, by Murphy, a bill for an act relating to the purification of certain waters, and incorporating a penalty.

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

Senate File 2081, by Miller of Cerro Gordo, Drake, Vande Hoef, Rife, Priebe, Boswell, Riordan, and Brown, a bill for an act exempting electric cooperative corporations and associations and electric public utilities from the rate regulation authority of the Iowa state commerce commission if they have less than twenty-five thousand customers.

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

Senate File 2082, by Priebe, a bill for an act relating to the sales, services, and use tax exemption for and the refund of sales, services, and use taxes paid on the purchase or rental of replacement parts for certain machinery, equipment, and computers.

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

WITHDRAWN

Senator Deluhery asked and received unanimous consent that **Senate File 201** be withdrawn from further consideration of the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:08 a.m., until 5:00 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following governor's appointees to state boards and commissions on the **En Bloc Confirmation Calendar** on January 28, 1986, and recommended confirmation:

State Board of Engineering and Land Surveying Examiners

James W. Vander Woude

City Development Board

Marsha McGlaughlin

State Board of Dental Examiners

Pamela G. Kapple

Advisory Investment Board (IPERS)

Lynda D. Zachar

State Board of Speech Pathology and Audiology Examiners

Phyllis L. Kelly

Janet Irwin

Board of Certification of Waterworks and Waste Waterworks Operators

Janet A. Mortimore

Commission on Judicial Qualifications

Marjorie P. Groves

Board of Architectural Examiners

Ruth M. Roberts

Iowa Law Enforcement Academy Council

Gerald P. Donovan

John Desmond Crotty

State Board of Optometry Examiners

Edward G. Winger

State Library Commission

Opal M. Baker

Donna M. Burns

Ralph A. Dorner

Julia F. Falk

Norman McMullin

Martin D. Phelan

BILL HUTCHINS, Chair

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 60, the following Senators were appointed to subcommittees of standing committees on January 27, 1986:

APPROPRIATIONS

As members of the Iowa Community Cultural Grants Commission:

DAVID L. CHARLES: Gronstal, Chair; Readinger and Welsh
RITA K. COURTNEY: Gronstal, Chair; Readinger and Small
CYNTHIA B. LIDGETT: Welsh, Chair; Readinger and Gronstal
RONALD H. SCHECTMAN: Small, Chair; Readinger and Gronstal

COMMERCE

As Superintendent of Banking:

WILLIAM R. BERNAU: Deluhery, Chair; Peterson and Tieden

JUDICIARY

As a member of the Board of Parole:

ROBERT A. JACKSON, SR.: Carr, Chair; Doyle and Ritsema

As Commissioner of the Lottery:

EDWARD J. STANEK: Carr, Chair; Coleman and Ritsema

As a member of the Iowa State Civil Rights Commission:

RUBY ABEBE: Mann, Chair; Deluhery and Gentleman

As members of the Title Guaranty Division Board:

M. JANE BELL: Mann, Chair; Small and Ritsema
ALLEN K. BUCHANAN: Holt, Chair; Ritsema and Dieleman
ROBERT W. DeCOOK: Dieleman, Chair; Horn and Taylor
ROBERT K. FRIEDRICH: Small, Chair; Coleman and Holt
LeROY H. REDFERN: Drake, Chair; Taylor and Horn

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As Director of the Iowa Development Commission:

ALLAN T. THOMS: Small, Chair; Rife and Riordan

As members of the Iowa Product Development Corporation:

KEITH G. BRISCOE: Small, Chair; Waldstein and Riordan
ARTHUR E. DAHL: Small, Chair; Rife and Riordan

As a member of the Small Business Advisory Council:

JOE S. WARRICK: Small, Chair; Rife and Riordan

WAYS AND MEANS

As members of the Iowa Advance Funding Authority:

BETTY JO HARKER: Gronstal, Chair; Husak and Hester

MARVIN R. SELDEN: Gronstal, Chair; Husak and Hester

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 27, 1986, 4:15 p.m.

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

Members Absent: none.

Committee Business: Assigned S.F. 2053 to a subcommittee; presentation by AEA's from Cedar Rapids, Des Moines and Waterloo.

Adjourned: 4:36 p.m.

TRANSPORTATION

Convened: January 27, 1986, 4:08 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member (arrived 4:15 p.m.); Doyle, Gettings, Goodwin, Kinley, A. Miller and Nystrom.

Members Absent: Jensen.

Committee Business: Assigned bills to subcommittees and approved SSB 2043 as a committee bill.

Adjourned: 4:15 p.m.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 195, a bill for an act relating to the location of depositories of public funds.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Kinley, Deluhery, Gronstal, Holden, Nystrom and Peterson. Nays, 3: Jensen, Priebe and Tieden. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2083 (SSB 2044), a bill for an act repealing the energy conservation improvement pilot programs and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Kinley, Deluhery, Holden, Jensen, Nystrom, Peterson, Priebe and Tieden. Nays, 1: Gronstal. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATIONS

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

IOWA YOUTH CORPS

On January 27, 1986, a copy of the Annual Report of the Iowa Youth Corps, fiscal year 1985, submitted by the Iowa Youth Corps Administrator.

DEPARTMENT OF CORRECTIONS

On January 24, 1986, a copy of the Iowa Department of Corrections' progress report regarding salary ranges for judicial district employees, pursuant to chapter 262, 1985 Iowa Acts.

IOWA ENERGY POLICY COUNCIL

On January 24, 1986, a copy of the Annual Report of the Iowa Energy Policy Council, pursuant to Sec. 93.7(1), Code of Iowa.

IOWA DEPARTMENT OF TRANSPORTATION

On January 24, 1986, a copy of the Annual Report of Highway Research and Development in Iowa, submitted by the Iowa Department of Transportation, pursuant to Sec. 310.36, Code of Iowa.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2048

TRANSPORTATION: Hall, Chair; Gettings and Goodwin

Senate File 2053

EDUCATION: Horn, Chair; Taylor and Hannon

Senate File 2058

COMMERCE: Gronstal, Chair; Nystrom and Peterson

Senate File 2060

JUDICIARY: Mann, Chair; Small and Ritsema

Senate File 2062

COMMERCE: Priebe, Chair; Tieden and Jensen

House File 2018

COMMERCE: Priebe, Chair; Tieden and Holden

SSB 2036

JUDICIARY: Carr, Chair; Doyle and Gentleman

SSB 2037

JUDICIARY: Horn, Chair; Dieleman and Holt

SSB 2038

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

SSB 2039

COMMERCE: Gronstal, Chair; Palmer and Tieden

SSB 2040

COMMERCE: Gronstal, Chair; Palmer and Tieden

SSB 2041

COMMERCE: Gronstal, Chair; Palmer and Tieden

SSB 2042

TRANSPORTATION: Drake, Chair; A. Miller and Kinley

SSB 2043

TRANSPORTATION: Coleman, Chair; Nystrom and Doyle

SSB 2045

JUDICIARY: Doyle, Chair; Mann and Holt

SSB 2046

JUDICIARY: Doyle, Chair; Mann and Holt

The following subcommittee was appointed to consider proposed changes in the Rules of Civil Procedure by the Iowa Supreme Court:

JUDICIARY: Small, Chair; Mann and Holt

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., President Anderson presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 28, 1986, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 105, a resolution relating to Congressman Cooper Evans.

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

INTRODUCTION OF BILLS

Senate File 2083, by Committee on Commerce, a bill for an act repealing the energy conservation improvement pilot programs and providing an effective date.

Read first time and referred to the committee on **Energy and Environment**.

Senate File 2084, by Committee on Transportation, a bill for an act prohibiting price discrimination in the sale or lease of motor vehicles by motor vehicle manufacturers, distributors, or wholesalers and providing for enforcement and penalties.

Read first time and **placed on calendar**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

SF	2071	Education
SF	2072	Energy and Environment
SF	2073	Ways and Means
SF	2074	Labor and Industrial Relations
SF	2075	Commerce
SF	2076	Human Resources
SF	2077	Local Government
SF	2078	Agriculture
SF	2079	Commerce
HF	2069	Judiciary
HF	102	Human Resources

STUDY BILLS RECEIVED

SSB 2044 Commerce

Repealing the energy conservation improvement pilot programs and providing an effective date.

SSB 2045 Judiciary

Relating to the judgeship formula for the apportionment of district judges.

SSB 2046 Judiciary

Relating to the appointment of a district associate judge in lieu of magistrates.

SSB 2047 Natural Resources

Relating to the meetings of the state conservation commission.

SSB 2048 Natural Resources

Relating to the approval of certain county conservation board improvements by the state conservation commission.

SSB 2049 Natural Resources

Appropriating funds for the acquisition of Blood Run National Historic Landmark land.

SSB 2050 Energy and Environment

Relating to sanitary disposal projects.

SSB 2051 Energy and Environment

Relating to the authority of the department of water, air and waste management to remove and compel removal of hazardous substances or hazardous wastes.

SSB 2052 Energy and Environment

Providing for modifications of the authority of the department of water, air and waste management over water pollution, flood plain construction, and water use.

SSB 2053 Energy and Environment

Requiring specific criteria for the acquisition, selection, or approval of a site for a hazardous waste treatment, disposal, or storage facility.

SSB 2054 Human Resources

Relating to the reporting of limitation, suspension, or revocation of a physician's privilege to practice in a hospital.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 2030, a bill for an act relating to the livestock health advisory council, by including horse and dog breeders on the council.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 635, a bill for an act relating to the payment of drainage assessments against lands under the jurisdiction of the state conservation commission.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: *SENATE FILE 2084 (SSB 2043), a bill for an act prohibiting price discrimination in the sale or lease of motor vehicles by motor vehicle manufacturers, distributors, or wholesalers and providing for enforcement and penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Kinley, A. Miller and Nystrom. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

* Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Transportation Committee on Senate File 2084 and they were attached to the committee report.

AMENDMENTS FILED

S-5021	S.F.	195	Edgar H. Holden Dale L. Tieden Berl E. Priebe
S-5022	S.F.	84	Arne Waldstein

ADJOURNMENT

On motion of Senator Hannon, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Wednesday, January 29, 1986.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 29, 1986

The Senate met in regular session at 9:01 a.m., President Anderson presiding.

Prayer was offered by Father Jerry Ryan, pastor of St. Anthony's Catholic Church, Des Moines, Iowa.

The Journal of Tuesday, January 28, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 2085, by Boswell, a bill for an act repealing the payback provision of an interest-free loan for public transit assistance and providing an effective date.

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

Senate File 2086, by Boswell, a bill for an act relating to the disposition of unclaimed property held by a cooperative association.

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

Senate File 2087, by Holden, a bill for an act creating a residential landlord lien.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:09 a.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE AND TRANSPORTATION

Convened: January 28, 1986, 9:34 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Presentations by Michael Fitzgerald, Treasurer of State and Gerald Bair, Director of the Iowa Department of Revenue.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 28, 1986, 9:40 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Nystrom, Ranking Member; Gratiias and Small.

Members Absent: none.

Committee Business: Presentations by the Department of Cultural Affairs: Arts Council, Fair Board, Public Broadcasting, Historical Department, Library Department and Terrace Hill Authority; and D.P.I. MAS Funding Study.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 28, 1986, 9:46 a.m.

Members Present: Deluhery, Chair; Hannon, Vice Chair; Vande Hoef, Ranking Member; Gentleman and Bruner (arrived 10:37 a.m.).

Members Absent: none.

Committee Business: Sandra Scott, Deputy Director of the Department of Human Services, explained the Comptroller's budget for FY 86 and 87, the appropriations for ADC, proposed reduction and reorganization of the IETP and JTPA, proposed

Foster Care appropriations, and revised appropriations for Community Based Services.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 28, 1986, 9:40 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Discussed possible substance abuse facility.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: January 28, 1986, 9:40 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member and Jensen.

Members Absent: Riordan (excused).

Committee Business: Budget requests by Commerce and Industry and Inspector General; approved supplemental appropriations bill.

Adjourned: 11:47 a.m.

AGRICULTURE

Convened: January 28, 1986, 1:18 p.m.

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

Members Absent: Husak (excused).

Committee Business: Assigned bills to subcommittees and recommended passage of S.F. 2030 and H.F. 635.

Adjourned: 1:26 p.m.

COMMERCE

Convened: January 28, 1986, 8:10 a.m.

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

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; assigned governor's appointee William Bernau to a subcommittee; approved SSB 2044 as a committee bill and recommended passage of S.F. 195.

Adjourned: 8:21 a.m.

HUMAN RESOURCES

Convened: January 28, 1986, 8:49 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr (arrived 8:50 a.m.), Coleman, Gratias, Taylor, Vande Hoef and Wells.

Members Absent: C. Miller and Murphy (both excused) and Readinger.

Committee Business: Assigned bills and governor's appointees to subcommittees; reviewed hearing on H.F. 547 held January 24; recommended confirmation of governor's appointee Phyllis Henderson.

Adjourned: 8:56 a.m.

JUDICIARY

Convened: January 28, 1986, 2:15 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn and Small.

Members Absent: Mann, Vice Chair; Carr and Drake.

Committee Business: Assigned bills and governor's appointees to subcommittees; recommended passage of S.F. 2029 as amended; approved SSB 2023 as a committee bill; recommended confirmation of governor's appointees Allen K. Buchanan and Robert W. DeCook.

Adjourned: 2:55 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: January 28, 1986, 1:30 p.m.

Members Present: Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: Mann, Chair.

Committee Business: Reports on unemployment compensation presented by Richard Freeman, Director of Job Service of Iowa and Ralph Hoksbergen, Actuary, with Job Service of Iowa.

Adjourned: 2:25 p.m.

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 60, the following Senators were appointed to subcommittees of standing committees on January 29, 1986:

STATE GOVERNMENT

As Executive Director of the Iowa State Historical Department:

DAVID EARL CROSSON: Schwengels, Chair; Dieleman and Gentleman

As Executive Director of the Office for Planning and Programming:

KEITH HEFFERNAN: Corning, Chair; Rife and Coleman

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the appointment of Phyllis Henderson as a member of the State Board of Dietitian Examiners, completed its investigation on January 28, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the Committee on Judiciary assigned to investigate the appointments of Allen K. Buchanan and Robert W. DeCook as members of the Title Guaranty Division Board, completed its investigation on January 28, 1986, and recommended the appointments be confirmed.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 2029, a bill for an act relating to the sending or causing to be sent, of a minor to a place of prostitution or to become a prostitute, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5023.

Final Vote: Ayes, 10: Doyle, Ritsema, Coleman, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 3: Carr, Deluhery and Drake. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 106, a resolution relating to Congressman Cooper Evans.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

SF	2080	Natural Resources
SF	2081	Commerce
SF	2082	Ways and Means

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 104

AGRICULTURE: Boswell, Chair; Vande Hoef and A. Miller

Senate File 2047

HUMAN RESOURCES: Bruner, Chair; Vande Hoef and Hannon

Senate File 2066

JUDICIARY: Small, Chair; Mann and Ritsema

Senate File 2067

JUDICIARY: Coleman, Chair; Small and Ritsema

Senate File 2068

TRANSPORTATION: Drake, Chair; Kinley and Hall

Senate File 2070

TRANSPORTATION: Drake, Chair; Kinley and Hall

Senate File 2072

ENERGY AND ENVIRONMENT: Colton, Chair; Brown and Rife

Senate File 2083

ENERGY AND ENVIRONMENT: Gronstal, Chair; Carr and Soorholtz

House File 2068

JUDICIARY: Doyle, Chair; Coleman and Holt

House File 2069

JUDICIARY: Carr, Chair; Dieleman and Taylor

House File 2070

JUDICIARY: Mann, Chair; Horn and Gentleman

SSB 2034

AGRICULTURE: Vande Hoef, Chair; Palmer and Waldstein

SSB 2035

WAYS AND MEANS: Palmer, Chair; Brown, Riordan, Gratias and Readinger

SSB 2047

NATURAL RESOURCES: Schwengels, Chair; Husak and Gratias

SSB 2048

NATURAL RESOURCES: Riordan, Chair; Peterson and Tieden

SSB 2049

NATURAL RESOURCES: Hester, Chair; Doyle and Goodwin

SSB 2050

ENERGY AND ENVIRONMENT: Bruner, Chair; Soorholtz and Carr

SSB 2051

ENERGY AND ENVIRONMENT: Colton, Chair; Brown and Rife

SSB 2052

ENERGY AND ENVIRONMENT: Colton, Chair; Brown and Rife

SSB 2053

ENERGY AND ENVIRONMENT: Colton, Chair; Brown and Rife

SSB 2054

HUMAN RESOURCES: Hannon, Chair; Vande Hoef and Carr

LSB 7613F

AGRICULTURE: Husak, Chair; Fraise and Soorholtz

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., President Anderson presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 27, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2014, a bill for an act to repeal chapter 361 relating to weather modification.

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

INTRODUCTION OF BILLS

Senate File 2088, by Bruner, a bill for an act relating to access to the results of residential energy audits.

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

Senate File 2089, by Boswell, a bill for an act prohibiting an insurer who has issued a liability insurance policy to a political subdivision in the state from cancelling the policy or increasing the premium for the policy during the term of the policy.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 106, by Rules and Administration, a resolution relating to Congressman Cooper Evans.

Read first time and **placed on calendar**.

APPENDIX

STUDY BILLS RECEIVED

SSB 2055 State Government

Relating to elections.

SSB 2056 Transportation

To exempt authorized emergency vehicles from the child restraint law.

SSB 2057 Local Government

Relating to the reduction of recommended salary increases by the board of supervisors.

AMENDMENTS FILED

S—5023	S. F.	2029	Judiciary
S—5024	S. F.	2025	Arthur L. Gratias

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:04 p.m., until 9:00 a.m., Thursday, January 30, 1986.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 30, 1986

The Senate met in regular session at 9:02 a.m., President Anderson presiding.

Prayer was offered by Father Donald Schmitt, La Salle High School, Cedar Rapids, Iowa.

The Journal of Wednesday, January 29, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Riordan and Mann for the day on request of Senator Hutchins.

POINT OF PARLIAMENTARY INQUIRY (Senate File 2083)

Senator Hultman rose on a point of parliamentary inquiry that pursuant to Senate Rule 38, Senate File 2083 by the committee on Commerce was inappropriately referred to the committee on Energy and Environment on January 28, 1986, without being placed on the calendar after its first reading.

The Chair advised that a bill introduced by one committee with the potential of being studied by one or more other committees will first appear on the Senate calendar one day before being referred to another committee.

ADOPTION OF RESOLUTION

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 106.

Senate Concurrent Resolution 106

On motion of Senator Jensen, Senate Concurrent Resolution 106, a resolution relating to Congressman Cooper Evans, was taken up for consideration.

Senator Jensen asked and received unanimous consent that **House Concurrent Resolution 105** be substituted for **Senate Concurrent Resolution 106**.

Senator Jensen moved the adoption of House Concurrent Resolution 105, which motion prevailed by a voice vote and the resolution was adopted.

Senator Jensen asked and received unanimous consent that **Senate Concurrent Resolution 106** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 195.

Senate File 195

On motion of Senator Deluhery, Senate File 195, a bill for an act relating to the location of depositories of public funds, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5021 filed by Senators Holden, Tieden and Priebe on January 28, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5021 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 195) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Gronstal	Hall
Hannon	Hester	Holden	Horn
Husak	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Readinger
Ritsema	Schwengels	Small	Soorholtz
Wells	Welsh		

Nays, 12:

Goodwin	Gratias	Holt	Hultman
Hutchins	Jensen	Priebe	Rife
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 3:

Kinley	Mann	Riordan
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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 590

Senator Bruner called up for consideration Senate File 590, a bill for an act relating to establishing nonpartisan mobile deputy registrars, amended by the House in House amendment S—5016 filed January 27, 1986.

Senator Hultman asked and received unanimous consent that further action on **Senate File 590** and House amendment S—5016 be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2030.

Senate File 2030

On motion of Senator Soorholtz, Senate File 2030, a bill for an act relating to the livestock health advisory council, by including horse and dog breeders on the council, with report of committee recommending passage, was taken up for consideration.

President pro tempore Wells took the chair at 10:03 a.m.

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. 2030) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, 3:

Hultman	Jensen	Peterson
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Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2084.

Senate File 2084

On motion of Senator Coleman, Senate File 2084, a bill for an act prohibiting price discrimination in the sale or lease of motor vehicles by motor vehicle manufacturers, distributors, or

wholesalers and providing for enforcement and penalties, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2084) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Schwengels
Small	Soorholtz	Taylor	Vande Hoef
Wells	Welsh		

Nays, 3:

Holden	Ritsema	Tieden
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Absent or not voting, 4:

Deluhery	Mann	Riordan	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 Coleman called up the motion to reconsider Senate File 2049 filed by him on January 20, 1986, found on page 111 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2049) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal

Hall	Hannon	Horn	Husak
Hutchins	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Small	Soorholtz	Wells	Welsh

Nays, 18:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Nystrom	Readinger
Rife	Ritsema	Schwengels	Taylor
Tieden	Vande Hoef		

Absent or not voting, 3:

Mann	Riordan	Waldstein
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The motion prevailed.

Senator Coleman moved to reconsider the vote by which Senate File 2049 went to its last reading, which motion prevailed by a voice vote.

Senate File 2049

On motion of Senator Coleman, Senate File 2049, a bill for an act relating to the purchases of American made products and purchases from American based businesses, was taken up for reconsideration.

Senator Jensen offered amendment S—5025 filed by Senators Jensen and Tieden from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5025 be adopted?” (S.F. 2049) the vote was:

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

Ayes, 16:

Corning	Drake	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Nystrom	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 30:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Ritsema	Small
Wells	Welsh		

Absent or not voting, 3:

Mann	Riordan	Waldstein
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Amendment S—5025 lost.

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

On the question "Shall the bill pass?" (S.F. 2049) the vote was:

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

Ayes, 27:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Soorholtz	Wells	Welsh	

Nays, 18:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Hultman
Jensen	Nystrom	Readinger	Rife
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef		

Voting present, 1:

Holt

Absent or not voting, 3:

Mann

Riordan

Waldstein

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

HOUSE AMENDMENT CONSIDERED

Senate File 2064

Senator Husak called up for consideration Senate File 2064, a bill for an act relating to licensed dealers and warehouses for agricultural products, and providing an effective date, amended by the House in House amendment S—5018 filed January 27, 1986.

Senator Husak offered amendment S—5026 filed by Senators Husak, Fraise and Soorholtz from the floor to House amendment S—5018 and moved its adoption.

Amendment S—5026 was adopted by a voice vote.

Senator Husak moved that the Senate concur in the House amendment as amended.

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

Senator Husak 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. 2064) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Ritsema	Schwengels	Small

Soorholtz
Wells

Taylor
Welsh

Tieden

Vande Hoef

Nays, none.

Absent or not voting, 3:

Mann

Riordan

Waldstein

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

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2064** and **2049** be **immediately messaged** to the House.

INTRODUCTION OF BILL

Senate File 2090, by Readinger, a bill for an act to repeal the groundwater fund and tonnage fee for landfills.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:57 a.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE AND TRANSPORTATION

Convened: January 29, 1986, 9:42 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member and Holden.

Members Absent: Priebe.

Committee Business: Presentations by Ed Stanek, Commissioner of the Lottery and Allan Thoms, Director, and Mark Kapler of the Iowa Development Commission.

Adjourned: 11:34 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 29, 1986, 9:40 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Gratias and Small.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Presentations by: Department of Education, Department of Public Instruction, Blind Commission, First in the Nation in Education and the Academy of Science.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 29, 1986, 9:45 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Budget presentations for OWI facility, community based corrections and judicial supplemental budget.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 22, 1986, 10:15 a.m.

Members Present: Husak, Chair; Hester, Ranking Member and Tieden.

Members Absent: Hall and Murphy, Vice Chair.

Committee Business: Organizational meeting.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: January 29, 1986, 9:40 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member and Hall.

Members Absent: Tieden.

Committee Business: Presentation by Larry Wilson, Director of the State Conservation Commission.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: January 29, 1986, 9:47 a.m.

Members Present: Gronstal, Chair; Boswell, Vice Chair; Goodwin, Ranking Member and Jensen.

Members Absent: Riordan (excused).

Committee Business: Budget requests by Employment Services, State Auditor and Secretary of State.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: January 29, 1986, 9:52 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair and Corning.

Members Absent: Schwengels, Ranking Member and Mann (excused).

Committee Business: Discussion of the reorganization of the Iowa Merit Employment Department.

Adjourned: 11:10 a.m.

AGRICULTURE

Convened: January 29, 1986, 2:40 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member (arrived 2:53 p.m.); Boswell, Hester, Husak, Fraise, Palmer (arrived 2:53 p.m.), Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Recommended passage of S.F. 2037 and S.C.R. 104; presentation by Ron Manthei of the ASCS.

Adjourned: 3:47 p.m.

EDUCATION

Convened: January 29, 1986, 4:15 p.m.

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

Members Absent: Riordan (excused).

Committee Business: Presentation by Robert Van Vooren regarding the Governor's Task Force on Compulsory Education.

Adjourned: 5:05 p.m.

ENERGY AND ENVIRONMENT

Convened: January 29, 1986, 8:54 a.m.

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

Members Absent: Hultman and Soorholtz.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:58 a.m.

NATURAL RESOURCES

Convened: January 29, 1986, 8:01 a.m.

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

Members Absent: Gratias, Riordan and Schwengels (all excused).

Committee Business: Assigned study bills to subcommittees and discussed and deferred action on Senate File 2034.

Adjourned: 8:20 a.m.

RULES AND ADMINISTRATION

Convened: January 29, 1986, 9:40 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Kinley, Gronstal and Jensen.

Members Absent: Hultman, Ranking Member.

Committee Business: Approved proposed committee concurrent resolution relating to Congressman Cooper Evans.

Adjourned: 9:45 a.m.

BILL RETURNED TO CALENDAR

Pursuant to Senate Rule 38, **Senate File 2083** referred to the committee on Energy and Environment on January 28, 1986, was returned to the Regular Calendar.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 104, a resolution regarding the investigation of grain standards.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Priebe, A. Miller, Boswell, Hester, Husak, Fraise, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2037, a bill for an act relating to the labeling of fuel sold as kerosene.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Priebe, A. Miller, Boswell, Hester, Husak, Fraise, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Palmer and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2092 (SSB 2023), a bill for an act requiring the posting of notice in state liquor stores and licensed premises explaining the operation of and penalties of the laws which prohibit the operation of a motor vehicle by a person who is intoxicated.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Doyle, Ritsema, Dieleman, Gentleman, Hester, Holt, Horn and Taylor. Nays, 2: Coleman and Small. Absent or not voting, 4: Mann, Carr, Deluhery and Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

COMMUNICATION

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

IOWA RAILWAY FINANCE AUTHORITY

On January 29, 1986, a copy of the 1985 Annual Report of the Iowa Railway Finance Authority pursuant to Sec. 307B.8(6), Code of Iowa.

SUBCOMMITTEE ASSIGNMENT

SSB 2056

TRANSPORTATION: Kinley, Chair; A. Miller and Goodwin

BILLS ASSIGNED TO COMMITTEE

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

SF	2085	Transportation
SF	2086	Commerce
SF	2087	Commerce
SF	2088	Energy and Environment
SF	2089	Commerce
HF	2014	Local Government

AMENDMENTS FILED

S—5025	S. F.	2049	John W. Jensen Dale L. Tieden
S—5026	S. F.	2064	Emil J. Husak Eugene Fraise John Soorholtz
S—5027	S. F.	2051	Donald V. Doyle
S—5028	H. F.	102	Edgar H. Holden
S—5029	S. F.	2051	Donald V. Doyle

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., Senator Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2091, by Taylor, a bill for an act to provide that the costs of advertising cigarettes are not deductible business expenses for corporations under the state corporate income tax.

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

Senate File 2092, by Committee on Judiciary, a bill for an act requiring the posting of notice in state liquor stores and licensed premises explaining the operation of and penalties of the laws which prohibit the operation of a motor vehicle by a person who is intoxicated.

Read first time and **placed on calendar**.

Senate File 2093, by Vande Hoef and Wells, a bill for an act extending the sunset provision for the Iowa advisory commission on intergovernmental relations.

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

Senate File 2094, by Vande Hoef and Miller of Cerro Gordo, a bill for an act to extend the deadline for the certification of budgets by political subdivisions of the state.

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

Senate File 2095, by Dieleman, a bill for an act relating to the computation of items of tax preference for purposes of the Iowa minimum tax for a tax year beginning in the 1983 calendar year and making the Act retroactive.

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

ADJOURNMENT

On motion of Senator Bruner, the Senate adjourned at 5:02 p.m., until 10:30 a.m., Monday, February 3, 1986.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 3, 1986

The Senate met in regular session at 10:32 a.m., President Anderson presiding.

Prayer was offered by the Reverend Gary Hatcher, pastor of the Zion Lutheran Church, Clinton, Iowa.

The Journal of Thursday, January 30, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery for the day on request of Senator Hutchins; Senator Nystrom for the morning and Senators Soorholtz, Hester and Readinger for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2096, by Murphy, a bill for an act relating to sanitary disposal projects.

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

Senate File 2097, by Riordan, Priebe, Boswell, Hannon, Horn, Fraise, Miller of Cerro Gordo, Colton, Mann, Gronstal, Hutchins, Gettings, Wells, Palmer, Taylor, Soorholtz, Murphy, Husak, Dieleman, Tieden, Carr, Bruner, Schwengels, Coleman, Hester, Hall, Corning, Nystrom, Jensen, Gratias, Drake, Rife, and Welsh, a bill for an act relating to agricultural economic diversification by making an appropriation.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 107, by Colton, a resolution relating to American Indian Recognition.

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

COMMITTEE ON CREDENTIALS

Senator Hutchins moved that the committee on Credentials for the Seventy-first General Assembly examine and report on the election in Senate District 13.

The motion prevailed by a voice vote.

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

The Senate resumed session, President Anderson presiding.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the person named in the attached copy of certification of the Secretary of State duly elected to and entitled to a seat in the Senate for the 1986 Session of the Seventy-first General Assembly.

TOM MANN, JR., Chair
DONALD V. DOYLE
LARRY MURPHY
DOUGLAS RITSEMA

CERTIFICATION STATE OF IOWA

OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, MARY JANE ODELL, Secretary of the State of Iowa; custodian of the files and records pertaining to the elections in the state, do hereby certify that the State Canvassing Board has declared that at a special election held on January 28, 1986, Jim Lind was elected to fill a vacancy in the office of State Senator of the Thirteenth District, for the balance of the four year term which began on January 2, 1983.

(SEAL)

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Secretary of State at the Capitol in Des Moines this third Day of February, 1986.

MARY JANE ODELL, Secretary of State

Senator Mann moved the adoption of the Supplemental Report of the committee on Credentials.

The motion prevailed by a voice vote.

Senator Lind was escorted to the bar of the Senate by Senators Hultman and Hannon, was duly sworn and subscribed his name to the oath of office.

President Anderson announced that Senator Lind will occupy seat 18.

VETO CALENDAR

Senator Hutchins asked and received unanimous consent that pursuant to Joint Rule 23, the Senate dispense with further consideration of the Veto Messages from the Governor listed on the Senate Calendar.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2083** be referred from the Regular Calendar to the committee on **Energy and Environment**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins.

HOUSE AMENDMENT CONSIDERED (Deferred January 30, 1986)

Senate File 590

The Senate resumed consideration of Senate File 590, a bill for an act relating to establishing nonpartisan mobile deputy

registrars and House amendment S—5016, deferred January 30, 1986.

Senator Bruner moved that the Senate concur in the House amendment.

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. 590) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Gratias	Gronstal	Hall
Hannon	Hbrn	Hultman	Husak
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Riordan	Ritsema	Schwengels
Small	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 5:

Goodwin	Holden	Jensen	Rife
Taylor			

Absent or not voting, 7:

Deluhery	Hester	Holt	Miller, C.P.
Nystrom	Readinger	Soorholtz	

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

UNFINISHED BUSINESS
(Deferred January 27, 1986)

Senate File 2051

The Senate resumed consideration of Senate File 2051, a bill for an act relating to the attachment of child and spousal support liens to real property and providing a retroactive effective date, deferred on January 27, 1986.

Senator Doyle withdrew amendment S—5011 filed by him on January 23, 1986, to page 1 of the bill and amendment S—5027 filed by him on January 30, 1986, to pages 1 and 2 of the bill.

Senator Doyle offered amendment S—5029 filed by him on January 30, 1986, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5029 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2051) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Hester	Miller, C.P.	Nystrom
Readinger	Soorholtz		

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

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 84

On motion of Senator Hall, Senate File 84, a bill for an act relating to the regulation of firearms by a political subdivision, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—3490 filed by him on March 26, 1985, to pages 1 and 2 of the bill.

Senator Hall raised the point of order that amendment S—3490 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3490 out of order because the bill speaks only to limiting the powers of local government.

Senator Mann offered amendment S—3502 filed by him on March 26, 1985, to page 1 of the bill.

Senator Hall raised the point of order that amendment S—3502 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3502 out of order because the bill speaks only to limiting the powers of local government.

Senator Waldstein offered amendment S—5022 filed by him on January 28, 1986 to page 1 of the bill.

A non record roll call was requested.

A record roll call was requested.

On the question "Shall amendment S—5022 be adopted?" (S.F. 84) the vote was:

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

Ayes, 20:

Brown	Bruner	Carr	Corning
Fraise	Gentleman	Gratias	Gronstal
Hannon	Holden	Holt	Hutchins
Lind	Mann	Murphy	Rife
Riordan	Ritsema	Small	Waldstein

Nays, 24:

Boswell	Coleman	Colton	Dieleman
Doyle	Drake	Gettings	Goodwin
Hall	Horn	Husak	Jensen
Kinley	Miller, A.V.	Miller, C.P.	Palmer
Peterson	Priebe	Schwengels	Taylor
Tieden	Vande Hoef	Wells	Welsh

Absent or not voting, 6:

Deluhery	Hester	Hultman	Nystrom
Readinger	Soorholtz		

Amendment S—5022 lost.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 84** be **deferred**.

INTRODUCTION OF BILLS

Senate File 2098, by Mann, a bill for an act to establish a consignment relationship between artists and art dealers for the sale of the artist's works.

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

Senate File 2099, by Mann, a bill for an act relating to consumer fraud by defining and prohibiting pyramid promotional schemes and making remedies and penalties applicable.

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

Senate File 2100, by Mann, a bill for an act relating to public defenders.

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

Senate File 2101, by Husak, Rife, Drake, Doyle, Soorholtz and Boswell, a bill for an act providing Veterans Day as a paid state holiday and providing an effective date.

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

Senate File 2102, by Mann, a bill for an act relating to beer and liquor control, by limiting dramshop liability to class "B" beer licenses and liquor permittees, and by limiting the amount of the proof of financial responsibility required of liquor control licensees and beer permittees.

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

Senate File 2103, by Committee on State Government, a bill for an act relating to the disclosure of information on professional liability and products liability insurance.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:03 p.m., until 5:00 p.m.

APPENDIX

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

President Anderson announced the following additional committee assignments:

Senator Ritsema: Transferred from the committee on Small Business and Economic Development to the committee on Education.

Senator Lind: As a member of the committees on Appropriations, Local Government and Small Business and Economic Development.

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: January 30, 1986, 3:02 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair, Goodwin, Hall, Vande Hoef and Wells.

Members Absent: Waldstein, Ranking Member (excused); Fraise (excused) and Priebe.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on LSB 8057SF.

Adjourned: 3:17 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 30, 1986, 8:35 a.m.

Members Present: Small, Chair; Boswell, Vice Chair; Rife, Ranking Member; Brown, Doyle, Fraise, Peterson and Ritsema.

Members Absent: Readinger, Riordan (excused), Waldstein and Vande Hoef.

Committee Business: Assigned governor's appointees to subcommittees.

Adjourned: 8:40 a.m.

STATE GOVERNMENT

Convened: January 30, 1986, 11:28 a.m.

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

Members Absent: Mann (excused).

Committee Business: Assigned bills to subcommittees and approved SSB 2033 as a committee bill.

Adjourned: 11:43 a.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Kinley from eighty-nine residents of Polk County opposing legislation relating to a surcharge assessed to all utility customers.

Senator Carr from one hundred six residents of Dubuque County opposing House File 547, relating to adoption and termination of parental rights.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2084 passed the Senate on January 30, 1986.

BERL E. PRIEBE

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2103 (SSB 2033), a bill for an act relating to the disclosure of information on professional liability and products liability insurance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Corning, Drake, Gentleman, Horn, C. Miller, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2059**

LOCAL GOVERNMENT: Goodwin, Chair; Wells and Fraise

Senate File 2074

LABOR AND INDUSTRIAL RELATIONS: Deluhery, Chair; Colton and Hultman

Senate File 2077

LOCAL GOVERNMENT: Wells, Chair; Hall and Goodwin

Senate File 2085

TRANSPORTATION: Kinley, Chair; Drake and Doyle

BILLS ASSIGNED TO COMMITTEE

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

SF	2090	Energy and Environment
SF	2091	Ways and Means
SF	2093	State Government
SF	2094	Local Government
SF	2095	Ways and Means

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., President pro tempore Wells presiding.

APPENDIX

**REPORT OF THE COMMITTEE ON
RULES AND ADMINISTRATION**

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 2, the committee on Rules and Administration submits the following changes:

Research Analyst	Mary Gannon	Grade 25 Step 1 to Step 2 Effective 1-31-86
Research Analyst	Debbie O'Leary	Grade 24 Step 1 to Step 2 Effective 1-31-86
Research Analyst	Joe Rasmussen	Grade 25 Step 2 to Step 3 Effective 1-31-86

BILL HUTCHINS, Chair

STUDY BILLS RECEIVED

SSB 2058 Energy and Environment

Relating to the authority of the department of water, air and waste management over hazardous substances and hazardous conditions.

SSB 2059 Energy and Environment

Providing that the hazardous chemicals risk right to know Act does not apply to employers not regulated by the federal occupational safety and health administration's hazard communication regulation with respect to hazardous chemicals which are consumer products as defined in, labeled, and regulated pursuant to the federal Consumer Product Safety Act.

SSB 2060 Judiciary

Relating to special emergency vehicles by authorizing the issuance of special emergency vehicle certificates, permitting certain traffic privileges and the use of green lights when responding to emergency situations, providing for the training of persons to operate the vehicles, and providing penalties.

SSB 2061 Education

Relating to the levying of property taxes for school purposes, providing for a capital projects and equipment levy, a liability levy, and for additional allowable growth for school districts, for the execution and continuation of loan agreements for anticipating the collection of certain levies, and providing an effective date.

SSB 2062 Education

Relating to the education of certain children by private instruction or in nonpublic schools through a home instruction assistance program.

SSB 2063 Education

Relating to the education of certain children through private instruction and a home instruction assistance program.

SSB 2064 Education

Relating to providing private instruction or instruction in a nonpublic school.

SSB 2065 Education

Relating to providing private instruction or instruction in a nonpublic school.

SUBCOMMITTEE ASSIGNMENTS**SSB 2058**

ENERGY AND ENVIRONMENT: Colton, Chair; Brown and Rife

SSB 2059

ENERGY AND ENVIRONMENT: Bruner, Chair; Corning and A. Miller

COMMITTEE REPORT

TRANSPORTATION: SENATE FILE 341, a bill for an act dealing with penalties related to the convictions of Iowa drivers in other states.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen and A. Miller. Nays, none. Absent or not voting, 3: Drake, Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—5030

H.F.

656

Jim Riordan

Leonard L. Boswell

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:01 p.m., until 9:00 a.m., Tuesday, February 4, 1986.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 4, 1986

The Senate met in regular session at 9:12 a.m., President Anderson presiding.

Prayer was offered by Father Thomas Munn, pastor of the St. Bernards Church, Breda, Iowa.

The Journal of Monday, February 3, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Nystrom, Holt and Readinger for the day on request of Senator Hultman and Senator Deluhery for the day on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 2104, by Gettings and Holden, a bill for an act relating to coverage of proprietors, partners, and owner-operators of certain trucks under the workers' compensation law.

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

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

The Senate resumed session, President pro tempore Wells 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 January 30, 1986, passed the following bill in which the concurrence of the House was asked:

Senate File 530, a bill for an act relating to the parole of persons convicted for the offenses of sexual abuse and lascivious acts with a child.

INTRODUCTION OF BILL

Senate File 2105, by Mann, a bill for an act relating to the practice of acupuncture and providing a penalty.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:43 a.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 3, 1986, 4:15 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair (arrived 4:18 p.m.); Grattias, Ranking Member; Colton, Corning, Hannon, Riordan, Ritsema, Taylor and Wells.

Members Absent: none.

Committee Business: Recommended confirmation of governor's appointees; assigned SSB 2061 to a subcommittee; Margaret Borgen gave an overview and update on the "FINE" report.

Adjourned: 4:50 p.m.

TRANSPORTATION

Convened: February 3, 1986, 4:05 p.m.

Members Present: Coleman, Chair; Hall, Vice Chair (arrived 4:12 p.m.); Doyle, Gettings, Goodwin, Jensen and A. Miller.

Members Absent: Drake, Ranking Member and Kinley and Nystrom (both excused).

Committee Business: Assigned bills to subcommittees; discussed and deferred action on S.F. 493; recommended passage of S.F. 341.

Adjourned: 4:16 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2076

HUMAN RESOURCES: Bruner, Chair; Murphy and Gentleman

House File 102

HUMAN RESOURCES: Hannon, Chair; Carr and Taylor

SSB 2060

JUDICIARY: Gentleman, Chair; Dieleman and Holt

SSB 2061

EDUCATION: Horn, Chair; Riordan and Ritsema

COMMUNICATIONS

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

IOWA ENERGY POLICY COUNCIL

On February 4, 1986, a copy of the Building Energy Management programs, submitted by the Iowa Energy Policy Council pursuant to Chapter 260, Sec. 7, 1985 Iowa Acts.

IOWA STATE LOTTERY

On February 4, 1986, a copy of the Iowa State Lottery Budget Estimate and Agency Expense, and Iowa Lottery report, pursuant to Chapter 256, Sec. 8, 1985 Iowa Acts.

OFFICE FOR PLANNING AND PROGRAMMING

On January 31, 1986, a copy of the Annual Report of the Office for Planning and Programming.

REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the appointment of Ruby Abebe as a member of the Iowa State Civil Rights Commission, completed its investigation on February 4, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the appointment of M. Jane Bell as a member of the Title Guaranty Division Board, completed its investigation on February 4, 1986, and recommended the appointment be confirmed.

STUDY BILLS RECEIVED**SSB 2066 Natural Resources**

Requiring certain athletic competitions to take place between the university of Iowa, Iowa state university of science and technology, and the university of northern Iowa on a regular basis and providing an effective date.

SSB 2067 Natural Resources

To establish the Iowa conservation corps and making an appropriation.

SSB 2068 Natural Resources

Appropriating funds for the acquisition of Blood Run National Historic Landmark land.

SSB 2069 Natural Resources

Relating to the confidentiality of archaeological site or resource information and subjecting violators to civil and criminal penalties.

SSB 2070 Natural Resources

Making appropriations to the state conservation commission for the acquisition of land for recreational trails.

SSB 2071 Natural Resources

To establish the Iowa tourism marketing account and making an appropriation.

SSB 2072 Natural Resources

To increase snowmobile registration fees.

BILLS ASSIGNED TO COMMITTEE

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

SF	2096	Energy and Environment
SF	2097	Agriculture
SF	2098	Judiciary
SF	2099	Judiciary
SF	2100	Judiciary
SF	2101	State Government
SF	2102	Judiciary
SCR	107	State Government

BILL REASSIGNED TO COMMITTEE

President Anderson announced that **Senate File 2076** was reassigned from the committee on **Human Resources** to the committee on **State Government**.

AMENDMENT FILED

S—5031

S. F.

499

House

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., President Anderson presiding.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 30, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 499, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty (S—5031).

INTRODUCTION OF BILLS

Senate File 2106, by Hultman, a bill for an act relating to voluntary contributions by special zero-rated employers to meet the applicable percentage of excess requirement of the unemployment compensation contribution law and establishing a special unemployment compensation rate for certain expanding employers, and making the expanding employer rate retroactive and conditional.

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

Senate File 2107, by Doyle and Drake, a bill for an act to require a certificate of title to identify a rebuilt motor vehicle.

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

Senate File 2108, by Mann, a bill for an act relating to the reprieve, pardon, commutation of sentence, remission of fines and forfeitures, or restoration of the rights of citizenship of a person convicted of a criminal offense.

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

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Wednesday, February 5, 1986.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 5, 1986

The Senate met in regular session at 9:12 a.m., President Anderson presiding.

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

The Journal of Tuesday, February 4, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom for the morning on request of Senator Hultman and Senator Peterson for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 2109, by Murphy, a bill for an act exempting the fees paid to cities and counties for the privilege of participating in any athletic sports from the state sales, services, and use tax.

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

Senate File 2110, by Murphy, a bill for an act relating to sanitary disposal projects.

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

Senate File 2111, by Taylor, a bill for an act relating to the disclosure of information on professional liability and products liability insurance.

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

Senate File 2112, by Vande Hoef and Taylor, a bill for an act relating to victims and witnesses of criminal offenses, and providing penalties.

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

Senate File 2113, by Hultman, Taylor, and Vande Hoef, a bill for an act relating to the maximum workers' compensation benefits payable to workers injured on or after the effective date of this Act.

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

Senate File 2114, by Hultman, a bill for an act relating to the issuance of park user permits.

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

Senate File 2115, by Jensen, Holden, and Vande Hoef, a bill for an act relating to coverage of proprietors, partners, and owner-operators of certain trucks under the workers' compensation law.

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

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2103** was referred from the Regular Calendar to the committee on **Commerce**.

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

The Senate resumed session, President pro tempore Wells presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 3, 1986, 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 2064, a bill for an act relating to licensed dealers and warehouses for agricultural products.

ALSO: That the House has on February 3, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 340, a bill for an act relating to the operation of bed and breakfast homes.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:36 a.m., until 5:00 p.m.

APPENDIX

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE AND TRANSPORTATION

Convened: February 4, 1986, 9:55 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holden and Priebe.

Members Absent: Holt, Ranking Member.

Committee Business: Presentations by the Iowa Development Commission and Warren Dunham of the D.O.T.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 4, 1986, 9:50 a.m.

Members Present: Horn, Chair; Gratias and Small.

Members Absent: Brown, Vice Chair and Nystrom, Ranking Member (excused).

Committee Business: Budget presentation by the Board of Regents.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 4, 1986, 10:08 a.m.

Members Present: Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner and Gentleman.

Members Absent: Deluhery, Chair (excused).

Committee Business: Sandra Scott, Deputy Director of the Department of Human Services, discussed the Comptroller's revised appropriations for fiscal years 86 and 87 in the following divisions: local purchases, state supplementary assistance, medical assistance, and medically needy expansion; Nancy Haigh, Program Manager for the Medically Needy, gave a breakdown of the current medically needy program.

Adjourned: 11:42 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 4, 1986, 9:55 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member and Waldstein.

Members Absent: Carr.

Committee Business: Budget reviews — institutions.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: February 4, 1986, 9:55 a.m.

Members Present: Gronstal, Chair; Goodwin, Ranking Member and Riordan.

Members Absent: Boswell, Chair (excused) and Jensen.

Committee Business: Discussion of budget requests in relation to reorganization.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 4, 1986, 9:52 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member and Corning.

Members Absent: Mann.

Committee Business: Presentations by Jack Walters, Department of General Services and Peter L.J. Pashier, Public Employment Relations Board.

Adjourned: 11:30 a.m.

AGRICULTURE

Convened: February 4, 1986, 1:45 p.m.

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

Members Absent: Boswell.

Committee Business: Approved LSB 8114S 71 as a committee bill (formerly LSB 7613F).

Adjourned: 3:35 p.m.

HUMAN RESOURCES

Convened: February 4, 1986, 8:54 a.m.

Members Present: Hannon, Chair; Murphy, Coleman, Taylor, Gratias, Vande Hoef and Wells.

Members Absent: Bruner, Vice Chair; Gentleman, Ranking Member; C. Miller (excused), Carr and Readinger (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees; Senator Murphy stated intention on having subcommittee meetings on H.F. 547 this week.

Adjourned: 9:05 a.m.

JUDICIARY

Convened: February 4, 1986, 2:15 p.m.

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

Members Absent: Hester and Holt.

Committee Business: Assigned bills to subcommittees; approved SSBs 2045 and 2046 as committee bills; approved LSB 7321 S as amended and ordered redrafted as a committee bill.

Adjourned: 3:00 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 4, 1986, 1:00 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Hultman, Wells and Welsh.

Members Absent: Deluhery, Holden and Rife.

Committee Business: Discussed bills.

Adjourned: 1:15 p.m.

NATURAL RESOURCES

Convened: February 4, 1986, 8:34 a.m.

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

Members Absent: Peterson (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House File 497.

Adjourned: 8:51 a.m.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on Education assigned to investigate the appointments of Robert D. Benton, Donald C. Byers, Constantine W. Curris, William L. Lepley, Arthur A. Neu and Mary Sievert as members of the First in the Nation in Education Foundation Governing Board, completed its investigations on February 3, 1986, and recommended the appointments be confirmed.

Pursuant to Senate Rule 60, the committee on Education assigned to investigate the appointment of Jewel Kintzinger as a member of the Iowa Higher Education Loan Authority, completed its investigation on February 3, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the appointment of Greg A. Hicklin as a member of the Respiratory Care Advisory Committee, completed its investigation on February 4, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the appointment of Connie J. Freese as a member of the State Board of Dietitian Examiners, completed its investigation on February 4, 1986, and recommended the appointment be confirmed.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE File 2116, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 497, a bill for an act relating to procedures for the establishment of priorities for property tax exemptions for wetlands, recreational lakes, forest covers, rivers and streams, river and stream banks, and open prairies.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hall, Priebe, Doyle, Gratias, Riordan, Hannon, Hester, Husak, Schwengels, Tieden and Goodwin. Nays, none. Absent or not voting, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2088

ENERGY AND ENVIRONMENT: Gronstal, Chair; Carr and Soorholtz

Senate File 2090

ENERGY AND ENVIRONMENT: Hultman, Chair; Bruner and Gronstal

SSB 2066

NATURAL RESOURCES: Hall, Chair; Hannon and Goodwin

SSB 2067

NATURAL RESOURCES: Schwengels, Chair; Goodwin and Hannon

SSB 2069

NATURAL RESOURCES: Doyle, Chair; Peterson and Gratias

SSB 2070

NATURAL RESOURCES: Schwengels, Chair; Hannon and Tieden

SSB 2071

NATURAL RESOURCES: Husak, Chair; Schwengels and Gratias

SSB 2072

NATURAL RESOURCES: Riordan, Chair; Husak and Schwengels

LSB 7321 S

JUDICIARY: Mann, Chair; Doyle and Ritsema

BILLS ASSIGNED TO COMMITTEE

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

SF	2104	Labor & Industrial Relations
SF	2105	State Government
SF	2106	Labor & Industrial Relations
SF	2107	Transportation
SF	2108	Judiciary

STUDY BILLS RECEIVED**SSB 2073 Agriculture**

Relating to dog racing where pari-mutuel racing is permitted.

SSB 2074 Local Government

Relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

SSB 2075 Education

Establishing a beginning teacher incentive to supplement salaries of beginning teachers and making an appropriation.

SSB 2076 Education

Relating to the adjusting of the foundation property tax levy of reorganized school districts.

SSB 2077 Education

Relating to the authority of the state board of public instruction acting as the board of educational examiners to prescribe a reduced teaching load for certain teachers.

SSB 2078 Education

To provide for the payment of state aid for school districts which reduce their administrative costs.

SSB 2079 Education

To provide for maintaining the supplementary weighting funding for school districts that reorganize.

SSB 2080 Education

Relating to enrollment of school pupils including a minimum enrollment requirement after July 1, 1989 and enrollment of pupils in adjacent school districts before that date.

SSB 2081 Judiciary

To remove the notice requirements to the department of revenue relating to the discharge of a personal representative and making the Act retroactive.

SSB 2082 Judiciary

Relating to the penalties for violations of law involving the promotion of obscene material and the sexual exploitation of children.

SSB 2083 Judiciary

Relating to liens against mobile homes in mobile home parks for unpaid sums due under rental agreements.

SSB 2084 Judiciary

Relating to victims and witnesses of criminal offenses, and providing penalties.

SSB 2085 Judiciary

Relating to the operation of a motor vehicle while under the influence of alcohol or a drug.

SSB 2086 Judiciary

Relating to the sale, possession, and use of certain weapons and devices which by electronic pulse or current or by chemical means are capable of immobilizing a victim temporarily, and providing penalties.

SSB 2087 Local Government

Directing certain political subdivisions of the state to consider joint purchases of equipment.

AMENDMENT FILED

S—5032

S. F.

499

Julia Gentleman

AFTERNOON SESSION

The Senate reconvened at 5:04 p.m., President Anderson presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 3, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 166, a bill for an act requiring the Iowa development commission to collect information regarding farm tourism.

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

House File 2032, a bill for an act relating to combined hunting, fishing, and fur harvesting licenses.

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

INTRODUCTION OF BILLS

Senate File 2116, by Committee on Agriculture, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date.

Read first time and **placed on calendar**.

Senate File 2117, by Hutchins, a bill for an act providing for the election of one of the members of the Iowa state commerce commission, and incorporating a penalty.

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

Senate File 2118, by Gronstal, a bill for an act authorizing the sale of title insurance for certain types of real property.

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

Senate File 2119, by Riordan, a bill for an act restricting the ability of a mortgagee of agricultural land to remove soil and water conservation practices and providing penalties.

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

Senate File 2120, by Doyle and Priebe, a bill for an act relating to the capitalization rate to be used in valuing agricultural property for property tax purposes.

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

Senate File 2121, by Gronstal, a bill for an act relating to the conditions of acquisition of an interest in banks located in Iowa or bank holding companies controlling one or more banks located in Iowa by an out-of-state bank holding company.

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

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:07 p.m., until 9:00 a.m., Thursday, February 6, 1986.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 6, 1986

The Senate met in regular session at 9:18 a.m., President Anderson presiding.

Prayer was offered by the Reverend Arthur Hill, pastor of the Bagley United Methodist Church, Bagley, Iowa.

The Journal of Wednesday, February 5, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for the day on request of Senator Hultman.

INTRODUCTION OF BILL

Senate File 2122, by Gratias, a bill for an act relating to the taxation as real property of computers and computer related equipment and providing an effective date.

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

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2116** was referred from the Regular calendar to the committee on **Ways and Means**.

WITHDRAWN

Senator Deluhery asked and received unanimous consent that **Senate File 138** be withdrawn from further consideration of the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:28 a.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS TRADE AND TRANSPORTATION

Convened: February 5, 1986, 9:56 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holden and Priebe.

Members Absent: Holt, Ranking Member (excused).

Committee Business: Presentations by: Gene Shephard, Department of Public Safety; Warren Dunham, D.O.T.; and Steve Pedersen, Executive Director of the Iowa Soybean Association.

Adjourned: 11:16 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 5, 1986, 9:50 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Gratias and Small.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Presentation by the State Board of Regents.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 5, 1986, 9:50 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Budget overviews of Department of Corrections, Board of Parole and Department of Public Safety.

Adjourned: 11:50 a.m.

AGRICULTURE

Convened: February 5, 1986, 1:40 p.m.

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

Members Absent: Boswell (excused).

Committee Business: Approved SSB 2034 and LSB 8108 as committee bills.

Adjourned: 2:30 p.m.

EDUCATION

Convened: February 5, 1986, 4:09 p.m.

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

Members Absent: Colton.

Committee Business: Assigned bills to subcommittees; recommended confirmation of the governor's appointees; telecommunications demonstration by the DPI at the DPI Board Room.

Adjourned: 5:25 p.m.

ENERGY AND ENVIRONMENT

Convened: February 6, 1986, 9:55 a.m.

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

Members Absent: Gronstal, Brown and Soorholtz.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:57 a.m.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on February 3, 1986.

Had I been present, I would have voted "aye" on Senate Files 590 and 2051.

DAVE READINGER

SUBCOMMITTEE ASSIGNMENTS

Senate File 2071

EDUCATION: Colton, Chair; Hannon and Corning

Senate File 2075

COMMERCE: Palmer, Chair; Kinley and Holden

Senate File 2078

AGRICULTURE: Boswell, Chair; Husak and Vande Hoef

Senate File 2079

COMMERCE: Palmer, Chair; Priebe and Tieden

Senate File 2081

COMMERCE: Deluhery, Chair; Peterson and Holden

Senate File 2086

COMMERCE: Priebe, Chair; Holden and Tieden

Senate File 2087

COMMERCE: Priebe, Chair; Palmer and Holden

Senate File 2089

COMMERCE: Palmer, Chair; Priebe and Tieden

Senate File 2094

LOCAL GOVERNMENT: Vande Hoef, Chair; Hall and C. Miller

Senate File 2097

AGRICULTURE: A. Miller, Chair; Soorholtz and Boswell

Senate File 2098

JUDICIARY: Mann, Chair; Gentleman and Deluhery

Senate File 2099

JUDICIARY: Mann, Chair; Hester and Coleman

Senate File 2100

JUDICIARY: Mann, Chair; Horn and Hester

Senate File 2102

JUDICIARY: Mann, Chair; Carr and Drake

Senate File 2103

COMMERCE: Palmer, Chair; Priebe and Holden

Senate File 2107

TRANSPORTATION: Doyle, Chair; Drake and Coleman

Senate File 2108

JUDICIARY: Mann, Chair; Doyle and Ritsema

House File 2014

LOCAL GOVERNMENT: Goodwin, Chair; Vande Hoef and Waldstein

SSB 2062

EDUCATION: Murphy, Chair; Gratias, Taylor, Horn and Riordan

SSB 2063

EDUCATION: Murphy, Chair; Gratias, Taylor, Horn and Riordan

SSB 2064

EDUCATION: Murphy, Chair; Gratias, Taylor, Horn and Riordan

SSB 2065

EDUCATION: Murphy, Chair; Gratiyas, Taylor, Horn and Riordan

SSB 2073

AGRICULTURE: Priebe, Chair; Waldstein and A. Miller

SSB 2074

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

SSB 2075

EDUCATION: Riordan, Chair; Colton and Ritsema

SSB 2076

EDUCATION: Gratiyas, Chair; Corning and Colton

SSB 2077

EDUCATION: Colton, Chair; Wells and Taylor

SSB 2078

EDUCATION: Gratiyas, Chair; Corning and Colton

SSB 2079

EDUCATION: Gratiyas, Chair; Corning and Colton

SSB 2081

JUDICIARY: Small, Chair; Taylor and Mann

SSB 2082

JUDICIARY: Mann, Chair; Small and Gentleman

SSB 2083

JUDICIARY: Small, Chair; Drake and Deluhery

SSB 2084

JUDICIARY: Mann, Chair; Small and Gentleman

SSB 2085

JUDICIARY: Mann, Chair; Doyle and Ritsema

SSB 2086

JUDICIARY: Mann, Chair; Small and Ritsema

SSB 2087

LOCAL GOVERNMENT: A. Miller, Chair; Lind and Fraise

SSB 2088

COMMERCE: Gronstal, Chair; Jensen and Tieden

SSB 2089

JUDICIARY: Small, Chair; Ritsema and Coleman

SSB 2090

TRANSPORTATION: Doyle, Chair; Hall and Jensen

LSB 8057SF

LOCAL GOVERNMENT: A. Miller, Chair; Vande Hoef and Wells

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2131, a bill for an act relating to foreclosures against agricultural land, by providing for mediation, notice of default, or notice to cure, an appropriation, and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, Soorholtz, Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: A. Miller and Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2123 (SSB 2045), a bill for an act relating to the judgeship formula for the apportionment of district judges.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2124 (SSB 2046), a bill for an act relating to the appointment of a district associate judge in lieu of magistrates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Gentleman and Holt.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 60, the Committee on Education assigned to investigate the appointment of Margaret P. Borgen as a member of the First in the Nation in Education Foundation Governing Board, completed its investigation on February 5, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the Committee on Education assigned to investigate the appointment of Harlan Van Gerpen as a member of the State Board of Public Instruction, completed its investigation on February 3, 1986, and recommended the appointment be confirmed.

BILLS ASSIGNED TO COMMITTEE

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

SF	2109	Ways and Means
SF	2110	Energy
SF	2111	Commerce
SF	2112	Judiciary
SF	2113	Labor

SF	2114	Natural Resources
SF	2115	Labor
SF	2117	State Government
SF	2118	Commerce
SF	2119	Agriculture
SF	2120	Ways and Means
SF	2121	Commerce
HF	166	Small Business and Economic Development
HF	340	Small Business and Economic Development
HF	2032	Natural Resources

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 2123, by Committee on Judiciary, a bill for an act relating to the judgeship formula for the apportionment of district judges.

Read first time and **placed on calendar**.

Senate File 2124, by Committee on Judiciary, a bill for an act relating to the appointment of a district associate judge in lieu of magistrates.

Read first time and **placed on calendar**.

Senate File 2125, by Taylor, a bill for an act relating to a chemical test for the presence of drugs for drivers believed to be under their influence.

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

Senate File 2126, by Horn, a bill for an act relating to joint legal custody and joint physical care of a minor child.

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

Senate File 2127, by Horn, a bill for an act relating to antenuptial and postnuptial agreements.

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

Senate File 2128, by Welsh and Taylor, a bill for an act relating to finance charges on consumer loans pursuant to open end credit.

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

Senate File 2129, by Brown, a bill for an act relating to requirements for purchase of school buses by school districts and area education agencies and to provide that the Act takes effect July 1, 1987.

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

Senate File 2130, by Murphy, a bill for an act relating to the use of flashing blue lights on motor vehicles of volunteer ambulance service personnel.

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

Senate File 2131, by Committee on Agriculture, a bill for an act relating to foreclosures against agricultural land, by providing for mediation, notice of default, or notice to cure, an appropriation, and an effective date.

Read first time and **placed on calendar**.

Senate File 2132, by Gronstal, a bill for an act relating to the use of moneys collected pursuant to the Iowa pari-mutuel wagering Act.

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

Senate File 2133, by Murphy, a bill for an act relating to gambling devices by permitting the manufacture of certain devices in the state and providing that the Iowa lottery agency shall give preference in contracts for lottery machines to persons who manufacture the machines in the state and in contracts for servicing machines to persons who have their principal place of business in the state.

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

Senate File 2134, by Readinger, a bill for an act relating to the granting or denial of parental or visitation time to a parent not awarded custody or physical care of a child.

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

Senate File 2135, by Readinger, Drake, Nystrom and Taylor, a bill for an act relating to the sale, possession, and use of certain weapons and devices which by electronic pulse or current or by chemical means are capable of immobilizing a victim temporarily, and providing penalties.

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

Senate File 2136, by Waldstein, a bill for an act providing an individual and corporate income tax credit for market cattle raised and sold for slaughter in this state and providing an effective date.

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

Senate File 2137, by Waldstein, a bill for an act relating to the corporate ownership of agricultural land to be used for a commercial cattle feedlot.

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

Senate File 2138, by Wells, a bill for an act relating to the statutory definition of physical therapy.

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

Senate File 2139, by Hultman, a bill for an act relating to the crime of kidnapping, and providing penalties.

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

Senate File 2140, by Taylor and Tieden, a bill for an act relating to obscene material, and providing penalties.

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

Senate File 2141, by Murphy, a bill for an act relating to stun guns and providing penalties.

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

Senate File 2142, by Murphy, a bill for an act establishing priorities for deductions from the earnings of residents of community-based correctional facilities.

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

Senate File 2143, by Committee on Judiciary, a bill for an act relating to corrections; changing certain administrative provisions; limiting remedies in restitution matters; and providing penalties.

Read first time and **placed on calendar**.

APPENDIX**STUDY BILLS RECEIVED****SSB 2088 Commerce**

To prohibit discrimination in payment or reimbursement to a person defined as a physician for services provided or a condition treated within the lawful scope of practice and making corporations organized by chiropractors for establishing, maintaining and operating a medical and surgical service plan subject to chapter 514.

SSB 2089, Judiciary

Relating to the election of county magistrate appointing commissioners.

SSB 2090 Transportation

Requiring insurance companies to lower automobile liability insurance premiums to reflect the reduction in annual losses occasioned by the enactment of the mandatory seat belt bill.

SSB 2091 Education

Relating to the apportionment of the interest of the permanent school fund, including an elimination of school census requirements, and providing that the Act takes effect upon its publication.

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 2143 (LSB 7321S), a bill for an act relating to corrections; changing certain administrative provisions; limiting remedies in restitution matters; and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Horn and Small. Nays, none. Absent or not voting, 3: Mann, Holt and Taylor

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2032, a bill for an act to require the county treasurer to provide property tax statements to each property owner.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Lind, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2116, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5040.

Final Vote: Ayes, 10: Palmer, Husak, Hester, Dieleman, Gratias, Gronstal, Holden, Readinger, Riordan and Soorholtz. Nays, none. Absent or not voting, 5: Boswell, Brown, Bruner, Holt and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5033	S. F.	499	Donald V. Doyle
S—5034	S. F.	499	Douglas Ritsema
S—5035	S. F.	499	Tom Mann, Jr.
S—5036	S. F.	499	Tom Mann, Jr.
S—5037	S. F.	2042	Tom Mann, Jr.
S—5038	S. F.	499	C. Joseph Coleman
S—5039	S. F.	2116	Calvin O. Hultman
			Emil J. Husak
			Eugene Fraise
			John Soorholtz
S—5040	S. F.	2116	Ways and Means

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:08 p.m., until 9:00 a.m., Friday, February 7, 1986.

JOURNAL OF THE SENATE

TWENTY-SIXTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 7, 1986

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

Prayer was offered by the Honorable Arthur L. Gratias, member of the Senate from Floyd County, Mason City, Iowa.

The Journal of Thursday, February 6, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Nystrom and Holt for the day on request of Senator Hultman and Senators Gettings, Brown and Miller of Des Moines for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 2144, by Coleman, a bill for an act to require the payment of interest on any amount of a refund for motor fuel taxes paid if the refund is not paid within sixty days from the date the claim is filed.

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

Senate File 2145, by Dieleman, a bill for an act relating to the evidentiary standards for dissolution of marriage.

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 38 present, 12 absent and a quorum present.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Advisory Investment Board (IPERS)

Lynda D. Zachar, committee recommendation found on page 172 of the Senate Journal.

Board of Architectural Examiners

Ruth M. Roberts, committee recommendation found on page 172 of the Senate Journal.

City Development Board

Marsha McGlaughlin, committee recommendation found on page 172 of the Senate Journal.

Commission on Judicial Qualifications

Marjorie P. Groves, committee recommendation found on page 172 of the Senate Journal.

Iowa Law Enforcement Academy Council

Committee recommendations found on page 172 of the Senate Journal:

John Desmond Crotty
Gerald P. Donovan

State Board of Dental Examiners

Pamela G. Kapple, committee recommendation found on page 172 of the Senate Journal.

State Board of Engineering and Land Surveying Examiners

James W. Vande Woude, committee recommendation found on page 172 of the Senate Journal.

State Board of Optometry Examiners

Edward G. Winger, committee recommendation found on page 172 of the Senate Journal.

State Board of Speech Pathology and Audiology Examiners

Committee recommendations found on page 172 of the Senate Journal:

Janet Irwin
Phyllis L. Kelly

Board of Certification of Waterworks and Waste Waterworks Operators

Janet A. Mortimore, committee recommendation found on page 172 of the Senate Journal.

State Library Commission

Committee recommendations found on page 172 of the Senate Journal:

Opal M. Baker
Donna M. Burns
Ralph A. Dorner
Julia F. Falk
Norman McMullin
Martin D. Phelan

Senator Hutchins moved the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Colton
Corning	Dieleman	Doyle	Drake
Fraise	Gentleman	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Riordan	Ritsema	Schwengels

Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, none.

Absent or not voting, 11:

Brown	Carr	Deluhery	Gettings
Holt	Mann	Miller, C.P.	Nystrom
Readinger	Rife	Wells	

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 635.

House File 635

On motion of Senator Soorholtz, House File 635, a bill for an act relating to the payment of drainage assessments against lands under the jurisdiction of the state conservation commission, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 635) the vote was:

Ayes, 40:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 9:

Brown	Carr	Gettings	Holt
Jensen	Miller, C.P.	Nystrom	Readinger
Rife			

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

Senate File 2029

On motion of Senator Doyle, Senate File 2029, a bill for an act relating to the sending, or causing to be sent, of a minor to a place of prostitution or to become a prostitute, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—5023 filed by the committee on Judiciary on January 29, 1986, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5023 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2029) the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Brown	Carr	Gettings	Holt
Miller, C.P.	Nystrom	Readinger	Small
Vande Hoef			

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

Senate File 2037

On motion of Senator Miller of Cerro Gordo, Senate File 2037, a bill for an act relating to the labeling of fuel sold as kerosene, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2037) the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Brown	Carr	Gettings	Holt
Mann	Miller, C.P.	Nystrom	Readinger
Small			

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

Senate File 2092

On motion of Senator Dieleman, Senate File 2092, a bill for an act requiring the posting of notice in state liquor stores and licensed premises explaining the operation of and penalties of the laws which prohibit the operation of a motor vehicle by a person who is intoxicated, 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. 2092) the vote was:

Ayes, 29:

Bruner	Colton	Dieleman	Doyle
Drake	Fraise	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Husak	Hutchins
Jensen	Kimley	Mann	Miller, A. V.
Murphy	Palmer	Priebe	Riordan
Schwengels	Small	Soorholtz	Taylor
Wells			

Nays, 13:

Coleman	Corning	Deluhery	Gentleman
Hultman	Lind	Peterson	Rife
Ritsema	Tieden	Vande Hoef	Waldstein
Welsh			

Absent or not voting, 8:

Boswell	Brown	Carr	Gettings
Holt	Miller, C.P.	Nystrom	Readinger

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

Senate Concurrent Resolution 104

On motion of Senator Boswell, Senate Concurrent Resolution 104, a resolution regarding the investigation of grain standards, was taken up for consideration.

Senator Boswell moved the adoption of Senate Concurrent Resolution 104, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent to take up out of order House File 497.

House File 497

On motion of Senator Riordan, House File 497, a bill for an act relating to procedures for the establishment of priorities for property tax exemptions for wetlands, recreational lakes, forest covers, rivers and streams, river and stream banks, and open prairies, with report of committee recommending passage, was taken up for consideration.

President pro tempore Wells took the chair at 10:44 a.m.

Senator Schwengels offered amendment S—5045 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5045 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (H.F. 497) the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Welsh			

Nays, 1:

Holden

Absent or not voting, 8:

Brown	Carr	Gettings	Holt
Miller, C.P.	Nystrom	Readinger	Wells

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2116.

Senate File 2116

On motion of Senator Husak, Senate File 2116, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—5040 filed by the committee on Ways and Means on February 6, 1986, to pages 1 and 24 of the bill.

Senator Husak asked and received unanimous consent that action on amendment S—5040 be deferred for consideration of amendment S—5039.

Senator Hultman offered amendment S—5039 filed by Senators Hultman, et al., on February 6, 1986, to pages 1 and 8 of the bill.

Senator Hultman asked and received unanimous consent that further action on amendment S—5039 be deferred.

The Senate resumed consideration of amendment S—5040 by the committee on Ways and Means to pages 1 and 24 of the bill, previously deferred.

Senator Palmer moved the adoption of amendment S—5040.

A non record roll call was requested.

The ayes were 27, nays 17.

Amendment S—5040 was adopted.

With the adoption of amendment S—5040, the Chair ruled amendments S—5039 by Senators Hultman, et al., to pages 1 and 8 of the bill, previously deferred, and amendment S—5051 filed

by Senator Waldstein from the floor to page 1 of the bill, out of order.

Senator Husak offered amendment S—5046 filed by Senators Husak, Fraise and Soorholtz from the floor to pages 15, 16, 17, 20, 21 and 22 of the bill and moved its adoption.

Amendment S—5046 was adopted by a voice vote.

Senator Vande Hoef offered amendment S—5041 filed by him from the floor to page 21 of the bill and moved its adoption.

Amendment S—5041 lost by a voice vote.

Senator Waldstein offered amendment S—5049 filed by him from the floor to page 23 of the bill and moved its adoption.

Amendment S—5049 lost by a voice vote.

Senator Waldstein asked and received unanimous consent that further action on **Senate File 2116** be **deferred** for preparation of an amendment.

WITHDRAWN

Senator Holden asked and received unanimous consent that **Senate File 394** be withdrawn from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 499

Senator Kinley called up for consideration Senate File 499, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty, amended by the House in House amendment S—5031 filed February 4, 1986.

Senator Lind offered amendment S—5047 filed by him from the floor to House amendment S—5031 and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 24.

Amendment S—5047 lost.

Senator Ritsema offered amendment S—5034 filed by him on February 6, 1986, to House amendment S—5031 and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 26.

Amendment S—5034 lost.

Senator Colton took the chair at 11:09 a.m.

Senator Coleman offered amendment S—5038 filed by him on February 6, 1986, to House amendment S—5031 and moved its adoption.

Amendment S—5038 lost by a voice vote.

Senator Holden offered amendment S—5042 filed by him from the floor to House amendment S—5031 and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 26.

Amendment S—5042 lost.

Senator Holden offered amendment S—5043 filed by him from the floor to House amendment S—5031.

Senator Kinley raised the point of order that amendment S—5043 to House amendment S—5031 was not germane.

The Chair ruled the point not well taken and amendment S—5043 in order.

Senator Holden moved the adoption of amendment S—5043 to House amendment S—5031.

A non record roll call was requested.

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

The ayes were 19, nays 24.

Amendment S—5043 lost.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 499** and House amendment S—5031 be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 2116

The Senate resumed consideration of Senate File 2116, previously deferred.

Senator Waldstein withdrew amendments S—5052 filed by him from the floor to page 1 of the bill and S—5053 filed by him from the floor to page 1 of the bill.

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

On the question “Shall the bill pass?” (S.F. 2116) the vote was:

Ayes, 45:

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

Nays, none.

Absent or not voting, 5:

Brown
Peterson

Gettings

Holt

Nystrom

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

Senator Hutchins asked and received unanimous consent that **Senate File 2116** be **immediately messaged** to the House.

AMENDMENT WITHDRAWN

Senator Mann withdrew amendment S—5037 to page 1 of **Senate File 2042**, filed by him on February 6, 1986.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 6, 1986, 10:35 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein.

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

Committee Business: Approved LSB 8108 as a committee bill.

Adjourned: 10:40 a.m.

COMMERCE

Convened: February 6, 1986, 9:39 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Gronstal, Jensen, Nystrom, Peterson, Priebe and Tieden.

Members Absent: Holden, Ranking Member and Palmer.

Committee Business: Assigned bills to subcommittees.

Adjourned: 9:42 a.m.

JUDICIARY

Convened: February 6, 1986, 3:00 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Carr, Coleman, Dieleman, Deluhery, Drake, Gentleman, Hester, Horn and Small.

Members Absent: Mann, Vice Chair; Holt and Taylor.

Committee Business: Assigned bills to subcommittees; recommended confirmation to the En Bloc Confirmation Calendar of governor's appointees LeRoy Redfern and Robert Jackson; recommended confirmation of Edward J. Stanek to the Individual Confirmation Calendar; committee placed Robert Friedrich to the Title Guaranty Division Board on the Individual Confirmation Calendar without recommendation; approved LSB 7321S as a committee bill.

Adjourned: 3:30 p.m.

LOCAL GOVERNMENT

Convened: February 6, 1986, 3:08 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Fraise, Goodwin, Lind, Priebe, Vande Hoef and Wells.

Members Absent: Hall (excused).

Committee Business: Recommended passage of Senate File 2032 and Senate File 2035 (as amended) and approved LSB 8057SF as a committee bill.

Adjourned: 4:00 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 6, 1986, 8:25 a.m.

Members Present: Small, Chair; Rife, Ranking Member; Doyle, Fraise, Lind, Peterson, Riordan, Waldstein and Readinger.

Members Absent: Boswell, Vice Chair; Brown and Vande Hoef (excused).

Committee Business: Presentation by Allan T. Thoms, Director of the Iowa Development Commission.

Adjourned: 9:10 a.m.

WAYS AND MEANS

Convened: February 6, 1986, 4:05 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Dieleman, Gratias, Gronstal, Holden, Readinger, Riordan and Soorholtz.

Members Absent: Boswell, Bruner, Holt (all excused), Brown and Mann.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2116 as amended.

Adjourned: 4:30 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 107**

STATE GOVERNMENT: Gentleman, Chair; C. Miller and Schwengels

Senate File 2065

WAYS AND MEANS: Gronstal, Chair; Husak and Holt

Senate File 2073

WAYS AND MEANS: Gronstal, Chair; Husak and Holt

Senate File 2076

STATE GOVERNMENT: Bruner, Chair; Murphy and Gentleman

Senate File 2082

WAYS AND MEANS: Boswell, Chair; Bruner and Readinger

Senate File 2091

WAYS AND MEANS: Soorholtz, Chair; Gronstal and Husak

Senate File 2093

STATE GOVERNMENT: Carr, Chair; Bruner, Dieleman, Drake and Nystrom

Senate File 2095

WAYS AND MEANS: Bruner, Chair; Dieleman and Hester

Senate File 2101

STATE GOVERNMENT: Coleman, Chair; Mann and Corning

Senate File 2116

WAYS AND MEANS: Husak, Chair; Dieleman and Gratias

COMMITTEE REPORTS

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2035, a bill for an act relating to severed mineral interests, by requiring registration and the payment of a registration fee, providing for renewals at five-year intervals, providing for forfeiture to the county upon failure to comply with registration requirements, providing for notice and opportunity for hearing, and providing for acquisition by the surface owner upon payment of certain costs and fees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5050.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Lind, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 425, a bill for an act relating to special absentee ballots.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, Corning, Gentleman, Mann, C. Miller, Rife, Drake, Schwengels, Horn, Nystrom and Coleman. Nays, none. Absent or not voting, 3: Dieleman, Bruner and Welsh.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

SF	2122	Ways and Means
SF	2125	Judiciary
SF	2126	Judiciary
SF	2127	Judiciary
SF	2128	Commerce
SF	2129	Education
SF	2130	Transportation
SF	2132	State Government
SF	2133	Small Business and Economic Development
SF	2134	Judiciary
SF	2135	Judiciary
SF	2136	Ways and Means
SF	2137	Agriculture
SF	2138	State Government
SF	2139	Judiciary
SF	2140	Judiciary
SF	2141	Judiciary
SF	2142	Judiciary

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 7th day of February, 1986:

Senate Files 530 and 2064.

K. MARIE THAYER
Secretary of the Senate

STUDY BILLS RECEIVED**SSB 2092 Commerce**

Limiting the liability of nonmanufacturers of products for suit and damages arising from a cause of action based upon strict liability in tort or breach of implied warranty.

SSB 2093 Labor and Industrial Relations

Relating to the transfer of moneys in the temporary emergency surcharge fund to the unemployment compensation fund under certain circumstances, and repealing the authorization to collect a temporary emergency surcharge.

SSB 2094 Labor and Industrial Relations

Relating to coverage of proprietors, partners, and owner-operators of certain trucks under the workers' compensation law.

SSB 2095 Labor and Industrial Relations

Relating to unemployment compensation by modifying the formula for calculating the weekly benefit amount, by permanently setting the amount of taxable wages, and by making the one-week waiting period permanent.

SSB 2096 Labor and Industrial Relations

Relating to the maximum workers' compensation benefits payable to workers injured on or after the effective date of this Act.

SSB 2097 Labor and Industrial Relations

Relating to the requirements for suspension of a teacher by a superintendent.

REPORT OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the appointment of Robert A. Jackson, Sr. as a member of the Board of Parole, completed its investigation on February 6, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the appointment of LeRoy H. Redfern as a member of the Title Guaranty Division Board, completed its investigation on February 6, 1986, and recommended the appointment be confirmed.

REPORT OF STANDING COMMITTEE (Place nominees on Individual Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the appointment of Edward J. Stanek as Commissioner of the Lottery, completed its investigation on February 6, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the appointment of Robert K. Friedrich as a member of the Title Guaranty Division Board, completed its investigation on February 6, 1986, and made **no recommendation**.

AMENDMENTS FILED

S—5041	S. F.	2116	Richard Vande Hoef
S—5042	S. F.	499	Edgar H. Holden
S—5043	S. F.	499	Edgar H. Holden
S—5044	S. F.	499	Jim Lind
S—5045	H. F.	497	Forrest V. Schwengels
S—5046	S. F.	2116	Emil J. Husak Eugene Fraise John Soorholtz

S-5047	S.F.	499	Jim Lind
S-5048	S.F.	2032	Arne Waldstein
S-5049	S.F.	2116	Arne Waldstein
S-5050	S.F.	2035	Local Government
S-5051	S.F.	2116	Arne Waldstein
S-5052	S.F.	2116	Arne Waldstein
S-5053	S.F.	2116	Arne Waldstein
S-5054	S.F.	2032	Alvin V. Miller

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:58 a.m., until 9:30 a.m., Tuesday, February 11, 1986.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 11, 1986

The Senate met in regular session at 9:48 a.m., President Anderson presiding.

Prayer was offered by the Reverend Carl L. Cooper, pastor of the Central Presbyterian Church, Des Moines, Iowa.

The Journal of Friday, February 7, 1986, was approved.

INTRODUCTION OF BILL

Senate File 2146, by *Gratias*, a bill for an act to delay certain deadline dates for school districts including the date for budget certification and the dates relating to the offer and termination of teacher contracts and to provide that the Act takes effect upon its publication.

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

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2131** was referred from the Regular Calendar to the committee on **Appropriations**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:00 a.m., until 4:30 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2116, the following technical correction was made:

- 1. Page 25, line 3, "section 31" was changed to "section 30".

K. MARIE THAYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on February 10, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 530—Relating to the parole of persons convicted for the offenses of sexual abuse and lascivious acts with a child.

S.F. 2064—Relating to licensed dealers and warehouses for agricultural products, and providing an effective date.

PRESENTATION OF VISITORS

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

One hundred twenty-five sixth grade students from B.R. Miller Middle School, Marshalltown, Iowa, accompanied by Ron Crow. Senator Soorholtz.

The following visitors were present in the Senate gallery:

Eighth grade students from Urbandale Middle School, Urbandale, Iowa, accompanied by John Strand. Senator Readinger.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on February 7, 1986.

Had I been present, I would have voted "aye" on Senate Files 2029, 2037, 2092 and House Files 497 and 635.

DAVE READINGER

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on February 7, 1986.

Had I been present, I would have voted "aye" on Senate Files 2029, 2037, 2092, 2116 and House Files 497 and 635.

DON E. GETTINGS

SUBCOMMITTEE ASSIGNMENTS

Senate File 2104

LABOR AND INDUSTRIAL RELATIONS: Gettings, Chair; Holden and Deluhery

Senate File 2106

LABOR AND INDUSTRIAL RELATIONS: Deluhery, Chair; Hultman and Colton

Senate File 2113

LABOR AND INDUSTRIAL RELATIONS: Mann, Chair; Welsh and Hultman

Senate File 2115

LABOR AND INDUSTRIAL RELATIONS: Gettings, Chair; Holden and Deluhery

Senate File 2130

TRANSPORTATION: Gettings, Chair; A. Miller and Jensen

SSB 2093

LABOR AND INDUSTRIAL RELATIONS: Wells, Chair; Welsh and Rife

SSB 2094

LABOR AND INDUSTRIAL RELATIONS: Gettings, Chair; Deluhery and Holden

SSB 2095

LABOR AND INDUSTRIAL RELATIONS: Mann, Chair; Welsh and Hultman

SSB 2096

LABOR AND INDUSTRIAL RELATIONS: Mann, Chair; Wells and Holden

SSB 2097

LABOR AND INDUSTRIAL RELATIONS: Colton, Chair; Welsh and Rife

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2144	Ways and Means
S. F.	2145	Judiciary

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 2008, a bill for an act relating to an act to broaden the goals to be served in the determination of appropriate criminal sentences.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Hester, Holt and Taylor. Nays, 2: Gentleman and Horn. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2100, a bill for an act relating to public defenders.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2070, a bill for an act relating to the filing fees of statutory liens for filing with the clerk of district court.

Recommendation: DO PASS.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2159 (LSB 8057SF), a bill for an act relating to the reduction of recommended salary increases by the board of supervisors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: A. Miller, Waldstein, Fraise, Goodwin, Lind, Priebe and Wells. Nays, 1: Vande Hoef. Voting present, 1: C. Miller. Absent, 1: Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 2035A Ways and Means

Relating to the state homestead tax credit program and the agricultural land tax credit program by making a standing limited appropriation and limiting the homesteads that are eligible for the homestead tax credit, decreasing the standing limited appropriation for the agricultural land tax credit, providing for funds not used for the tax credit programs to be available for use for certain purposes, and creating a family farmer loan program, and providing an effective date.

SSB 2098 Commerce

Relating to civil actions brought for the recovery of damages, and providing penalties.

SSB 2099 Commerce

To prohibit discrimination in payment or reimbursement to a person defined as a physician for services provided or a condition treated within the lawful scope of practice and making corporations organized by chiropractors for establishing, maintaining, and operating a medical and surgical service plan subject to chapter 514.

SSB 2100 State Government

Establishing a prison crowding oversight commission.

SSB 2101 Commerce

Relating to municipally owned utilities.

AMENDMENT FILED

S-5055

S.F.

2084

C. Joseph Coleman
Joe Welsh

AFTERNOON SESSION

The Senate reconvened at 5:09 p.m., President Anderson presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 6, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2041, a bill for an act requiring an abstractor's lien search and attorney's opinion on certain plats submitted for approval of the city council.

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

House File 2091, a bill for an act relating to the inspection of explosive storage facilities.

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

INTRODUCTION OF BILLS

Senate File 2147, by Nystrom, Taylor, Jensen, Tieden, Goodwin, Holt, and Vande Hoef, a bill for an act relating to the penalties for violations of law involving the promotion of obscene material and the sexual exploitation of children.

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

Senate File 2148, by Hester, Rife, Drake, Waldstein, Goodwin, Taylor, Tieden, Holt, Vande Hoef, and Hultman, a bill for an act to allow a city or county to grant a partial exemption from property taxes on value added to a livestock production facility.

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

Senate File 2149, by Dieleman, a bill for an act providing for refunds of registration fees for motor vehicles under certain circumstances.

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

Senate File 2150, by Doyle, a bill for an act relating to the assessment on porcine animals.

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

Senate File 2151, by Holt, a bill for an act providing that the small claims court has concurrent jurisdiction of an action of replevin if the value of the property claimed is two thousand dollars or less.

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

Senate File 2152, by Hultman, a bill for an act relating to the authority of the county board of supervisors regarding roads established or improved by petition of landowners.

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

Senate File 2153, by Tieden and Taylor, a bill for an act repealing the prohibition against a municipality, county, or other governmental unit within the state making a law, ordinance, or regulation relating to the availability of obscene materials.

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

Senate File 2154, by Tieden, a bill for an act relating to the setting of reasonable attorneys' fees in comparative fault actions, and providing a penalty.

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

Senate File 2155, by Deluhery, a bill for an act relating to the powers of the administrator of the department of credit unions in taking over the management of credit unions.

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

Senate File 2156, by Priebe, Husak, and Tieden, a bill for an act relating to the requirement by a secured party of a joint check on the sale of goods subject to a security interest.

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

Senate File 2157, by Priebe, a bill for an act relating to the appointment of mediators, fact-finding representatives, and arbitrators pursuant to the public employment relations law and appropriating training funds.

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

Senate File 2158, by Hall and Vande Hoef, a bill for an act relating to compensation of persons suffering loss as a result of medical malpractice, providing for confidential peer review and required reporting, establishing attorney fee standards, modifying the basic requirements for malicious prosecution actions, eliminating certain exemplary or punitive damages, providing a remedy for certain false statements, establishing a required form for verdicts, establishing expert witness standards and requiring expert certification of claims by affidavit, providing for preliminary dismissal in certain circumstances, establishing a limitation on damages, affecting the statute of limitations for malpractice claims brought by minors and mentally ill persons, and providing for payment of judgments in malpractice actions.

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

Senate File 2159, by Committee on Local Government, a bill for an act relating to the reduction of recommended salary increases by the board of supervisors.

Read first time and **placed on calendar**.

Senate File 2160, by Palmer, Colton, Doyle and Hannon, a bill for an act relating to planning and design services which may be provided by persons who are not registered architects.

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

Senate File 2161, by Hultman, a bill for an act to permit motor vehicle dealers to buy and sell new or used motor vehicles on Sundays between the hours of twelve o'clock noon and five o'clock p.m.

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

QUORUM CALL

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

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

MOTION TO RECONSIDER ADOPTED

Senator Priebe called up the motion to reconsider Senate File 2084 filed by him on January 30, 1986, found on page 217 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2084) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Small	Soorholtz	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 5:

Goodwin	Holden	Rife	Taylor
Tieden			

Absent or not voting, 2:

Mann	Schwengels
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The motion prevailed.

Senator Priebe moved to reconsider the vote by which Senate File 2084 went to its last reading, which motion prevailed by a voice vote.

Senate File 2084

On motion of Senator Priebe, Senate File 2084, a bill for an act prohibiting price discrimination in the sale or lease of motor vehicles by motor vehicle manufacturers, distributors, or wholesalers and providing for enforcement and penalties, was taken up for reconsideration.

Senator Coleman offered amendment S—5055 filed by Senators Coleman and Welsh from the floor to page 1 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the afternoon on request of Senator Hultman.

BUSINESS PENDING

The Senate resumed consideration of Senate File 2084 and amendment S—5055.

Senator Coleman moved the adoption of amendment S—5055, which motion prevailed by a voice vote.

Senator Kinley offered amendment S—5058 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5058 lost by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2084) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Hannon	Hester
Horn	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Murphy	Nystrom
Priebe	Rife	Riordan	Small
Soorholtz	Taylor	Waldstein	Wells
Welsh			

Nays, 12:

Brown	Gentleman	Gronstal	Hall
Holden	Kinley	Palmer	Peterson
Readinger	Ritsema	Tieden	Vande Hoef

Voting present, 1:

Holt

Absent or not voting, 4:

Hultman	Mann	Miller, C.P.	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPENDIX

PETITION

The following petition was presented and placed on file by:

- ✓ Senator Holden from seventy-seven residents of Scott County opposing legislation allowing river boat gambling.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 2131 (LSB 8108), a bill for an act relating to foreclosures against agricultural land, by providing for mediation, notice of default, or notice to cure, an appropriation and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5059.

Final Vote: Ayes, 17: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, C. Miller, Murphy, Readinger, Ritsema and Lind. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5056	S.F.	2032	Alvin V. Miller Richard F. Drake
S—5057	S.F.	2143	Tom Mann, Jr.
S—5058	S.F.	2084	George Kinley
S—5059	S.F.	2131	Appropriations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:52 p.m., until 9:00 a.m., Wednesday, February 12, 1986.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 12, 1986

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

Senator Hutchins asked and received unanimous consent to have printed in the Senate Journal the following prayer offered by Bishop Maurice J. Dingman of the Catholic Diocese of Southwest Iowa:

For my prayer today on the religious observance of Ash Wednesday I turn to the Book of the Prophet Joel, Chapter 2.

Historically a terrible invasion of locusts ravaged Judah at the time of Joel. In the face of catastrophe the prophet summoned the people to repent, to turn to God with fasting and weeping.

Our present catastrophe of losing our precious resource of family farms prompts us to listen to the prayer of the Prophet Joel and make it our own.

Let us pray:

Return to me with your whole heart, with fasting and weeping and mourning,
says the Lord.

Rend your hearts,
not your garmets,
and return to the Lord, your God.

For gracious and merciful is he,
slow to anger, rich in kindness,
and relenting in punishment.

Blow the trumpet in Iowa
for the family farm.
Proclaim a fast for these
millions in our world who are hungry.
Call an assembly of your
legislators and lobbyists.
Gather the people who receive unjust prices
for their products.
Notify the far-flung
congregations of the faithful
in their synagogues and
churches that we are a repentant people. Assemble

the old and the young. Gather the youth
of our State and proclaim to them that they are our
hope and future.

The Journal of Tuesday, February 11, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Soorholtz for the day on request of Senator Hultman and Senator Dieleman for the day on request of Senator Hutchins.

INTRODUCTION OF BILL

Senate File 2162, by Horn, a bill for an act prohibiting the state department of transportation from considering out-of-state offenses, which are not deemed serious violations, in determining a motor vehicle license suspension or revocation.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:23 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 11, 1986, 10:50 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Nystrom, Ranking Member; Grattias and Small.

Members Absent: none.

Committee Business: Budget presentations by the Board of Regents on the University of Iowa Hospitals and Clinics.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 11, 1986, 11:00 a.m.

Members Present: C. Miller, Chair; Ritsema, Ranking Member and Waldstein.

Members Absent: Doyle, Vice Chair and Carr.

Committee Business: Budget overview - Department of Public Safety.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: February 11, 1986, 11:11 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair and Corning.

Members Absent: Schwengels, Ranking Member and Mann.

Committee Business: Reviewed biennial budget for the Job Service of Iowa; informal update regarding the reorganization bill.

Adjourned: 11:29 a.m.

AGRICULTURE

Convened: February 11, 1986, 2:06 p.m.

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

Members Absent: Husak.

Committee Business: Assigned bills to subcommittees; approved SSB 2073 as a committee bill.

Adjourned: 2:17 p.m.

APPROPRIATIONS

Convened: February 11, 1986, 4:36 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, C. Miller, Murphy, Readinger, Ritsema and Lind.

Members Absent: Schwengels.

Committee Business: Amended and recommended passage of Senate File 2131; recommended confirmation of the governor's appointees to the Iowa Community Cultural Grants Commission to the En Bloc Confirmation Calendar.

Adjourned: 5:06 p.m.

JUDICIARY

Convened: February 11, 1986, 1:00 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor.

Members Absent: Small.

Committee Business: Senate File 2008 passed out of committee without recommendation; recommended passage of Senate File 2100 and House File 2070; approved SSB 2024 as a committee bill.

Adjourned: 2:00 p.m.

LOCAL GOVERNMENT

Convened: February 11, 1986, 1:07 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair (arrived 1:25 p.m.); Waldstein, Ranking Member (arrived 1:15 p.m.); Fraise (arrived 1:12 p.m.), Goodwin (arrived 1:12 p.m.), Hall, Lind, Priebe, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Discussed and deferred action on SSB 2087.

Adjourned: 1:30 p.m.

REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on Appropriations assigned to investigate the appointments of David L. Charles, Rita K. Courtney, Cynthia B. Lidgett and Ronald H. Schectman as members of the Iowa Community Cultural Grants Commission, completed its investigation on February 6, 1986, and recommended the appointments be confirmed.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of Robert D. Benton be removed from the En Bloc Confirmation Calendar and placed on the Individual Confirmation Calendar.

JOE BROWN

SUBCOMMITTEE ASSIGNMENTS

Senate File 2096

ENERGY AND ENVIRONMENT: Bruner, Chair; Soorholtz and Carr

Senate File 2110

ENERGY AND ENVIRONMENT: Bruner, Chair; Soorholtz and Carr

Senate File 2111

COMMERCE: Palmer, Chair; Priebe and Holden

Senate File 2112

JUDICIARY: Small, Chair; Mann and Taylor

Senate File 2118

COMMERCE: Palmer, Chair; Gronstal, Peterson, Holden and Tieden

Senate File 2119

AGRICULTURE: Fraise, Chair; Waldstein and Hester

Senate File 2121

COMMERCE: Kinley, Chair; Priebe, Holden, Palmer and Jensen

Senate File 2125

JUDICIARY: Taylor, Chair; Small and Mann

Senate File 2126

JUDICIARY: Horn, Chair; Carr and Gentleman

Senate File 2127

JUDICIARY: Horn, Chair; Carr and Gentleman

Senate File 2128

COMMERCE: Deluhery, Chair; Gronstal and Jensen

Senate File 2134

JUDICIARY: Horn, Chair; Carr and Gentleman

Senate File 2135

JUDICIARY: Taylor, Chair; Mann and Small

Senate File 2139

JUDICIARY: Small, Chair; Mann and Hester

Senate File 2140

JUDICIARY: Mann, Chair; Taylor and Small

Senate File 2141

JUDICIARY: Mann, Chair; Taylor and Small

Senate File 2142

JUDICIARY: Carr, Chair; Horn and Holt

SSB 2092

COMMERCE: Palmer, Chair; Priebe and Holden

SSB 2098

COMMERCE: Palmer, Chair; Priebe and Holden

SSB 2101

COMMERCE: Deluhery, Chair; Peterson and Holden

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2078, a bill for an act relating to cooperative associations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Priebe, A. Miller, Boswell, Hester, Husak, Fraise, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Soorholtz and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2163 (SSB 2034), a bill for an act relating to unclaimed winnings from pari-mutuel betting.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, A. Miller, Soorholtz, Hester, Husak, Fraise, Palmer and Vande Hoef. Nays, 1: Waldstein. Absent or not voting, 1: Boswell.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2164 (SSB 2073), a bill for an act relating to dog racing where pari-mutuel betting is permitted.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 2083, a bill for an act repealing the energy conservation improvement pilot programs and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Bruner, Colton, Corning, Brown, Hultman and Rife. Nays, 3: Carr, Gronstal and A. Miller. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2146	Education
S.F.	2147	Judiciary
S.F.	2148	Ways and Means
S.F.	2149	Transportation
S.F.	2150	Agriculture
S.F.	2151	Judiciary
S.F.	2152	Local Government
S.F.	2153	Judiciary
S.F.	2154	Judiciary
S.F.	2155	Commerce
S.F.	2156	Commerce
S.F.	2157	Appropriations
S.F.	2158	Judiciary
S.F.	2160	State Government
S.F.	2161	Transportation
H.F.	2041	Local Government
H.F.	2091	State Government

STUDY BILLS RECEIVED

SSB 2102 Human Resources

Relating to the control of certain tobacco products.

SSB 2103 Ways and Means

Relating to the exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities to be used in agricultural production for market.

SSB 2104 Ways and Means

Relating to taxation, by amending administrative requirements of taxpayers, taxpayers' representatives, and public and taxing authorities, including nonsubstantive and technical corrections and making certain provisions of the Act retroactive.

SSB 2105 Ways and Means

Relating to the state individual and corporate income tax credit for increasing research activities in the state and providing a retroactive effective date.

AMENDMENT FILED

S—5060

S.F.

499

Tom Mann, Jr.

AFTERNOON SESSION

The Senate reconvened at 4:44 p.m., President Anderson presiding.

QUORUM CALL

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

The vote revealed 45 present, 5 absent and a quorum present.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2050

Senator Miller of Cerro Gordo withdrew the motion to reconsider Senate File 2050, a bill for an act relating to the security interest in farm products and providing an effective date, filed by him on January 20, 1986 and found on page 100 of the Senate Journal.

Senator Rife withdrew the motion to reconsider Senate File 2050 filed by him on January 20, 1986 and found on page 100 of the Senate Journal.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hultman for the afternoon session on request of Senator Jensen.

HOUSE AMENDMENT CONSIDERED

(Deferred on February 7, 1986)

Senate File 499

The Senate resumed consideration of Senate File 499, a bill for an act establishing applicable standards for motor vehicle safety belts and safety harnesss, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and providing a penalty and House amendment S—5031, deferred on February 7, 1986.

Senator Mann asked and received unanimous consent that action on amendment S—5060 filed by him from the floor to House amendment S—5031 be deferred.

Senator Gentleman offered amendment S—5032 filed by her on February 5, 1986, to House amendment S—5031 and moved its adoption.

Amendment S—5032 lost by a voice vote.

Senator Doyle offered amendment S—5033 filed by him on February 6, 1986, to House amendment S—5031 and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 32.

Amendment S—5033 lost.

Senator Mann offered amendment S—5035 filed by him on February 6, 1986, to House amendment S—5031 and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 26.

Amendment S—5035 lost.

Senator Lind withdrew amendment S—5044 filed by him on February 7, 1986, to House amendment S—5031.

Senator Mann offered amendment S—5036 filed by him on February 6, 1986, to House amendment S—5031, moved its adoption and requested a non record roll call.

The ayes were 17, nays 29.

Amendment S—5036 lost.

Senator Mann withdrew amendment S—5060 to House amendment S—5031, previously deferred.

Senator Doyle asked unanimous consent that action on House amendment S—5031 and Senate File 499 be deferred.

Senator Doyle withdrew his request.

Senator Kinley moved that the Senate concur in House amendment S—5031.

A non record roll call was requested.

The ayes were 30, nays 17.

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

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

On the question "Shall the bill pass?" (S.F. 499) the vote was:

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

Ayes, 27:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Drake	Fraise
Goodwin	Hall	Hannon	Hester
Holt	Hutchins	Kinley	Lind
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Readinger	Riordan	Schwengels
Small	Waldstein	Wells	

Nays, 20:

Carr	Coleman	Doyle	Gentleman
Gettings	Gratias	Gronstal	Holden
Horn	Husak	Jensen	Mann
Miller, C.P.	Palmer	Rife	Ritsema
Taylor	Tieden	Vande Hoef	Welsh

Absent or not voting, 3:

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

INTRODUCTION OF BILLS

Senate File 2163, by Committee on Agriculture, a bill for an act relating to unclaimed winnings from pari-mutuel betting.

Read first time and **placed on calendar**.

Senate File 2164, by Committee on Agriculture, a bill for an act relating to dog racing where pari-mutuel betting is permitted.

Read first time and **placed on calendar**.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:28 p.m.; until 9:00 a.m., Thursday, February 13, 1986.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 13, 1986

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

Prayer was offered by the Reverend John M. Palmer, pastor of the First Assembly of God Church, Des Moines, Iowa.

The Journal of Wednesday, February 12, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hultman for the day on request of Senator Holden.

INTRODUCTION OF BILL

Senate File 2165, by Committee on Energy and Environment, a bill for an act providing that the hazardous chemicals risk right to know Act does not apply to employers not regulated by the federal occupational safety and health administration's hazard communication regulation with respect to hazardous chemicals which are consumer products as defined in, labeled, and regulated pursuant to the federal Consumer Product Safety Act.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:11 a.m., until 5:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 12, 1986, 8:50 a.m.

Members Present: Doyle, Vice Chair; Ritsema, Ranking Member and Waldstein.

Members Absent: C. Miller, Chair and Carr.

Committee Business: Budget overview - Iowa Law Enforcement Academy Council.

Recessed: 9:00 a.m.

Reconvened and adjourned: 9:31 a.m.

AGRICULTURE

Convened: February 12, 1986, 2:15 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Boswell, Hester, Husak, Fraise, Vande Hoef and Waldstein.

Members Absent: Soorholtz, Ranking Member and Palmer (both excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2078.

Adjourned: 2:34 p.m.

COMMERCE

Convened: February 12, 1986, 1:10 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal (arrived 1:20 p.m.), Jensen (arrived 1:25 p.m.), Peterson, Priebe and Tieden.

Members Absent: Palmer (excused) and Nystrom.

Committee Business: Assigned bills to subcommittees; William Bernau, governor's appointee as Superintendent of Banking, appeared before the committee.

Adjourned: 1:55 p.m.

ENERGY AND ENVIRONMENT

Convened: February 12, 1986, 8:12 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, Carr (arrived 8:18 a.m.), Gronstal, Hultman, A. Miller and Rife.

Members Absent: Soorholtz (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2083; approved SSBs 2051, 2053 and 2059 as committee bills.

Adjourned: 8:50 a.m.

HUMAN RESOURCES

Convened: February 12, 1986, 1:17 p.m.

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

Members Absent: Coleman.

Committee Business: Recommended confirmation of governor's appointees to the En Bloc Confirmation Calendar; recommended passage of Senate File 2047 and House File 102 as amended.

Adjourned: 2:03 p.m.

NATURAL RESOURCES

Convened: February 12, 1986, 8:01 a.m.

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

Members Absent: Doyle.

Committee Business: No bills ready and no bills assigned.

Adjourned: 8:15 a.m.

COMMITTEE REPORTS

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 2165 (SSB 2059), a bill for an act providing that the hazardous chemicals risk right to know Act does not apply to employers not regulated by the federal occupational safety and health administration's hazard communication regulation with respect to hazardous chemicals which are consumer products as defined in, labeled, and regulated pursuant to the federal Consumer Product Safety Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bruner, Colton, Corning, Brown, Carr, Gronstal, Hultman, A. Miller and Rife. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2166 (SSB 2051), a bill for an act relating to the authority of the department of water, air and waste management to remove and compel removal of hazardous substances of hazardous wastes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bruner, Colton, Corning, Brown, Carr, Gronstal, Hultman, A. Miller and Rife. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2047, a bill for an act relating to hospitals.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5061.

Final Vote: Ayes, 10: Hannon, Bruner, Carr, Gratias, C. Miller, Murphy, Readinger, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 2: Gentleman and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 102, a bill for an act relating to smoking in public places and public meetings and applying penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5062.

Final Vote: Ayes, 7: Hannon, Bruner, Carr, Murphy, Taylor, Vande Hoef and Wells. Nays, 3: Gentleman, Gratias and C. Miller. Absent or not voting, 2: Readinger and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2167, a bill for an act relating to the liability of social hosts for injuries to persons as a result of intoxication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Doyle, Mann, Ritsema, Coleman, Drake, Gentleman, Hester, Holt and Horn. Nays, 2: Dieleman and Taylor. Absent or not voting, 3: Small, Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 102, a resolution relating to gubernatorial appointments requiring senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 4: Hutchins, Gettings, Gronstal and Jensen. Nays, none. Absent or not voting, 2: Hultman and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

Senator Jensen welcomed as his guests the following foreign exchange students attending Sumner High School:

Jesus Lorenia Tarriba Amado, Mexico; Adriana Brandao, Brazil; Janeth Lansisalmi, Finland; and Jessica Olesen, Denmark. They were accompanied by their government instructor, Otis L. Roby and the Reverend Charles E. Klink, pastor of The United Methodist Church of Sumner.

STUDY BILLS RECEIVED

SSB 2106 Judiciary

Relating to the provision of risk management and insurance coverage assistance to the state, governmental subdivisions, and other entities deemed essential to the public welfare.

SSB 2107 Judiciary

Relating to fiduciary security transfers by increasing the duration of a certificate evidencing the appointment or incumbency of a fiduciary.

SSB 2108 Judiciary

Relating to the rights of grandparents.

SSB 2109 Judiciary

Relating to payments of money to inmates of state correctional institutions upon discharge, parole, or placement on work release.

SSB 2110 Education

Making an appropriation for the Iowa college work-study program.

SSB 2111 Agriculture

Relating to income tax credits for cattle production.

SSB 2112 Agriculture

Providing soil conservation tax credits for certain uses of agricultural land, and providing an effective date.

SSB 2113 Agriculture

Relating to gasohol, by decreasing the tax on the fuel by one cent per gallon.

SSB 2114 Agriculture

Relating to the agricultural tax credit.

SSB 2115 Judiciary

Relating to the licensing of private security agencies.

SSB 2116 Judiciary

Relating to mineral interests by providing for the lapse of stale mineral interests under certain circumstances.

SSB 2117 Judiciary

Relating to the adoption of the uniform transfers to minors Act.

SSB 2118 State Government

Relating to the mailing of absentee ballots to electors.

SSB 2119 Agriculture

Relating to loans for ethanol production.

SSB 2120 Agriculture

Relating to and creating a corn gluten feed subsidy program, and providing for an appropriation.

SSB 2121 State Government

Creating a basic emergency medical services planning council and providing a repeal.

SSB 2122 State Government

Relating to the requirements for licenses to practice medicine and surgery and osteopathic medicine and surgery.

SSB 2123 State Government

Relating to the election of directors of a local school district, merged area, and area education agency, and providing an effective date.

SSB 2124 State Government

To limit the sale of wine by the beer and liquor control department to sale at retail.

SSB 2125 State Government

Relating to the licensure of veterinary distributors.

SSB 2126 State Government

Relating to the educational requirements of registered professional engineers and registered land surveyors.

SSB 2127 State Government

Relating to benefits and administration for the Iowa public employees' retirement system.

SSB 2128 State Government

Permitting the Iowa lottery agency to enter into agreements for the promotion of special lottery games.

SSB 2129 State Government

Relating to the conditions of selling lottery tickets or shares.

SSB 2130 State Government

Including lottery tickets or shares in the meaning of the word "merchandise" in awarding prizes for games of skill, games of chance, or raffles.

SSB 2131 State Government

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa regarding the political affiliation of members of judicial nominating commissions.

SSB 2132 State Government

Relating to the qualifications for certified public accountants.

SSB 2133 State Government

A Senate Concurrent Resolution proposing a study committee on Public Retirement Systems.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2146**

EDUCATION: Gratias, Chair; Murphy and Wells.

SSB 2091

EDUCATION: Wells, Chair; Gratias and Murphy

SSB 2110

EDUCATION: Hannon, Chair; Wells and Corning

SSB 2118

STATE GOVERNMENT: Bruner, Chair; Drake and Horn

LSB 7838SF

AGRICULTURE: Hester, Chair; Waldstein and Fraise

BILL ASSIGNED TO COMMITTEE

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

S. F. 2162 Transportation

REPORT OF THE COMMITTEE ON MILEAGE

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

NAME	ROUND TRIP MILES
Lind, Jim	240

Respectfully submitted,

JAMES D. WELLS, Chair
 EDGAR H. HOLDEN
 JOHN W. JENSEN
 LEONARD L. BOSWELL

AMENDMENTS FILED

S—5061	S. F.	2047	Human Resources
S—5062	H. F.	102	Human Resources
S—5063	S. F.	2123	Jim Riordan
S—5064	S. F.	2083	Michael E. Gronstal
S—5065	S. F.	2045	Berl E. Priebe

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., President pro tempore Wells presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 102, by Committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring senate confirmation.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 108, by Gronstal, a concurrent resolution urging the Congress and the President of the United States to enact legislation to equalize old age benefits under the federal Social Security program for persons who have similar wage histories, regardless of the date upon which they became or become age sixty-two.

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

INTRODUCTION OF BILLS

Senate File 2166, by Committee on Energy and Environment, a bill for an act relating to the authority of the department of water, air and waste management to remove and compel removal of hazardous substances or hazardous wastes.

Read first time and **placed on calendar**.

Senate File 2167, by Committee on Judiciary, a bill for an act relating to the liability of social hosts for injuries to persons as a result of intoxication.

Read first time and **placed on calendar**.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Friday, February 14, 1986.

JOURNAL OF THE SENATE

THIRTY-THIRD CALENDAR DAY
 TWENTY-FIRST SESSION DAY

Senate Chamber
 Des Moines, Iowa, Friday, February 14, 1986

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

Prayer was offered by the Honorable Joy Corning, member of the Senate from Black Hawk County, Cedar Falls, Iowa.

The Journal of Thursday, February 13, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gratius for the day on request of Senator Hultman and Senators Peterson and Riordan for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 2168, by Colton, a bill for an act striking appropriations from the Iowa plan fund for economic development and making appropriations for educational purposes from the fund.

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

Senate File 2169, by Hall, a bill for an act relating to the age at retirement, years of service, and costs of retirement for certain peace officers under the Iowa public employees' retirement system.

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

Senate File 2170, by Gentleman, Drake, Waldstein, Holt, Taylor and Vande Hoef, a bill for an act to provide for the payment of state aid for school districts which reduce their administrative costs.

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

Senate File 2171, by Gentleman, a bill for an act to abolish the board of barber examiners and the board of cosmetology examiners and to establish a board of hairstylist examiners.

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

BILLS REFERRED TO COMMITTEE

The Chair announced that **Senate File 2164** and **House File 102** were referred from the Regular Calendar to the committee on **State Government** and **Senate File 2163** was referred from the Regular Calendar to the committee on **Appropriations**.

Senator Brown took the chair at 9:13 a.m.

SPECIAL GUEST

Senator Colton and former Governor Robert D. Ray, 1986 Easter Seal Campaign Chairman, appeared in the well of the Senate and presented Jennifer Lofgren, 9½, from Sioux City, the 1986 Iowa Easter Seal Society Ambassador.

Jennifer, who was accompanied by her parents, Ron and Kathy Lofgren and brothers, Christian and Andrew, is a third grader and has attended Camp Sunnyside in the summer months.

Jennifer is afflicted with spinal artery syndrome but this has not precluded her from pursuing her hobbies of playing the piano, needlework, reading and horseback riding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 102.

Senate Resolution 102

On motion of Senator Jensen, Senate Resolution 102, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Jensen moved the adoption of Senate Resolution 102, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILLS (Regular Calendar)

House File 656

On motion of Senator Boswell, House File 656, a bill for an act relating to the labeling of foods, by requiring certain foods to be labeled with information concerning the country of original production, with report of committee recommending passage, was taken up for consideration.

Senator Boswell asked and received unanimous consent to withdraw amendments S—5020 filed by Senators Riordan and Boswell on January 27, 1986, to page 1 and to the title page of the bill and S—5030 filed by Senators Riordan and Boswell on February 3, 1986, to page 1 and the title page of the bill.

Senator Wells offered amendment S—5019 filed by him on January 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5019 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?" (H.F. 656) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins
Miller, A. V.	Murphy	Nystrom	Priebe
Schwengels	Soorholtz	Vande Hoef	Wells
Welsh			

Nays, 15:

Corning	Gentleman	Goodwin	Holden
Hultman	Jensen	Kinley	Lind
Palmer	Readinger	Rife	Ritsema
Small	Taylor	Tieden	

Absent or not voting, 6:

Gratias	Mann	Miller, C.P.	Peterson
Riordan	Waldstein		

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

Senate File 341

On motion of Senator Readinger, Senate File 341, a bill for an act dealing with penalties related to the convictions of Iowa drivers in other states, with report of committee recommending passage, was taken up for consideration.

Senator Readinger asked and received unanimous consent that further action on **Senate File 341** be deferred.

Senate File 2032

On motion of Senator Priebe, Senate File 2032, a bill for an act to require the county treasurer to provide property tax statements to each property owner, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5054 filed by him on February 7, 1986, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 39, nays 3.

Amendment S—5054 was adopted.

Senator Miller of Cerro Gordo offered amendment S—5056 filed by Senators Miller of Cerro Gordo and Drake on February 11, 1986, to page 1 of the bill and called for a division; lines 2 through 10 as division S—5056A and lines 11 through 13 as division S—5056B.

Senator Miller of Cerro Gordo asked and received unanimous consent to withdraw division S—5056A.

Senator Miller of Cerro Gordo moved the adoption of division S—5056B, which motion prevailed by a voice vote.

Senator Waldstein offered amendment S—5048 filed by him on February 7, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5048 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. 2032) the vote was:

Ayes, 30:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Goodwin
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Murphy	Palmer
Priebe	Schwengels	Soorholtz	Waldstein
Wells	Welsh		

Nays, 16:

Corning	Drake	Gettings	Hester
Holden	Holt	Hultman	Jensen
Nystrom	Readerger	Rife	Ritsema
Small	Taylor	Tieden	Vande Hoef

Absent or not voting, 4:

Gratias	Miller, C.P.	Peterson	Riordan
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILL

Senate File 2172, by Readerger, a bill for an act relating to the certificate of need process regarding organ or tissue transplant services and providing an effective date.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:21 a.m., until 12:00 noon.

AFTERNOON SESSION

The Senate reconvened at 1:05 p.m., President pro tempore Wells presiding.

INTRODUCTION OF BILLS

Senate File 2173, by Taylor, Waldstein, Holt, and Goodwin, a bill for an act to limit property taxes levied by area vocational schools and community colleges.

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

Senate File 2174, by Taylor, a bill for an act establishing a beginning teacher incentive to supplement salaries of beginning teachers and making an appropriation.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 13, 1986, 1:25 p.m.

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

Members Absent: Colton.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:30 p.m.

JUDICIARY

Convened: February 13, 1986, 2:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Coleman, Deluhery, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Carr, Dieleman and Drake.

Committee Business: Assigned bills to subcommittees; Dave Lyons from LSB spoke on SSB 2106.

Adjourned: 3:00 p.m.

RULES AND ADMINISTRATION

Convened: February 13, 1986, 10:53 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Gronstal and Jensen.

Members Absent: Hultman, Ranking Member and Kinley.

Committee Business: Approved as a committee resolution a proposed senate resolution relating to gubernatorial appointments requiring senate confirmation.

Adjourned: 11:11 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 13, 1986, 8:35 a.m.

Members Present: Small, Chair; Boswell, Vice Chair; Rife, Ranking Member; Brown, Lind, Peterson, Vande Hoef and Waldstein.

Members Absent: Doyle, Riordan, Readinger, Vande Hoef, and Fraise (excused).

Committee Business: Recommended confirmation of governor's appointee Joe Warrick to the En Bloc Confirmation Calendar; placed governor's appointee Keith G. Briscoe on the Individual Confirmation Calendar and made no recommendation until introduced; assigned Senate File 2133 to a subcommittee.

Adjourned: 8:45 a.m.

WAYS AND MEANS

Convened: February 13, 1986, 2:10 p.m.

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

Members Absent: Bruner, Dieleman, Gratias, Holt and Riordan (all excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of governor's appointees, Marvin Selden and Betty Jo Harker to the En Bloc Confirmation Calendar.

Adjourned: 2:15 p.m.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on Small Business and Economic Development assigned to investigate the appointment of Joe S. Warrick as a member of the Small Business Advisory Council, completed its investigation on February 13, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Ways and Means assigned to investigate the appointment of Betty Jo Harker and Marvin R. Selden as members of the Iowa Advance Funding Authority, completed its investigation on February 13, 1986, and recommended the appointments be confirmed.

REPORT OF STANDING COMMITTEE (Place nominee on the Individual Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on Small Business and Economic Development assigned to investigate the appointment of Keith G. Briscoe as a member of the Iowa Product Development Corporation, completed its investigation on February 13, 1986, and **made no recommendation until introduced.**

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 656 passed the Senate on February 14, 1986.

RICHARD F. DRAKE

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on February 12, 1986, when the final vote was taken on Senate File 499.

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

WILLIAM W. DIELEMAN

STUDY BILLS RECEIVED

SSB 2134 Commerce

Relating to the senior debt of an industrial loan company.

SSB 2135 Education

To limit property taxes levied by area vocational schools and community colleges.

SSB 2136 Human Resources

Relating to the regulation of continuing-care facilities, and providing penalties.

SSB 2137 Human Resources

Creating a long-term care coordinating unit.

SSB 2138 Human Resources

Relating to the health data commission by adding the executive director of the commission on the aging to the membership of the health data commission and permitting the health data commission to collect long-term care data.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2109

WAYS AND MEANS: Boswell, Chair; Husak and Holt

Senate File 2120

WAYS AND MEANS: Gronstal, Chair; Bruner and Hester

Senate File 2122

WAYS AND MEANS: Riordan, Chair; Bruner and Holden

Senate File 2133

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Waldstein and Fraise.

Senate File 2136

WAYS AND MEANS: Dieleman, Chair; Mann and Gratias

Senate File 2144

WAYS AND MEANS: Holden, Chair; Gronstal and Husak

Senate File 2145

JUDICIARY: Dieleman, Chair; Mann and Ritsema

Senate File 2147

JUDICIARY: Mann, Chair; Small and Holt

Senate File 2149

TRANSPORTATION: Gettings, Chair; Drake and A. Miller

Senate File 2151

JUDICIARY: Holt, Chair; Mann and Small

Senate File 2153

JUDICIARY: Mann, Chair; Small and Taylor

Senate File 2154

JUDICIARY: Small, Chair; Mann and Ritsema

Senate File 2158

JUDICIARY: Small, Chair; Mann and Holt

Senate File 2161

TRANSPORTATION: Nystrom, Chair; Drake and Kinley

Senate File 2162

TRANSPORTATION: Doyle, Chair; Coleman and A. Miller

Senate File 2163

APPROPRIATIONS: Gronstal, Chair; Tieden and Murphy

SSB 2103

WAYS AND MEANS: Gronstal, Chair; Mann and Hester

SSB 2104

WAYS AND MEANS: Bruner, Chair; Dieleman and Holden

SSB 2105

WAYS AND MEANS: Bruner, Chair; Dieleman and Holden

SSB 2106

JUDICIARY: Small, Chair; Doyle and Hester

SSB 2107

JUDICIARY: Doyle, Chair; Small and Ritsema

SSB 2108

JUDICIARY: Gentleman, Chair; Horn and Small

SSB 2109

JUDICIARY: Gentleman, Chair; Carr and Ritsema

SSB 2115

JUDICIARY: Doyle, Chair; Mann and Holt

SSB 2116

JUDICIARY: Ritsema, Chair; Small and Mann

SSB 2117

JUDICIARY: Ritsema, Chair; Small and Mann

SSB 2136

HUMAN RESOURCES: Readinger, Chair; Hannon and Wells

SSB 2137

HUMAN RESOURCES: Bruner, Chair; Murphy and Readinger

SSB 2138

HUMAN RESOURCES: Bruner, Chair; Carr and Gentleman

The following subcommittee was appointed to consider proposed changes in the Rules of Civil Procedure; Rules 59, 117, 121, 122, 127, 128, 140 and 182:

JUDICIARY: Small, Chair; Ritsema and Mann

The following subcommittee was appointed to consider proposed changes in the Iowa Rules of Appellate Procedure, Rule 5b:

JUDICIARY: Small, Chair; Mann and Ritsema

The following subcommittee was appointed to consider proposed changes in the Rules of Criminal Procedure, Rule 30:

JUDICIARY: Ritsema, Chair; Small and Mann

AMENDMENTS FILED

S—5066	S. F.	2083	Michael E. Gronstal
S—5067	S. F.	2083	Michael E. Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 1:07 p.m., until 1:00 p.m., Monday, February 17, 1986.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 17, 1986

The Senate met in regular session at 1:01 p.m., President Anderson presiding.

Prayer was offered by the Reverend Paul Jordan, pastor of the Zion United Church of Christ, Lowden, Iowa.

The Journal of Friday, February 14, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day and the morning of February 18, 1986, on request of Senator Hultman.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

February 11, 1986

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

Dear Ms. Thayer:

Pursuant to Section 2.32(4), 1985 Code of Iowa, I submit the deferral of all vacancies of the Iowa Rural Community Development Committee. The Board has not met since October of 1980, and was last funded in fiscal year 1979-80. Also, the Senate State Government Subcommittee on State Reorganization has recommended its elimination.

Very truly yours,
TERRY E. BRANSTAD
Governor

RECESS

On motion of Senator Hutchins, the Senate recessed at 1:07 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:35 p.m., President Anderson presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 17, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2257, a bill for an act relating to the local option taxes and providing effective dates.

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

INTRODUCTION OF BILLS

Senate File 2175, by Committee on State Government, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure.

Read first time and **placed on calendar**.

Senate File 2176, by Boswell, a bill for an act relating to agricultural grain marketing, by adopting the interstate compact on agricultural grain marketing, and providing an effective date.

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

Senate File 2177, by Committee on Energy and Environment, a bill for an act requiring specific criteria for the acquisition, selection, or approval of a site for a hazardous waste treatment, disposal, or storage facility.

Read first time and **placed on calendar**.

Senate File 2178, by Committee on Education, a bill for an act relating to the apportionment of the interest of the permanent school fund, including an elimination of school census requirements, and providing that the Act takes effect upon its publication.

Read first time and **placed on calendar**.

Senate File 2179, by Committee on Education, a bill for an act relating to the levying of property taxes for school purposes, providing for a capital projects and equipment levy, a liability levy, and for additional allowable growth for school districts, for the execution and continuation of loan agreements for anticipating the collection of certain levies, and providing an effective date.

Read first time and **placed on calendar**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Readinger for the remainder of the day on request of Senator Holden; Senator Deluhery for the day on request of Senator Hutchins; Senator Hultman for the remainder of the day on request of Senator Jensen; and Senator Mann for the day on request of Senator Doyle.

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2123

On motion of Senator Doyle, Senate File 2123, a bill for an act relating to the judgeship formula for the apportionment of district judges, was taken up for consideration.

Senator Riordan withdrew amendment S—5063 filed by him on February 13, 1986, to page 2 of the bill.

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

On the question "Shall the bill pass?" (S.F. 2123) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Deluhery	Hultman	Lind	Mann
Readinger			

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

Senate File 2124

On motion of Senator Doyle, Senate File 2124, a bill for an act relating to the appointment of a district associate judge in lieu of magistrates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2124) the vote was:

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Gronstal	Hall	Hannon
Holt	Horn	Kinley	Miller, C.P.
Nystrom	Palmer	Ritsema	Small
Soorholtz	Wells		

Nays, 19:

Goodwin	Gratias	Hester	Holden
Husak	Hutchins	Jensen	Miller, A.V.
Murphy	Peterson	Priebe	Rife
Riordan	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Absent or not voting, 5:

Deluhery	Hultman	Lind	Mann
Readinger			

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 425.

Senate File 425

On motion of Senator Bruner, Senate File 425, a bill for an act relating to special absentee ballots, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 425) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Hultman	Lind	Mann
Readinger			

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

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the appointment of Earl L. Howard, Benita L. Strait, Sara E. Sutton and Joan M. Treirvieler as members of the Respiratory Care Advisory Committee, completed its investigation on February 12, 1986, and recommended the appointments be confirmed.

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the appointments of Jill M. Gift and Jeannette L. Miller as members of the State Board of Dietetic Examiners, completed its investigation and recommended the appointments be confirmed.

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the appointment of Nancy Barcelo as a member of the State Foster Care Review Board, completed its investigation on February 12, 1986, and recommended the appointment be confirmed.

STATE GOVERNMENT

Pursuant to Senate Rule 60, the committee on State Government assigned to investigate the appointment of Keith Heffernan as Executive Director of the Office for Planning and Programming, completed its investigation on February 7, 1986, and recommended the appointment be confirmed.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2152

LOCAL GOVERNMENT: Vande Hoef, Chair; Goodwin and Priebe

House File 2041

LOCAL GOVERNMENT: A. Miller, Chair; Goodwin and Wells

PETITIONS

The following petitions were presented and placed on file by:

Senator Horn from seventy-three residents of Kossuth and Palo Alto Counties opposing legislation relating to using county library fund money to fund the first in the nation in education study.

Senator Hutchins from forty-two residents of Woodbury County favoring legislation requiring children to attend schools with state-certified teachers.

Senator Hultman from sixty-eight residents of Mills, Montgomery and Page Counties favoring legislation addressing liability limitation concerns.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 2146, a bill for an act to delay certain deadline dates for school districts including the date for budget certification and the dates relating to the offer and termination of contracts and to provide that the Act takes effect upon its publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5070.

Final Vote: Ayes, 7: Murphy, Gratias, Corning, Riordan, Taylor, Wells and Ritsema. Nays, 1: Colton. Absent or not voting, 2: Horn and Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2178 (SSB 2091), a bill for an act relating to the apportionment of the interest of the permanent school fund, including an elimination of school census requirements, and providing that the Act takes effect upon its publication.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2179 (SSB 2061), a bill for an act relating to the levying of property taxes for school purposes, providing for a capital projects and equipment levy, a liability levy, and for additional allowable growth for school districts, for the execution and continuation of loan agreements for anticipating the collection of certain levies, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 2177 (SSB 2053), a bill for an act requiring specific criteria for the acquisition, selection, or approval of a site for a hazardous waste treatment, disposal, or storage facility.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bruner, Colton, Corning, Brown, Carr, Gronstal, Hultman, A. Miller and Rife. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2094, a bill for an act to extend the deadline for the certification of budgets by political subdivisions of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Carr, Dieleman, Nystrom, Bruner, Welsh, Corning, Drake and Gentleman. Nays, 2: Coleman and C. Miller. Absent or not voting, 4: Mann, Schwengels, Rife and Horn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2168	Education
S. F.	2169	State Government
S. F.	2170	Education
S. F.	2171	State Government
S. F.	2172	Human Resources
S. F.	2173	Ways and Means
S. F.	2174	Education
S. C. R.	108	Rules and Administration

STUDY BILLS RECEIVED

SSB 2139 Human Resources

Providing for direct reimbursement for any service which is authorized within the practice of the profession of a registered nurse.

SSB 2140 Human Resources

Excluding residential care facilities from certificate-of-need reviews for two fiscal years.

SSB 2141 Education

Relating to the levying of property taxes and the payment of state foundation aid to local school districts and area education agencies for the fiscal years beginning July 1, 1986 and July 1, 1987 and providing that the Act will take effect upon its publication.

SSB 2142 Commerce

Relating to mechanics' liens.

SSB 2143 Human Resources

Relating to the disclosure of mental health information and providing an effective date.

SSB 2144 Agriculture

Relating to the Iowa family farm development authority, by changing the name of the authority to the agricultural development authority, and by empowering the authority to undertake agricultural producer financial assistance programs.

SSB 2145 Agriculture

Relating to drainage districts.

SSB 2146 Agriculture

Relating to the Iowa family farm development authority, by providing for an agricultural loan assistance program, providing for the adoption of penalties, making an appropriation, and providing for an effective date.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 656 passed the Senate on February 14, 1986.

LEONARD L. BOSWELL

AMENDMENTS FILED

S—5068	S. F.	2166	Milo Colton
S—5069	S. F.	2152	Calvin O. Hultman
S—5070	S. F.	2146	Education
S—5071	S. F.	2165	Charles Bruner

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Tuesday, February 18, 1986.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
TWENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 18, 1986

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

Prayer was offered by the Reverend Laurence Biesen, pastor of the St. Peter's Catholic Church, Defiance, Iowa.

The Journal of Monday, February 17, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Mann and Boswell 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 February 13, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2097, a bill for an act to exempt authorized emergency vehicles from the child restraint law.

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

ALSO: That the House has on February 14, 1986, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 276, a bill for an act relating to the jurisdiction of district associate judges (S—5072).

ALSO: That the House has on February 14, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2078, a bill for an act relating to navigation near a diving flag and subjecting violators to a penalty.

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

House File 2229, a bill for an act relating to hospitals by permitting the sale or lease of property owned by the hospital upon approval by the board of trustees, permitting commercial use of portions of hospital property, permitting certain hospitals to sell or lease property with a public notice and a public hearing, requiring a commission which manages a county memorial hospital to request a county appropriation for the hospital from the county board of supervisors, permitting licensed practitioners and physicians to serve as county public hospital trustees, prohibiting trustees from receiving compensation from the county public hospital, and requiring the department of health to provide technical assistance to hospitals when funding is available.

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

House File 2230, a bill for an act relating to the disclosure of information regarding open-end credit accounts, credit cards, and financial services.

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

INTRODUCTION OF BILLS

Senate File 2180, by Taylor and Waldstein, a bill for an act relating to providing private instruction or instruction in a nonpublic school.

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

Senate File 2181, by Taylor, a bill for an act relating to taxation, by amending administrative requirements of taxpayers, taxpayers' representatives, and public and taxing authorities, including nonsubstantive and technical corrections and making certain provisions of the Act retroactive.

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

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2008.

Senate File 2008

On motion of Senator Ritsema, Senate File 2008, a bill for an act to broaden the goals to be served in the determination of appropriate criminal sentences, with report of committee without recommendation, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2008) the vote was:

Ayes, 36:

Brown	Bruner	Coleman	Colton
Corning	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gratias
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Miller, A.V.	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Riordan	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, 5:

Carr	Gentleman	Hannon	Murphy
Peterson			

Absent or not voting, 9:

Boswell	Deluhery	Jensen	Lind
Mann	Palmer	Schwengels	Small
Welsh			

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

Senate File 2100

On motion of Senator Doyle, Senate File 2100, a bill for an act relating to public defenders, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2100) the vote was:

Ayes, 43:

Brown	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Boswell	Deluhery	Jensen	Lind
Mann	Palmer	Welsh	

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

Senate File 2159

On motion of Senator Miller of Cerro Gordo, Senate File 2159, a bill for an act relating to the reduction of recommended salary increases by the board of supervisors, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2159) the vote was:

Ayes, 34:

Brown	Bruner	Carr	Coleman
Colton	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Priebe	Rife	Riordan
Schwengels	Small	Soorholtz	Tieden
Waldstein	Wells		

Nays, 8:

Corning	Gentleman	Holden	Peterson
Readinger	Ritsema	Taylor	Vande Hoef

Absent or not voting, 8:

Boswell	Deluhery	Drake	Jensen
Lind	Mann	Palmer	Welsh

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2165.

Senate File 2165

On motion of Senator Bruner, Senate File 2165, a bill for an act providing that the hazardous chemicals risk right to know Act does not apply to employers not regulated by the federal occupational safety and health administration's hazard communication regulation with respect to hazardous chemicals

which are consumer products as defined in, labeled, and regulated pursuant to the federal Consumer Product Safety Act, was taken up for consideration.

Senator Bruner offered amendment S—5071 filed by him on February 17, 1986, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5071 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. 2165) the vote was:

Ayes, 43:

Brown	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Boswell	Deluhery	Jensen	Lind
Mann	Palmer	Welsh	

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

UNFINISHED BUSINESS
(Deferred February 3, 1986)

Senate File 84

The Senate resumed consideration of Senate File 84, a bill for an act relating to the regulation of firearms by a political subdivision, deferred on February 3, 1986.

Senator Gronstal offered amendment S—3526 filed by him on March 27, 1985, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3526 be adopted? (S.F. 84) the vote was:

Ayes, 12:

Brown	Bruner	Carr	Corning
Gentleman	Gronstal	Hannon	Murphy
Readinger	Riordan	Ritsema	Small

Nays, 28:

Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Miller, A.V.	Miller, C.P.	Nystrom
Peterson	Priebe	Rife	Schwengels
Soorholtz	Taylor	Tieden	Wells

Absent or not voting, 10:

Boswell	Deluhery	Gratias	Jensen
Lind	Mann	Palmer	Vande Hoef
Waldstein	Welsh		

Amendment S—3526 lost.

Senator Gentleman asked and received unanimous consent that further action on **Senate File 84** be **deferred** for preparation of an amendment.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2166.

Senate File 2166

On motion of Senator Colton, Senate File 2166, a bill for an act relating to the authority of the department of water, air and waste management to remove and compel removal of hazardous substances or hazardous wastes, was taken up for consideration.

Senator Colton offered amendment S—5068 filed by him on February 17, 1986, to pages 2, 3 and 4 of the bill and moved its adoption.

Amendment S—5068 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2166) the vote was:

Ayes, 43:

Brown	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 1:

Peterson

Absent or not voting, 6:

Boswell	Deluhery	Jensen	Lind
Mann	Welsh		

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 2070.

President pro tempore Wells took the chair at 10:00 a.m.

House File 2070

On motion of Senator Doyle, House File 2070, a bill for an act relating to the filing fees of statutory liens for filing with the clerk of district court, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2070) the vote was:

Ayes, 41:

Brown	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells			

Nays, 2:

Holden	Waldstein
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Absent or not voting, 7:

Boswell	Deluhery	Hultman	Jensen
Lind	Mann	Welsh	

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2167.

Senate File 2167

On motion of Senator Doyle, Senate File 2167, a bill for an act relating to the liability of social hosts for injuries to persons as a result of intoxication, was taken up for consideration.

Senator Small asked and received unanimous consent that further action on **Senate File 2167** be **deferred**.

BILLS REFERRED TO COMMITTEE

The Chair announced that **Senate Files 2035** and **2179** were referred from the Regular Calendar to the committee on **Ways and Means**.

INTRODUCTION OF BILL

Senate File 2182, by Gratias, a bill for an act relating to civil liability for the sale or gift of alcoholic liquor, wine, or beer.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:26 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 17, 1986, 2:40 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 2045 and 2097; approved LSBs 6503 and 7429 as committee bills.

Adjourned: 3:10 p.m.

COMMERCE

Convened: February 18, 1986, 8:15 a.m.

Members Present: Kinley, Chair; Holden, Ranking Member (arrived 8:18 a.m.); Gronstal, Nystrom, Peterson, Priebe and Tieden.

Members Absent: Deluhery, Vice Chair (excused); Jensen and Palmer (excused).

Committee Business: Assigned bills to subcommittees and recommended confirmation to the En Bloc Confirmation Calendar the appointment of William R. Bernau as Superintendent of Banking.

Adjourned: 8:18 a.m.

EDUCATION

Convened: February 17, 1986, 1:40 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2146; approved SSBs 2061 and 2091 as committee bills.

Adjourned: 2:06 p.m.

LOCAL GOVERNMENT

Convened: February 17, 1986, 3:36 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Fraise, Goodwin, Hall, Priebe, Vande Hoef and Wells.

Members Absent: Lind (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 2074 and 2087 as committee bills; recommended passage of Senate File 2094.

Adjourned: 4:08 p.m.

STATE GOVERNMENT

Convened: February 17, 1986, 2:40 p.m.

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

Members Absent: Mann, Rife and Schwengels.

Committee Business: Recommended passage of Senate File 2175; discussed and deferred action on SSB 2121.

Adjourned: 3:14 p.m.

TRANSPORTATION

Convened: February 17, 1986, 1:40 p.m.

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

Members Absent: Jensen, Kinley and Nystrom.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:43 p.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 60, the committee on Commerce assigned to investigate the appointment of William R. Bernau as Superintendent of Banking, completed its investigation on February 18, 1986, and recommended the appointment be confirmed.

HUMAN RESOURCES

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the appointment of Mary Jane Oakland as a member of the State Board of Dietetic Examiners, completed its investigation on February 18, 1986, and recommended the appointment be confirmed.

STATE GOVERNMENT

Pursuant to Senate Rule 60, the committee on State Government assigned to investigate the appointment of David Earl Crosson as Executive Director of the Iowa State Historical Department, completed its investigation on February 6, 1986, and recommended the appointment be confirmed.

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 60, the following governor's appointees referred to the committee on Small Business and Economic Development on January 23, 1986, were automatically placed on the Individual Confirmation Calendar **without recommendation**:

Allan T. Thoms as Director of the Iowa Development Commission.

Arthur E. Dahl as a member of the Iowa Product Development Corporation.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2137

AGRICULTURE: Waldstein, Chair; A. Miller and Husak

Senate File 2150

AGRICULTURE: Hester, Chair; Boswell and Vande Hoef

Senate File 2155

COMMERCE: Holden, Chair; Deluhery and Gronstal

Senate File 2156

COMMERCE: Palmer, Chair; Priebe and Nystrom

SSB 2103

AGRICULTURE: Priebe, Chair; Soorholtz and Husak

SSB 2111

AGRICULTURE: Boswell, Chair; Husak and Hester

SSB 2112

AGRICULTURE: Palmer, Chair; A. Miller and Waldstein

SSB 2113

AGRICULTURE: Fraise, Chair; Palmer and Vande Hoef

SSB 2114

AGRICULTURE: Husak, Chair; Hester and Palmer

SSB 2119

AGRICULTURE: Waldstein, Chair; Fraise and A. Miller

SSB 2120

AGRICULTURE: Vande Hoef, Chair; Soorholtz and Fraise

SSB 2121

STATE GOVERNMENT: Bruner, Chair; Carr and Nystrom

SSB 2122

STATE GOVERNMENT: Dieleman, Chair; Carr, Corning and Rife

SSB 2123

STATE GOVERNMENT: Horn, Chair; Carr and Corning

SSB 2124

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

SSB 2125

STATE GOVERNMENT: Dieleman, Chair; Carr, Corning and Rife

SSB 2126

STATE GOVERNMENT: Dieleman, Chair; Carr, Corning, Drake and Rife

SSB 2127

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

SSB 2128

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

SSB 2129

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

SSB 2130

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

SSB 2131

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

SSB 2132

STATE GOVERNMENT: Dieleman, Chair; Carr, Corning and Rife

SSB 2133

STATE GOVERNMENT: Carr, Chair; Bruner, Horn, Schwengels and Nystrom

SSB 2134

COMMERCE: Holden, Chair; Priebe and Peterson

SSB 2135

EDUCATION: Murphy, Chair; Wells and Corning

SSB 2141

EDUCATION: Hannon, Chair; Horn and Taylor

SSB 2142

COMMERCE: Priebe, Chair; Palmer and Holden

SSB 2143

HUMAN RESOURCES: Gentleman, Chair; Murphy and Hannon

LSB 6503S

AGRICULTURE: Husak, Chair; Soorholtz and Hester

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 2045, a bill for an act relating to bovine brucellosis, by providing definitions, and providing for branding of feeders, vaccination requirements, the adoption of rules, the movement of cattle, and reimbursement and indemnification for spayed and slaughtered cattle.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5073.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2097, a bill for an act relating to agricultural economic diversification by making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2025, a bill for an act relating to the donation of anatomical gifts after the death of a person.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5078.

Final Vote: Ayes, 12: Hannon, Bruner, Gentleman, Carr, Coleman, Gratiyas, C. Miller, Murphy, Readinger, Taylor, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2176	Agriculture
H.F.	2257	Ways and Means

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that Senate File 590 has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 17th day of February, 1986.

ALSO: That Senate File 499 has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 18th day of February, 1986.

K. MARIE THAYER
Secretary of the Senate

STUDY BILLS RECEIVED

SSB 2147 Judiciary

Relating to the collection of civil penalties for the reparation of persons injured by uninsured motorists.

SSB 2148 Judiciary

Relating to investments by fiduciaries by broadening provisions relating to investments in United States government obligations.

SSB 2149 State Government

Relating to election laws.

SSB 2150 Commerce

Relating to the powers of savings and loan associations.

SSB 2151 Commerce

Relating to the guaranty capital of a mutual insurance company.

SSB 2152 Education

To provide a method for school districts to reduce their unspent balance from the base year under the state school foundation formula.

SSB 2153 Judiciary

Relating to agencies authorized to receive information pertaining to arson investigations.

AMENDMENTS FILED

S—5072	S.F.	276	House
S—5073	S.F.	2045	Agriculture
S—5074	S.F.	2167	Arthur A. Small, Jr.
S—5075	S.F.	2167	Arthur A. Small, Jr.
S—5076	S.F.	2175	Bob Carr
S—5077	S.F.	84	Julia Gentleman
S—5078	S.F.	2025	Human Resources
S—5079	S.F.	2047	Charles Bruner
S—5080	S.F.	2175	Milo Colton

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate Joint Resolution 2003, by Waldstein, a joint resolution to nullify an administrative rule on required permit application for certain feedlots.

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

Senate File 2183, by Drake, Taylor, Holden, Vande Hoef, Nystrom, Waldstein, Goodwin, Tieden, Holt and Hultman, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication.

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

Senate File 2184, by Tieden, a bill for an act relating to the civil liability of licensees or permittees for the sale of alcoholic liquor, beer, and wine.

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

Senate File 2185, by Horn, a bill for an act relating to abandoned vehicles.

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

Senate File 2186, by Priebe, a bill for an act making an appropriation for research on cleaning up the Aidex hazardous waste superfund site.

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

Senate File 2187, by Holden, Taylor, and Holt, a bill for an act relating to the levying of property taxes and the payment of state foundation aid to local school districts and area education agencies for the fiscal years beginning July 1, 1986 and July 1, 1987 and providing that the Act will take effect upon its publication.

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

Senate File 2188, by Waldstein, a bill for an act relating to commercial livestock feeders, by exempting them from licensure as either a grain dealer or a warehouse operator.

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

Senate File 2189, by Committee on Agriculture, a bill for an act relating to income tax credits for cattle production.

Read first time and **placed on calendar.**

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 109, by Committee on Agriculture, a resolution recommending adequate funding of research projects at Iowa State University.

Read first time and **placed on calendar.**

QUORUM CALL

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

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

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 109, a resolution recommending adequate funding of research projects at Iowa State University.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2189 (SSB 2111), a bill for an act relating to income tax credit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—5081	S.F.	2143	Richard F. Drake Donald V. Doyle
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ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Wednesday, February 19, 1986.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 19, 1986

The Senate met in regular session at 9:11 a.m., President Anderson presiding.

Prayer was offered by the Reverend Charles Daugherty, pastor of the Fellowship Christian Centre, Cedar Rapids, Iowa.

The Journal of Tuesday, February 18, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 2190, by Committee on Local Government, a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

Read first time and **placed on calendar**.

Senate File 2191, by Colton and Doyle, a bill for an act to appropriate certain revenues from the state lottery, to establish an educational excellence account and distribute moneys from it to school districts, and to provide an effective date.

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

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2097** was referred from the Regular Calendar to the committee on **Appropriations**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:35 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 18, 1986, 10:45 a.m.

Members Present: Horn, Chair; Brown, Vice Chair; Gratias, Ranking Member; Nystrom and Small.

Members Absent: none.

Committee Business: Presentation by Board of Regents and members of Iowa State University on the proposed sale of WOI-TV; also discussion on block grants.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 18, 1986, 11:14 a.m.

Members Present: Hannon, Vice Chair; Vande Hoef, Ranking Member; Bruner (arrived 11:41 a.m.) and Gentleman.

Members Absent: Deluhery, Chair (excused).

Committee Business: Steve Timmons and Sandra Scott were present and assisted in the discussion of the proposed Human Services appropriations bill.

Adjourned: 12:03 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 18, 1986, 10:45 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: none.

Committee Business: Completion of Law Enforcement budget overview; Attorney General's budget overview and Correctional Training Center budget overview.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATORY AND LICENSING

Convened: February 18, 1986, 10:46 a.m.

Members Present: Gronstal, Chair; Goodwin, Ranking Member and Riordan.

Members Absent: Boswell, Vice Chair (excused) and Jensen.

Committee Business: Discussed budget.

Adjourned: 11:47 a.m.

HUMAN RESOURCES

Convened: February 18, 1986, 8:38 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr (arrived 8:55 a.m.), Coleman (arrived 8:43 a.m.), Gratias, C. Miller (arrived 8:45 a.m.), Murphy, Readinger, Taylor, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Recommended passage of Senate File 2025 as amended and assigned study bills to subcommittees.

Adjourned: 9:00 a.m.

HUMAN RESOURCES

Convened: February 18, 1986, 10:29 a.m.

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

Members Absent: none.

Committee Business: Recommended confirmation of Mary Jane Oakland as a member of the State Board of Dietetic Examiners to the En Bloc Confirmation Calendar.

Adjourned: 10:31 a.m.

NATURAL RESOURCES

Convened: February 18, 1986, 2:33 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member (arrived 2:38 p.m.); Doyle (arrived 2:36 p.m.), Gratiyas, Goodwin, Hester, Husak, Hannon, Riordan (arrived 2:36 p.m.) and Peterson.

Members Absent: Tieden (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 166 as amended.

Adjourned: 3:25 p.m.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 2193 (SSB 2081), a bill for an act to remove the notice requirements to the department of revenue relating to the discharge of a personal representative and making the Act retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2068, a bill for an act relating to the suspension of motor vehicle licenses for the failure to pay a fine, penalty, surcharge, or court cost.

Recommendation: DO PASS.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2069, a bill for an act prohibiting the transportation of an open container of wine in a motor vehicle and incorporating a penalty.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2190 (SSB 2074), a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2197 (SSB 2087), a bill for an act directing certain political subdivisions of the state to consider joint purchases of equipment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Priebe and Wells. Nays, 1: Vande Hoef. Absent or not voting, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 166, a bill for an act to authorize the setting of seasons for pigeons.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5084.

Final Vote: Ayes, 11: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Peterson, Riordan and Schwengels. Nays, none. Absent or not voting, 1: Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 660, a bill for an act relating to the reporting of fires and emergency responses to the State fire marshal and the payment of fees for the fire reports.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, Dieleman, Nystrom, Bruner, Horn, Corning, Coleman, Gentleman, Rife, C. Miller and Schwengels. Nays, none. Absent or not voting, 3: Mann, Drake and Welsh.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS**Senate File 2080**

NATURAL RESOURCES: Doyle, Chair; Priebe and Gratias

Senate File 2114

NATURAL RESOURCES: Hester, Chair; Goodwin and Husak

Senate File 2168

EDUCATION: Colton, Chair; Horn and Ritsema

Senate File 2170

EDUCATION: Gratias, Chair; Corning and Colton

Senate File 2174

EDUCATION: Taylor, Chair; Horn and Colton

House File 2032

NATURAL RESOURCES: Tieden, Chair; Husak and Hester

SSB 2139

HUMAN RESOURCES: Hannon, Chair; Bruner and Gentleman

SSB 2140

HUMAN RESOURCES: Vande Hoef, Chair; Taylor and Wells

SSB 2147

JUDICIARY: Doyle, Chair; Mann and Holt

SSB 2148

JUDICIARY: Small, Chair; Deluhery and Taylor

SSB 2152

EDUCATION: Hannon, Chair; Corning and Horn

SSB 2153

JUDICIARY: Drake, Chair; Dieleman and Hester

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on February 17 and 18, 1986.

Had I been present on the 17th, I would have voted "aye" on Senate Files 425, 2123 and 2124.

Had I been present on the 18th, I would have voted "aye" on Senate Files 2008, 2100, 2159, 2165 and 2166 and House File 2070. I would have voted "nay" on amendment S-3526 to Senate File 84.

I apologize for any inconvenience.

JIM LIND

AMENDMENTS FILED

S-5082	S. F.	2175	Bob Carr
S-5083	S. F.	2175	Bob Carr
S-5084	S. F.	166	Natural Resources
S-5085	S. F.	469	William W. Dieleman
S-5086	S. F.	2175	Larry Murphy
S-5087	S. F.	2175	Joe Welsh
S-5088	S. F.	2175	Berl E. Priebe

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2180	Education
S. F.	2181	Ways and Means
S. F.	2182	Judiciary
S. F.	2183	State Government
S. F.	2184	Judiciary
S. F.	2185	Transportation
S. F.	2186	Appropriations
S. F.	2187	Education
S. F.	2188	Agriculture
H. F.	2078	Natural Resources
H. F.	2097	Transportation
H. F.	2230	Commerce
S. J. R.	2003	Agriculture

AFTERNOON SESSION

The Senate reconvened at 2:37 p.m., President Anderson presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2160, a bill for an act relating to the prohibition of polygraph examinations as a condition of employment, and providing a penalty.

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

House File 2197, a bill for an act relating to gambling by making changes in the operation of the state lottery and the Iowa lottery agency, the use of lottery tickets, making certain acts relating to lottery tickets or shares illegal, providing penalties, and providing for an effective date.

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

House File 2300, a bill for an act relating to the transfer of moneys in the temporary emergency surcharge fund to the unemployment compensation fund under certain circumstances.

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

INTRODUCTION OF BILLS

Senate File 2192, by Vande Hoef, Coleman, Holt, Priebe and Jensen, a bill for an act relating to the movement of a vehicle and load with an outside width of eight feet six inches on the highways of this state.

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

Senate File 2193, by Committee on Judiciary, a bill for an act to remove the notice requirements to the department of revenue relating to the discharge of a personal representative and making the Act retroactive.

Read first time and **placed on calendar**.

Senate File 2194, by Miller of Des Moines, a bill for an act to establish an occupational therapist scholarship and loan program administered by the college aid commission and to make an appropriation.

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

Senate File 2195, by Coleman, Mann and Doyle, a bill for an act relating the results of a criminal proceeding on a charge of operating a motor vehicle while under the influence of alcohol or a drug to the administrative license revocation proceeding.

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

Senate File 2196, by Waldstein, Hester and Jensen, a bill for an act relating to the residence of township trustees.

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

Senate File 2197, by Committee on Local Government, a bill for an act directing certain political subdivisions of the state to consider joint purchases of equipment.

Read first time and **placed on calendar**.

Senate File 2198, by Boswell, Priebe, Riordan, Fraise, Miller of Cerro Gordo, Hutchins, Hannon, Gettings, Husak, Brown, Gronstal, Colton, Mann, Coleman, Welsh, Wells, Horn, Miller of Des Moines, Doyle, Murphy and Carr, a bill for an act relating to the production of agricultural commodities by providing for the establishment of a minimum price for certain agricultural commodities sold in the state, and the implementation of supply management and orderly marketing procedures, and providing a penalty.

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

Senate File 2199, by Taylor, a bill for an act relating to the adjusting of the foundation property tax levy of reorganized school districts.

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.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2175.

Senate File 2175

On motion of Senator Carr, Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure, was taken up for consideration.

President pro tempore Wells took the chair at 3:14 p.m.

(Senate File 2175 pending on adjournment.)

APPENDIX

STUDY BILLS RECEIVED

SSB 2154 Education

To impose an additional income surtax on school districts under the state school foundation formula and to provide for its collection and payment.

SSB 2155 Agriculture

Relating to real estate foreclosures.

SSB 2156 Education

To establish local, area education agency, and state school economy task forces and to provide an effective date.

SSB 2157 Judiciary

Relating to motions to quash and notices in court proceedings involving orders of assignment of income to pay delinquent support obligations.

SSB 2158 Agriculture

Relating to care of animals in commercial establishments.

PRESENTATION OF VISITORS

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

Jose Antonio Halphen Perurerena and Aristoteles Vergara from Panama, foreign exchange students attending South Tama Middle School, Toledo, Iowa, who were accompanied by host parents, John and Karen Murty. Senator Husak.

Eighteen students from Dexfield High School, Redfield, Iowa, accompanied by Frank Brigham and Sam Guzzi. Senator Riordan.

AMENDMENTS FILED

S—5089	S. F.	2167	Douglas Ritsema
S—5090	H. F.	2229	Charles Bruner
S—5091	S. F.	2175	Charles Bruner Bob Carr William W. Dieleman John N. Nystrom Richard F. Drake
S—5092	S. F.	2175	Charles Bruner John N. Nystrom
S—5093	S. F.	2175	Douglas Ritsema
S—5094	S. F.	2175	Joy Corning Arthur A. Small, Jr. Beverly A. Hannon Forrest V. Schwengels Julia B. Gentleman
S—5095	S. F.	2175	Richard F. Drake John N. Nystrom Calvin O. Hultman Edgar H. Holden
S—5096	S. F.	2175	Douglas Ritsema
S—5097	S. F.	2175	Richard F. Drake John N. Nystrom Bob Carr Charles Bruner William W. Dieleman
S—5098	S. F.	2175	Joe Brown Larry Murphy
S—5099	S. F.	2175	Joe Brown
S—5100	S. F.	2175	Joe Brown
S—5101	S. F.	276	Jim Riordan
S—5102	S. F.	2175	Joe Brown
S—5103	S. F.	2175	Joe Welsh

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:35 p.m., until 9:00 a.m., Thursday, February 20, 1986.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 20, 1986

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

Prayer was offered by the Reverend Brian Sullivan, pastor of the Galva United Methodist Church, Galva, Iowa.

The Journal of Wednesday, February 19, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann 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 February 14, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2221, a bill for an act providing for modifications of the authority of the department of water, air and waste management over water pollution, flood plain construction, and water use.

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

ALSO: That the House has on February 18, 1986, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 326, a bill for an act relating to the selection of official newspapers (S—5109).

ALSO: That the House has on February 18, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2049, a bill for an act relating to the development and implementation of a coordinated team approach for the investigation of child abuse cases.

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

House File 2110, a bill for an act relating to the membership of the state day care advisory committee.

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

House File 2178, a bill for an act to establish a consignment relationship between artists and art dealers for the sale of the artist's works.

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

House File 2245, a bill for an act relating to the confidentiality of archaeological sites or resource information and subjecting violators to civil and criminal penalties.

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

ALSO: That the House has on February 19, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2287, a bill for an act relating to mechanic's liens.

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

UNFINISHED BUSINESS
(Pending February 19, 1986)

Senate File 2175

The Senate resumed consideration of Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering,

and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure, pending on February 19, 1986.

Senator Carr offered amendment S—5076 filed by him on February 18, 1986, to pages 7 and 19 of the bill and moved its adoption.

Amendment S—5076 was adopted by a voice vote.

Senator Ritsema offered amendment S—5093 filed by him on February 19, 1986, to pages 9 and 11 of the bill and moved its adoption.

Amendment S—5093 was adopted by a voice vote.

Senator Bruner offered amendment S—5105 filed by him from the floor to page 18 of the bill and moved its adoption.

Amendment S—5105 was adopted by a voice vote.

President pro tempore Wells took the chair at 9:31 a.m.

Senator Nystrom offered amendment S—5104 filed by him from the floor to page 20 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5104 be adopted?” (S.F. 2175) 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	Corning	Drake
Gentleman	Goodwin	Gratias	Hester
Holden	Holt	Hultman	Jensen
Lind	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 26:

Boswell	Carr	Coleman	Colton
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Riordan	Small
Wells	Welsh		

Absent or not voting, 3:

Kinley	Mann	Readerger
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Amendment S—5104 lost.

Senator Ritsema offered amendment S—5096 filed by him on February 19, 1986, to pages 23, 25, 26, 27 and 28 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 31.

Amendment S—5096 lost.

Senator Hultman offered amendment S—5108 filed by Senators Hultman and Taylor from the floor to page 38 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5108 be adopted?" (S.F. 2175) the vote was:

Ayes, 20:

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

Nays, 27:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins

Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Small	Wells	Welsh	

Absent or not voting, 3:

Kinley	Mann	Readinger
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Amendment S—5108 lost.

Senator Drake offered amendment S—5097 filed by Senators Drake, et al., on February 19, 1986, to pages 80 and 83 of the bill and moved its adoption.

Amendment S—5097 was adopted by a voice vote.

Senator Welsh took the chair at 9:58 a.m.

Senator Priebe offered amendment S—5088 filed by him on February 19, 1986, to page 91 of the bill and moved its adoption.

Amendment S—5088 was adopted by a voice vote.

Senator Schwengels offered amendment S—5118 filed by him from the floor to pages 91 and 92 through 104 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5118 be adopted?" (S.F. 2175) the vote was:

Ayes, 22:

Boswell	Coleman	Colton	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gratias	Hannon
Horn	Kinley	Miller, C.P.	Palmer
Peterson	Rife	Riordan	Soorholtz
Taylor	Tieden		

Nays, 26:

Brown	Bruner	Carr	Drake
Gentleman	Gronstal	Hall	Hester
Holden	Holt	Hultman	Husak
Hutchins	Jensen	Lind	Miller, A.V.
Nystrom	Priebe	Readinger	Ritsema

Schwengels
Wells

Small
Welsh

Vande Hoef

Waldstein

Absent or not voting, 2:

Mann

Murphy

Amendment S—5118 lost.

Senator Drake offered amendment S—5095 filed by Senators Drake, et al., on February 19, 1986, to pages 105, 107 and 125 of the bill.

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

The Senate resumed session, Senator Welsh presiding.

QUORUM CALL

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

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

BUSINESS PENDING

The Senate resumed consideration of Senate File 2175 and amendment S—5095.

Senator Drake moved the adoption of amendment S—5095.

A record roll call was requested.

On the question “Shall amendment S—5095 be adopted?” (S.F. 2175) the vote was:

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

Ayes, 23:

Corning
Goodwin
Holden
Lind

Drake
Gratias
Holt
Nystrom

Gentleman
Hall
Hultman
Readinger

Gettings
Hester
Jensen
Rife

Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 25:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Fraise	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Riordan	Small	Wells
Welsh			

Absent or not voting, 2:

Coleman	Mann
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Amendment S—5095 lost.

Senator Drake offered amendment S—5136 filed by Senators Drake, et al., from the floor to pages 127, 130, 131 and 132 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—5136 be deferred.

Senator Holden offered amendment S—5137 filed by him from the floor to page 109 of the bill.

Senator Carr raised the point of order that amendment S—5137 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5137 out of order because it went beyond the scope of reorganization.

Senator Bruner offered amendment S—5092 filed by Senators Bruner and Nystrom on February 19, 1986, to pages 134, 135, 136, 140 and 146 of the bill.

Senator Hutchins asked unanimous consent that further action on amendment S—5092 be deferred.

Senator Hutchins withdrew his request.

Senator Ritsema called for a division of amendment S—5092: lines 2 through 5 as division S—5092A and lines 6 through 36 as division S—5092B.

Senator Bruner moved the adoption of division S—5092A, which motion prevailed by a voice vote.

Senator Bruner moved the adoption of division S—5092B, which motion prevailed by a voice vote.

(Senate File 2175 pending on recess).

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:29 a.m., until 1:15 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2191	Education
S. F.	2192	Transportation
S. F.	2194	Education
S. F.	2195	Judiciary
S. F.	2196	Local Government
S. F.	2198	Agriculture
S. F.	2199	Education
H. F.	2160	Labor & Industrial Relations
H. F.	2197	State Government
H. F.	2300	Labor & Industrial Relations

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 19, 1986, 10:07 a.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell (arrived 10:17 a.m.), Fraise, Hester, Husak, Vande Hoef and Waldstein.

Members Absent: Palmer (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 2113 and 2120 as committee bills.

Adjourned: 10:22 a.m.

EDUCATION

Convened: February 19, 1986, 9:50 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Colton, Corning, Hannon, Riordan, Taylor, Wells and Ritsema.

Members Absent: Gratias, Ranking Member.

Committee Business: Assigned bills to subcommittees; presentation from Clem Bodensteiner of the DPI Coordinating Council.

Adjourned: 10:29 a.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 19, 1986, 9:40 a.m.

Members Present: Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife and Wells.

Members Absent: Mann, Chair (excused) and Welsh.

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:00 a.m.

LOCAL GOVERNMENT

Convened: February 19, 1986, 10:25 a.m.

Members Present: A. Miller, Chair; Waldstein, Ranking Member; Fraise, Goodwin, Priebe and Vande Hoef.

Members Absent: C. Miller, Vice Chair; Hall, Lind and Wells (all excused).

Committee Business: Approved SSB 2087 as a committee bill.

Adjourned: 10:27 a.m.

NATURAL RESOURCES

Convened: February 19, 1986, 8:05 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Goodwin, Gratias, Hannon (arrived 8:30 a.m.), Hester, Husak, Peterson, Riordan and Tieden.

Members Absent: Schwengels, Ranking Member and Doyle.

Committee Business: Presentations by Larry Wilson of the State Conservation Commission and Chip Hughes, Iowa Nurserymen's Association.

Adjourned: 9:03 a.m.

STATE GOVERNMENT

Convened: February 19, 1986, 10:43 a.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Horn, Corning, Gentleman, Rife, C. Miller, Coleman and Schwengels.

Members Absent: Mann (excused), Drake and Welsh.

Committee Business: Recommended passage of House File 660; the reorganization subcommittee met briefly.

Adjourned: 10:52 a.m.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 108**

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate File 2148

WAYS AND MEANS: Gronstal, Chair; Brown and Hester

SSB 2156

EDUCATION: Hannon, Chair; Riordan and Corning

SSB 2157

JUDICIARY: Small, Chair; Horn and Gentleman

AMENDMENTS FILED

S—5104	S. F.	2175	John N. Nystrom
S—5105	S. F.	2175	Charles Bruner
S—5106	S. F.	2175	Richard F. Drake Calvin O. Hultman
S—5107	S. F.	2175	John N. Nystrom Bob Carr Joe Brown
S—5108	S. F.	2175	Calvin O. Hultman Ray Taylor

S-5109	S. F.	326	House
S-5110	S. F.	2175	Julia Gentleman Calvin O. Hultman
S-5111	S. F.	2175	Douglas Ritsema
S-5112	S. F.	2175	Douglas Ritsema
S-5113	S. F.	2175	Douglas Ritsema
S-5114	S. F.	2175	Douglas Ritsema
S-5115	S. F.	2175	Jack Rife
S-5116	S. F.	2175	Jack Rife
S-5117	S. F.	2175	Douglas Ritsema
S-5118	S. F.	2175	Forrest Schwengels
S-5119	S. F.	2175	William W. Dieleman
S-5120	S. F.	2175	Charles Bruner Bob Carr
S-5121	S. F.	2175	William W. Dieleman Charles Bruner Bob Carr John N. Nystrom Richard Drake
S-5122	S. F.	2175	Julia Gentleman
S-5123	S. F.	2175	Julia Gentleman Joy Corning
S-5124	S. F.	2175	Joy Corning
S-5125	S. F.	2175	Arthur A. Small, Jr. William D. Palmer Jack Rife Forrest Schwengels George Kinley
S-5126	S. F.	2175	Richard F. Drake
S-5127	S. F.	2175	Edgar H. Holden
S-5128	S. F.	2175	John N. Nystrom
S-5129	S. F.	2175	Edgar H. Holden
S-5130	S. F.	2175	Edgar H. Holden
S-5131	S. F.	2175	Edgar H. Holden
S-5132	S. F.	2175	Emil J. Husak Calvin O. Hultman Bill Hutchins
S-5133	S. F.	2175	Charles Bruner
S-5134	S. F.	2175	John Soorholtz Jack Rife
S-5135	S. F.	2175	Donald V. Doyle

S—5136	S. F.	2175	Richard F. Drake Bob Carr Charles Bruner John N. Nystrom Michael E. Gronstal
S—5137	S. F.	2175	Edgar H. Holden
S—5138	S. F.	2175	Bill Hutchins John N. Nystrom
S—5139	S. F.	2175	Jack Rife
S—5140	S. F.	2175	Larry Murphy
S—5141	S. F.	2175	Richard F. Drake
S—5142	S. F.	2175	Douglas Ritsema Julia Gentleman
S—5143	S. F.	2175	Larry Murphy Milo Colton James Riordan
S—5144	S. F.	2175	Richard F. Drake

AFTERNOON SESSION

The Senate reconvened at 1:23 p.m., Senator Welsh presiding.

INTRODUCTION OF BILL

Senate File 2200, by Tieden and Horn, a bill for an act relating to the sale of wine for consumption off the premises by allowing those liquor control licensees who may sell beer for consumption off the premises to sell wine for consumption off the premises and by graduating the fee for a class "B" wine permit according to the amount of retail floor space.

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

QUORUM CALL

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

The vote revealed 45 present, 5 absent and a quorum present.

BUSINESS PENDING

Senate File 2175

The Senate resumed consideration of Senate File 2175, pending on recess.

Senator Hutchins offered amendment S—5138 filed by Senators Hutchins and Nystrom from the floor to page 134 of the bill and moved its adoption.

Amendment S—5138 was adopted by a voice vote.

Senator Rife offered amendment S—5139 filed by him from the floor to pages 141 and 160 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 13, nays 28.

Amendment S—5139 lost.

Senator Rife offered amendment S—5116 filed by him from the floor to pages 141, 147, 148, 149, 155 and 160 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5116 be adopted?” (S.F. 2175) the vote was:

Ayes, 6:

Hester	Rife	Schwengels	Tieden
Vande Hoef	Waldstein		

Nays, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Ritsema	Small
Soorholtz	Taylor	Wells	Welsh

Absent or not voting, 4:

Goodwin	Kinley	Mann	Readerger
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Amendment S—5116 lost.

Senator Bruner offered amendment S—5120 filed by Senators Bruner and Carr from the floor to pages 152, 155 and 158 of the bill.

Senator Bruner asked and received unanimous consent that further action on amendment S—5120 be deferred.

Senator Bruner asked and received unanimous consent that action on amendment S—5144 filed by Senator Drake from the floor to pages 152, 153, 156, 158 and 160 of the bill be deferred.

Senator Bruner asked and received unanimous consent that action on amendment S—5134 filed by Senators Soorholtz and Rife from the floor to page 152 of the bill be deferred.

Senator Ritsema asked and received unanimous consent that action on amendment S—5142 filed by Senators Ritsema and Gentleman from the floor to pages 169, 170, 186 and 187 of the bill be deferred.

Senator Holden asked and received unanimous consent that action on amendment S—5129 filed by him from the floor to page 185 of the bill be deferred.

Senator Bruner asked and received unanimous consent that the Senate take up for consideration amendment S—5123.

Senator Gentleman offered amendment S—5123 filed by Senators Gentleman and Corning from the floor to pages 14 through 18, 19, 169 through 188, 207, 230, 236, 252, 253, 254, 261, 263, 298 and 299 of the bill.

President Anderson took the chair at 2:09 p.m.

Senator Waldstein offered amendment S—5147 filed by him from the floor to pages 1 through 4 of amendment S—5123 and moved its adoption.

Amendment S—5147 lost by a voice vote.

Senator Gentleman asked and received unanimous consent that action on amendment S—5123 be deferred for preparation of an amendment.

Senator Holden offered amendment S—5127 filed by him from the floor to page 188 of the bill and moved its adoption.

Amendment S—5127 was adopted by a voice vote.

With the adoption of amendment S—5127, the Chair ruled amendment S—5106 filed by Senators Drake and Hultman from the floor to page 188 of the bill, out of order.

Senator Colton offered amendment S—5080 filed by him on February 18, 1986, to page 188 of the bill and moved its adoption.

Amendment S—5080 was adopted by a voice vote.

Senator Rife offered amendment S—5115 filed by him from the floor to page 188 of the bill and moved its adoption.

Amendment S—5115 was adopted by a voice vote.

Senator Colton offered amendment S—5148 filed by Senators Colton, et al., from the floor to page 191 of the bill.

Senator Welsh raised the point of order that amendment S—5148 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5148 in order.

Senator Colton moved the adoption of amendment S—5148 and requested a non record roll call.

A record roll call was requested.

On the question “Shall amendment S—5148 be adopted?” (S.F. 2175) the vote was:

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

Ayes, 26:

Bruner	Coleman	Colton	Dieleman
Doyle	Fraise	Gentleman	Gettings
Gronstal	Hall	Hannon	Holden
Holt	Hultman	Husak	Jensen
Kinley	Lind	Miller, C.P.	Palmer
Priebe	Riordan	Ritsema	Soorholtz
Taylor	Waldstein		

Nays, 22:

Boswell	Carr	Corning	Deluhery
Drake	Goodwin	Gratias	Hester
Horn	Hutchins	Miller, A.V.	Murphy
Nystrom	Peterson	Readinger	Rife
Schwengels	Small	Tieden	Vande Hoef
Wells	Welsh		

Absent or not voting, 2:

Brown	Mann
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Amendment S—5148 was adopted.

Senator Dieleman offered amendment S—5119 filed by him from the floor to pages 192 and 193 of the bill and moved its adoption.

Amendment S—5119 was adopted by a voice vote.

Senator Dieleman offered amendment S—5121 filed by Senators Dieleman, et al., from the floor to pages 193, 194 and 206 of the bill.

Senator Murphy raised the point of order that amendment S—5121 was not germane to the bill.

Senator Murphy withdrew his point of order.

Senator Murphy asked and received unanimous consent that action on amendment S—5121 be deferred.

Senator Carr asked and received unanimous consent to take up for consideration amendment S—5123 by Senators Gentleman and Corning to pages 14 through 18, 19, 169 through 188, 207, 230, 236, 252 through 254, 261, 263, 298 and 299, previously deferred.

Senator Bruner offered amendment S—5158 filed by him from the floor to pages 1, 9 through 28, 38 through 46 and 47 of amendment S—5123.

President pro tempore Wells took the chair at 3:56 p.m.

Senator Bruner moved the adoption of amendment S—5158 to amendment S—5123.

A record roll call was requested.

On the question “Shall amendment S—5158 to amendment S—5123 be adopted?” (S.F. 2175) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Lind
Miller, A.V.	Miller, C.P.	Murphy	Priebe
Riordan	Small	Tieden	Wells
Welsh			

Nays, 20:

Corning	Drake	Gentleman	Hester
Holden	Holt	Hultman	Jensen
Kinley	Nystrom	Palmer	Peterson
Readinger	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Vande Hoef	Waldstein

Absent or not voting, 1:

Mann

Amendment S—5158 was adopted.

President Anderson took the chair at 4:03 p.m.

Senator Gentleman offered amendment S—5149 filed by her from the floor to page 8 of amendment S—5123 and moved its adoption.

Amendment S—5149 was adopted by a voice vote.

Senator Gentleman moved the adoption of amendment S—5123 as amended.

Amendment S—5123 as amended was adopted by a voice vote.

With the adoption of amendment S—5123 as amended, the Chair ruled amendment S—5125 filed by Senators Small, et al., from the floor to pages 230, 236, 252, 253, 254, 298 and 299, out of order.

The Senate resumed consideration of amendment S—5142 by Senators Ritsema and Gentleman to pages 169, 170, 186 and 187 of the bill, previously deferred.

Senator Ritsema called for a division of amendment S—5142: lines 2 and 3 as division S—5142A and lines 4 and 5 as division S—5142B.

Senator Ritsema moved the adoption of division S—5142A.

A record roll call was requested.

On the question “Shall division S—5142A be adopted?” (S.F. 2175) the vote was:

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

Ayes, 23:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Lind	Miller, C.P.
Nystrom	Palmer	Peterson	Readinger
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Kinley	Miller, A.V.	Murphy
Priebe	Riordan	Schwengels	Small
Wells	Welsh		

Absent or not voting, 1:

Mann

Division S—5142A lost.

Senator Ritsema moved the adoption of division S—5142B, which motion prevailed by a voice vote.

Senator Vande Hoef offered amendment S—5163 filed by him from the floor to page 170 of the bill and moved its adoption.

Amendment S—5163 was adopted by a voice vote.

Senator Holden moved the adoption of amendment S—5129 to page 185 of the bill, previously deferred.

A record roll call was requested.

On the question “Shall amendment S—5129 be adopted?” (S.F. 2175) the vote was:

Ayes, 17:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Lind	Peterson	Rife

Ritsema Waldstein	Taylor	Tieden	Vande Hoef
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Nays, 32:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Jensen	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Riordan	Schwengels
Small	Soorholtz	Wells	Welsh

Absent or not voting, 1:

Mann

Amendment S—5129 lost.

With the adoption of division S—5142B, the Chair ruled amendment S—5082 filed by Senator Carr on February 19, 1986, to page 186, out of order.

Senator Brown offered amendment S—5102 filed by him on February 19, 1986, to pages 207, 225 through 229, 230, 236, 254 and 300 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 38.

Amendment S—5102 lost.

Senator Corning offered amendment S—5094 filed by Senators Corning, et al., on February 19, 1986, to page 207 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5094 be adopted?" (S.F. 2175) the vote was:

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

Ayes, 26:

Boswell	Coleman	Colton	Corning
Deluhery	Dieleman	Doyle	Fraise
Gentleman	Gronstal	Hannon	Hester
Horn	Hutchins	Kinley	Lind
Miller, C.P.	Murphy	Peterson	Rife
Riordan	Schwengels	Small	Soorholtz
Tieden	Welsh		

Nays, 23:

Brown	Bruner	Carr	Drake
Gettings	Goodwin	Gratias	Hall
Holden	Holt	Hultman	Husak
Jensen	Miller, A.V.	Nystrom	Palmer
Priebe	Readinger	Ritsema	Taylor
Vande Hoef	Waldstein	Wells	

Absent or not voting, 1:

Mann

Amendment S—5094 was adopted.

Senator Welsh offered amendment S—5087 filed by him on February 19, 1986, to page 208 of the bill.

Senator Gentleman asked and received unanimous consent that action on amendment S—5087 be deferred.

Senator Gentleman offered amendment S—5122 filed by her from the floor to pages 218, 219 and 230 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 28.

Amendment S—5122 lost.

Senator Ritsema offered amendment S—5114 filed by him from the floor to page 220 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 7, nays 40.

Amendment S—5114 lost.

(Senate File 2175 and amendments S—5087, S—5120, S—5121, S—5134, S—5136 and S—5144 pending on adjournment.)

INTRODUCTION OF BILLS

Senate File 2201, by Deluhery, Welsh, Carr, Gronstal, Gettings, Riordan and Fraise, a bill for an act relating to the powers of a state-chartered credit union.

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

Senate File 2202, by Committee on Agriculture, a bill for an act relating to gasohol, by decreasing the tax on the fuel by one cent per gallon.

Read first time and **placed on calendar**.

Senate File 2203, by Committee on Agriculture, a bill for an act relating to and creating a corn gluten feed subsidy program, and providing for an appropriation.

Read first time and **placed on calendar**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 2097

APPROPRIATIONS: Gronstal, Chair; Tieden and Welsh

Senate File 2157

APPROPRIATIONS: Small, Chair; Ritsema and Gronstal

Senate File 2172

HUMAN RESOURCES: Readinger, Chair; Bruner and Coleman

Senate File 2186

APPROPRIATIONS: Small, Chair; Lind and Welsh

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2202 (SSB 2113), a bill for an act relating to gasohol, by decreasing the tax on the fuel by one cent per gallon.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, A. Miller, Soorholtz, Fraise, Hester, Husak, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 2: Boswell and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2203 (SSB 2120), a bill for an act relating to and creating a corn gluten feed subsidy program, and providing for an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on February 20, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 499—Establishing applicable standards for motor vehicle safety belts and safety harnesses, mandating safety belt and safety harness use with certain exceptions, requiring the establishment of education programs, and making penalties applicable.

Senate File 590—Relating to mobile deputy registrars.

STUDY BILL RECEIVED

SSB 2159 Judiciary

Relating to the calculation of six years of service under the judicial retirement system for certain judges.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5104 to Senate File 2175 failed to be adopted by the Senate on February 20, 1986.

JOHN N. NYSTROM

AMENDMENTS FILED

S—5145	S. F.	2175	Joe Welsh
			Richard F. Drake
S—5146	S. F.	2175	Richard F. Drake
			Michael E. Gronstal
			Bob Carr
S—5147	S. F.	2175	Arne Waldstein
S—5148	S. F.	2175	Milo Colton
			Julia Gentleman
			Donald Doyle
			William W. Dieleman
			Don Gettings
			Berl E. Priebe
			James R. Riordan

			Beverly A. Hannon
			Joe Brown
			Michael E. Gronstal
			Larry Murphy
			John Soorholtz
			C. Joseph Coleman
			Eugene Fraise
			Alvin V. Miller
			Ray Taylor
			Arne Waldstein
S-5149	S.F.	2175	Julia Gentleman
S-5150	S.F.	2175	Joe Welsh
S-5151	S.F.	2175	Joe Welsh
S-5152	S.F.	2175	Joe Welsh
S-5153	S.F.	2175	Joe Welsh
S-5154	S.F.	2175	Joe Welsh
S-5155	S.F.	2175	Joe Welsh
S-5156	S.F.	2175	James R. Riordan
			Eugene Fraise
			Leonard Boswell
			Beverly Hannon
			Michael E. Gronstal
			Donald V. Doyle
			William W. Dieleman
			Milo Colton
			Don Gettings
			Joe Brown
S-5157	S.F.	2175	Larry Murphy
			Joe Brown
S-5158	S.F.	2175	Charles Bruner
S-5159	S.F.	2175	Larry Murphy
S-5160	S.F.	2175	Beverly A. Hannon
			Berl E. Priebe
			Michael E. Gronstal
			Julia Gentleman
			Joy Corning
			Leonard Boswell
			Larry Murphy
			James R. Riordan
			Joe Brown
S-5161	S.F.	2175	Arne Waldstein
			Dale L. Tieden

			Edgar H. Holden
			C. Joseph Coleman
S—5162	S. F.	2175	Beverly A. Hannon
			Berl E. Priebe
			Michael E. Gronstal
			Julia Gentleman
			Joy Corning
			Leonard Boswell
			Joe Brown
			Douglas Ritsema
			Larry Murphy
			James R. Riordan
			Milo Colton
			Eugene Fraise
			George R. Kinley
			John Soorholtz
S—5163	S. F.	2175	Richard Vande Hoef
S—5164	S. F.	2175	Larry Murphy
S—5165	S. F.	2175	Julia Gentleman
S—5166	S. F.	2175	George R. Kinley
S—5167	S. F.	2175	Joe Brown
			Larry Murphy
			Joy Corning
			Arthur L. Gratias

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:37 p.m., until 9:00 a.m., Friday, February 21, 1986.

JOURNAL OF THE SENATE

FORTIETH CALENDAR DAY
TWENTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, February 21, 1986

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

Prayer was offered by the Reverend Forest Clark, pastor of the United Methodist Church, Churdan, Iowa.

The Journal of Thursday, February 20, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Miller of Des Moines, Mann and Doyle 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 February 19, 1986, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 432, a bill for an act relating to the makeup of the board of nursing examiners (S—5168).

ALSO: That the House has on February 19, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2158, a bill for an act to make the birthday of Dr. Martin Luther King, Jr. a legal public holiday.

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

House File 2297, a bill for an act relating to the meetings of the state conservation commission.

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

QUORUM CALL

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

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

UNFINISHED BUSINESS (Pending February 20, 1986)

Senate File 2175

The Senate resumed consideration of Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure, and amendments S—5087, S—5120, S—5121, S—5134, S—5136 and S—5144, pending on adjournment on February 20, 1986.

Senator Brown withdrew amendment S—5100 filed by him on February 19, 1986, to page 232 of the bill.

Senator Nystrom offered amendment S—5107 filed by Senators Nystrom, Carr and Brown on February 20, 1986, to page 232 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 31, nays 16.

Amendment S—5107 was adopted.

Senator Corning asked and received unanimous consent that action on amendment S—5124 filed by her on February 20, 1986, to pages 232, 244, 245, 251, 257, 274, 275, 288, 291, 292 and 293 of the bill be deferred.

Senator Murphy offered amendment S—5086 filed by him on February 19, 1986, to pages 233, 234, 243, 275 and 276 of the bill.

Senator Murphy offered amendment S—5159 filed by him on February 20, 1986, to amendment S—5086 and moved its adoption.

Amendment S—5159 was adopted by a voice vote.

Senator Taylor called for a division of amendment S—5086 as amended: lines 2 through 13 as division S—5086A and lines 14 through 21 as division S—5086B.

President pro tempore Wells took the chair at 10:16 a.m.

Senator Murphy moved the adoption of division S—5086A, which motion prevailed by a voice vote.

Senator Murphy moved the adoption of division S—5086B.

A record roll call was requested.

On the question “Shall division S—5086B be adopted?” (S.F. 2175) the vote was:

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

Ayes, 21:

Brown	Bruner	Carr	Colton
Deluhery	Dieleman	Gettings	Gronstal
Husak	Hutchins	Kinley	Lind
Miller, A.V.	Nystrom	Palmer	Priebe
Riordan	Small	Waldstein	Wells
Welsh			

Nays, 25:

Boswell	Coleman	Corning	Fraise
Gentleman	Goodwin	Gratias	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Jensen	Murphy

Peterson
Schwengels
Vande Hoef

Readinger
Soorholtz

Rife
Taylor

Ritsema
Tieden

Absent or not voting, 4:

Doyle

Drake

Mann

Miller, C.P.

Division S—5086B lost.

Senator Murphy offered amendment S—5157 filed by Senators Murphy and Brown on February 20, 1986, to pages 236, 237, 242 through 247, 250, 251, 266, 289, 298 and 299 of the bill.

Senator Murphy asked and received unanimous consent that action on amendment S—5157 be deferred.

Senator Colton took the chair at 10:47 a.m.

Senator Brown offered amendment S—5098 filed by Senators Brown and Murphy on February 19, 1986, to pages 271, 275, 276 and 300 of the bill and called for a division:

Division S—5098A: Page 1, lines 21 through 49.

Division S—5098B: Page 1, lines 2 through 20.

Division S—5098C: Page 1, line 50; page 2, line 1.

Division S—5098D: Page 2, lines 2 through 4.

Senator Brown asked and received unanimous consent to withdraw divisions S—5098C and S—5098D.

Senator Taylor raised the point of order that division S—5098A was not germane to the bill.

The Chair ruled the point not well taken and division S—5098A in order.

Senator Brown moved the adoption of division S—5098A and requested a record roll call.

On the question “Shall division S—5098A be adopted?” (S.F. 2175) the vote was:

Ayes, 16:

Brown	Bruner	Carr	Colton
Deluhery	Gentleman	Gronstal	Holden
Kinley	Murphy	Nystrom	Palmer
Priebe	Small	Wells	Welsh

Nays, 31:

Boswell	Coleman	Corning	Dieleman
Drake	Fraise	Gettings	Goodwin
Gratias	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Miller, A.V.
Peterson	Readinger	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 3:

Doyle	Mann	Miller, C.P.
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Division S—5098A lost.

Senator Corning raised the point of order that division S—5098B was not germane to the bill.

The Chair ruled the point not well taken and division S—5098B in order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

The Senate resumed consideration of Senate File 2175.

Senator Brown moved the adoption of division S—5098B.

A record roll call was requested.

On the question "Shall division S—5098B be adopted?" (S.F. 2175) the vote was:

Ayes, 17:

Brown	Carr	Colton	Deluhery
Dieleman	Gentleman	Gronstal	Holden
Kinley	Miller, C.P.	Murphy	Palmer
Readinger	Schwengels	Small	Wells
Welsh			

Nays, 30:

Boswell	Bruner	Coleman	Corning
Drake	Fraise	Gettings	Goodwin
Gratias	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Miller, A. V.
Nystrom	Priebe	Rife	Riordan
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 3:

Doyle	Mann	Peterson
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Division S—5098B lost.

(Senate File 2175 and amendments S—5087, S—5120, S—5121, S—5124, S—5134, S—5136, S—5144 and S—5157 pending on adjournment).

INTRODUCTION OF BILL

Senate File 2204, by Brown, a bill for an act relating to responsibility for educational programs including creation of a state board of higher education with authority over state universities and the hospital school, merged area schools, and college scholarships, loans, and grants; and transferring authority to the state board of public instruction for the braille and sight-saving school and the school for the deaf.

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

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

The Senate resumed session, Senator Bruner presiding.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 2176

AGRICULTURE: Boswell, Chair; Waldstein and Fraise

Senate File 2182

JUDICIARY: Small, Chair; Doyle and Hester

Senate File 2184

JUDICIARY: Small, Chair; Doyle and Hester

SSB 2145

AGRICULTURE: Waldstein, Chair; Fraise and A. Miller

SSB 2146

AGRICULTURE: Palmer, Chair; Soorholtz and Boswell

SSB 2155

AGRICULTURE: Palmer, Chair; Husak and Waldstein

SSB 2159

JUDICIARY: Small, Chair; Ritsema and Doyle

SSB 2160

AGRICULTURE: A. Miller, Chair; Palmer and Soorholtz

COMMUNICATION FROM THE SECRETARY OF STATE

February 20, 1986

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

Dear Ms. Thayer:

I hereby certify that Senate File 2064 was published in The Algona Upper Des Moines, Algona, Iowa, on February 19, 1986, and in The Audubon News-Advocate, Audubon, Iowa, on February 19, 1986.

Respectfully submitted,
MARY JANE ODELL
 Secretary of State

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5115 to Senate File 2175 was adopted by the Senate on February 20, 1986.

MILO COLTON

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5118 to Senate File 2175 failed to be adopted by the Senate on February 20, 1986.

FORREST V. SCHWENGELS

MR. PRESIDENT: I move to reconsider the vote by which division S—5086A to Senate File 2175 was adopted by the Senate on February 21, 1986.

JOY CORNING

MR. PRESIDENT: I move to reconsider the vote by which division S—5086B to Senate File 2175 failed to be adopted by the Senate on February 21, 1986.

LARRY MURPHY

STUDY BILL RECEIVED

SSB 2160 Agriculture

Relating to the use of trust assets received under the federal Bankhead-Jones Farm Tenant Act for guaranteeing operating loans for farmers.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2200	State Government
S. F.	2201	Commerce

H.F.	2049	Human Resources
H.F.	2110	State Government
H.F.	2178	Judiciary
H.F.	2221	Natural Resources
H.F.	2245	Natural Resources
H.F.	2287	Commerce

AMENDMENTS FILED

S—5168	S.F.	432	House
S—5169	S.F.	2175	Forrest Schwengels
S—5170	S.F.	2083	Michael E. Gronstal George R. Kinley
S—5171	S.F.	2175	Douglas Ritsema
S—5172	S.F.	2175	Larry Murphy
S—5173	S.F.	2175	Joy Corning
S—5174	S.F.	2175	Richard F. Drake Larry Murphy
S—5175	S.F.	2175	Larry Murphy Joy Corning Joe Brown Arthur L. Gratias
S—5176	S.F.	2175	Joy Corning
S—5177	S.F.	2175	Joy Corning
S—5178	S.F.	2175	Richard F. Drake
S—5179	S.F.	2175	Douglas Ritsema
S—5180	S.F.	2175	Wally Horn Bob Carr
S—5181	S.F.	2197	Arne Waldstein Eugene Fraise
S—5182	S.F.	2175	William W. Dieleman
S—5183	S.F.	2193	William W. Dieleman
S—5184	S.F.	2175	Ray Taylor

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 12:35 p.m., until 10:00 a.m., Monday, February 24, 1986.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 24, 1986

The Senate met in regular session at 10:00 a.m., President pro tempore Wells presiding.

Prayer was offered by Keith Kohlmeier, pastor of the First English Lutheran Church, Spencer, Iowa.

The Journal of Friday, February 21, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Des Moines for the morning and Senator Mann for the day on request of Senator Hutchins; Senator Waldstein for the morning and Senator Jensen until his arrival on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 17, 1986, amended and adopted the following joint resolution in which the concurrence of the House was asked:

Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor (S—5185).

ALSO: That the House has on February 20, 1986 passed the following bills in which the concurrence of the Senate is asked:

House File 187, a bill for an act to prohibit retributive actions of employers against employees serving as jurors, to allow employers to give testimony relating to an employee's request for deferral or excuse, and providing a penalty.

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

House File 2211, a bill for an act relating to the movement of vehicles of excessive size and weight.

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

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

UNFINISHED BUSINESS (Pending February 21, 1986)

Senate File 2175

The Senate resumed consideration of Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure, and amendments S—5087, S—5120, S—5121, S—5124, S—5134, S—5136, S—5144 and S—5157 pending on adjournment on February 21, 1986.

Senator Brown asked and received unanimous consent that action on amendment S—5099 filed by him on February 19, 1986, to page 275 of the bill be deferred.

Senator Nystrom asked and received unanimous consent that action on amendment S—5128 filed by him on February 20, 1986, to pages 291, 293 and 300 of the bill be deferred.

The Senate resumed consideration of amendment S—5124 by Senator Corning to pages 232, 244, 245, 251, 257, 274, 275, 288, 291, 292 and 293 of the bill, deferred on February 21, 1986.

Senator Corning called for a division of amendment S—5124:

Division S—5124A: Page 1, lines 5 through 42.

Division S—5124B: Page 1, lines 43 through 48.

Division S—5124C: Page 1, lines 2 through 4 and lines 49 and 50; and page 2.

Senator Corning asked and received unanimous consent that action on divisions S—5124A and S—5124B be deferred.

Senator Corning offered amendment S—5176 filed by her on February 21, 1986, to division S—5124C and moved its adoption.

Amendment S—5176 was adopted by a voice vote.

Senator Corning moved the adoption of division S—5124C as amended, which motion prevailed by a voice vote.

Senator Murphy asked and received unanimous consent to withdraw amendment S—5157 by Senators Murphy and Brown to pages 236, 237, 242 through 247, 250, 251, 266, 289, 298 and 299 of the bill, deferred on February 21, 1986.

The Chair ruled the following amendments to amendment S—5157 out of order:

S—5173 filed by Senator Corning on February 21, 1986, to pages 1 and 2.

S—5167 filed by Senators Brown, et al., on February 20, 1986, to page 1.

Senator Drake offered amendment S—5174 filed by Senators Drake and Murphy on February 21, 1986, to page 232 of the bill.

Senator Vande Hoef offered amendment S—5189 filed by Senators Vande Hoef and Holden from the floor to amendment S—5174 and moved its adoption.

Amendment S—5189 was adopted by a voice vote.

Senator Taylor offered amendment S—5184 filed by him on February 21, 1986, to amendment S—5174 and moved its adoption.

Amendment S—5184 was adopted by a voice vote.

Senator Drake moved the adoption of amendment S—5174 as amended, which motion prevailed by a voice vote.

Senator Murphy offered amendment S—5175 filed by Senators Murphy, et al., on February 21, 1986, to pages 236, 237, 242 through 247, 250, 251, 266, 289, 298 and 299 of the bill and moved its adoption.

Amendment S—5175 was adopted by a voice vote.

With the adoption of amendment S—5175, the Chair ruled amendment S—5177 filed by Senator Corning on February 21, 1986, to pages 245 and 283 of the bill, out of order.

Senator Corning withdrew division S—5124A to pages 244 and 245 of the bill, previously deferred.

Senator Hannon took the chair at 11:08 a.m.

Senator Corning moved the adoption of division S—5124B to pages 251 and 257, previously deferred, which motion prevailed by a voice vote.

Senator Nystrom withdrew amendment S—5128 to pages 291, 293 and 300 of the bill, previously deferred.

The Senate resumed consideration of amendment S—5099 by Senator Brown to page 275 of the bill, previously deferred.

Senator Hultman raised the point of order that amendment S—5099 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5099 out of order because the section refers to technical rather than substantive changes.

Senator Murphy offered amendment S—5172 filed by him on February 21, 1986, to pages 300 through 302 of the bill and moved its adoption.

Amendment S—5172 was adopted by a voice vote.

President pro tempore Wells took the chair at 11:26 a.m.

Senator Ritsema asked and received unanimous consent that action on amendment S—5113 filed by him on February 20, 1986, to page 304 of the bill be deferred.

Senator Ritsema offered amendment S—5117 filed by him on February 20, 1986 to pages 305 and 307 of the bill.

Senator Ritsema offered amendment S—5179 filed by him on February 21, 1986, to amendment S—5117 and moved its adoption.

Amendment S—5179 was adopted by a voice vote.

Senator Ritsema offered amendment S—5171 filed by him on February 21, 1986, to amendment S—5117 and moved its adoption.

Amendment S—5171 was adopted by a voice vote.

Senator Welsh raised the point of order that amendment S—5117 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5117 as amended in order because it is within the title of the bill.

Senator Ritsema moved the adoption of amendment S—5117 as amended.

A record roll call was requested.

On the question “Shall amendment S—5117 as amended be adopted?” (S.F. 2175) the vote was:

Ayes, 9:

Gentleman	Goodwin	Gratias	Holden
Rife	Ritsema	Schwengels	Taylor
Tieden			

Nays, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind

Miller, A.V.	Palmer	Peterson	Priebe
Readinger	Riordan	Small	Soorholtz
Vande Hoef	Wells	Welsh	

Absent or not voting, 6:

Jensen	Mann	Miller, C.P.	Murphy
Nystrom	Waldstein		

Amendment S—5117 as amended lost.

Senator Riordan offered amendment S—5156 filed by Senators Riordan, et al., on February 20, 1986, to page 305 of the bill.

Senator Hultman raised the point of order that amendment S—5156 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5156 out of order.

(Senate File 2175 pending on recess).

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:57 a.m., until 1:30 p.m.

APPENDIX

PETITION

The following petition was presented and placed on file by:

Senator Corning from four hundred seventy-four educators and residents of Black Hawk County opposing legislation imposing a budget freeze for local schools and favoring significant new funding targeted to increase educator salaries.

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 21, 1986, 12:06 p.m.

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

Members Absent: none.

Committee Business: Assigned a bill to a subcommittee; approved SSB 2160 and ordered redrafted as a committee bill.

Adjourned: 12:32 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 21, 1986, 8:07 a.m.

Members Present: Small, Chair; Boswell, Vice Chair; Rife, Ranking Member; Brown, Fraise, Lind, Peterson, Riordan, Vande Hoef and Waldstein.

Members Absent: Readinger and Doyle (excused).

Committee Business: Discussed bills; Allan T. Thoms, governor's appointee as Director of the Iowa Development Commission, appeared before the committee and the committee recommended confirmation.

Adjourned: 9:04 a.m.

CERTIFICATE OF RECOGNITION

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

Matt Ireland of Montrose, Iowa — For heroic lifesaving on June 11, 1985. Senator Fraise. (February 24, 1986).

AMENDMENTS FILED

S—5185	S. J. R.	1	House
S—5186	S. F.	2175	Bob Carr
S—5187	S. F.	2175	Donald Doyle
S—5188	S. F.	2175	Charles Bruner Bob Carr Richard F. Drake John N. Nystrom William W. Dieleman
S—5189	S. F.	2175	Richard Vande Hoef Edgar H. Holden
S—5190	S. F.	2175	Julia Gentleman
S—5191	S. F.	2175	Edgar H. Holden
S—5192	S. F.	2175	Julia Gentleman
S—5193	S. F.	2175	Larry Murphy Joe Brown

AFTERNOON SESSION

The Senate reconvened at 1:31 p.m., Senator Brown presiding.

QUORUM CALL

Senator Hutchins 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 2175

The Senate resumed consideration of Senate File 2175, pending on recess.

Senator Ritsema offered amendment S—5111 filed by him on February 20, 1986, to page 306 of the bill and moved its adoption.

Amendment S—5111 was adopted by a voice vote.

Senator Holden offered amendment S—5131 filed by him on February 20, 1986, to pages 310 through 313 of the bill and moved its adoption.

Amendment S—5131 lost by a voice vote.

Senator Carr offered amendment S—5186 filed by him from the floor to pages 314 through 316, 320, 321, 323, 330 and 334 of the bill and moved its adoption.

Amendment S—5186 was adopted by a voice vote.

Senator Bruner offered amendment S—5091 filed by Senators Bruner, et al., on February 19, 1986, to pages 314, 317 through 321, 341 and 345 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 19.

Amendment S—5091 was adopted.

Senator Bruner asked and received unanimous consent that action on amendment S—5154 filed by Senator Welsh on February 20, 1986, to pages 314 and 325 of the bill, be deferred.

Senator Bruner asked and received unanimous consent that action on amendment S—5155 filed by Senator Welsh on February 20, 1986, to page 348 of the bill, be deferred.

Senator Carr asked and received unanimous consent that action on amendment S—5151 filed by Senator Welsh on February 20, 1986, to page 351 of the bill, be deferred.

Senator Drake offered amendment S—5141 filed by him on February 20, 1986, to page 351 of the bill and moved its adoption.

Amendment S—5141 was adopted by a voice vote.

Senator Drake withdrew amendment S—5126 filed by him on February 20, 1986, to page 351 of the bill.

Senator Holden offered amendment S—5130 filed by him on February 20, 1986, to page 353 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 24, nays 23.

Amendment S—5130 was adopted.

Senator Ritsema offered amendment S—5112 filed by him on February 20, 1986, to page 375 of the bill and moved its adoption.

President pro tempore Wells took the chair at 2:28 p.m.

A non record roll call was requested.

The ayes were 18, nays 28.

Amendment S—5112 lost.

Senator Gentleman offered amendment S—5190 filed by her from the floor to pages 375 and 376 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 11, nays 37.

Amendment S—5190 lost.

Senator Gentleman offered amendment S—5110 filed by Senators Gentleman and Hultman on February 20, 1986, to pages 379 through 387 and 389 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5110 be adopted?” (S.F. 2175) the vote was:

Ayes, 18:

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

Nays, 27:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Small	Wells	Welsh	

Absent or not voting, 5:

Coleman	Drake	Mann	Readinger
Schwengels			

Amendment S—5110 lost.

Senator Welsh offered amendment S—5103 filed by him on February 19, 1986, to page 391 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 21.

Amendment S—5103 was adopted:

Senator Carr offered amendment S—5083 filed by him on February 19, 1986, to page 391 of the bill and moved its adoption.

Amendment S—5083 was adopted by a voice vote.

Senator Waldstein offered amendment S—5161 filed by Senators Waldstein, et al., on February 20, 1986, to page 392 of the bill and moved its adoption.

Senator Colton took the chair at 3:33 p.m.

A non record roll call was requested.

The ayes were 18, nays 29.

Amendment S—5161 lost.

Senator Doyle offered amendment S—5135 filed by him on February 20, 1986, to page 7 of the bill and moved its adoption.

Amendment S—5135 was adopted by a voice vote.

Senator Bruner offered amendment S—5188 filed by Senators Bruner, et al., from the floor to pages 7, 37, 38, 78, 82, 94, 140, 147 and 225 of the bill and moved its adoption.

Amendment S—5188 was adopted by a voice vote.

Senator Doyle offered amendment S—5187 filed by him from the floor to page 20 of the bill and moved its adoption.

Amendment S—5187 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that action on amendment S—5197 filed by him from the floor to pages 21, 23 through 32 and 41 of the bill, be deferred.

Senator Bruner offered amendment S—5133 filed by him on February 20, 1986, to page 32 of the bill and moved its adoption.

Amendment S—5133 was adopted by a voice vote.

Senator Hannon asked and received unanimous consent to withdraw amendment S—5162 filed by Senators Hannon, et al., on February 20, 1986, to page 33 of the bill.

Senator Bruner offered amendment S—5194 filed by him from the floor to pages 33 and 35 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5194 be adopted?” (S.F. 2175) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Holden	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Small	Waldstein
Wells			

Nays, 14:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holt	Jensen
Readinger	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef		

Absent or not voting, 3:

Mann	Schwengels	Welsh
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Amendment S—5194 was adopted.

President pro tempore Wells took the chair at 4:06 p.m.

Senator Hannon asked and received unanimous consent that action on amendment S—5160 filed by Senators Hannon, et al., on February 20, 1986, to page 35 of the bill be deferred.

Senator Welsh withdrew amendment S—5152 filed by him on February 20, 1986, to page 44 of the bill.

Senator Carr offered amendment S—5195 filed by Senators Carr and Welsh from the floor to pages 44, 77, 98, 208, 314, 325 and 351 of the bill.

Senator Welsh asked and received unanimous consent that action on amendment S—5195 be deferred.

Senator Drake offered amendment S—5196 filed by Senators Drake and Carr from the floor to page 55 of the bill and moved its adoption.

Amendment S—5196 was adopted by a voice vote.

Senator Husak offered amendment S—5132 filed by Senators Husak, Hultman and Hutchins on February 20, 1986, to page 55 of the bill.

Senator Small offered amendment S—5198 filed by him from the floor to amendment S—5132 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5198 to amendment S—5132 be adopted?” (S.F. 2175) the vote was:

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

Ayes, 6:

Brown	Bruner	Gentleman	Murphy
Readinger	Small		

Nays, 42:

Boswell	Carr	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A. V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Absent or not voting, 2:

Mann	Schwengels
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Amendment S—5198 lost.

Senator Husak moved the adoption of amendment S—5132.

Amendment S—5132 was adopted by a voice vote.

Senator Welsh offered amendment S—5145 filed by Senators Welsh and Drake on February 20, 1986, to page 59 of the bill.

Senator Welsh asked and received unanimous consent that action on amendment S—5145 be deferred.

(Senate File 2175 and amendments S—5087, S—5113, S—5120, S—5121, S—5134, S—5136, S—5144, S—5145, S—5151, S—5154, S—5155, S—5160, S—5195 and S—5197 pending on adjournment).

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2158	State Government
H.F.	2297	Natural Resources
S.F.	2204	Education

STUDY BILLS RECEIVED

SSB 2161 Ways and Means

Relating to the assessment of real property for tax purposes.

SSB 2162 Ways and Means

Relating to the purchase of motor fuel by a regional transit system, providing for a tax refund, subject to penalties provided by law.

SSB 2163 Ways and Means

Exempting an employer within the motion picture industry from the requirement to withhold state income taxes from payments made to nonresident employees.

SSB 2164 Ways and Means

Exempting trailers and semitrailers registered under chapter 326 from the state use tax.

SSB 2165 Ways and Means

Relating to certain nonprofit corporations providing service to disabled persons and adult day care by exempting them from the state sales, services, and use tax and providing for a refund for state sales, services, and use tax paid by the contractors for goods and services used in the fulfillment of a written contract with them, and by providing a retroactive date.

AMENDMENTS FILED

S—5194	S. F.	2175	Charles Bruner
S—5195	S. F.	2175	Bob Carr Joe Welsh
S—5196	S. F.	2175	Richard F. Drake Bob Carr
S—5197	S. F.	2175	Bob Carr
S—5198	S. F.	2175	Arthur A. Small, Jr.
S—5199	S. F.	2175	Bob Carr Richard F. Drake
S—5200	S. F.	2175	Charles Bruner
S—5201	S. F.	2175	Julia Gentleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:54 p.m., until 9:00 a.m., Tuesday, February 25, 1986.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 25, 1986

The Senate met in regular session at 9:13 a.m., President Anderson presiding.

Prayer was offered by the Reverend Roy E. Paslay, pastor of the First Baptist Church, Boone, Iowa.

The Journal of Monday, February 24, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann 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 44 present, 6 absent and a quorum present.

BILL REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2202** was referred from the Regular Calendar to the committee on **Ways and Means**.

UNFINISHED BUSINESS (Pending February 24, 1986)

Senate File 2175

The Senate resumed consideration of Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel,

management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure, and amendments S—5087, S—5113, S—5120, S—5121, S—5134, S—5136, S—5144, S—5145, S—5151, S—5154, S—5155, S—5160, S—5195 and S—5197 pending on adjournment on February 24, 1986.

Senator Welsh withdrew amendment S—5153 filed by him on February 20, 1986, to page 77 of the bill.

Senator Murphy offered amendment S—5140 filed by him on February 20, 1986, to page 78 of the bill and moved its adoption.

Amendment S—5140 was adopted by a voice vote.

Senator Gentleman offered amendment S—5165 filed by her on February 20, 1986, to pages 90 and 91 of the bill.

Senator Holden offered amendment S—5191 filed by him on February 24, 1986, to pages 7 and 8 of amendment S—5165 and called for a division: lines 3 and 4 as division S—5191A and line 5 as division S—5191B.

Senator Holden moved the adoption of division S—5191A, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—5191B, which motion prevailed by a voice vote.

Senator Gentleman moved the adoption of amendment S—5165 as amended.

A record roll call was requested.

On the question “Shall amendment S—5165 as amended be adopted?” (S.F. 2175) the vote was:

Ayes, 17:

Brown	Corning	Gentleman	Hester
Holden	Holt	Hultman	Jensen
Miller, C.P.	Murphy	Palmer	Ritsema
Small	Soorholtz	Taylor	Vande Hoef
Waldstein			

Nays, 31:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Kinley
Lind	Miller, A.V.	Nystrom	Peterson
Priebe	Rife	Riordan	Schwengels
Tieden	Wells	Welsh	

Absent or not voting, 2:

Mann	Readinger
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Amendment S—5165 as amended lost.

Senator Carr offered amendment S—5204 filed by Senators Carr and Welsh from the floor to pages 77, 98, 208, 314, 325 and 351 of the bill and moved its adoption.

Amendment S—5204 was adopted by a voice vote.

Senator Welsh withdrew amendment S—5150 filed by him on February 20, 1986, to page 98 of the bill.

Senator Drake offered amendment S—5146 filed by Senators Drake, Gronstal and Carr on February 20, 1986, to pages 109, 127, 128, 130 and 131 of the bill and called for a division: line 2 as division S—5146A and lines 3 through 6 as division S—5146B.

Senator Drake asked and received unanimous consent to withdraw the division of amendment S—5146.

Senator Drake moved the adoption of amendment S—5146, which motion prevailed by a voice vote.

Senator Kinley offered amendment S—5166 filed by him on February 20, 1986, to pages 110 through 112 of the bill and called for a division: lines 2 and 3 as division S—5166A and lines 4 and 5 as division S—5166B.

Senator Kinley withdrew division S—5166A.

Senator Kinley moved the adoption of division S—5166B.

A non record roll call was requested.

The ayes were 29, nays 16.

Division S—5166B was adopted.

With the adoption of amendment S—5146, the Chair ruled the following amendment out of order:

S—5136 by Senators Drake, et al., to pages 127 and 130 through 132 of the bill, deferred February 20, 1986.

With the adoption of amendment S—5204, the Chair ruled the following amendments out of order:

S—5087 by Senator Welsh to page 208 of the bill, deferred on February 20, 1986.

S—5151 by Senator Welsh to page 351 of the bill, deferred on February 24, 1986.

S—5154 by Senator Welsh to pages 314 and 325 of the bill, deferred on February 24, 1986.

S—5195 by Senators Carr and Welsh to pages 44, 77, 98, 208, 314, 325 and 351 of the bill, deferred on February 24, 1986.

Senator Welsh took the chair at 10:07 a.m.

Senator Murphy offered amendment S—5143 filed by Senators Murphy, Colton and Riordan on February 20, 1986, to pages 110, 141, 305 and 389 through 392 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 4, nays 40.

Amendment S—5143 lost.

Senator Bruner asked and received unanimous consent to withdraw amendment S—5120 by Senators Bruner and Carr to pages 152, 155 and 158 of the bill, deferred on February 20, 1986.

Senator Drake offered amendment S—5178 filed by him on February 21, 1986, to pages 153, 156 through 158 and 160 of the bill and called for a division: page 1, lines 2 through 28 as division S—5178A; page 1, lines 29 through 50 and page 2 as division S—5178B.

Senator Drake moved the adoption of division S—5178A.

A record roll call was requested.

On the question “Shall division S—5178A be adopted?” (S.F. 2175) the vote was:

Ayes, 23:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Priebe	Readinger	Rife	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Riordan
Wells	Welsh		

Absent or not voting, 1:

Mann

Division S—5178A lost.

Senator Drake moved the adoption of division S—5178B, which motion prevailed by a voice vote.

Senator Drake withdrew amendment S—5144 by him to pages 152, 153, 156 through 158 and 160 of the bill, deferred on February 20, 1986.

Senator Horn offered amendment S—5180 filed by Senators Horn and Carr on February 21, 1986, to page 152 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5180 be adopted?" (S.F. 2175) the vote was:

Ayes, 20:

Boswell	Bruner	Carr	Corning
Deluhery	Goodwin	Gratias	Gronstal
Hutchins	Lind	Miller, C.P.	Murphy
Nystrom	Palmer	Riordan	Schwengels
Small	Tieden	Wells	Welsh

Nays, 29:

Brown	Coleman	Colton	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Jensen	Kinley	Miller, A. V.
Peterson	Priebe	Readinger	Rife
Ritsema	Soorholtz	Taylor	Vande Hoef
Waldstein			

Absent or not voting, 1:

Mann

Amendment S—5180 lost.

President Anderson took the chair at 11:03 a.m.

Senator Soorholtz asked and received unanimous consent to withdraw amendment S—5134 by Senators Soorholtz and Rife to page 152 of the bill, deferred on February 20, 1986.

Senator Dieleman offered amendment S—5182 filed by him on February 21, 1986, to page 191 of the bill and moved its adoption.

Amendment S—5182 was adopted by a voice vote.

The Senate resumed consideration of amendment S—5121 by Senators Dieleman, et al., to pages 193, 194 and 206 of the bill, deferred on February 20, 1986.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

BUSINESS PENDING

The Senate resumed consideration of Senate File 2175 and amendment S—5121.

Senator Murphy offered amendment S—5164 filed by him on February 20, 1986, to amendment S—5121 and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 32.

Amendment S—5164 lost.

Senator Ritsema raised the point of order that amendment S—5121 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5121 out of order because it goes beyond the scope of reorganization of state government.

Senator Schwengels offered amendment S—5169 filed by him on February 21, 1986, to page 213 of the bill and moved its adoption.

Amendment S—5169 was adopted by a voice vote.

Senator Murphy offered amendment S—5193 filed by Senators Murphy and Brown on February 24, 1986, to pages 275, 276 and 300 of the bill.

Senator Carr asked and received unanimous consent that action on amendment S—5193 be deferred.

Senator Gentleman offered amendment S—5192 filed by her on February 24, 1986, to pages 302 through 305 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 9, nays 38.

Amendment S—5192 lost.

(Senate File 2175 pending on recess).

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 23, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2067, a bill for an act relating to the use of financial instruments and providing penalties.

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

INTRODUCTION OF BILLS

Senate File 2205, by Taylor, a bill for an act to provide for maintaining the supplementary weighting funding for school districts that reorganize.

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

Senate File 2206, by Deluhery, a bill for an act requiring a financial institution to provide a basic checking account to any individual seeking the account in order for the financial institution to be eligible to receive the deposit of state public funds.

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

BILL REFERRED TO COMMITTEE

The Chair announced that **Senate File 2189** was referred from the Regular Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:54 a.m., until 1:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	187	Labor & Industrial Relations
H.F.	2211	Transportation

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: February 24, 1986, 12:03 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 12:05 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2180

EDUCATION: Murphy, Chair; Gratias, Taylor, Riordan and Horn

Senate File 2185

TRANSPORTATION: Coleman, Chair; Doyle and Goodwin

Senate File 2187

EDUCATION: Wells, Chair; Murphy and Gratias

Senate File 2191

EDUCATION: Colton, Chair; Horn and Ritsema

Senate File 2192

TRANSPORTATION: Jensen, Chair; Coleman and A. Miller

Senate File 2194

EDUCATION: Hannon, Chair; Wells and Taylor

Senate File 2195

JUDICIARY: Coleman, Chair; Doyle and Drake

Senate File 2199

EDUCATION: Gratias, Chair; Colton and Corning

Senate File 2201

COMMERCE: Priebe, Chair; Deluhery and Jensen

House File 2097

TRANSPORTATION: Kinley, Chair; Gettings and Nystrom

House File 2178

JUDICIARY: Gentleman, Chair; Deluhery and Horn

House File 2230

COMMERCE: Deluhery, Chair; Gronstal and Jensen

House File 2287

COMMERCE: Nystrom, Chair; Gronstal and Tieden

SSB 2099

COMMERCE: Gronstal, Chair; Jensen and Tieden

SSB 2150

COMMERCE: Gronstal, Chair; Deluhery and Tieden

SSB 2151

COMMERCE: Palmer, Chair; Priebe and Holden

SSB 2154

EDUCATION: Murphy, Chair; Wells and Taylor

SSB 2166

HUMAN RESOURCES: Hannon, Chair; Readinger and Murphy

SSB 2167

HUMAN RESOURCES: Readinger, Chair; Coleman and Hannon

SSB 2172

JUDICIARY: Gentleman, Chair; Small and Doyle

SSB 2173

JUDICIARY: Small, Chair; Mann and Ritsema

SSB 2174

JUDICIARY: Small, Chair; Mann and Ritsema

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on February 18, 1986.

Had I been present, I would have voted "aye" on Senate Files 2008, 2100, 2159, 2165 and 2166.

JOE J. WELSH

COMMITTEE REPORT

COMMERCE

Final Bill Action: SENATE FILE 545, a bill for an act relating to the reorganization of bank affiliates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5206.

Final Vote: Ayes, 8: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer and Priebe. Nays, 2: Peterson and Tieden.

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-seven eighth grade students from Janesville Junior-Senior High School, Janesville, Iowa, accompanied by Robert Gifford. Senators Corning and Jensen.

Forty-eight students, members of the 4-H program from six school systems in Jones County, accompanied by Varlyn Fink. Senator Hannon.

AMENDMENTS FILED

S—5202	S.F.	2175	Beverly A. Hannon
S—5203	S.F.	2175	Jim Riordan Leonard L. Boswell
S—5204	S.F.	2175	Bob Carr Joe Welsh
S—5205	H.F.	547	Edgar H. Holden
S—5206	S.F.	545	Commerce
S—5207	S.F.	2175	Donald V. Doyle
S—5208	S.F.	2175	Joe Welsh Richard F. Drake

AFTERNOON SESSION

The Senate reconvened at 1:39 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 43 present, 7 absent and a quorum present.

President pro tempore Wells took the chair at 1:41 p.m.

President Anderson took the chair at 1:48 p.m.

BUSINESS PENDING

Senate File 2175

The Senate resumed consideration of Senate File 2175, pending on recess.

Senator Carr offered amendment S—5199 filed by Senators Carr and Drake on February 24, 1986, to pages 302 and 303 of the bill and moved its adoption.

Amendment S—5199 was adopted by a voice vote.

Senator Ritsema moved the adoption of amendment S—5113 by him to page 304 of the bill, deferred on February 24, 1986.

Amendment S—5113 was adopted by a voice vote.

Senator Riordan offered amendment S—5203 filed by Senators Riordan and Boswell from the floor to page 305 of the bill and moved its adoption.

Amendment S—5203 was adopted by a voice vote.

The Senate resumed consideration of amendment S—5155 by Senator Welsh to page 348 of the bill, deferred on February 24, 1986.

Senator Bruner offered amendment S—5200 filed by him on February 24, 1986, to amendment S—5155 and moved its adoption.

Amendment S—5200 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—5155 as amended, which motion prevailed by a voice vote.

Senator Gentleman offered amendment S—5201 filed by her on February 24, 1986, to page 4 of the bill and moved its adoption.

Amendment S—5201 was adopted by a voice vote.

Senator Carr withdrew amendment S—5197 by him to pages 21, 23 through 32 and 41 of the bill, deferred on February 24, 1986.

Senator Welsh asked and received unanimous consent to withdraw amendment S—5145 by Senators Welsh and Drake to page 59 of the bill, deferred on February 24, 1986.

Senator Welsh offered amendment S—5208 filed by Senators Welsh and Drake from the floor to pages 54, 58 and 60 of the bill and moved its adoption.

Amendment S—5208 was adopted by a voice vote.

Senator Doyle offered amendment S—5207 filed by him from the floor to pages 88, 299, 342 and 344 of the bill and moved its adoption.

Amendment S—5207 was adopted by a voice vote.

The Senate resumed consideration of amendment S—5193 by Senators Murphy and Brown to pages 275, 276 and 300 of the bill, previously deferred.

Senator Corning called for a division of amendment S—5193: lines 2 and 3 as division S—5193A and lines 4 through 7 as division S—5193B.

Senator Corning raised the point of order that division S—5193A was out of order because the same subject matter had previously been considered by the Senate.

The Chair ruled the point not well taken and division S—5193A in order because it was a different subject matter than previously considered.

Senator Murphy asked and received unanimous consent that action on division S—5193A be deferred.

Senator Murphy moved the adoption of division S—5193B, which motion prevailed by a voice vote.

The Senate resumed consideration of amendment S—5160 by Senators Hannon, et al., to page 35 of the bill, deferred on February 24, 1986.

Senator Hannon offered amendment S—5202 filed by her from the floor to amendment S—5160 and moved its adoption.

Amendment S—5202 was adopted by a voice vote.

Senator Hannon moved the adoption of amendment S—5160 as amended, which motion prevailed by a voice vote.

Senator Colton withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5123 as amended to Senate File 2175 was adopted by the Senate on February 20, 1986.

Senator Nystrom called up the motion to reconsider the vote by which amendment S—5104 to page 20 of Senate File 2175 failed to be adopted by the Senate on February 20, 1986, filed by him on February 20, 1986, found on page 396 of the Senate Journal 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.

The motion lost.

Senator Schwengels called up the motion to reconsider the vote by which amendment S—5118 to Senate File 2175 failed to be adopted by the Senate on February 20, 1986, filed by him on February 21, 1986, found on page 406 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2175) 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	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Goodwin	Gratias
Gronstal	Hannon	Horn	Hutchins
Kinley	Lind	Miller, A.V.	Palmer
Peterson	Priebe	Rife	Schwengels
Small			

Nays, 23:

Bruner	Carr	Drake	Gentleman
Hall	Hester	Holden	Holt
Hultman	Husak	Jensen	Miller, C.P.
Murphy	Nystrom	Readinger	Riordan
Ritsema	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Absent or not voting, 2:

Mann	Soorholtz
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The motion prevailed and amendment S—5118 by Senator Schwengels to pages 91 through 104 of the bill, was taken up for reconsideration.

Senator Schwengels moved the adoption of amendment S—5118.

A record roll call was requested.

On the question "Shall amendment S—5118 be adopted?" (S.F. 2175) the vote was:

Ayes, 22:

Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gettings
Goodwin	Gratias	Hannon	Horn
Kinley	Lind	Miller, C.P.	Palmer
Peterson	Rife	Schwengels	Small
Soorholtz	Tieden		

Nays, 27:

Boswell	Brown	Bruner	Carr
Drake	Gentleman	Gronstal	Hall
Hester	Holden	Holt	Hultman
Husak	Hutchins	Jensen	Miller, A.V.
Murphy	Nystrom	Priebe	Readinger
Riordan	Ritsema	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Absent or not voting, 1:

Mann

Amendment S—5118 lost.

Senator Fraise 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—5148 to page 191 of Senate File 2175 was adopted by the Senate on February 20, 1986.

Senator Hall took the chair at 3:58 p.m.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (S.F. 2175) the vote was:

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

Ayes, 22:

Boswell	Bruner	Carr	Corning
Dieleman	Drake	Fraise	Goodwin
Gratias	Hultman	Hutchins	Jensen
Miller, A.V.	Murphy	Nystrom	Peterson
Readinger	Rife	Schwengels	Small
Wells	Welsh		

Nays, 26:

Brown	Coleman	Colton	Deluhery
Doyle	Gentleman	Gettings	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Kinley
Lind	Palmer	Priebe	Riordan

Ritsema
Vande Hoef

Soorholtz
Waldstein

Taylor

Tieden

Absent or not voting, 2:

Mann

Miller, C.P.

The motion lost.

The Chair ruled amendment S—5210 filed by Senators Welsh, et al., from the floor to amendment S—5148, out of order.

Senator Corning asked and received unanimous consent that action on the motion to reconsider division S—5086A to pages 233 and 234 of the bill filed by her on February 21, 1986, be deferred for consideration of the motion to reconsider division S—5086B.

Senator Murphy called up the motion to reconsider the vote by which division S—5086B to Senate File 2175 failed to be adopted by the Senate on February 21, 1986, filed by him on February 21, 1986, found on page 406 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 20.

The motion prevailed and division S—5086B by Senator Murphy to pages 243, 275 and 276 of the bill, was taken up for reconsideration.

Senator Murphy moved the adoption of division S—5086B, which motion prevailed by a voice vote.

The Senate resumed consideration of the motion to reconsider by Senator Corning the vote by which division S—5086A to pages 233 and 234 of Senate File 2175 was adopted by the Senate on February 21, 1986, filed by her on February 21, 1986, and found on page 406 of the Senate Journal, previously deferred.

Senator Corning moved the adoption of the motion to reconsider division S—5086A.

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 16, nays 32.

The motion lost.

Senator Horn withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5180 to page 152 of Senate File 2175 failed to be adopted by the Senate on February 25, 1986.

Senator Colton withdrew the motion to reconsider the vote by which amendment S—5115 to page 188 of Senate File 2175 was adopted by the Senate on February 20, 1986, filed by him on February 21, 1986, and found on page 406 of the Senate Journal.

Senator Doyle offered amendment S—5213 filed by him from the floor to page 32 of the bill and moved its adoption.

Amendment S—5213 was adopted by a voice vote.

President Anderson took the chair at 5:17 p.m.

Senator Taylor offered amendment S—5209 filed by Senators Taylor and Dieleman from the floor to page 64 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 33.

Amendment S—5209 lost.

Senator Doyle offered amendment S—5212 filed by him from the floor to page 172 of the bill and moved its adoption.

Amendment S—5212 was adopted by a voice vote.

Senator Welsh offered amendment S—5214 filed by him from the floor to page 191 of the bill.

Senator Colton raised the point of order that amendment S—5214 was out of order because the same subject matter had previously been considered by the Senate.

The Chair ruled the point not well taken and amendment S—5214 in order because the subject matter had not been addressed separately.

Senator Welsh moved the adoption of amendment S—5214.

A record roll call was requested.

On the question “Shall amendment S—5214 be adopted?” (S.F. 2175) the vote was:

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

Ayes, 21:

Boswell	Brown	Bruner	Corning
Fraise	Gratias	Horn	Hultman
Hutchins	Jensen	Miller, A.V.	Miller, C.P.
Nystrom	Peterson	Priebe	Readinger
Schwengels	Small	Tieden	Wells
Welsh			

Nays, 27:

Carr	Coleman	Colton	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Husak	Kinley	Lind	Murphy
Palmer	Riordan	Ritsema	Soorholtz
Taylor	Vande Hoef	Waldstein	

Absent or not voting, 2:

Mann	Rife
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Amendment S—5214 lost.

With the adoption of division S—5086B, the Chair ruled division S—5193A by Senators Murphy and Brown to pages 275 and 276 of the bill, previously deferred, out of order.

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

On the question “Shall the bill pass?” (S.F. 2175) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Murphy
Nystrom	Priebe	Readinger	Riordan
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 8:

Coleman	Hannon	Horn	Miller, C.P.
Palmer	Peterson	Rife	Schwengels

Absent or not voting, 1:

Mann

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

Senator Hutchins asked and received unanimous consent that **Senate File 2175** 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 February 25, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2353, a bill for an act relating to the Iowa family farm development authority, by providing for an agricultural loan assistance program, providing for the adoption of penalties, making an appropriation, and providing for an effective date.

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

INTRODUCTION OF BILL

Senate File 2207, by Committee on Human Resources, a bill for an act excluding residential care facilities from certificate-of-need reviews for two fiscal years.

Read first time and **placed on calendar**.

APPENDIX**STUDY BILLS RECEIVED****SSB 2142A Commerce**

Permitting the posting of a bond to discharge a mechanic's lien.

SSB 2166 Human Resources

Relating to the visitation rights of grandparents.

SSB 2167 Human Resources

Regulating continuing-care facilities, and providing enforcement procedures.

SSB 2168 Labor and Industrial Relations

Establishing requirements for the use and operation of cabooses on railroad trains.

SSB 2169 Education

Relating to motorcycle and motorized bicycle education, to establish a motorcycle rider education fund, to increase certain license fees, and to appropriate moneys from the fund to the department of public instruction for the costs of motorcycle and motorized bicycle education courses.

SSB 2170 Commerce

Relating to the accrual of interest in real estate broker trust accounts.

SSB 2171 Commerce

Relating to the sale of real estate by auctioneers.

SSB 2172 Judiciary

Relating to the department of human services' authority to investigate certain child sexual abuse cases and control access to certain information in child abuse cases.

SSB 2173 Judiciary

Relating to the tort liability of the state.

SSB 2174 Judiciary

Requiring clerks of the district court to report all medical malpractice judgments entered against physicians, physicians' assistants, advanced emergency medical technicians, and paramedics to the board of medical examiners.

SSB 2175 Agriculture

Relating to the right to first refusal allowed to immediately prior owners of agricultural land held by state banks.

COMMITTEE REPORT**HUMAN RESOURCES**

Final Bill Action: SENATE FILE 108, a bill for an act relating to information regarding medicare supplement insurance coverage.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Bruner, Gentleman, Coleman, Gratias, C. Miller, Murphy, Taylor, Vande Hoef and Wells. Nays, 1: Readinger. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2207 (SSB 2140), a bill for an act excluding residential care facilities from certificate-of-need reviews for two fiscal years.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Bruner, Gentleman, Coleman, Gratias, C. Miller, Readinger, Taylor, Vande Hoef and Wells. Nays, 1: Murphy. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATION

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

February 18, 1986

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

Dear Ms. Thayer:

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

These include 15 claims of a general nature. This supplements our filing of January 6, 1986.

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

Very truly yours,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

Pursuant to Chapter 24A, General Claims denied by the State Appeal Board were received and filed with the Claims Subcommittee of the Senate Appropriations Committee.

AMENDMENTS FILED

S—5209	S. F.	2175	Ray Taylor William W. Dieleman
S—5210	S. F.	2175	Joe Welsh John N. Nystrom Charles Bruner Jack Rife Bob Carr

S—5211	S. F.	2078	Leonard L. Boswell
S—5212	S. F.	2175	Donald V. Doyle
S—5213	S. F.	2175	Donald V. Doyle
S—5214	S. F.	2175	Joe Welsh

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Wednesday, February 26, 1986.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
TWENTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 26, 1986

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

Prayer was offered by the Algona Swing Choir, Algona Community School District, who vocally performed "Prayer Of Our Lord". The Choir was accompanied and directed by Peg Thompson.

The Journal of Tuesday, February 25, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann 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 February 24, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2026, a bill for an act related to the appointment of county deputies, assistants, and clerks.

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

House File 2090, a bill for an act relating to the issuance of a preliminary injunction in actions for dissolution of marriage, annulment, or separate maintenance.

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

House File 2301, a bill for an act relating to sanitary disposal projects.

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

INTRODUCTION OF BILL

Senate File 2208, by Holden, a bill for an act providing that the geographic limitation on locations where a financial institution may establish an electronic funds-transfer satellite terminal does not apply to a satellite terminal that does not accept deposits.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:09 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2205	Education
S. F.	2206	Commerce
H. F.	2067	Judiciary
H. F.	2353	Agriculture

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: February 25, 1986, 8:05 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Nystrom, Palmer (arrived 8:12 a.m.), Peterson, Priebe and Tieden.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 545 as amended; Thomas J. Vilsack, President of Association of Trial Lawyers and James Carney, Iowa State Bar Association, discussed tort reform.

Adjourned: 8:57 a.m.

HUMAN RESOURCES

Convened: February 25, 1986, 8:35 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Coleman, Gratiias, C. Miller (arrived 8:40 a.m.), Murphy, Readinger (arrived 8:46 a.m.), Taylor, Vande Hoef and Wells.

Members Absent: Carr (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 108; approved SSB 2140 as a committee bill.

Adjourned: 9:05 a.m.

SUPPLEMENTAL REPORT OF THE
COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have become deceased and appoints the following committee to prepare suitable memorial resolutions:

G. Donald Bellman, Indianola

Wm. W. Dieleman, Chair
Julia B. Gentleman
George R. Kinley

Arthur H. Jacobson, Waukon

Dale L. Tieden, Chair
Hurley W. Hall
Larry Murphy

Thomas Lind, Waterloo

Jim Lind, Chair
Emil J. Husak
Larry Murphy

Eli C. Myrland, Onawa

Donald V. Doyle, Chair
Jack W. Hester
Douglas Ritsema

John A. Neighbour, Chariton

John A. Peterson, Chair
Leonard L. Boswell
Don E. Gettings

CHARLES P. MILLER, Chair
C. JOSEPH COLEMAN
RAY TAYLOR
DALE L. TIEDEN

REPORT OF COMMITTEE
ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 2, the committee on Rules and Administration submits the following changes:

Secretary	Ann Blanchard	Step 3 to Step 4 Effective 3/21/86
Secretary	Candy Boucher	Grade 14 to Grade 16 Effective 2/14/86
Recording Clerk	Lori Bristol	Step 1 to Step 2 Effective 3/7/86
Secretary	Joyce Chamberlain	Grade 14 to Grade 16 Effective 2/14/86
Secretary	Kristen Dieleman	Grade 14 Step 3 to Grade 16 Step 4 Effective 2/14/86
Doorkeeper	Robert Doyle	Step 1 to Step 2 Effective 3/21/86
Secretary	Steven Falck	Step 3 to Step 4 Effective 3/21/86
Secretary	Gaye Pack	Grade 14 Step 3 to Grade 16 Step 4 Effective 2/7/86
Secretary	Lisa Plambeck	Grade 14 Step 3 to Grade 16 Step 4 Effective 2/14/86
Administrative Assistant	Todd Von Stein	Grade 14 Step 2 to Grade 16 Step 1 Effective 1/24/86
Secretary	Katheryn Walden	Step 2 to Step 3 Effective 3/21/86
Secretary	Margaret Wimmer	Step 4 to Step 5 Effective 3/21/86
Switchboard Operator	Fredda Wright	Step 1 to Step 2 Effective 3/21/86

BILL HUTCHINS, Chair

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request that the name of William L. Lepley, the governor's appointee to the First in the Nation in Education Foundation Governing Board, be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

BILL HUTCHINS

MR. PRESIDENT: Pursuant to Senate Rule 60, I hereby request the name of Ronald H. Schectman, the governor's appointee to the Iowa Community Cultural Grants Commission, be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

MICHAEL E. GRONSTAL

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: SENATE FILE 2210 (SSB 2090), a bill for an act requiring insurance companies to lower automobile liability insurance premiums to reflect the reduction in annual losses occasioned by the enactment of the mandatory seat belt bill.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, 1: Hall. Absent or not voting, 1: Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 644, a bill for an act to provide space on the driver's license to indicate the driver's blood type.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley, A. Miller and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2211, a bill for an act relating to the movement of vehicles of excessive size and weight.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Drake, Doyle, Goodwin, Kinley, A. Miller and Nystrom. Nays, 3: Hall, Gettings and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2204

EDUCATION: Murphy, Chair; Wells and Gratias

House File 2049

HUMAN RESOURCES: Wells, Chair; Vande Hoef and Gentleman

House File 2160

LABOR AND INDUSTRIAL RELATIONS: Colton, Chair; Rife and Welsh

House File 2211

TRANSPORTATION: Coleman, Chair; Doyle and Drake

House File 2300

LABOR AND INDUSTRIAL RELATIONS: Wells, Chair; Deluhery and Hultman

SSB 2169

EDUCATION: Hannon, Chair; Corning and Horn

SSB 2176

EDUCATION: Riordan, Chair; Hannon and Ritsema

SSB 2177

NATURAL RESOURCES: Husak, Chair; Tieden and Schwengels

AMENDMENT FILED

S—5215

S. F.

2025

Charles Bruner

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President Anderson presiding.

QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

INTRODUCTION OF BILLS

Senate File 2209, by Waldstein, a bill for an act relating to the compensation of elected county officers.

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

Senate File 2210, by Committee on Transportation, a bill for an act requiring insurance companies to lower automobile liability insurance premiums to reflect the reduction in annual losses occasioned by the enactment of the mandatory seat belt bill.

Read first time and **placed on calendar**.

Senate File 2211, by Murphy, a bill for an act enabling local operation and funding of 9-1-1 enhanced or basic emergency telephone system networks.

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins asked and received unanimous consent to take up the following eligible appointees listed on the En Bloc Confirmation Calendar:

State Lottery Commission

Committee recommendations found on page 157 of the Senate Journal:

Joan U. Axel
Emma M. Chance
Monroe J. Colston
Gary Hughes
John W. Van Dyke

State Board of Dietetic Examiners

Connie J. Freese, committee recommendation found on page 236 of the Senate Journal.

Committee recommendations found on page 332 of the Senate Journal:

Jill M. Gift
Jeannette L. Miller

Title Guaranty Division Board

Allen K. Buchanan, committee recommendation found on page 186 of the Senate Journal.

M. Jane Bell, committee recommendation found on page 225 of the Senate Journal.

LeRoy H. Redfern, committee recommendation found on page 276 of the Senate Journal.

Iowa State Civil Rights Commission

Ruby Abebe, committee recommendation found on page 225 of the Senate Journal.

First in the Nation in Education Foundation Governing Board

Committee recommendations found on page 236 of the Senate Journal:

Donald C. Byers
Constantine W. Curris
Arthur A. Neu
Mary E. Sievert

Margaret P. Borgen, committee recommendation found on page 250 of the Senate Journal.

Respiratory Care Advisory Committee

Greg A. Hicklin, committee recommendation found on page 236 of the Senate Journal.

Committee recommendations found on page 332 of the Senate Journal:

Earl L. Howard
Benita L. Strait
Sara E. Sutton
Joan M. Treirvieler

State Board of Public Instruction

Harlan Van Gerpen, committee recommendation found on page 250 of the Senate Journal.

Iowa Community Cultural Grants Commission

Committee recommendations found on page 295 of the Senate Journal:

David L. Charles
Rita K. Courtney
Cynthia B. Lidgett

Iowa Advance Funding Authority

Committee recommendations found on page 321 of the Senate Journal:

Betty Jo Harker
Marvin R. Selden

Small Business Advisory Council

Joe S. Warrick, committee recommendation found on page 321 of the Senate Journal.

State Foster Care Review Board

Nancy Barcelo, committee recommendation found on page 332 of the Senate Journal.

Executive Director of the Office for Planning and Programming

Keith Heffernan, committee recommendation found on page 332 of the Senate Journal.

Executive Director of the Iowa State Historical Department

David Earl Crosson, committee recommendation found on page 349 of the Senate Journal.

Superintendent of Banking

William R. Bernau, committee recommendation found on page 349 of the Senate Journal.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, none.

Absent or not voting, 4:

Mann	Miller, A.V.	Readerger	Welsh
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 2143

On motion of Senator Doyle, Senate File 2143, a bill for an act relating to corrections; changing certain administrative provisions; limiting remedies in restitution matters; and providing penalties, was taken up for consideration.

Senator Doyle offered amendment S—5057 filed by Senator Mann on February 11, 1986, to page 4 of the bill and moved its adoption.

Amendment S—5057 was adopted by a voice vote.

Senator Doyle offered amendment S—5081 filed by Senators Drake and Doyle on February 18, 1986, to page 4 and to the title page of the bill and moved its adoption.

Amendment S—5081 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2143) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2047.

Senate File 2047

On motion of Senator Bruner, Senate File 2047, a bill for an act relating to hospitals, with report of committee on Local Government recommending passage, and with report of committee on Human Resources recommending amendment and passage, was taken up for consideration.

Senator Bruner asked and received unanimous consent that action on amendment S—5061 filed by the committee on Human Resources on February 13, 1986, to pages 2 and 3 of the bill be deferred for consideration of amendment S—5079.

Senator Bruner offered amendment S—5079 filed by him on February 18, 1986, to pages 3 through 5 and to the title page of the bill and moved its adoption.

Amendment S—5079 was adopted by a voice vote.

With the adoption of amendment S—5079, the Chair ruled amendment S—5061 to pages 2 and 3 of the bill, out of order.

Senator Bruner asked and received unanimous consent that **House File 2229** be substituted for **Senate File 2047** as amended.

House File 2229

On motion of Senator Bruner, House File 2229, a bill for an act relating to hospitals by permitting the sale or lease of property owned by the hospital upon approval by the board of trustees, permitting commercial use of portions of hospital property, permitting certain hospitals to sell or lease property with a public notice and a public hearing, requiring a commission which manages a county memorial hospital to request a county appropriation for the hospital from the county board of supervisors, permitting licensed practitioners and physicians to serve as county public hospital trustees, prohibiting trustees from receiving compensation from the county public hospital, and requiring the department of health to provide technical assistance to hospitals when funding is available, was taken up for consideration.

Senator Hannon withdrew amendment S—5217 filed by her from the floor to pages 2 and 3 of the bill.

Senator Bruner offered amendment S—5090 filed by him on February 19, 1986, to page 3 of the bill and moved its adoption.

Amendment S—5090 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. 2229) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

HOUSE AMENDMENT CONSIDERED

Senate File 276

Senator Ritsema called up for consideration Senate File 276, a bill for an act relating to the jurisdiction of district associate

judges, amended by the House in House amendment S—5072 filed February 18, 1986.

Senator Riordan withdrew amendment S—5101 filed by him on February 19, 1986, to House amendment S—5072.

Senator Ritsema moved that the Senate concur in House amendment S—5072, which motion prevailed by a voice vote.

Senator Ritsema 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. 276) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Mann

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

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate Joint Resolution 2003**

AGRICULTURE: Fraise, Chair; Waldstein and Hester

Senate File 2188

AGRICULTURE: Boswell, Chair; A. Miller and Waldstein

Senate File 2196

LOCAL GOVERNMENT: Waldstein, Chair; Vande Hoef and Fraise

Senate File 2198

AGRICULTURE: Boswell, Chair; A. Miller and Waldstein

SSB 2175

AGRICULTURE: Husak, Chair; Soorholtz and Priebe

SSB 2179

JUDICIARY: Dieleman, Chair; Gentleman and Horn

LSB 7676

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Wells

LSB 7805

LOCAL GOVERNMENT: A. Miller, Chair; Waldstein and Wells

LSB 8117

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Wells

LSB 8167

LOCAL GOVERNMENT: Priebe, Chair; A. Miller and Vande Hoef

LSB 8247

LOCAL GOVERNMENT: Waldstein, Chair; Lind and Hall

LSB 8248

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Wells

STUDY BILLS RECEIVED**SSB 2176 Education**

Relating to the coordination of telecommunications used by certain school corporations, making an appropriation, and providing an effective date.

SSB 2177 Natural Resources

Relating to suspensions or restrictions on water use under the state priority allocation plan.

SSB 2178 Commerce

Relating to electronic fund transfers.

SSB 2179 Judiciary

To legalize and validate the proceedings of the City council of the City of Ankeny, Iowa, authorizing and providing for the issuance, sale and delivery of General Obligation Bonds, providing for the levy of taxes for the payment of the bonds and declaring the bonds to be enforceable obligations of the City of Ankeny, Iowa.

COMMUNICATION

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

DEPARTMENT OF TRANSPORTATION

On February 26, 1986, a copy of the annual report of the State Aircraft Pool submitted by the Air and Transit Division of the Department of Transportation pursuant to Sec. 328.56(5), Code of Iowa.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2062, a bill for an act relating to membership sales, by exempting cooperatives organized under chapter 499.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2155, a bill for an act relating to the powers of the administrator of the department of credit unions in taking over the management of credit unions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5216.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2007, a bill for an act to provide notice to property owners of unpaid sewer or solid waste charges.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2152, a bill for an act relating to the authority of the county board of supervisors regarding roads established or improved by petition of landowners.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5216	S. F.	2155	Commerce
S—5217	H. F.	2229	Beverly A. Hannon
S—5218	S. F.	2094	Richard Vande Hoef
S—5219	S. F.	545	Edgar H. Holden

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:17 p.m., until 9:00 a.m., Thursday, February 27, 1986.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 27, 1986

The Senate met in regular session at 9:10 a.m., President Anderson presiding.

Prayer was offered by Evangelist Larry Dodds, Church of the Nazarene, Burlington, Iowa, who vocally performed "To God Be The Glory".

The Journal of Wednesday, February 26, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 25, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2299, a bill for an act to increase snowmobile registration fees and providing an effective date.

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

WITHDRAWN

Senator Bruner asked and received unanimous consent that **Senate File 2047** be withdrawn from further consideration of the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:20 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	2208	Commerce
S.F.	2209	Local Government
S.F.	2211	Commerce
H.F.	2026	Local Government
H.F.	2090	Judiciary

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 26, 1986, 2:43 p.m.

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

Members Absent: Palmer (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 2160 and LSB 6539 as committee bills; recommended passage of Senate File 2150 as amended; discussed and deferred action on Senate Files 2176 and 2137.

Adjourned: 3:41 p.m.

COMMERCE

Convened: February 26, 1986, 3:49 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2155 as amended and Senate File 2062; deferred action on Senate Files 2128 and 2081 and SSBs 2101 and 2142.

Adjourned: 4:02 p.m.

EDUCATION

Convened: February 26, 1986, 9:35 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton (arrived 10:00 a.m.), Corning, Hannon, Riordan, Taylor, Wells and Ritsema.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and the subcommittees met to discuss bills.

Adjourned: 10:30 a.m.

LOCAL GOVERNMENT

Convened: February 26, 1986, 1:37 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 2007 and 2152.

Adjourned: 1:48 p.m.

NATURAL RESOURCES

Convened: February 26, 1986, 8:07 a.m.

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

Members Absent: Gratias (excused).

Committee Business: Assigned bill to subcommittee.

Adjourned: 8:47 a.m.

TRANSPORTATION

Convened: February 26, 1986, 9:36 a.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on Senate File 2192; approved SSB 2090 as a committee bill; recommended passage of House Files 644 and 2211.

Adjourned: 9:55 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2205

EDUCATION: Gratias, Chair; Colton and Corning

SSB 2142A

COMMERCE: Priebe, Chair; Palmer and Holden

SSB 2170

COMMERCE: Deluhery, Chair; Tieden and Nystrom

SSB 2171

COMMERCE: Peterson, Chair; Tieden and Gronstal

SSB 2178

COMMERCE: Deluhery, Chair; Holden and Jensen

SSB 2180

EDUCATION: Murphy, Chair; Riordan and Ritsema

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2150, a bill for an act relating to the assessment on porcine animals.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5220.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2212 (SSB 2160), a bill for an act relating to the use of trust assets received under the federal Bankhead-Jones Farm Tenant Act for guaranteeing operating loans for farmers.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2213 (SSB 2015), a bill for an act relating to the criminal penalty for the fraudulent use of registration.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2214 (SSB 2107), a bill for an act relating to fiduciary security transfers by increasing the duration of a certificate evidencing the appointment or incumbency of a fiduciary.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2215 (SSB 2148), a bill for an act relating to investments by fiduciaries by broadening provisions relating to investments in United States government obligations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Carr.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2216 (SSB 2115), a bill for an act relating to the licensing of private security agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Doyle, Coleman, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, 2: Ritsema and Gentleman. Absent or not voting, 2: Mann and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 389, a bill for an act to license auctioneers, apprentice auctioneers, auction companies, clerks and cashiers, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, Nystrom, Horn, Coleman, Drake, Rife, C. Miller and Schwengels. Nays, 3: Dieleman, Corning and Gentleman. Absent or not voting, 3: Bruner, Welsh and Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2069, a bill for an act relating to the issuance of temporary certificates for chiropractors.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Gentleman, Horn, Rife, Corning, Drake, Schwengels, C. Miller and Bruner. Nays, none. Absent or not voting, 2: Mann and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5220	S. F.	2150	Agriculture
S—5221	S. F.	2202	Edgar H. Holden Jim Lind

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., Senator Brown presiding.

QUORUM CALL

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

The vote revealed 45 present, 5 absent and a quorum present.

President Anderson took the chair at 4:43 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

BILL REFERRED TO COMMITTEE

President Anderson announced that **House File 2211** was referred from the Regular Calendar to the committee on **Ways and Means**.

INTRODUCTION OF BILLS

Senate Joint Resolution 2004, by Waldstein, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the number of terms of office that a governor and legislators may serve, the compensation of the legislators, the length of regular sessions, and the number of legislators elected to the senate and house of representatives.

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

Senate File 2212, by Committee on Agriculture, a bill for an act relating to the use of trust assets received under the federal Bankhead-Jones Farm Tenant Act for guaranteeing operating loans for farmers.

Read first time and **placed on calendar**.

Senate File 2213, by Committee on Judiciary, a bill for an act relating to the criminal penalty for the fraudulent use of registration.

Read first time and **placed on calendar**.

Senate File 2214, by Committee on Judiciary, a bill for an act relating to fiduciary security transfers by increasing the duration of a certificate evidencing the appointment or incumbency of a fiduciary.

Read first time and **placed on calendar**.

Senate File 2215, by Committee on Judiciary, a bill for an act relating to investments by fiduciaries by broadening provisions relating to investments in United States government obligations.

Read first time and **placed on calendar**.

Senate File 2216, by Committee on Judiciary, a bill for an act relating to the licensing of private security agencies.

Read first time and **placed on calendar**.

Senate File 2217, by Committee on Judiciary, a bill for an act establishing a criminal penalty under Iowa's criminal code for the violation of federal law regarding the acquisition, sale, or purchase of federal agricultural surplus commodities.

Read first time and **placed on calendar**.

Senate File 2218, by Committee on Judiciary, a bill for an act relating to the adoption of the uniform transfers to minors Act.

Read first time and **placed on calendar**.

Senate File 2219, by Committee on Education, a bill for an act to impose an additional income surtax on school districts under the state school foundation formula and to provide for its collections and payment.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 110, by Committee on Agriculture, a concurrent resolution regarding the federal government's policy of requiring a minimum interest rate of nine percent on farm contract sales.

Read first time and **placed on calendar**.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins called up the following eligible appointees listed on the En Bloc Confirmation Calendar:

Iowa Higher Education Loan Authority

Jewel Kintzinger, committee recommendation found on page 236 of the Senate Journal.

Title Guaranty Division Board

Robert W. DeCook, committee recommendation found on page 186 of the Senate Journal.

Senator Hutchins moved the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Peterson	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Mann	Nystrom	Palmer	Priebe
Readinger			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dieleman for the remainder of the day on request of Senator Hutchins.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Small called up the appointment of Robert K. Friedrich as a member of the Title Guaranty Division Board, placed on the Individual Confirmation Calendar on February 7, 1986, and found on page 276 of the Senate Journal.

Senator Small moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Miller, A.V.	Miller, C.P.
Palmer	Peterson	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Dieleman	Holden	Kinley	Mann
Murphy	Nystrom	Priebe	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Horn called up the appointment of Robert D. Benton as a member of the First in the Nation in Education Foundation Governing Board, placed on the Individual Confirmation Calendar on February 12, 1986, and found on page 295 of the Senate Journal.

Senator Horn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 37:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Doyle	Drake
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Wells			

Nays, 5:

Brown	Carr	Peterson	Vande Hoef
Waldstein			

Voting present, 3:

Fraise	Riordan	Welsh
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Absent or not voting, 5:

Dieleman	Holden	Mann	Nystrom
Priebe			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Small called up the appointment of Keith G. Briscoe as a member of the Iowa Product Development Corporation, placed on the Individual Confirmation Calendar on February 14, 1986, and found on page 321 of the Senate Journal.

Senator Small moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Dieleman	Mann	Nystrom	Priebe
Soorholtz			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Small called up the appointment of Arthur E. Dahl as a member of the Iowa Product Development Corporation, placed on the Individual Confirmation Calendar on February 18, 1986, and found on page 349 of the Senate Journal.

Senator Small moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Dieleman	Mann	Nystrom	Priebe
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Small called up the appointment of Allan T. Thoms as Director of the Iowa Development Commission, placed on the Individual Confirmation Calendar on February 18, 1986, and found on page 349 of the Senate Journal.

Senator Small moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Voting present, 1:

Hannon

Absent or not voting, 4:

Dieleman

Mann

Nystrom

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Colton called up the appointment of William L. Lepley as a member of the First in the Nation in Education Foundation Governing Board, placed on the Individual Confirmation Calendar on February 26, 1986, and found on page 455 of the Senate Journal.

Senator Colton moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Dieleman

Drake

Mann

Nystrom

Priebe

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2094.

Senate File 2094

On motion of Senator Vande Hoef, Senate File 2094, a bill for an act to extend the deadline for the certification of budgets by political subdivisions of the state, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—5218 filed by him on February 26, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5218 was adopted by a voice vote.

Senator Murphy rose on a point of information to question if Senate File 2094 conflicted with Senate File 2146.

Senator Vande Hoef asked and received unanimous consent that action on **Senate File 2094** be deferred.

Senate File 2146

On motion of Senator Gratias, Senate File 2146, a bill for an act to delay certain deadline dates for school districts including the date for budget certification and the dates relating to the offer and termination of teacher contracts and to provide that the Act takes effect upon its publication, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gratias offered amendment S—5070 filed by the committee on Education on February 17, 1986, to pages 1 and 2 and to the title page of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5070 be adopted?” (S.F. 2146) the vote was:

Ayes, 36:

Boswell	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 11:

Brown	Bruner	Carr	Coleman
Colton	Gettings	Gronstal	Hannon
Kinley	Readerger	Riordan	

Absent or not voting, 3:

Mann	Nystrom	Priebe
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Amendment S—5070 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2146) the vote was:

Ayes, 29:

Boswell	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Goodwin
Gratias	Hall	Hester	Holden
Holt	Hultman	Husak	Hutchins
Jensen	Lind	Miller, C.P.	Murphy
Peterson	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 18:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Gettings	Gronstal
Hannon	Horn	Kinley	Miller, A.V.
Palmer	Readerger	Riordan	Small
Wells	Welsh		

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

APPENDIX

STUDY BILLS RECEIVED

SSB 2180 Education

Relating to eligible borrowers from the Iowa guaranteed student loan program administered by the college aid commission.

SSB 2181 Commerce

Relating to the industrial loan thrift guaranty corporation of Iowa.

SSB 2182 Energy and Environment

Establishing liability of persons responsible for hazardous conditions for reasonable costs incurred by the state in responding to the conditions, and providing for the credit of recoveries for the liabilities.

SSB 2183 State Government

To provide for special retailers to sell alcoholic liquor and wine in areas in which there are no state liquor stores.

SSB 2184 Small Business and Economic Development

Creating an Iowa economic bond bank program within the Iowa finance authority to provide financings for economic development and making an appropriation.

COMMUNICATION

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

COMMISSION ON THE AGING

On February 25, 1986, a copy of the draft report on the State Elderly Services Program prepared by the Elderly Services Interagency Coordinating Committee of the Commission on the Aging in accordance with Chapter 261, Acts of the 1985 Session.

Copies of the report are available in the Secretary's office.

REPORT OF COMMITTEE MEETING

JUDICIARY

Convened: February 26, 1986, 1:35 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Mann, Vice Chair (excused) and Carr.

Committee Business: Assigned bills to subcommittees; approved SSBs 2117, 2148, 2107, 2015, 2115 and 2018 and ordered redrafted as committee bills.

Adjourned: 2:30 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE CONCURRENT RESOLUTION 110, a resolution regarding the federal government's policy of requiring a minimum interest rate of 9 percent on farm contract sales.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 2168, a bill for an act striking appropriations from the Iowa plan fund for economic development and making appropriations for educational purposes from the fund.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Murphy, Horn, Gratias, Colton, Taylor, Wells and Ritsema. Nays, 1: Corning. Absent or not voting, 1: Hannon.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2191, a bill for an act to appropriate certain revenues from the state lottery, to establish an educational excellence account and distribute monies from it to school districts, and to provide an effective date.

Recommendation: DO PASS.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2199, a bill for an act relating to the adjusting of the foundation property tax levy of reorganized school districts.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5223.

Final Vote: Ayes, 9: Murphy, Horn, Gratias, Colton, Corning, Riordan, Ritsema, Wells and Taylor. Nays, 1: Hannon.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2205, a bill for an act to provide for maintaining the supplementary weighting funding for school districts that reorganize.

Recommendation: DO PASS.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2219 (SSB 2154), a bill for an act to impose an additional income surtax on school districts under the state school foundation formula and to provide for its collection and payment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Murphy, Horn, Hannon, Riordan, Wells and Ritsema. Nays, 3: Gratias, Colton and Corning. Absent or not voting, 1: Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2217 (SSB 2018), a bill for an act establishing a criminal penalty under Iowa's criminal code for the violation of federal law regarding the acquisition, sale, or purchase of federal agricultural surplus commodities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor. Nays, none. Absent or not voting, 2: Mann and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2218 (SSB 2117), a bill for an act relating to the adoption of the uniform transfers to minors Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2082, a bill for an act relating to the sales, services, and use tax exemption for and the refund of sales, services, and use taxes paid on the purchase or rental of replacement parts for certain machinery, equipment, and computers.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Palmer, Husak, Boswell, Bruner, Dieleman, Gratias, Riordan and Soorholtz. Nays, 3: Gronstal, Holden and Holt. Absent or not voting, 4: Hester, Brown, Readinger and Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2109, a bill for an act exempting the fees paid to cities and counties for the privilege of participating in any athletic sports from the state sales, services, and use tax.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Palmer, Husak, Hester, Boswell, Gratias, Holt, Riordan and Soorholtz. Nays, 6: Brown, Bruner, Dieleman, Gronstal, Holden and Readinger. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: 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.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Readinger, Riordan and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5222	H.F.	2211	Edgar H. Holden
S—5223	S.F.	2199	Education
S—5224	S.F.	2177	Milo Colton
			Charles Bruner
S—5225	S.F.	2190	Charles Bruner
S—5226	S.F.	2094	Joe Brown

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:53 p.m., until 10:00 a.m., Monday, March 3, 1986.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 3, 1986

The Senate met in regular session at 10:20 a.m., President Anderson presiding.

Prayer was offered by the Reverend Marcia Smith-Wood, pastor of the United Christian Presbyterian Church, Bedford, Iowa.

The Journal of Thursday, February 27, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hannon for the day and Miller of Des Moines for the morning on request of Senator Hutchins.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

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

Dear Ms. Thayer:

I would like to withdraw the letter of resignation by M.F. Schlein from the Chiropractic Board of Examiners, which was to have become effective May 1, 1986.

Very truly yours,
TERRY E. BRANSTAD
Governor

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 26, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2315, a bill for an act to provide for an interim study relating to the promotion and development of recreation and tourism along the Missouri and Mississippi rivers.

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

House File 2351, a bill for an act relating to the Iowa family farm development authority, by changing the name of the authority to the agricultural development authority, by empowering the authority to undertake agricultural producer financial assistance programs, and providing for an effective date.

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

ALSO: That the House has on February 27, 1986, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 199, a bill for an act relating to leaves of absence for a public employee who is a candidate for elective public office (S—5229).

Senate File 2044, a bill for an act relating to the admissibility of the reports and findings of the criminalistics laboratory in forfeiture proceedings (S—5230).

ALSO: That the House has on February 27, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2225, a bill for an act relating to the apportionment of the interest from the permanent school fund, including an elimination of school census requirements, and providing that the Act takes effect upon its publication.

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

House File 2303, a bill for an act to require a one-time, extensive test for water contaminants in certain public water supplies.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 111, by Nystrom, a resolution urging the Congress to address the adverse effects of the federal Social Security program which discriminates against certain persons due to their birth dates.

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

BILLS REFERRED TO COMMITTEE

President Anderson announced that **Senate Files 2168** and **2191** were referred from the Regular Calendar to the committee on **Appropriations**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown for the day on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2083.

Senate File 2083

On motion of Senator Kinley, Senate File 2083, a bill for an act repealing the energy conservation improvement pilot programs and providing an effective date, with report of committee on Energy and Environment recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—5170 filed by Senators Gronstal and Kinley on February 21, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5170 was adopted by a voice vote.

Senator Gronstal withdrew the following amendments:

S—5064 filed by him on February 13, 1986, to page 1 and to the title page of the bill.

S—5066 filed by him on February 14, 1986, to strike everything after the enacting clause and to the title page of the bill.

S—5067 filed by him on February 14, 1986, to page 1 of the bill.

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

On the question "Shall the bill pass?" (S.F. 2083) the vote was:

Ayes, 42:

Boswell	Carr	Coleman	Colton
Corning	Deluhery	Dieleman	Drake
Fraise	Gentleman	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 2:

Bruner	Gronstal
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Absent or not voting, 6:

Brown	Doyle	Hannon	Miller, C.P.
Readinger	Soorholtz		

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

Senate File 2178

On motion of Senator Wells, Senate File 2178, a bill for an act relating to the apportionment of the interest of the permanent school fund, including an elimination of school census requirements, and providing that the Act takes effect upon its publication, was taken up for consideration.

Senator Wells offered amendment S—5231 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5231 was adopted by a voice vote.

Senator Wells asked and received unanimous consent that **House File 2225** be substituted for **Senate File 2178** as amended.

House File 2225

On motion of Senator Wells, House File 2225, a bill for an act relating to the apportionment of the interest from the permanent school fund, including an elimination of school census requirements, and providing that the Act takes effect upon its publication, was taken up for consideration.

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

On the question “Shall the bill pass?” (H.F. 2225) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Brown	Hannon	Readerger	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 Wells asked and received unanimous consent that **Senate File 2178** be withdrawn from further consideration of the Senate.

Senate File 2025

On motion of Senator Gratias, Senate File 2025, a bill for an act relating to the donation of anatomical gifts after the death of a person, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gratias offered amendment S—5078 filed by the committee on Human Resources on February 18, 1986, to page 1 of the bill and called for a division: lines 7 and 8 as division S—5078A; lines 1 through 6 and lines 9 through 19 as division S—5078B.

Senator Husak asked and received unanimous consent that action on **Senate File 2025** and divisions S—5078A and S—5078B be **deferred**.

SPECIAL GUESTS

Senator Gentleman presented winners of the essay contest of the Iowa Commission on the Status of Women to “Write Women Back Into History”:

First Place: Frank Sackett, Spencer

Second Place: Christine Faber, Parnell

Third Place: Brent Johnson, Manson

Honorable Mention:

Matt Gunderman, West Des Moines

Mary Hutson, Des Moines

Jenny Synhorst, Spencer

Nam Van Cao, Spencer

Margie Welsh, Argyle

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 109.

Senate Concurrent Resolution 109

On motion of Senator Husak, Senate Concurrent Resolution 109, a resolution recommending adequate funding of research projects at Iowa State University, was taken up for consideration.

Senator Husak moved the adoption of Senate Concurrent Resolution 109, which motion prevailed by a voice vote and the resolution was adopted.

President pro tempore Wells took the chair at 11:36 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 166

On motion of Senator Priebe, Senate File 166, a bill for an act to authorize the setting of seasons for pigeons, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Colton took the chair at 11:39 a.m.

Senator Priebe asked and received unanimous consent that action on **Senate File 166** be deferred.

President pro tempore Wells took the chair at 11:41 a.m.

Senate File 2190

On motion of Senator Hall, Senate File 2190, a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way, was taken up for consideration.

Senator Bruner asked unanimous consent that action on amendment S—5225 filed by him on February 27, 1986, to page 1 of the bill be deferred.

Objection was raised by Senator Hall.

Senator Hall withdrew his objection and action on amendment S—5225 was deferred.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2190** be **deferred**.

Senate File 2193

On motion of Senator Small, Senate File 2193, a bill for an act to remove the notice requirements to the department of revenue relating to the discharge of a personal representative and making the Act retroactive, was taken up for consideration.

Senator Dieleman offered amendment S—5183 filed by him on February 21, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5183 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?” (S.F. 2193) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Brown	Hannon	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.

INTRODUCTION OF BILL

Senate File 2220, by Holden, a bill for an act relating to self-supported municipal improvement districts.

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 February 21, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2001, a bill for an act relating to the length of exposure in the last employment to the hazards of pneumoconiosis under the workers' compensation law.

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

ALSO: That the House has on March 3, 1986, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 116, a resolution relating to Women's History Week.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:57 a.m., until 4:30 p.m.

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2175, the following technical corrections were made:

1. Page 2, line 24, "81.2" was changed to "18.2".
2. Page 4, line 26, "the new paragraph should have been lettered paragraph "t.".
3. Page 35, after line 8, in New Section 230, "19B.11" was changed to "19B.8".
4. Page 83, line 9, "4." was changed to "5.".
5. Page 208, line 29, "archeologists" was changed to "archaeologists".
6. Page 230, line 17, "7." was changed to "5.".
7. Page 230, line 20, "8." was changed to "6.".
8. Page 232, line 15, "5." was changed to "4.".
9. Page 232, line 17, "6." was changed to "5.".
10. Page 232, line 19, "7." was changed to "6.".
11. Page 232, line 25, "8." was changed to "7.".
12. Page 305, line 28, "1509" was changed to "1505".
13. Page 314, line 11, "b." was changed to "c.".
14. Page 314, line 15, "c." was changed to "d.".
15. Page 314, line 17, "d." was changed to "e.".
16. Page 314, line 20, "e." was changed to "f.".
17. Page 314, line 22, "f." was changed to "g.".
18. Page 314, line 24, "g." was changed to "h.".
19. Page 314, line 27, "h." was changed to "i.".
20. Page 317, line 33, "455A.6" was changed to "455A.5".
21. Page 318, line 1, "455A.6" was changed to "455A.5".
22. Page 318, line 7, "455A.7" was changed to "455A.6".
23. Page 318, line 10, "455A.7" was changed to "455A.6".
24. Page 324, line 10, "455A.6" was changed to "455A.5".
25. Page 337, line 13, "455A.6" was changed to "455A.5".
26. Page 387, line 26, "except" was changed to "Except".
27. Page 393, line 3, "nowwithstanding" was changed to "notwithstanding".

K. MARIE THAYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 27, 1986, 9:40 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Gratiyas, Ranking Member; Colton, Corning, Taylor, Wells, Hannon, Ritsema and Riordan.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 2168, 2191, 2199 and 2205; approved SSB 2154 as a committee bill; assigned bills to subcommittees.

Adjourned: 10:30 a.m.

ENERGY AND ENVIRONMENT

Convened: February 27, 1986, 2:37 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, Carr (arrived 2:46 p.m.), Gronstal, A. Miller, Rife and Soorholtz (arrived 2:45 p.m.).

Members Absent: Hultman.

Committee Business: Assigned SSB 2182 to a subcommittee; discussed Senate Files 2072, 2088, 2052 and 2110.

Adjourned: 2:58 p.m.

JUDICIARY

Convened: February 27, 1986, 1:35 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor.

Members Absent: Mann (excused) and Small.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on SSB 2109 and Senate File 2195; approved SSBs 2018, 2153 and 2016 as committee bills.

Adjourned: 2:15 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: February 26, 1986, 2:30 p.m.

Members Present: Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Rife and Wells.

Members Absent: Mann, Chair (excused); Hultman and Welsh.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:50 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 27, 1986, 8:10 a.m.

Members Present: Small, Chair; Boswell, Vice Chair; Rife, Ranking Member; Fraise, Peterson, Riordan, Vande Hoef and Lind.

Members Absent: Brown, Doyle, Readinger, and Waldstein (excused).

Committee Business: Recommended passage of House File 392 as amended and Senate File 2133 as amended; assigned bills to subcommittees.

Adjourned: 8:37 a.m.

STATE GOVERNMENT

Convened: February 27, 1986, 10:44 a.m.

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

Members Absent: Mann (excused) and Welsh.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 389 and 2069; SSB 2121 failed committee approval.

Adjourned: 11:40 a.m.

WAYS AND MEANS

Convened: February 27, 1986, 3:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member (arrived 3:50 p.m.); Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Readinger, Riordan and Soorholtz.

Members Absent: Mann (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 2082 and 2109 and House File 714.

Adjourned: 4:05 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2002

STATE GOVERNMENT: Mann, Chair; Coleman and Drake

Senate File 592

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Small, Chair; Rife and Riordan

Senate File 2035

WAYS AND MEANS: Husak, Chair; Boswell and Soorholtz

Senate File 2057

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

Senate File 2132

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

Senate File 2138

STATE GOVERNMENT: Dieleman, Chair; Carr, Corning and Rife

Senate File 2169

STATE GOVERNMENT: Carr, Chair; Dieleman, Horn, Schwengels and Nystrom

Senate File 2171

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

Senate File 2173

WAYS AND MEANS: Palmer, Chair; Brown and Readinger

Senate File 2179

WAYS AND MEANS: Riordan, Chair; Dieleman and Holt

Senate File 2181

WAYS AND MEANS: Bruner, Chair; Riordan and Hester

Senate File 2183

STATE GOVERNMENT: Drake, Chair; Nystrom, Carr, Bruner and Horn

Senate File 2189

WAYS AND MEANS: Boswell, Chair; Riordan and Hester

Senate File 2202

WAYS AND MEANS: Palmer, Chair; Husak and Holt

Senate File 2209

LOCAL GOVERNMENT: Waldstein, Chair; Fraise and Wells

House File 102

STATE GOVERNMENT: Dieleman, Chair; Welsh and Corning

House File 166

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Riordan, Chair; Peterson and Vande Hoef

House File 340

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Riordan, Chair; Peterson and Vande Hoef

House File 2026

LOCAL GOVERNMENT: Fraise, Chair; C. Miller and Vande Hoef

House File 2067

JUDICIARY: Small, Chair; Ritsema and Carr

House File 2090

JUDICIARY: Horn, Chair; Gentleman and Small

House File 2091

STATE GOVERNMENT: Nystrom, Chair; Coleman and Dieleman

House File 2257

WAYS AND MEANS: Gronstal, Chair; Palmer and Readinger

SSB 2118

STATE GOVERNMENT: Bruner, Chair; Drake and Horn

SSB 2161

WAYS AND MEANS: Boswell, Chair; Riordan and Soorholtz

SSB 2162

WAYS AND MEANS: Readinger, Chair; Dieleman and Gronstal

SSB 2163

WAYS AND MEANS: Bruner, Chair; Boswell and Holden

SSB 2164

WAYS AND MEANS: Holden, Chair; Brown and Riordan

SSB 2165

WAYS AND MEANS: Gronstal, Chair; Dieleman and Hester

SSB 2182

ENERGY AND ENVIRONMENT: Colton, Chair; Brown and Rife

SSB 2184

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Fraise, Chair; Peterson and Lind

SSB 2188

JUDICIARY: Small, Chair; Ritsema and Deluhery

SSB 2189

JUDICIARY: Taylor, Chair; Dieleman and Hester

SSB 2190

JUDICIARY: Small, Chair; Doyle and Drake

LSB 8164

LOCAL GOVERNMENT: Wells, Chair; Waldstein and Priebe

PETITION

The following petition was presented and placed on file by:

Senator Hutchins from six hundred fifty residents of Iowa favoring a state operated liquor store in Schleswig, Iowa.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2083 passed the Senate on March 3, 1986.

BOB CARR

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2193 passed the Senate on March 3, 1986.

DONALD V. DOYLE

COMMITTEE REPORTS

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 2072, a bill for an act to require the certification of sanitary landfill operators and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5239.

Final Vote: Ayes, 9: Bruner, Colton, Corning, Brown, Carr, Gronstal, A. Miller, Rife and Soorholtz. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2088, a bill for an act relating to access to the results of residential energy audits.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Bruner, Colton, Corning, Brown, Gronstal, A. Miller and Rife. Nays, none. Absent or not voting, 3: Carr, Hultman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2110, a bill for an act relating to sanitary disposal projects.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5235.

Final Vote: Ayes, 9: Bruner, Colton, Corning, Brown, Carr, Gronstal, A. Miller, Rife and Soorholtz. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 2104, a bill for an act relating to coverage of proprietors, partners, and owner-operators of certain trucks under the workers' compensation law.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5234.

Final Vote: Ayes, 7: Gettings, Jensen, Colton, Deluhery, Holden, Rife and Wells. Nays, none. Absent or not voting, 3: Mann, Hultman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: 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.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Gettings, Jensen, Colton, Deluhery, Holden, Rife and Wells. Nays, none. Absent or not voting, 3: Mann, Hultman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 2133, a bill for an act relating to gambling devices by permitting the manufacture of certain devices in the state and providing that the Iowa lottery agency shall give preference in contracts for lottery machines to persons who manufacture the machines in the state and in contracts for servicing machines to persons who have their principal place of business in the state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5227.

Final Vote: Ayes, 8: Small, Boswell, Rife, Fraise, Lind, Peterson, Riordan and Vande Hoef. Nays, none. Absent or not voting, 4: Brown, Doyle, Readinger and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 392, a bill for an act related to the establishment of a business license center, an economic policy for small business and a data base of vendors to state agencies.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5228.

Final Vote: Ayes, 8: Small, Boswell, Rife, Fraise, Lind, Peterson, Riordan and Vande Hoef. Nays, none. Absent or not voting, 4: Brown, Doyle, Readinger and Waldstein.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 3, 1986.

Had I been present, I would have voted "aye" on Senate File 2083 and House File 2225.

DAVE READINGER

PRESENTATION OF VISITORS

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

Twelfth grade students from Dows Community School, Dows, Iowa, accompanied by Gary Koenen, Instructor. Senator Taylor.

AMENDMENTS FILED

S—5227	S.F.	2133	Small Business and Economic Development
S—5228	H.F.	392	Small Business and Economic Development

S—5229	S. F.	199	House
S—5230	S. F.	2044	House
S—5231	S. F.	2178	James D. Wells
S—5232	S. F.	2197	Alvin V. Miller
S—5233	S. F.	2057	Joy Corning
S—5234	S. F.	2104	Labor and Industrial Relation
S—5235	S. F.	2110	Energy & Environment
S—5236	S. F.	2216	Donald V. Doyle
S—5237	S. F.	2193	Donald V. Doyle
S—5238	S. F.	166	Berl E. Priebe
S—5239	S. F.	2072	Energy & Environment
S—5240	S. F.	84	Tom Mann, Jr.
S—5241	S. F.	84	Tom Mann, Jr.

AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President Anderson presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Small called up the appointment of Ronald H. Schectman as a member of the Iowa Community Cultural Grants Commission, placed on the Individual Confirmation Calendar on February 26, 1986, and found on page 456 of the Senate Journal.

Senator Small moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Rife	Riordan	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Brown	Colton	Hannon	Holden
Priebe	Readinger	Ritsema	Schwengels

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Small for the remainder of the afternoon on request of Senator Hutchins.

BUSINESS PENDING

Senate File 166

The Senate resumed consideration of Senate File 166, previously deferred.

Senator Priebe offered amendment S—5084 filed by the committee on Natural Resources on February 19, 1986, to page 1 of the bill.

Senator Priebe offered amendment S—5238 filed by him from the floor to amendment S—5084 and moved its adoption.

Amendment S—5238 was adopted by a voice vote.

Senator Priebe moved the adoption of amendment S—5084 as amended, which motion prevailed by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 166) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Fraise	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 6:

Dieleman	Gettings	Holden	Murphy
Palmer	Riordan		

Absent or not voting, 3:

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2197.

Senate File 2197

On motion of Senator Miller of Cerro Gordo, Senate File 2197, a bill for an act directing certain political subdivisions of the state to consider joint purchases of equipment, was taken up for consideration.

Senator Waldstein offered amendment S—5181 filed by Senators Waldstein and Fraise on February 21, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5181 was adopted by a voice vote.

Senator Miller of Cerro Gordo offered amendment S—5232 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5232 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2197) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Goodwin	Gronstal

Hall	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A. V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Schwengels	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 8:

Fraise	Gentleman	Gettings	Gratias
Holden	Murphy	Ritsema	Vande Hoef

Absent or not voting, 3:

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

HOUSE AMENDMENT CONSIDERED

Senate File 326

Senator Waldstein called up for consideration Senate File 326, a bill for an act relating to the selection of official newspapers, amended by the House, and moved that the Senate concur in House amendment S—5109 filed February 20, 1986.

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. 326) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Fraise	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
Hutchins	Jensen	Kinley	Lind

Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 2:

Gettings	Husak
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Voting present, 2:

Dieleman	Murphy
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Absent or not voting, 3:

Brown	Hannon	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.

INTRODUCTION OF BILLS

Senate File 2221, by Committee on Judiciary, a bill for an act allowing persons providing consent for the issuance of a motor vehicle license to a minor to withdraw the consent and require cancellation of the minor's license.

Read first time and **placed on calendar**.

Senate File 2222, by Committee on Judiciary, a bill for an act relating to agencies authorized to receive information pertaining to arson investigations.

Read first time and **placed on calendar**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 28, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2313, a bill for an act relating to horticultural crops and nontraditional crops by creating a linked deposit program to provide loan moneys for the production, processing, and marketing of horticultural crops or nontraditional crops and providing a preference for purchasing horticultural products grown in this state, providing for penalties, providing for a repeal, and providing for an effective date.

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

House File 2339, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical test performed within two hours of an arrest indicates the alcohol concentration at the time of arrest, by providing that the period of revocation of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 2160

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

Senate File 2200

STATE GOVERNMENT: Horn, Chair; Coleman and Nystrom

House File 2110

STATE GOVERNMENT: Corning, Chair; C. Miller and Schwengels

House File 2158

STATE GOVERNMENT: Bruner, Chair; Mann and Rife

House File 2197

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

SSB 2191

STATE GOVERNMENT: Horn, Chair; Coleman and Nystrom

BILL ASSIGNED TO COMMITTEE

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

S. J. R. 2004 State Government

STUDY BILLS RECEIVED

SSB 2180A Education

Relating to certain loan and grant programs administered by the college aid commission and providing an effective date.

SSB 2185 Education

Relating to funding of public library resources and development of library materials.

SSB 2186 Commerce

Increasing the amount of proceeds of life, accident, health, or disability insurance policies payable to a surviving widow that are exempt from the widow's debts.

SSB 2187 Commerce

Permitting the inclusion of charges for credit unemployment insurance in consumer credit transactions under the Iowa consumer credit code.

SSB 2188 Judiciary

Relating to the regulation of health clubs and providing penalties.

SSB 2189 Judiciary

To legalize the purchase of certain property by the Hardin county conservation board.

SSB 2190 Judiciary

Relating to civil liability.

SSB 2191 State Government

Providing for temporary liquor control licenses, wine permits, and beer permits.

SSB 2192 Human Resources

Relating to clinical privileges and staff membership in organized health care systems.

SSB 2193 Human Resources

Relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist.

SSB 2194 Human Resources

Relating to the provision of medical care to indigent persons and the payment for the medical care from the indigent patient care fund.

SSB 2195 Agriculture

Providing that a state-chartered savings and loan association may make agricultural loans within the limits placed upon the association regarding the holding of commercial loans by the association.

SSB 2196 Agriculture

Relating to the separate sale of a homestead under a foreclosure on agricultural land.

SSB 2197 State Government

To allow the use of personal checks and traveler's checks for purchases at state liquor stores and agency stores and to allow the use of credit cards for purchases at agency stores.

SSB 2198 State Government

Relating to the percent of the proceeds from the sales of obligations of the Iowa finance authority that are required to be used for newly constructed housing units.

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 2221 (SSB 2016), a bill for an act allowing persons providing consent for the issuance of a motor vehicle license to a minor to withdraw the consent and require cancellation of the minor's license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor. Nays, none. Absent or not voting, 2: Mann and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2222 (SSB 2153), a bill for an act relating to agencies authorized to receive information pertaining to arson investigations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor. Nays, none. Absent or not voting, 2: Mann and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: HOUSE FILE 2300, a bill for an act relating to the transfer of moneys in the temporary emergency surcharge fund to the unemployment compensation fund under certain circumstances.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Gettings, Jensen, Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5242	H.F.	2300	James Wells
S—5243	S.F.	2207	David Readinger Charles Bruner
S—5244	S.F.	2025	Charles Bruner
S—5245	S.F.	2207	Charles Bruner

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:11 p.m., until 9:00 a.m., Tuesday, March 4, 1986.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 4, 1986

The Senate met in regular session at 9:15 a.m., President Anderson presiding.

Prayer was offered by the Reverend Mary Katherine Roath, pastor of the Marion Street Methodist Church, Madrid, Iowa.

The Journal of Monday, March 3, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 28, 1986, passed the following bill in which the concurrence of the House was asked:

Senate File 120, a bill for an act relating to grave or burial sites by allowing their protection and preservation by law enforcement agencies and providing a penalty.

INTRODUCTION OF BILL

Senate File 2223, by Carr, a bill for an act relating to the granting of clinical privileges at hospitals.

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

BILLS REFERRED TO COMMITTEE

President Anderson announced that **Senate Files 2203 and 2212** were referred from the Regular Calendar to the committee on **Appropriations**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 660.

House File 660

On motion of Senator Rife, House File 660, a bill for an act relating to the reporting of fires and emergency responses to the state fire marshal and the payment of fees for the fire reports, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 660) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P. Soorholtz

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

House File 2068

On motion of Senator Doyle, House File 2068, a bill for an act relating to the suspension of motor vehicle licenses for the failure to pay a fine, penalty, surcharge, or court cost, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2068) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, A.V. Miller, C.P.

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

House File 2069

On motion of Senator Carr, House File 2069, a bill for an act prohibiting the transportation of an open container of wine in a motor vehicle and incorporating a penalty, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2069) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, A.V. Miller, C.P.

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

BILL REFERRED TO COMMITTEE

President Anderson announced that **House File 392** was referred from the Regular Calendar to the committee on **State Government** under Senate Rule 38.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 545.

Senate File 545

On motion of Senator Holden, Senate File 545, a bill for an act relating to the reorganization of bank affiliates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Holden offered amendment S—5206 filed by the committee on Commerce on February 25, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5206 was adopted by a voice vote.

Senator Holden offered amendment S—5219 filed by him on February 26, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5219 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. 545) the vote was:

Ayes, 30:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hall
Holden	Holt	Horn	Hultman
Hutchins	Kinley	Lind	Mann
Nystrom	Priebe	Readinger	Small
Wells	Welsh		

Nays, 17:

Drake	Hannon	Hester	Husak
Jensen	Miller, A.V.	Murphy	Peterson
Rife	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2007.

Senate File 2007

On motion of Senator Holden, Senate File 2007, a bill for an act to provide notice to property owners of unpaid sewer or solid waste charges, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2007) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Peterson

Absent or not voting, 2:

Miller, C.P. Readinger

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 2152.

Senate File 2152

On motion of Senator Hultman, Senate File 2152, a bill for an act relating to the authority of the county board of supervisors regarding roads established or improved by petition of landowners, with report of committee recommending passage, was taken up for consideration.

Senator Hultman offered amendment S—5069 filed by him on February 17, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5069 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2152) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 1:

Miller, C.P.

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

Senate File 2155

On motion of Senator Deluhery, Senate File 2155, a bill for an act relating to the powers of the administrator of the department of credit unions in taking over the management of credit unions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—5216 filed by the committee on Commerce on February 26, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5216 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2155) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Miller, C.P.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF BILL
(Regular Calendar)

Senate File 2210

On motion of Senator Doyle, Senate File 2210, a bill for an act requiring insurance companies to lower automobile liability insurance premiums to reflect the reduction in annual losses occasioned by the enactment of the mandatory seat belt bill, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2210) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hester	Holden
Horn	Husak	Hutchins	Kinley
Mann	Miller, A.V.	Murphy	Nystrom
Rife	Schwengels	Wells	Welsh

Nays, 20:

Corning	Drake	Gentleman	Hall
Hannon	Holt	Hultman	Jensen
Lind	Palmer	Peterson	Priebe
Readinger	Riordan	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 2:

Miller, C.P. Small

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 2224, by Committee on State Government, a bill for an act relating to the conducting of games of skill, games of chance, and raffles.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:46 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 3, 1986, 2:34 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Fraise, Palmer (arrived 2:46 p.m.); Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 2176 and 2137 as amended, Senate Joint Resolution 2003 and House File 712; approved SSB 2175 as amended and SSB 2144 as committee bills; discussed, amended and deferred action on Senate File 2119; presentation by Winton Etchen, Iowa Fertilizer and Chemical Company.

Adjourned: 3:26 p.m.

JUDICIARY

Convened: March 3, 1986, 1:35 p.m.

Members Present: Doyle, Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: Mann, Vice Chair.

Committee Business: Assigned bills to subcommittees; approved SSBs 2179 and 2089 as committee bills; Senate File 2126 failed recommendation for passage.

Adjourned: 2:15 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 3, 1986, 2:30 p.m.

Members Present: Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: Mann, Chair (excused).

Committee Business: Recommended passage of House File 2300.

Adjourned: 2:37 p.m.

LOCAL GOVERNMENT

Convened: March 3, 1986, 1:36 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved LSBs 8167, 8117, 8248 and 8298.

Adjourned: 2:11 p.m.

STATE GOVERNMENT

Convened: March 3, 1986, 3:42 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved LSBs 8273 SF 71 and 8101 SF 71, as amended, as committee bills; recommended passage of Senate File 2102 and House File 2091.

Adjourned: 4:28 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2168

APPROPRIATIONS: Small, Chair; Welsh, Tieden, Lind and Gronstal

Senate File 2191

APPROPRIATIONS: Small, Chair; Welsh, Tieden, Lind and Gronstal

Senate File 2203

APPROPRIATIONS: Husak, Chair; Tieden and Gronstal

Senate File 2206

COMMERCE: Holden, Chair; Deluhery and Gronstal

Senate File 2208

COMMERCE: Holden, Chair; Priebe and Palmer

Senate File 2211

COMMERCE: Deluhery, Chair; Gronstal and Tieden

Senate File 2212

APPROPRIATIONS: Husak, Chair; Tieden and Gronstal

SSB 2123
(Reassigned)

STATE GOVERNMENT: Carr, Chair; Horn and Corning

SSB 2181

COMMERCE: Priebe, Chair; Tieden and Jensen

SSB 2185

EDUCATION: Wells, Chair; Horn and Ritsema

SSB 2186

COMMERCE: Palmer, Chair; Holden and Kinley

SSB 2187

COMMERCE: Priebe, Chair; Tieden and Deluhery

SSB 2198

STATE GOVERNMENT: Corning, Chair; Carr and Drake

LSB 8298

LOCAL GOVERNMENT: Lind, Chair; Hall and Wells.

COMMITTEE REPORTS**AGRICULTURE****Final Bill Action:** SENATE FILE 2137, a bill for an act relating to the corporate ownership of agricultural land to be used for a commercial cattle feedlot.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5251.

Final Vote: Ayes, 7: Priebe, Soorholtz, Palmer, Hester, Fraise, Vande Hoef and Waldstein. Nays, 3: Boswell, Husak and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2176, a bill for an act relating to agricultural grain marketing, by adopting the interstate compact on agricultural grain marketing, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5252.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2230 (SSB 2144), a bill for an act relating to the Iowa family farm development authority, by changing the name of the authority to the agricultural development authority, and by empowering the authority to undertake agricultural producer financial assistance programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 712, a bill for an act relating to the filing of documents for evidencing a thresher's or cornsheller's lien and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 2226 (SSB 2151), a bill for an act relating to the guaranty capital of a mutual insurance company.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2287, a bill for an act relating to mechanic's liens.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5247.

Final Vote: Ayes, 10: Kinley, Deluhery, Holden, Gronstal, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2225 (SSB 2089), a bill for an act relating to the election of county magistrate appointing commissioners.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2227, a bill for an act to authorize direct payment of county auditors' transfer fees to county treasurers by county recorders.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2228, a bill for an act relating to the responsibilities of county recorders to make reports concerning ownership assessed values and transfers of real estate, and certificates of limited partnerships.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2229, a bill for an act to allow a credit or refund for motor vehicle registration fees for certain vehicles which are sold, traded, or junked.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2101, a bill for an act providing Veterans Day as a paid state holiday and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Horn, Welsh, Corning, Coleman, Drake, Gentleman, Rife, C. Miller, Schwengels and Mann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2224, a bill for an act relating to the conducting of games of skill, games of chance, and raffles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Nystrom, Bruner, Horn, Welsh, Coleman, Corning, Drake, Gentleman, Rife, C. Miller, Schwengels and Mann. Nays, 1: Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2091, a bill for an act relating to the inspection of explosive storage facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Horn, Welsh, Corning, Coleman, Drake, Gentleman, Rife, C. Miller, Schwengels and Mann. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2015, a bill for an act relating to court costs and attorney fees in actions brought under provisions on new motor vehicle warranties.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Doyle, Gettings, Goodwin, Jensen, A. Miller and Nystrom. Nays, none. Absent or not voting, 2: Drake and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 545 passed the Senate on March 4, 1986.

BERLE E. PRIEBE

MR. PRESIDENT: I move to reconsider the vote by which Senate File 166 passed the Senate on March 3, 1986.

JACK W. HESTER

PRESENTATION OF VISITOR

President Anderson welcomed Hiroko Urno from Japan, exchange student attending Red Oak High School, who was present in the Senate Chamber as the guest of Senator Hultman.

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., Senator Husak presiding.

QUORUM CALL

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

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

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 21, 1986, failed on reconsideration to pass the following bill, the objection of the Governor to the contrary notwithstanding:

House File 764, a bill for an act relating to unpaid taxes, tax credits and enforcement of taxes administered by the department of revenue, making an appropriation, and providing civil and criminal penalties.

ALSO: That the House has on February 21, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 447, a bill for an act to license operators of radiation emitting equipment (S—5254).

ALSO: That the House has on February 28, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 540, a bill for an act relating to the financing of political campaigns and the reporting of that financing (S—5246).

INTRODUCTION OF BILLS

Senate File 2225, by Committee on Judiciary, a bill for an act relating to the election of county magistrate appointing commissioners.

Read first time and **placed on calendar**.

Senate File 2226, by Committee on Commerce, a bill for an act relating to the guaranty capital of a mutual insurance company.

Read first time and **placed on calendar**.

Senate File 2227, by Committee on Local Government, a bill for an act to authorize direct payment of county auditors' transfer fees to county treasurers by county recorders.

Read first time and **placed on calendar**.

Senate File 2228, by Committee on Local Government, a bill for an act relating to the responsibilities of county recorders to make reports concerning ownership, assessed values, and transfers of real estate, and certificates of limited partnerships.

Read first time and **placed on calendar**.

Senate File 2229, by Committee on Local Government, a bill for an act to allow a credit or refund for motor vehicle registration fees for certain vehicles which are sold, traded, or junked.

Read first time and **placed on calendar**.

Senate File 2230, by Committee on Agriculture, a bill for an act relating to the Iowa family farm development authority, by changing the name of the authority to the agricultural development authority, and by empowering the authority to undertake agricultural producer financial assistance programs.

Read first time and **placed on calendar**.

Senate File 2231, by Committee on Agriculture, a bill for an act relating to the right to first refusal allowed to immediately prior owners of agricultural land held by state banks.

Read first time and **placed on calendar**.

Senate File 2232, by Committee on Judiciary, a bill for an act to legalize and validate the proceedings of the City council of the City of Ankeny, Iowa, authorizing and providing for the issuance, sale and delivery of General Obligation Bonds, providing for the levy of taxes for the payment of the bonds and declaring the bonds to be enforceable obligations of the City of Ankeny, Iowa.

Read first time and **placed on calendar.**

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 112, by Doyle, Miller of Des Moines and Jensen, a Senate Concurrent Resolution extending congratulations and giving special recognition to veterans of the China-Burma-India theater of operations during World War II.

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

Senate Concurrent Resolution 113, by Gronstal, a Senate Concurrent Resolution calling for a freeze on the testing of nuclear weapons.

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

Senate Concurrent Resolution 114, by Riordan, Boswell, Hannon and Murphy, a Senate Concurrent Resolution requesting Governor Branstad to prevent the sending of Iowa National Guard units to Honduras.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

UNFINISHED BUSINESS

(Deferred March 3, 1986)

Senate File 2025

The Senate resumed consideration of Senate File 2025, a bill for an act relating to the donation of anatomical gifts after the death of a person, and divisions S—5078A and S—5078B, deferred on March 3, 1986.

Senator Hannon asked and received unanimous consent that further action on divisions S—5078A and S—5078B be deferred for consideration of amendment S—5248.

Senator Gratias offered amendment S—5248 filed by him from the floor to page 1 of the bill.

Senator Bruner offered amendment S—5255 filed by him from the floor to amendment S—5248 and moved its adoption.

Amendment S—5255 was adopted by a voice vote.

Senator Gratias moved the adoption of amendment S—5248 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5248 as amended, the Chair ruled the following amendments out of order:

S—5078 by the committee on Human Resources to page 1 of the bill, previously deferred.

S—5024 filed by Senator Gratias on January 29, 1986, to page 1 of the bill.

S—5253 filed by Senator Waldstein from the floor to page 1 of the bill.

S—5215 filed by Senator Bruner on February 26, 1986, to page 1 of the bill.

Senator Bruner withdrew amendment S—5244 filed by him on March 3, 1986, to page 1 of the bill.

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

On the question “Shall the bill pass?” (S.F. 2025) the vote was:

Ayes, 42:

Boswell	Brown	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A. V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Riordan	Schwengels	Small
Soorholtz	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, 6:

Bruner	Holden	Murphy	Peterson
Rife	Ritsema		

Absent or not voting, 2:

Coleman	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.

UNFINISHED BUSINESS
(Deferred February 18, 1986)

Senate File 2167

The Senate resumed consideration of Senate File 2167, a bill for an act relating to the liability of social hosts for injuries to persons as a result of intoxication, deferred on February 18, 1986.

Senator Ritsema offered amendment S—5089 filed by him on February 19, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5089 was adopted by a voice vote.

Senator Small asked and received unanimous consent that action on amendment S—5074 filed by him on February 18, 1986, to page 1 of the bill, be deferred for consideration of amendment S—5075.

Senator Small offered amendment S—5075 filed by him on February 18, 1986, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 35.

Amendment S—5075 lost.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2167** be **deferred**.

BILL REFERRED TO COMMITTEE

The Chair announced that **Senate File 389** was referred from the Regular Calendar to the committee on **Ways and Means**.

INTRODUCTION OF BILLS

Senate File 2233, by Committee on State Government, a bill for an act relating to the mailing of absentee ballots to electors.

Read first time and **placed on calendar**.

Senate File 2234, by Committee on State Government, a bill for an act relating to the percent of the proceeds from the sales of obligations of the Iowa finance authority that are required to be used for newly constructed housing units.

Read first time and **placed on calendar**.

Senate File 2235, by Committee on State Government, a bill for an act relating to the sale of alcoholic liquor and wine by allowing special retailers to sell alcoholic liquor in areas which are not adequately served by state liquor stores and by limiting the sale of wine by the beer and liquor control department to sale at retail.

Read first time and **placed on calendar**.

APPENDIX

STUDY BILLS RECEIVED

SSB 2199 Small Business and Economic Development

Relating to the establishment of economic development areas and providing tax credits, exemptions, refunds, and other incentives.

SSB 2200 Human Resources

Relating to the rights of grandparents.

SSB 2201 Natural Resources

To terminate the operations of the state nursery.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2220	Local Government
S. C. R.	111	Rules and Administration
H. F.	2299	Natural Resources
H. F.	2315	Rules and Administration
H. F.	2351	Agriculture
H. F.	2303	Natural Resources
H. F.	2339	Judiciary
H. F.	2001	Labor and Industrial Relations
H. F.	2313	Small Business and Economic Development
H. C. R.	116	Rules and Administration

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE JOINT RESOLUTION 2003, a joint resolution to nullify an administrative rule on the required permit application for certain feedlots.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2231 (SSB 2175), a bill for an act relating to the right to first refusal allowed to immediately prior owners of agricultural land held by state banks.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2022, a bill for an act providing a criminal penalty for reporting false information to the department of human services regarding an act of child abuse.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5256.

Final Vote: Ayes, 9: Hannon, Bruner, Gentleman, Carr, Gratias, Murphy, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 3: Coleman, C. Miller and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2099, a bill for an act relating to consumer fraud by defining and prohibiting pyramid promotional schemes and making remedies and penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2108, a bill for an act relating to the reprieve, pardon, commutation of sentence, remission of fines and forfeitures, or restoration of the rights of citizenship of a person convicted of a criminal offense.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2151, a bill for an act relating to an act providing that the small claims court has concurrent jurisdiction of an action of replevin if the value of the property claimed is two thousand dollars or less.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2232 (SSB 2179), a bill for an act to legalize and validate the proceedings of the City council of the City of Ankeny, Iowa, authorizing and providing for the issuance, sale and delivery of General Obligation Bonds, providing for the levy of taxes for the payment of the bonds and declaring the bonds to be enforceable obligations of the City of Ankeny, Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 1: Ritsema.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 137, a bill for an act relating to the membership of the Iowa Public Broadcasting board.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Welsh, Horn, Mann, Coleman, Schwengels, Gentleman, Drake, C. Miller, Rife and Corning. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2057, a bill for an act relating to the licensing of marital and family therapists and mental health counselors.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Horn, Mann, C. Miller, Schwengels, Rife, Drake, Gentleman, Corning and Welsh. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2093, a bill for an act extending the sunset provision for the Iowa Advisory Commission on Intergovernmental relations.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, C. Miller, Welsh, Coleman, Drake, Gentleman, Corning, Rife, Horn and Mann. Nays, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2233 (SSB 2118), a bill for an act relating to the mailing of absentee ballots to electors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, C. Miller, Horn, Mann, Welsh, Coleman, Rife, Gentleman, Corning, Schwengels and Drake. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2234 (SSB 2198), a bill for an act relating to the proceeds from the sales of obligations of the Iowa finance authority that are required to be used for newly constructed housing units.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Horn, Mann, Welsh, C. Miller, Schwengels, Rife, Gentleman, Corning, Coleman and Drake. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2235, a bill for an act relating to the sale of alcoholic liquor and wine by allowing special retailers to sell alcoholic liquor in areas which are not adequately served by state liquor stores and by limiting the sale of wine by the beer and liquor control department to sale at retail.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Nystrom, Bruner, Mann, Horn, Coleman, Rife, C. Miller, Schwengels, Gentleman, Corning, Drake and Welsh. Nays, 1: Dieleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 4, 1986, when the final vote was taken on Senate File 2007.

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

DAVE READINGER

PROOF OF PUBLICATION

Published copy of Senate File 2232 and verified proof of publication of said bill in The Des Moines Register, a newspaper published in Des Moines, Iowa, on February 21, 1986, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

AMENDMENTS FILED

S—5246	S. F.	540	House
S—5247	H. F.	2287	Commerce
S—5248	S. F.	2025	Arthur L. Gratias
S—5249	S. F.	2207	Richard Vande Hoef
S—5250	S. F.	2207	Richard Vande Hoef
S—5251	S. F.	2137	Agriculture
S—5252	S. F.	2176	Agriculture
S—5253	S. F.	2025	Arne Waldstein

S—5254	S.F.	447	House
S—5255	S.F.	2025	Charles Bruner
S—5256	S.F.	2022	Human Resources
S—5257	S.F.	108	Douglas Ritsema

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:44 p.m., until 9:00 a.m., Wednesday, March 5, 1986.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 5, 1986

The Senate met in regular session at 9:14 a.m., President Anderson presiding.

Prayer was offered by the Reverend Josephine Barnes, pastor of the First Presbyterian Church, Dallas Center, Iowa.

The Journal of Tuesday, March 4, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 2236, by Committee on Education, a bill for an act relating to motorcycle and motorized bicycle education, to establish a motorcycle rider education fund, to increase certain license fees, and to appropriate moneys from the fund to the department of public instruction for the costs of motorcycle and motorized bicycle education courses.

Read first time and **placed on calendar**.

Senate File 2237, by Committee on Education, a bill for an act relating to the coordination of telecommunications used by certain school corporations, making an appropriation, and providing an effective date.

Read first time and **placed on calendar**.

HOUSE AMENDMENTS CONSIDERED

Senate File 432

Senator Carr called up for consideration Senate File 432, a bill for an act relating to the makeup of the board of nursing examiners, amended by the House, and moved that the Senate concur in House amendment S—5168 filed February 21, 1986.

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. 432) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Gratias	Holden
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Absent or not voting, 3:

Lind	Readerger	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 Joint Resolution 1

Senator Hutchins called up for consideration Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, amended by the House, and moved that the Senate concur in House amendment S—5185 filed February 24, 1986.

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

Senate File 199

Senator Horn called up for consideration Senate File 199, a bill for an act relating to leaves of absence for a public employee who is a candidate for elective public office, amended by the House, and moved that the Senate concur in House amendment S—5229 filed March 3, 1986.

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. 199) the vote was:

Ayes, 31:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Hutchins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Soorholtz	Wells	Welsh	

Nays, 15:

Drake	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Jensen
Rife	Ritsema	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 4:

Boswell

Lind

Readerger

Small

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

UNFINISHED BUSINESS
(Deferred March 4, 1986)

Senate File 2167

The Senate resumed consideration of Senate File 2167, a bill for an act relating to the liability of social hosts for injuries to persons as a result of intoxication, and amendment S—5074, deferred on March 4, 1986.

Senator Hutchins asked and received unanimous consent that action on amendment S—5074 and **Senate File 2167** be **deferred**.

MOTION TO RECONSIDER ADOPTED

Senator Doyle called up the motion to reconsider Senate File 2193 filed by him on March 3, 1986, found on page 510 of the Senate Journal and moved its adoption.

On the question “Shall the motion to reconsider be adopted?” (S.F. 2193) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Rife
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Tieden

Absent or not voting, 4:

Lind

Priebe

Readerger

Small

The motion prevailed.

Senator Doyle moved to reconsider the vote by which Senate File 2193 went to its last reading, which motion prevailed by a voice vote.

Senate File 2193

On motion of Senator Doyle, Senate File 2193, a bill for an act to remove the notice requirements to the department of revenue relating to the discharge of a personal representative and making the Act retroactive, was taken up for reconsideration.

Senator Doyle offered amendment S—5237 filed by him on March 3, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5237 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2193) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Lind

Readinger

Small

Waldstein

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 108.

Senate File 108

On motion of Senator Coleman, Senate File 108, a bill for an act relating to information regarding medicare supplement insurance coverage, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema offered amendment S—5257 filed by him on March 4, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5257 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 108) the vote was:

Ayes, 47:

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

Nays, none.

Absent or not voting, 3:

Lind Readinger Small

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

Senate File 2207

On motion of Senator Vande Hoef, Senate File 2207, a bill for an act excluding residential care facilities from certificate-of-need reviews for two fiscal years, was taken up for consideration.

Senator Bruner asked and received unanimous consent to withdraw amendment S—5243 filed by Senators Bruner and Readinger on March 3, 1986, to page 1 and to the title page of the bill.

Senator Bruner offered amendment S—5245 filed by him on March 3, 1986, to page 1 of the bill.

Senator Vande Hoef offered amendment S—5249 filed by him on March 4, 1986, to amendment S—5245 and moved its adoption.

Amendment S—5249 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5245 as amended, which motion prevailed by a voice vote.

Senator Riordan took the chair at 10:19 a.m.

Senator Vande Hoef offered amendment S—5250 filed by him on March 4, 1986, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 27.

Amendment S—5250 lost.

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

On the question "Shall the bill pass?" (S.F. 2207) the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells			

Nays, 8:

Brown	Carr	Gronstal	Holden
Miller, C.P.	Murphy	Tieden	Welsh

Absent or not voting, 1:

Lind

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

BUSINESS PENDING

Senate File 2167

The Senate resumed consideration of Senate File 2167 and amendment S—5074, previously deferred.

Senator Small moved the adoption of amendment S—5074 to page 1 of the bill.

A non record roll call was requested.

The ayes were 17, nays 30.

Amendment S—5074 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?" (S.F. 2167) the vote was:

Ayes, 37:

Carr	Coleman	Colton	Corning
Deluhery	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holt	Horn
Husak	Hutchins	Kinley	Mann
Miller, A. V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Tieden	Waldstein	Wells
Welsh			

Nays, 10:

Boswell	Brown	Bruner	Dieleman
Gronstal	Hannon	Holden	Jensen
Taylor	Vande Hoef		

Voting present, 1:

Miller, C.P.

Absent or not voting, 2:

Hultman Lind

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 3, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2181, a bill for an act establishing the Iowa comprehensive health association, providing for a plan of operation, establishing financial procedures, providing eligible expenses, excluding certain requirements, and relating to other provisions of health insurance coverage and providing an appropriation.

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

House File 2344, a bill for an act relating to the toxic cleanup days pilot program and providing an effective date.

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

House File 2352, a bill for an act authorizing the temporary transfer of funds between the primary road fund and the farm-to-market road fund.

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

INTRODUCTION OF BILLS

Senate File 2238, by Committee on Commerce, a bill for an act relating to the regulation of insurance holding companies and providing for penalties.

Read first time and **placed on calendar**.

Senate File 2239, by Committee on Judiciary, a bill for an act to legalize the purchase of certain property by the Hardin county conservation board.

Read first time and **placed on calendar**.

Senate File 2240, by Committee on Judiciary, a bill for an act relating to the collection of civil penalties for the reparation of persons injured by uninsured motorists.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:19 a.m., until 4:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 2004

STATE GOVERNMENT: Coleman, Chair; Dieleman and Gentleman

House File 187

LABOR AND INDUSTRIAL RELATIONS: Deluhery, Chair; Wells and Rife

House File 392

STATE GOVERNMENT: Dieleman, Chair; Carr and Corning

House File 2353

AGRICULTURE: Soorholtz, Chair; Husak and A. Miller

SSB 2192

HUMAN RESOURCES: Carr, Chair; Bruner and Vande Hoef

SSB 2193

HUMAN RESOURCES: Bruner, Chair; Taylor and Wells

SSB 2194

HUMAN RESOURCES: Hannon, Chair; Coleman and Gentleman

SSB 2195

AGRICULTURE: A. Miller, Chair; Waldstein and Palmer

SSB 2196

AGRICULTURE: Priebe, Chair; Boswell and Soorholtz

SSB 2199

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Small, Chair; Rife and Riordan

SSB 2200

HUMAN RESOURCES: Hannon, Chair; Readinger and Murphy

SSB 2202

EDUCATION: Murphy, Chair; Wells and Gratias

REPORTS OF COMMITTEE MEETINGS**COMMERCE**

Convened: March 4, 1986, 8:10 a.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2287 as amended; approved SSBs 2040 and 2151 as committee bills; discussed SSBs 2039, 2101, 2098 and Senate File 2081.

Adjourned: 8:50 a.m.

EDUCATION

Convened: March 4, 1986, 11:15 a.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 2176 as a committee bill; amended and approved SSB 2169; recommended passage of Senate File 132 as amended.

Adjourned: 11:35 a.m.

ENERGY AND ENVIRONMENT

Convened: March 4, 1986, 8:43 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown (arrived 8:49 a.m.), Carr, Gronstal, Hultman (arrived 8:52 a.m.), A. Miller (arrived 8:44 a.m.), Rife and Soorholtz.

Members Absent: none.

Committee Business: Considered SSBs 2052 and 2058.

Adjourned: 9:03 a.m.

HUMAN RESOURCES

Convened: March 4, 1986, 8:10 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Murphy (arrived 8:20 a.m.), Gratias, Taylor, Vande Hoef and Wells.

Members Absent: Coleman, C. Miller and Readinger.

Committee Business: Assigned study bills to subcommittees; recommended passage of Senate File 2022.

Adjourned: 8:26 a.m.

JUDICIARY

Convened: March 4, 1986, 1:35 p.m.

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

Members Absent: none.

Committee Business: Approved SSBs 2179, 2147 and 2189 as committee bills; recommended passage of Senate Files 2151, 2108 and 2099; approved SSB 2083 and ordered redrafted for final approval as a committee bill; Senate File 2195 failed recommendation for passage.

Adjourned: 2:15 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 4, 1986, 2:40 p.m.

Members Present: Small, Chair; Boswell, Vice Chair; Rife, Ranking Member; Brown, Doyle, Fraise, Lind, Peterson, Readinger, Riordan, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Approved SSB 2184 as a committee bill; discussed and deferred action on Senate File 592 until March 6, 1986; assigned SSB 2199 to a subcommittee.

Adjourned: 3:40 p.m.

TRANSPORTATION

Convened: March 4, 1986, 10:55 a.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Doyle, Gettings, Goodwin, Jensen, A. Miller and Nystrom.

Members Absent: Drake, Ranking Member and Kinley (excused).

Committee Business: Recommended passage of Senate File 2015; Senate File 2162 failed recommendation for passage; Senate Files 493 and 2048 returned to committee chair for reassignment.

Adjourned: 11:05 a.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 545 passed the Senate on March 4, 1986.

EDGAR H. HOLDEN

BILLS ASSIGNED TO COMMITTEE

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

S. F.	2223	Human Resources
S. C. R.	112	Rules and Administration
S. C. R.	113	Rules and Administration
S. C. R.	114	Rules and Administration

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2238 (SSB 2040), a bill for an act relating to the regulation of insurance holding companies and providing for penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 132, a bill for an act relating to the eligible amount which can be spent on educational improvement projects by a school district and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5259.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2236 (SSB 2169), a bill for an act relating to motorcycle and motorized bicycle education, to establish a motorcycle rider education fund, to increase certain license fees, and to appropriate moneys from the fund to the department of public instruction for the costs of motorcycle and motorized bicycle education courses.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2237 (SSB 2176), a bill for an act relating to the coordination of telecommunications used by certain school corporations, making an appropriation, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2239 (SSB 2189), a bill for an act to legalize the purchase of certain property by the Hardin county conservation board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Doyle, Mann, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 1: Ritsema.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2240 (SSB 2147), a bill for an act relating to the collection of civil penalties for the reparation of persons injured by uninsured motorists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 2: Carr and Coleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 2114, a bill for an act relating to the issuance of park user fees.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hall, Doyle, Goodwin, Hannon, Hester, Husak, Peterson, Riordan and Tieden. Nays, none. Absent or not voting, 3: Priebe, Gratias and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Twenty eighth grade students from C.W.L. Middle School, Lu Verne, Iowa, accompanied by Dennis Holmes. Senator Priebe.

AMENDMENTS FILED

S—5258	S. F.	2190	Tom Mann, Jr.
S—5259	S. F.	132	Education
S—5260	S. F.	2232	William W. Dieleman

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President pro tempore Wells presiding.

INTRODUCTION OF BILLS

Senate File 2241, by Committee on Small Business and Economic Development, a bill for an act creating an Iowa economic bond bank program within the Iowa finance authority to provide financing for economic development and making an appropriation.

Read first time and **placed on calendar**.

Senate File 2242, by Committee on State Government, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 115, by Colton and Doyle, a Senate Concurrent Resolution relating to the inequitable financial participation by the state in reimbursing nursing home providers under the medical assistance program.

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

APPENDIX**STUDY BILLS RECEIVED****SSB 2202 Education**

To provide a procedure for the accreditation of school districts and nonpublic schools.

SSB 2203 State Government

Providing that the unclaimed winnings from pari-mutuel betting shall be distributed to the city, if any, and the county in which the track where the wager was placed is located.

SSB 2204 Commerce

Relating to the senior debt of an industrial loan company.

SSB 2205 State Government

Relating to the sale of alcoholic liquor, wine, and beer by allowing the use of personal checks and traveler's checks for purchases at state liquor stores and agency stores and allowing the use of credit cards for purchases at agency stores, by providing for temporary liquor control licenses, wine permits, and beer permits, and by allowing a brewery to obtain a class "C" beer permit.

COMMITTEE REPORTS**HUMAN RESOURCES**

Final Bill Action: SENATE FILE 2172, a bill for an act relating to the certificate of need process regarding organ or tissue transplant services and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5264.

Final Vote: Ayes, 7: Hannon, Bruner, Gentleman, Carr, Readinger, Vande Hoef and Wells. Nays, 2: C. Miller and Taylor. Absent or not voting, 3: Murphy, Coleman and Gratijs.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: *SENATE FILE 2241 (SSB 2184), a bill for an act creating an Iowa economic bond bank program within the Iowa finance authority to provide financing for economic development and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Small, Boswell, Rife, Brown, Doyle, Fraise, Lind, Peterson, Readinger, Riordan, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Small Business and Economic Development Committee on Senate File 2241 and they were attached to the committee report.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2242, a bill for an act to establish incentives to encourage certain state employees to retire to terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Horn, Welsh, Corning, Coleman, Drake, Gentleman, Rife, C. Miller, Schwengels and Mann. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5261	S. F.	132	Douglas Ritsema
S—5262	S. F.	2224	Joe J. Welsh
S—5263	S. F.	389	Douglas Ritsema Joe J. Welsh
S—5264	S. F.	2172	Human Resources

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:32 p.m., until 9:00 a.m., Thursday, March 6, 1986.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 6, 1986

The Senate met in regular session at 9:24 a.m., President Anderson presiding.

Prayer was offered by the Reverend Tompsie Smith, pastor of the Emmanuel United Methodist Church, Granger, Iowa.

The Journal of Wednesday, March 5, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins; Senators Lind for the day and Waldstein for the morning 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 March 4, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 159, a bill for an act eliminating penalties for registrations of snowmobiles which have not been registered for two subsequent registration periods (S—5266).

ALSO: That the House has on March 4, 1986, passed the following bills in which the concurrence of the House was asked:

Senate File 2051, a bill for an act relating to the attachment of child and spousal support liens to real property and providing a retroactive effective date.

Senate File 2124, a bill for an act relating to the appointment of a district associate judge in lieu of magistrates.

INTRODUCTION OF BILLS

Senate File 2243, by Committee on Energy and Environment, a bill for an act relating to the authority of the department of water, air and waste management over hazardous substances and hazardous conditions.

Read first time and **placed on calendar**.

Senate File 2244, by Committee on Agriculture, a bill for an act relating to the exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities to be used in agricultural production for market.

Read first time and **placed on calendar**.

BILLS REFERRED TO COMMITTEE

President Anderson announced that **Senate File 2236** was referred from the Regular Calendar to the committee on **Transportation** and **Senate Files 2237** and **2241** were referred from the Regular Calendar to the committee on **Appropriations**.

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: HOUSE FILE 2353, a bill for an act relating to the Iowa family farm development authority, by providing for an agricultural loan assistance program, providing for the adoption of penalties, making an appropriation, and providing for an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5267.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2353** be referred to the committee on **Appropriations**.

HOUSE AMENDMENT CONSIDERED

Senate File 540

Senator Bruner called up for consideration Senate File 540, a bill for an act relating to the financing of political campaigns and the reporting of that financing, amended by the House, and moved that the Senate concur in House amendment S—5246 filed March 4, 1986.

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. 540) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef	Wells	

Nays, none.

Absent or not voting, 7:

Lind	Miller, C.P.	Murphy	Priebe
Soorholtz	Waldstein	Welsh	

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 Hutchins asked and received unanimous consent to take up out of order House File 714.

House File 714

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

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

On the question "Shall the bill pass?" (H.F. 714) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells			

Nays, none.

Absent or not voting, 5:

Lind	Miller, A.V.	Miller, C.P.	Waldstein
Welsh			

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 644.

House File 644

On motion of Senator Doyle, House File 644, a bill for an act to provide space on the driver's license to indicate the driver's blood type, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 644) the vote was:

Ayes, 19:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gentleman	Hannon	Horn	Husak
Hutchins	Mann	Miller, A. V.	Murphy
Riordan	Tieden	Wells	

Nays, 26:

Corning	Dieleman	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Hultman	Jensen	Kinley	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Vande Hoef		

Absent or not voting, 5:

Lind	Miller, C.P.	Small	Waldstein
Welsh			

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 712.

House File 712

On motion of Senator Husak, House File 712, a bill for an act regarding the filing of documents for evidencing a thresher's or cornsheller's lien and providing for a penalty, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 712) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells		

Nays, none.

Absent or not voting, 4:

Lind	Miller, C.P.	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.

House File 2091

On motion of Senator Nystrom, House File 2091, a bill for an act relating to the inspection of explosive storage facilities, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2091) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells

Nays, none.

Absent or not voting, 6:

Hall	Lind	Miller, C.P.	Rife
Waldstein	Welsh		

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

House File 2287

On motion of Senator Nystrom, House File 2287, a bill for an act relating to mechanic's liens, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Nystrom offered amendment S—5247 filed by the committee on Commerce on March 4, 1986, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5247 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 2287) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells

Nays, 1:

Gentleman

Absent or not voting, 5:

Lind	Miller, C.P.	Rife	Waldstein
Welsh			

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 2044

Senator Doyle called up for consideration Senate File 2044, a bill for an act relating to the admissibility of the reports and findings of the criminalistics laboratory in forfeiture proceedings, amended by the House in House amendment S—5230 filed March 3, 1986.

Senator Doyle offered amendment S—5268 filed by him from the floor to House amendment S—5230 and moved its adoption.

Amendment S—5268 was adopted by a voice vote.

Senator Doyle moved that the Senate concur in House amendment S—5230 as amended.

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

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

On the question "Shall the bill pass?" (S.F. 2044) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Readerger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells

Nays, none.

Absent or not voting, 6:

Hultman	Lind	Miller, A.V.	Miller, C.P.
Waldstein	Welsh		

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 pro tempore Wells presiding.

QUORUM CALL

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

The vote revealed 41 present, 9 absent and a quorum present.

INTRODUCTION OF BILL

Senate File 2245, by Committee on State Government, a bill for an act relating to the sale of alcoholic liquor, wine, and beer by allowing the use of personal checks and traveler's checks for purchases at state liquor stores and agency stores and allowing the use of credit cards for purchases at agency stores, by providing for temporary liquor control licenses, wine permits, and beer permits, and by allowing a brewery to obtain a class "C" beer permit.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:25 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2181	Commerce
H.F.	2344	Energy and Environment
H.F.	2352	Transportation
S. C. R.	115	Rules and Administration

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 5, 1986, 2:44 p.m.

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

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 2188 and 2119 and House Files 2353 (as amended) and 2351; approved SSB 2196 and LSB 7427 as committee bills; discussed and deferred action on SSB 2158.

Adjourned: 3:12 p.m.

AGRICULTURE

Convened: March 6, 1986, 10:35 a.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Fraise, Palmer and Vande Hoef.

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

Committee Business: Amended and approved LSB 8301 as amended; discussed and deferred action on SSB 2158.

Adjourned: 10:45 a.m.

APPROPRIATIONS

Convened: March 5, 1986, 4:40 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, C. Miller, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: Small, Vice Chair and Lind (excused).

Committee Business: Amended and approved LSB 8337 SF 71 as a committee bill.

Adjourned: 5:10 p.m.

COMMERCE

Convened: March 5, 1986, 1:45 p.m.

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

Members Absent: none.

Committee Business: Approved SSBs 2101, 2150, 2181, 2187 and 2204 as committee bills; recommended passage of Senate Files 2081 and 2208; discussed SSB 2098.

Adjourned: 2:36 p.m.

COMMERCE

Convened: March 6, 1986, 11:40 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair (arrived 11:41 a.m.); Holden, Ranking Member; Gronstal, Jensen, Nystrom, Palmer, Peterson, Priebe (arrived 11:45 a.m.) and Tieden.

Members Absent: none.

Committee Business: Approved SSBs 2039 and 2178 and LSBs 8069SF 71 and 2815S 71 as committee bills.

Adjourned: 11:50 a.m.

EDUCATION

Convened: March 5, 1986, 11:29 a.m.

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

Members Absent: none.

Committee Business: Assigned SSB 2202 to a subcommittee; discussed SSB 2156 and ordered redrafted.

Adjourned: 12:15 p.m.

EDUCATION

Convened: March 6, 1986, 10:53 a.m.

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

Members Absent: none.

Committee Business: Approved SSB 2062 (version 2), SSB 2202, SSB 2180A and LSB 8123 as committee bills; recommended passage of Senate File 2194; recommended passage of Senate Files 2046 and 2053 as amended.

Adjourned: 11:52 a.m.

HUMAN RESOURCES

Convened: March 5, 1986, 1:35 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member (arrived 1:40 p.m.); Carr, Coleman, Gratias, C. Miller, Murphy (arrived 2:05 p.m.), Readinger (arrived 1:38 p.m.), Taylor (arrived 1:37 p.m.), Vande Hoef and Wells.

Members Absent: none.

Committee Business: Approved SSBs 2193, 2143 and 2200 as committee bills; recommended passage of Senate File 2172.

Adjourned: 2:10 p.m.

NATURAL RESOURCES

Convened: March 5, 1986, 8:10 a.m.

Members Present: Hall, Chair; Doyle, Goodwin, Hannon, Hester, Husak, Peterson, Riordan and Tieden.

Members Absent: Priebe, Vice Chair; Schwengels, Ranking Member and Gratias (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2114; approved SSB 2177 as a committee bill.

Adjourned: 8:42 a.m.

RULES AND ADMINISTRATION

Convened: March 6, 1986, 10:20 a.m.

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

Members Absent: none.

Committee Business: Recommended passage of House Concurrent Resolution 116 and House File 2315; assigned bills to subcommittees.

Adjourned: 10:25 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 6, 1986, 8:47 a.m.

Members Present: Small, Chair; Doyle, Fraise, Peterson, Readinger, Riordan and Vande Hoef.

Members Absent: Boswell, Vice Chair; Rife, Ranking Member; Brown, Lind and Waldstein (excused).

Committee Business: Approved House File 340 as a committee bill; recommended passage of House File 166 as amended.

Adjourned: 8:58 a.m.

STATE GOVERNMENT

Convened: March 5, 1986, 3:42 p.m.

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

Members Absent: Schwengels.

Committee Business: Recommended passage of Senate Concurrent Resolution 107, Senate Joint Resolution 2002 and Senate File 323; approved SSBs 2205 and 2011 as committee bills.

Adjourned: 4:45 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2119, a bill for an act relating to restricting the ability of a mortgage of agricultural land to remove soil and water conservation practices and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5270.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2188, a bill for an act relating to commercial livestock feeders by exempting them from licensure as either a grain dealer or a warehouse operator.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2244, a bill for an act relating to the exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities to be used in agricultural production for market.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2251 (SSB 2196), a bill for an act relating to the separate sale of a homestead under a foreclosure on agricultural land.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2351, a bill for an act relating to the Iowa Family Farm Development Authority, by changing the name of the authority to the Agricultural Development Authority, by empowering the authority to undertake agricultural producer financial assistance programs, and providing for an effective date.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 2243 (SSB 2058), a bill for an act relating to the authority of the department of water, air and waste management over hazardous substances and hazardous conditions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Bruner, Colton, Brown, Carr, Gronstal and A. Miller. Nays, 4: Corning, Hultman, Rife and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 2247 (SSB 2143), a bill for an act relating to the disclosure of mental health information and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Gentleman, Carr, Coleman, Gratias, C. Miller, Readinger, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2248 (SSB 2193), a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Bruner, Gentleman, Carr, Coleman, Gratias, C. Miller, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 2: Murphy and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2249 (SSB 2200), a bill for an act relating to the rights of grandparents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hannon, Bruner, Gentleman, Coleman, Gratias, C. Miller, Murphy, Readinger, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 2250 (SSB 2168), a bill for an act establishing requirements for the use and operation of cabooses on railroad trains.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Mann, Gettings, Colton, Deluhery, Wells and Welsh. Nays, 3: Jensen, Hultman and Rife.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2160, a bill for an act relating to the prohibition of polygraph examinations as a condition of employment, and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5265.

Final Vote: Ayes, 6: Mann, Gettings, Colton, Deluhery, Wells and Welsh. Nays, 3: Jensen, Hultman and Rife. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 2246 (SSB 2177), a bill for an act relating to suspensions or restrictions on water use under the state priority allocation plan.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Hall, Doyle, Goodwin, Hannon, Hester, Husak, Peterson, Riordan and Tieden. Nays, none. Absent or not voting, 3: Priebe, Gratias and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 116, a resolution relating to Women's History Week.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 107, a resolution relating to American Indian Recognition.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Mann, Horn, Welsh, C. Miller, Coleman, Corning, Gentleman, Drake, Rife and Bruner. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 2002, a joint resolution proposing an amendment to the Constitution of the State of Iowa regarding the political affiliation of members of judicial nominating commissions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, C. Miller, Mann, Horn, Welsh, Bruner, Coleman, Drake, Rife, Gentleman and Corning. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 323, a bill for an act to establish a program for the coordination of media services at the capitol complex in the Department of General Services.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5271.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Corning, Coleman, Drake, Gentleman, Horn, Welsh, Rife, C. Miller and Mann. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2245, a bill for an act relating to the sale of alcoholic liquor, wine, and beer by allowing the use of personal checks and travelers's checks for purchase at state liquor stores and agency stores and allowing the use of credit cards for purchases at agency stores, by providing for temporary liquor control licenses, wine permits, and beer permits, and by allowing a brewery to obtain a class "C" beer permit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, C. Miller, Rife, Welsh, Horn, Mann, Gentleman, Corning, Drake and Coleman. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Eugenia Lizano from Costa Rica and Francesca Scorza from Italy, AFS students attending Pella High School, the guests of Senator Dieleman. The students were accompanied by their teacher, Kang Li-xing from the Peoples Republic of China.

Eight students, members of the 4-H program, Fairfield, Iowa, accompanied by Stan Gerling. Senator Schwengels.

AFTERNOON SESSION

The Senate reconvened at 5:03 p.m., Senator Boswell presiding.

INTRODUCTION OF BILLS

Senate File 2246, by Committee on Natural Resources, a bill for an act relating to suspensions or restrictions on water use under the state priority allocation plan.

Read first time and **placed on calendar**.

Senate File 2247, by Committee on Human Resources, a bill for an act relating to the disclosure of mental health information and providing an effective date.

Read first time and **placed on calendar**.

Senate File 2248, by Committee on Human Resources, a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist.

Read first time and **placed on calendar**.

Senate File 2249, by Committee on Human Resources, a bill for an act relating to the rights of grandparents.

Read first time and **placed on calendar**.

Senate File 2250, by Committee on Labor and Industrial Relations, a bill for an act establishing requirements for the use and operation of cabooses on railroad trains.

Read first time and **placed on calendar**.

Senate File 2251, by Committee on Agriculture, a bill for an act relating to the separate sale of a homestead under a foreclosure on agricultural land.

Read first time and **placed on calendar**.

Senate File 2252, by Committee on Education, a bill for an act to establish local, area education agency, and state school economy task forces and to provide an effective date.

Read first time and **placed on calendar**.

Senate File 2253, by Committee on Commerce, a bill for an act relating to municipally owned utilities.

Read first time and **placed on calendar**.

Senate File 2254, by Committee on Commerce, a bill for an act relating to the Iowa insurance guaranty association.

Read first time and **placed on calendar**.

Senate File 2255, by Committee on Commerce, a bill for an act permitting the inclusion of charges for credit unemployment insurance in consumer credit transactions under the Iowa consumer credit code.

Read first time and **placed on calendar**.

Senate File 2256, by Committee on State Government, a bill for an act related to the senate's review and confirmation of gubernatorial appointments.

Read first time and **placed on calendar**.

Senate File 2257, by Committee on Commerce, a bill for an act relating to the senior debt of an industrial loan company.

Read first time and **placed on calendar**.

Senate File 2258, by Committee on Energy and Environment, a bill for an act providing for modifications of the authority of the department of water, air and waste management over water pollution, flood plain construction, and water use.

Read first time and **placed on calendar**.

Senate File 2259, by Committee on Local Government, a bill for an act relating to discussions of economic development plans by governmental bodies.

Read first time and **placed on calendar**.

Senate File 2260, by Committee on Judiciary, a bill for an act relating to liens against mobile homes in mobile home parks for unpaid sums due under rental agreements.

Read first time and **placed on calendar.**

Senate File 2261, by Committee on Education, a bill for an act to provide a procedure for the accreditation of school districts and nonpublic schools.

Read first time and **placed on calendar.**

Senate File 2262, by Committee on Local Government, a bill for an act relating to the approval of legal descriptions of parcels of land.

Read first time and **placed on calendar.**

Senate File 2263, by Committee on Education, a bill for an act relating to certain loan and grant programs administered by the college aid commission and providing an effective date.

Read first time and **placed on calendar.**

Senate File 2264, by Committee on Commerce, a bill for an act relating to the notice requirements pertaining to the cancellation and nonrenewal of insurance other than life insurance.

Read first time and **placed on calendar.**

Senate File 2265, by Committee on Commerce, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date.

Read first time and **placed on calendar.**

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

The Senate resumed session, Senator Fraise presiding.

INTRODUCTION OF BILLS

Senate File 2266, by Committee on Commerce, a bill for an act relating to electronic fund transfers.

Read first time and **placed on calendar**.

Senate File 2267, by Committee on Commerce, a bill for an act relating to the powers of savings and loan associations.

Read first time and **placed on calendar**.

Senate File 2268, by Committee on Commerce, a bill for an act relating to the industrial loan thrift guaranty corporation of Iowa.

Read first time and **placed on calendar**.

Senate File 2269, by Committee on Education, a bill for an act relating to the education of certain children by private instruction or in nonpublic schools through a home instruction assistance program.

Read first time and **placed on calendar**.

Senate File 2270, by Committee on Agriculture, a bill for an act relating to real estate, by providing for the payment of property tax installments, the eligibility of certain types of real estate for a foreclosure continuance, time limits for applying for a foreclosure continuance and the term of a foreclosure continuance, the distribution of income and a phase-in of required interest under a foreclosure continuance, the separate sale of a homestead under a foreclosure on agricultural land, foreclosure continuance eligibility to real estate used for small business, an extension of time under the current declaration of economic emergency, and an effective date.

Read first time and **placed on calendar**.

Senate File 2271, by Committee on Appropriations, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1985 and ending June 30, 1986 and making the Act effective upon publication.

Read first time and **placed on Appropriations Calendar**.

Senate File 2272, by Committee on State Government, a bill for an act removing the statutory limit on the length of time in which a person may be reinstated in the state merit system.

Read first time and **placed on calendar**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 111

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate File 2048

(Reassigned)

TRANSPORTATION: Gettings, Chair; Coleman and Doyle

Senate File 2220

LOCAL GOVERNMENT: A. Miller, Chair; Goodwin and Wells

Senate File 2236

TRANSPORTATION: Goodwin, Chair; Doyle and Hall

House File 392

STATE GOVERNMENT: Dieleman, Chair; Carr and Corning

House File 2001

LABOR AND INDUSTRIAL RELATIONS: Gettings, Chair; Deluhery and Jensen

House File 2078

NATURAL RESOURCES: Riordan, Chair; Hester and Hannon

House File 2221

NATURAL RESOURCES: Schwengels, Chair; Hannon and Peterson

House File 2245

NATURAL RESOURCES: Doyle, Chair; Peterson and Gratias

House File 2297

NATURAL RESOURCES: Schwengels, Chair; Husak and Gratias

House File 2315

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

House File 2339

JUDICIARY: Doyle, Chair; Mann, Gentleman, Carr and Drake.

House File 2351

AGRICULTURE: Soorholtz, Chair; Husak and A. Miller

SSB 2206

STATE GOVERNMENT: Dieleman, Chair; Carr and Nystrom

SSB 2207

JUDICIARY: Doyle, Chair; Horn and Hester

SSB 2208

STATE GOVERNMENT: Dieleman, Chair; Carr and Nystrom

SSB 2210

ENERGY AND ENVIRONMENT: Corning, Chair; Bruner and Gronstal

LSB 2815S 71

COMMERCE: Holden, Chair; Palmer and Priebe

LSB 3801 SF

AGRICULTURE: Priebe, Chair; Boswell and Soorholtz

LSB 7854S

LABOR AND INDUSTRIAL RELATIONS: Colton, Chair; Welsh and Holden

LSB 8336S

LABOR AND INDUSTRIAL RELATIONS: Deluhery, Chair; Hultman and Colton

**ANNOUNCEMENT BY THE
PRESIDENT OF THE SENATE**

President Anderson announced the following appointment:

COMMISSION ON CHILDREN, YOUTH AND FAMILIES
(House File 2189, 1984 Session)

Senator Richard Vande Hoef — to fill an unexpired term ending January 1, 1987.

REPORTS OF COMMITTEE MEETINGS

LOCAL GOVERNMENT

Convened: March 6, 1986, 1:36 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Fraise, Goodwin, Hall, Priebe, Vande Hoef and Wells.

Members Absent: Lind and Waldstein, Ranking Member (both excused).

Committee Business: Assigned bills to subcommittees; approved LSBs 8298 and 8247 as committee bills.

Adjourned: 1:52 p.m.

NATURAL RESOURCES

Convened: March 6, 1986, 2:32 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Goodwin, Husak, Peterson, Riordan and Tieden.

Members Absent: Doyle, Gratias, Hannon and Hester.

Committee Business: Subcommittee reported on meeting with Iowa nurserymen.

Adjourned: 2:37 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 2270, a bill for an act relating to real estate, by providing for the payment of property tax installments, the eligibility of certain types of real estate for a foreclosure continuance, time limits for applying for a foreclosure continuance and the term of a foreclosure continuance, the distribution of income and a phase-in of required interest under a foreclosure continuance, the separate sale of a homestead under a foreclosure on agricultural land, foreclosure continuance eligibility to real estate used for small business, an

extension of time under the current declaration of economic emergency, and an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Priebe, Soorholtz, Boswell, Fraise, Hester, Husak, Palmer and Vande Hoef. Nays, none. Absent or not voting, 2: A. Miller and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

APPROPRIATIONS

Final Bill Action: SENATE FILE 2097, a bill for an act relating to Agricultural Economic Diversification by making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gettings, Gronstal, Holt, Horn, Husak, C. Miller, Murphy, Readinger and Schwengels. Nays, 1: Ritsema. Absent or not voting, 2: Lind and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2271, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1985, and ending June 30, 1986, and making the Act effective upon publication.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gettings, Gronstal, Holt, Horn, Husak, C. Miller, Murphy, Readinger, Ritsema and Schwengels. Nays, none. Absent or not voting, 2: Lind and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2353, a bill for an act relating to the Iowa family farm development authority, by providing for an agricultural loan assistance program, providing for the adoption of penalties, making an appropriation, and providing for an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gettings, Gronstal, Holt, Husak, C. Miller, Murphy, Readinger, Ritsema and Schwengels. Nays, 1: Horn. Absent or not voting, 2: Lind and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 2081, a bill for an act exempting electric cooperative corporations and associations and electric public utilities from the rate regulation authority of the Iowa state commerce commission if they have less than twenty-five thousand customers.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2208, a bill for an act providing that the geographic limitation on locations where a financial institution may establish an electronic funds-transfer satellite terminal does not apply to a satellite terminal that does not accept deposits.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5272.

Final Vote: Ayes, 8: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer and Priebe. Nays, 2: Peterson and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2253 (SSB 2101), a bill for an act relating to municipally owned utilities.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2254 (SSB 2039), a bill for an act relating to the Iowa insurance guaranty association.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2255 (SSB 2187), a bill for an act permitting the inclusion of charges for credit unemployment insurance in consumer credit transactions under the Iowa consumer credit code.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2257 (SSB 2204), a bill for an act relating to the senior debt of an industrial loan company.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2264, a bill for an act relating to the notice requirements pertaining to the cancellation and nonrenewal of insurance other than life insurance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson and Tieden. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers

for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson and Tieden. Nays, none. Absent or not voting, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2266 (SSB 2178), a bill for an act relating to electronic fund transfers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2267 (SSB 2150), a bill for an act relating to the powers of savings and loan associations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2268 (SSB 2181), a bill for an act relating to the industrial loan thrift guaranty corporation of Iowa.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 2046, a bill for an act relating to the compensation of collegiate athletes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5274.

Final Vote: Ayes, 6: Murphy, Colton, Corning, Hannon, Riordan and Wells. Nays, 4: Horn, Gratias, Taylor and Ritsema.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2194, a bill for an act to establish an occupational therapist scholarship and loan program administered by the college aid commission and to make an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Murphy, Horn, Colton, Hannon, Riordan, Taylor and Wells. Nays, 3: Corning, Gratias and Ritsema.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2252 (SSB 2156), a bill for an act to establish local, area education agency, and state school economy task forces and to provide an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Murphy, Horn, Gratias, Colton, Corning, Riordan, Ritsema and Wells. Nays, 2: Hannon and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2261 (SSB 2202), a bill for an act to provide a procedure for the accreditation of school districts and nonpublic schools.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2263 (SSB 2180A), a bill for an act relating to certain loan and grant programs administered by the college aid commission and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2269 (SSB 2062, version 2), a bill for an act relating to the education of certain children through private instruction or in nonpublic schools through a home instruction assistance program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Murphy, Gratias, Riordan, Taylor, Wells and Ritsema. Nays, 4: Horn, Colton, Corning and Hannon.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 2258 (SSB 2052), a bill for an act providing for modifications of the authority of the department of water, air and waste management over water pollution, flood plain construction, and water use.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Bruner, Colton, Corning, Brown, Gronstal, Hultman, Rife and Soorholtz. Nays, none. Absent or not voting, 2: Carr and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2260 (SSB 2083), a bill for an act relating to liens against mobile homes in mobile home parks for unpaid sums due under rental agreements.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 2259, a bill for an act relating to discussions of economic development plans by governmental bodies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, 1: Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2262, a bill for an act relating to the approval of legal descriptions of parcels of land.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: A. Miller, C. Miller, Fraise, Goodwin, Hall, Priebe, Vande Hoef and Wells. Nays, none. Absent or not voting, 2: Lind and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: HOUSE FILE 2315, a bill for an act providing for an interim study relating to the promotion and development of recreation and tourism along the Missouri and Mississippi rivers.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 166, a bill for an act requiring the Iowa development commission to collect information regarding farm tourism.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5275.

Final Vote: Ayes, 7: Small, Doyle, Fraise, Peterson, Readinger, Riordan and Vande Hoef. Nays, none. Absent or not voting, 5: Boswell, Rife, Brown, Lind and Waldstein.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 340, a bill for an act relating to the operation of bed and breakfast homes.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Small, Doyle, Fraise, Peterson, Readinger, Riordan and Vande Hoef. Nays, none. Absent or not voting, 5: Boswell, Rife, Brown, Lind and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2256 (SSB 2011), a bill for an act related to the senate's review and confirmation of gubernatorial appointments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Dieleman, C. Miller, Bruner, Mann, Horn, Rife, Drake, Corning, Welsh and Coleman. Nays, 2: Gentleman and Nystrom. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2272 (SSB 2206), a bill for an act removing the statutory limit on the length of time in which a person may be reinstated in the state merit system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Bruner, Dieleman, Nystrom, Rife, Drake, Coleman, Gentleman, Corning and Schwengels. Nays, none. Absent or not voting, 4: Horn, Welsh, C. Miller and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMUNICATION FROM THE SECRETARY OF STATE

March 6, 1986

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

Dear Ms. Thayer:

I hereby certify that Senate File 590 was published in the Fairfield Daily Ledger, Fairfield, Iowa, on February 26, 1986, and in The Daily Nonpareil, Council Bluffs, Iowa, on February 27, 1986.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

STUDY BILLS RECEIVED

SSB 2206 State Government

Removing the statutory limit on the length of time in which a person may be reinstated in the state merit system.

SSB 2207 Judiciary

To require lenders or secured parties to provide debtors with copies of documents relating to the debt.

SSB 2208 State Government

Requiring certain hospitals to meet the standards prescribed for a health care facility.

SSB 2209 Education

Relating to additional payments for education purposes, to school districts for minimum salaries for teachers, quality circle bonuses, education enhancement, master teachers, sabbaticals for teachers, and to the first in the nation in education foundation for research.

SSB 2210 Energy and Environment

Amending the mandatory deposits requirements by specifying the beverage containers which must be redeemed by distributors from dealers and redemption centers and by specifying the beverage containers which must be redeemed by redemption centers.

SSB 2211 Energy and Environment

Relating to energy management by school districts and merged area schools, requiring energy audits and providing financial and technical assistance for school districts and merged area schools to achieve energy conservation.

SSB 2212 Ways and Means

Relating to the state individual income tax by limiting, modifying, eliminating, and changing certain deductins and credits in computing the tax liability, and providing an effective date.

SSB 2213 Ways and Means

Authorizing counties to issue general obligation, essential corporate purpose bonds to finance the development of areas, jointly or in cooperation with cities, for commercial, industrial, or residential uses.

AMENDMENTS FILED

S—5265	H.F.	2160	Labor
S—5266	S.F.	159	House
S—5267	H.F.	2353	Agriculture
S—5268	S.F.	2044	Donald V. Doyle
S—5269	S.F.	2190	David Readinger Tom Mann, Jr. Joe J. Welsh Michael E. Gronstal John Soorholtz
S—5270	S.F.	2119	Agriculture
S—5271	S.F.	323	State Government
S—5272	S.F.	2208	Commerce
S—5273	S.F.	2088	Calvin O. Hultman Charles Bruner
S—5274	S.F.	2046	Education
S—5275	H.F.	166	Small Business

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 6:11 p.m., until 10:00 a.m., Friday, March 7, 1986.

JOURNAL OF THE SENATE

FIFTY-FOURTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 7, 1986

The Senate met in regular session at 10:07 a.m., President Anderson presiding.

Prayer was offered by the Reverend Stephanie Raphael-Nakos, pastor of the United Methodist Church, Clarence, Iowa.

The Journal of Thursday, March 6, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Peterson, Carr and Gettings for the day on request of Senator Hutchins; Senators Gratias, Vande Hoef, Jensen and Nystrom for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 5, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2191, a bill for an act relating to the disclosure of suggested price information by the retail seller of certain motor vehicles, and providing a penalty.

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

House File 2240, a bill for an act to limit free park user permits to one per household and to take effect upon publication.

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

House File 2302, a bill for an act defining conservancy districts as state agencies for purposes of the state tort claims Act.

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

House File 2349, a bill for an act relating to games of skill, games of chance, and raffles.

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

INTRODUCTION OF BILL

Senate File 2273, by Committee on State Government, a bill for an act relating to the election of directors of a local school district, merged area, and area education agency, and providing an effective date.

Read first time and **placed on calendar**.

BILLS REFERRED TO COMMITTEE

President Anderson announced that the following bills were referred from the Regular Calendar to committee:

S. F.	2194	Appropriations
S. F.	2244	Ways and Means
S. F.	2250	Transportation
S. F.	2270	Commerce

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

The Senate resumed session, President Anderson presiding.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 116.

House Concurrent Resolution 116

On motion of Senator Gronstal, House Concurrent Resolution 116, a resolution relating to Women's History Week, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 116, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2351.

House File 2351

On motion of Senator Soorholtz, House File 2351, a bill for an act relating to the Iowa Family Farm Development Authority, by changing the name of the authority to the Agricultural Development Authority, by empowering the authority to undertake agricultural producer financial assistance programs, and providing for an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Soorholtz asked and received unanimous consent that action on **House File 2351** be **deferred**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2353.

House File 2353

On motion of Senator Soorholtz, House File 2353, a bill for an act relating to the Iowa family farm development authority, by providing for an agricultural loan assistance program, providing for the adoption of penalties, making an appropriation, and providing for an effective date, with reports of committees on

Agriculture and Appropriations recommending passage, was taken up for consideration.

Senator Soorholtz asked and received unanimous consent that action on **House File 2353** be deferred.

MOTION TO RECONSIDER WITHDRAWN

Senate File 166

Senator Hester withdrew the motion to reconsider Senate File 166, a bill for an act to authorize the setting of seasons for pigeons, filed by him on March 4, 1986, and found on page 540 of the Senate Journal.

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

The Senate resumed session, Senator Welsh presiding.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 112, a resolution extending congratulations and giving special recognition to veterans of the China-Burma-India theater of operations during World War II.

Recommendation: DO PASS.

Final Vote: Ayes, 4: Hutchins, Hultman, Gronstal and Kinley. Nays, none. Absent or not voting, 2: Jensen and Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 112.

Senate Concurrent Resolution 112

On motion of Senator Doyle, Senate Concurrent Resolution 112, a resolution extending congratulations and giving special recognition to veterans of the China-Burma-India theater of

operations during World War II, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved the adoption of Senate Concurrent Resolution 112, which motion prevailed by a voice vote and the resolution was adopted.

INTRODUCTION OF BILL

Senate File 2274, by Committee on Small Business and Economic Development, a bill for an act relating to the establishment of private sector small-business development corporations.

Read first time and **placed on calendar**.

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

The Senate resumed session, Senator Gronstal presiding.

INTRODUCTION OF BILLS

Senate File 2275, by Committee on Judiciary, a bill for an act to require lenders or secured parties to provide debtors with copies of documents relating to the debt.

Read first time and **placed on calendar**.

Senate File 2276, by Committee on Judiciary, a bill for an act to legalize proceedings taken by the board of directors of the Iowa City community school district relating to the sale of certain property.

Read first time and **placed on calendar**.

Senate File 2277, by Committee on Ways and Means, a bill for an act to clarify the intended effective date of portions of chapter 239, 1985 Acts, relating to the imposition of a tax on payments received by a nonprofit health service corporation for subscriber contracts.

Read first time and **placed on the Ways and Means calendar**.

Senate File 2278, by Committee on Judiciary, a bill for an act relating to civil liability by exempting claims based upon financial regulation or permit and license action from coverage under the state tort claims Act, making statutory modifications to allow governmental subdivisions to take certain actions regarding insurance, self-insurance, or risk pooling, providing risk management and insurance coverage assistance to the state, governmental subdivisions, and other entities deemed essential to the public welfare, requiring information disclosure regarding liability insurance, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty of merchantability, authorizing the court to stay an action until sufficient surety to cover costs is posted by a claimant who has previously been involved in frivolous suits, prohibiting the stating of money damages demanded, providing sanctions for the filing of unwarranted motions, pleadings, or other papers, requiring the payment of awards or judgments by structured, periodic, or other nonlump-sum payment methods, prohibiting the assignment of a percentage of fault to a manufacturer, distributor or seller who can plead and prove that the product or the person's actions in regard to the product conformed to the state of the art in existence at that time, requiring a party to register an expert witness of their own selection with the court within one hundred eighty days of the filing of an action, creating a liability and liability insurance study commission, providing penalties, and providing for publication and effective dates.

Read first time and **placed on calendar**.

Senate File 2279, by Committee on Judiciary, a bill for an act relating to the civil liability of licensees or permittees for the sale of alcoholic liquor, beer, and wine.

Read first time and **placed on calendar**.

Senate File 2280, by Committee on Labor and Industrial Relations, a bill for an act relating to the negotiation for and operation of a collective bargaining agreement between a public employer and a public employee organization by including discipline and discharge in the scope of negotiations, by requiring a minimum period of negotiations, by providing that if grievance procedures for issues on discipline and discharge are provided in the collective bargaining agreement, those procedures are the

exclusive remedy on those issues, and by prohibiting the appointment of a mediator unless the parties have conducted a minimum period of negotiations, and by providing for the appointment of another mediator after submission of the factfinder's report.

Read first time and **placed on calendar.**

Senate File 2281, by Committee on Energy and Environment, a bill for an act relating to energy management by school districts and merged area schools, requiring energy audits and providing financial and technical assistance for school districts and merged area schools to achieve energy conservation.

Read first time and **placed on calendar.**

Senate File 2282, by Committee on Energy and Environment, a bill for an act amending the mandatory deposits requirements by specifying the beverage containers which must be redeemed by distributors from dealers and redemption centers and by specifying the beverage containers which must be redeemed by redemption centers.

Read first time and **placed on calendar.**

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 7, 1986, 8:10 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair; Ritsema, Ranking Member and Waldstein.

Members Absent: Carr.

Committee Business: Tentative budget recommendations.

Adjourned: 9:05 a.m.

APPROPRIATIONS

Convened: March 6, 1986, 5:03 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gettings, Gronstal, Holt, Horn, Husak, C. Miller, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: Lind (excused) and Gentleman.

Committee Business: Approved LSB 8337SF as a committee bill; recommended passage of Senate File 2097 and House File 2353.

Adjourned: 5:37 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 112

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 113

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 114

RULES AND ADMINISTRATION: Gettings, Chair; Jensen and Gronstal

Senate File 389

WAYS AND MEANS: Husak, Chair; Boswell and Holden

House File 2211

WAYS AND MEANS: Riordan, Chair; Bruner and Soorholtz

SSB 2212

WAYS AND MEANS: Bruner, Chair; Boswell, Riordan, Hester and Holt

SSB 2213

WAYS AND MEANS: Mann, Chair; Riordan and Readinger

SSB 2214

WAYS AND MEANS: Bruner, Chair; Boswell and Holden

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2207, the following technical correction was made:

- 1. Page 1, line 33, "Section 1" was changed to "Section 3".

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 712 passed the Senate on March 6, 1986.

EDGAR H. HOLDEN

**CORRECTED
COMMITTEE REPORT**

COMMERCE

Final Bill Action: SENATE FILE 2081, a bill for an act exempting electric cooperative corporations and associations and electric public utilities from the rate regulation authority of the Iowa state commerce commission if they have less than twenty-five thousand customers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5277.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 2053, a bill for an act relating to the reorganization and financing of school districts, including minimum enrollment requirements, payment of principal and interest on lawful bonded indebtedness, adjusting the amount of the foundation property tax levy, adjusting the additional property tax levy, providing an additional discretionary amount for school districts, using state aid and levying a discretionary property tax, and making appropriations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5280.

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

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: SENATE FILE 2281 (SSB 2211), a bill for an act relating to energy management by school districts and merged area schools, requiring energy audits and providing financial and technical assistance for school districts and merged area schools to achieve energy conservation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Bruner, Colton, Corning, Brown, Gronstal, Hultman, Rife and Soorholtz. Nays, none. Absent or not voting, 2: Carr and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2282, a bill for an act amending the mandatory deposits requirements by specifying the beverage containers which must be redeemed by distributors from dealers and redemption centers and by specifying the beverage containers which must be redeemed by redemption centers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Bruner, Colton, Corning, Brown, Gronstal, Hultman, Rife and Soorholtz. Nays, none. Absent or not voting, 2: Carr and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2134, a bill for an act relating to the granting or denial of parental or visitation time to a parent not awarded custody or physical care of a child.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Doyle, Mann, Carr, Coleman, Hester, Holt, Horn and Taylor. Nays, 6: Ritsema, Deluhery, Dieleman, Drake, Gentleman and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2275 (SSB 2207), a bill for an act to require lenders or secured parties to provide debtors with copies of documents relating to the debt.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2276, a bill for an act to legalize proceedings taken by the board of directors of the Iowa City community School district relating to the sale of certain property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2278 (SSB 2190), a bill for an act relating to civil liability by exempting claims based upon financial regulation or permit and license action from coverage under the state tort claims Act, making statutory modifications to allow governmental subdivisions to take certain actions regarding insurance, self-insurance, or risk pooling, providing risk management and insurance coverage assistance to the state, governmental subdivisions, and other entities deemed essential to the public welfare, requiring information disclosure regarding liability insurance, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty of merchantability, authorizing the court to stay an action until sufficient surety to cover costs is posted by a claimant who has previously been involved in frivolous suits, prohibiting the stating of money damages demanded, providing sanctions for the filing of unwarranted motions, pleadings, or other papers requiring the payment of awards or judgements by structured, periodic, or other nonlump-sum payment methods, prohibiting the assignment of a percentage of fault to a manufacturer, distributor or seller who can plead and prove that the product or the person's actions in regard to the product conformed to the state of the art in existence at that time, requiring a party to register an expert witness of their own selection with the court within one hundred eighty days of the filing of an action, creating a liability and liability insurance study commission, providing penalties, and providing for publication and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Ritsema, Carr, Coleman, Deluhery, Dieleman, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 2: Mann and Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2279, a bill for an act relating to the civil liability of licensees or permittees for the sale of alcoholic liquor, beer, and wine.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Ritsema, Carr, Coleman, Deluhery, Drake, Gentleman, Hester, Holt, Horn and Small. Nays, 1: Dieleman. Absent or not voting, 2: Mann and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 476, a bill for an act to prohibit the relinquishment of prior seniority rights as a condition of employment.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Hultman, Rife, Wells and Welsh. Nays, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2001, a bill for an act relating to employment practices by providing civil damages for employer actions which violate public policy or result in the wrongful discharge of an employee.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Mann, Gettings, Colton, Rife, Wells and Welsh. Nays, 3: Jensen, Deluhery and Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2280, a bill for an act relating to the negotiation for and operation of a collective bargaining agreement between a public employer and a public employee organization by including discipline and discharge in the scope of negotiations, by requiring a minimum period of negotiations, by providing that if grievance procedures for issues on discipline and discharge are provided in the collective bargaining agreement, those procedures are the exclusive remedy on those issues, and by prohibiting the appointment of a mediator unless the parties have conducted a minimum period of negotiations, and by providing for the appointment of another mediator after submission of the fact-finders report.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Mann, Gettings, Colton, Deluhery, Wells and Welsh. Nays, 4: Jensen, Holden, Hultman and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 2274, a bill for an act relating to the establishment of private sector small-business development corporations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Small, Boswell, Rife, Brown, Peterson, Readinger, Riordan, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 3: Doyle, Fraise and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2273 (SSB 2123), a bill for an act relating to the election directors of a local school district, merged area, and area education agency and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Dieleman, Nystrom, Bruner, C. Miller, Horn, Coleman, Drake, Rife and Schwengels. Nays, 2: Gentleman and Corning. Absent or not voting, 2: Mann and Welsh.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2277 (SSB 2214), a bill for an act to clarify the intended effective date of portions of chapter 239, 1985 Acts, relating to the imposition of a tax on payments received by a nonprofit health service corporation for subscriber contracts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Palmer, Husak, Hester, Boswell, Bruner, Holden, Holt, Riordan and Soorholtz. Nays, none. Absent or not voting, 6: Brown, Dieleman, Gratias, Gronstal, Mann and Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILL RECEIVED**SSB 2214 Ways and Means**

To clarify the intended effective date of portions of chapter 239, 1985 Acts, relating to the imposition of a tax on payments received by a nonprofit health service corporation for subscriber contracts.

AMENDMENTS FILED

S—5276	S.F.	2109	Edgar H. Holden Jim Lind
S—5277	S.F.	2081	Commerce
S—5278	S.F.	2237	Edgar H. Holden
S—5279	S.F.	2224	Michael E. Gronstal
S—5280	S.F.	2053	Education

S—5281	S. F.	2224	Edgar H. Holden Joe J. Welsh
S—5282	S. F.	2179	Wally Horn
S—5283	S. F.	2242	Richard F. Drake
S—5284	S. F.	2260	Edgar H. Holden

ADJOURNMENT

On motion of Senator Fraise, the Senate adjourned at 12:32 p.m., until 1:30 p.m., Monday, March 10, 1986.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 10, 1986

The Senate met in regular session at 1:39 p.m., President pro tempore Wells presiding.

Prayer was offered by the Reverend John Propert, pastor of the First Baptist Church, Boone, Iowa.

The Journal of Friday, March 7, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Nystrom and Holden for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 6, 1986, passed the following bills in which the concurrence of the House was asked:

Senate File 2152, a bill for an act relating to the authority of the county board of supervisors regarding roads established or improved by petition of landowners.

Senate File 2166, a bill for an act relating to the authority of the department of water, air and waste management to remove and compel removal of hazardous substances or hazardous wastes.

ALSO: That the House has on March 6, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2060, a bill for an act relating to assignments of income in delinquent support cases and providing a penalty.

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

House File 2105, a bill for an act relating to the obstruction of emergency communications and providing penalties.

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

House File 2325, a bill for an act exempting electric public utilities having less than ten thousand customers and electric cooperative corporations and associations from the rate regulation authority of the Iowa commerce commission and defining the areas in which such utilities remain subject to regulation.

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

House File 2374, a bill for an act relating to the collection of prosecution costs by a city or county, and providing for punishment for contempt.

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

House File 2381, a bill for an act relating to the adoption of the uniform transfers to minors Act.

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

QUORUM CALL

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

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

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	2046	Appropriations
S. F.	2053	Appropriations
S. F.	2219	Ways and Means
S. F.	2224	Ways and Means
S. F.	2229	Ways and Means

S. F. 2230 Agriculture
 S. F. 2265 Judiciary

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
 (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

State Board of Dietetic Examiners

Phyllis Henderson, committee recommendation found on page 186 of the Senate Journal.

Mary Jane Oakland, committee recommendation found on page 349 of the Senate Journal.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Miller, A.V.	Miller, C.P.
Palmer	Peterson	Priebe	Rife
Riordan	Ritsema	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Tieden

Absent or not voting, 8:

Carr	Holden	Kinley	Mann
Murphy	Nystrom	Readinger	Schwengels

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2069.

Senate File 2069

On motion of Senator Dieleman, Senate File 2069, a bill for an act relating to the issuance of temporary certificates for chiropractors, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema offered amendment S—5287 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 17, nays 26.

Amendment S—5287 lost.

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

On the question "Shall the bill pass?" (S.F. 2069) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Rife	Riordan
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

Nays, 5:

Corning	Gentleman	Holt	Ritsema
Waldstein			

Absent or not voting, 6:

Holden
Readinger

Kinley
Wells

Mann

Nystrom

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 Boswell for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 2150

On motion of Senator Hester, Senate File 2150, a bill for an act relating to the assessment on porcine animals, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hester offered amendment S—5220 filed by the committee on Agriculture on February 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5220 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2150) the vote was:

Ayes, 44:

Brown
Colton
Doyle
Gettings
Hall
Horn
Jensen
Murphy

Bruner
Corning
Drake
Goodwin
Hannon
Hultman
Lind
Palmer

Carr
Deluhery
Fraise
Gratias
Hester
Husak
Miller, A. V.
Peterson

Coleman
Dieleman
Gentleman
Gronstal
Holt
Hutchins
Miller, C.P.
Priebe

Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Holden	Kinley	Mann
Nystrom	Taylor		

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 2213.

Senate File 2213

On motion of Senator Doyle, Senate File 2213, a bill for an act relating to the criminal penalty for the fraudulent use of registration, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2213) the vote was:

Ayes, 42:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Welsh		

Nays, none.

Absent or not voting, 8:

Boswell	Holden	Kinley	Mann
Miller, C.P.	Nystrom	Waldstein	Wells

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

Senate File 2214

On motion of Senator Doyle, Senate File 2214, a bill for an act relating to fiduciary security transfers by increasing the duration of a certificate evidencing the appointment of incumbency of a fiduciary, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2214) the vote was:

Ayes, 44:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Holden	Kinley	Mann
Miller, C.P.	Nystrom		

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

Senate File 2215

On motion of Senator Small, Senate File 2215, a bill for an act relating to investments by fiduciaries by broadening provisions relating to investments in United States government obligations, 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. 2215) the vote was:

Ayes, 43:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Drake	Holden	Kinley
Mann	Miller, C.P.	Nystrom	

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

Senate File 2216

On motion of Senator Doyle, Senate File 2216, a bill for an act relating to the licensing of private security agencies, was taken up for consideration.

Senator Doyle offered amendment S—5286 filed by him from the floor to page 1 of the bill.

Senator Ritsema asked and received unanimous consent that action on amendment S—5286 and **Senate File 2216** be deferred.

Senate File 2217

On motion of Senator Dieleman, Senate File 2217, a bill for an act establishing a criminal penalty under Iowa's criminal code for the violation of federal law regarding the acquisition, sale,

or purchase of federal agricultural surplus commodities, 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. 2217) the vote was:

Ayes, 42:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Boswell	Holden	Kinley	Mann
Miller, C.P.	Nystrom	Small	

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

Senate File 2218

On motion of Senator Ritsema, Senate File 2218, a bill for an act relating to the adoption of the uniform transfers to minors Act, was taken up for consideration.

Senator Ritsema asked and received unanimous consent that action on **Senate File 2218** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2072.

Senate File 2072

On motion of Senator Murphy, Senate File 2072, a bill for an act to require the certification of sanitary landfill operators and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5239 filed by the committee on Energy and Environment on March 3, 1986, to page 1 of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—5239 and **Senate File 2072** be deferred for preparation of a fiscal note.

Senate File 2088

On motion of Senator Bruner, Senate File 2088, a bill for an act relating to access to the results of residential energy audits, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—5273 filed by Senators Hultman and Bruner on March 6, 1986, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5273 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. 2088) the vote was:

Ayes, 43:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Dieleman	Holden	Kinley
Mann	Miller, C.P.	Nystrom	

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

Senate File 2104

On motion of Senator Gettings, Senate File 2104, a bill for an act relating to coverage of proprietors, partners, and owner-operators of certain trucks under the workers' compensation law, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gettings offered amendment S—5234 filed by the committee on Labor and Industrial Relations on March 3, 1986, to page 2 of the bill and called for a division: lines 2 through 5 as division S—5234A and lines 6 through 8 as division S—5234B.

Senator Gettings moved the adoption of division S—5234A, which motion prevailed by a voice vote.

Senator Gettings asked and received unanimous consent to withdraw division S—5234B.

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. 2104) the vote was:

Ayes, 44:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Murphy	Palmer	Peterson	Priebe

Readeringer	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Voting present, 1:

Rife

Absent or not voting, 5:

Boswell	Holden	Mann	Miller, C.P.
Nystrom			

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

Senate File 2110

On motion of Senator Murphy, Senate File 2110, a bill for an act relating to sanitary disposal projects, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5235 filed by the committee on Energy and Environment on March 3, 1986, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5235 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that action on **Senate File 2110** be **deferred**.

Senate File 2133

On motion of Senator Murphy, Senate File 2133, a bill for an act relating to gambling devices by permitting the manufacture of certain devices in the state and providing that the Iowa lottery agency shall give preference in contracts for lottery machines to persons who manufacture the machines in the state and in contracts for servicing machines to persons who have their principal place of business in the state, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Small offered amendment S—5227 filed by the committee on Small Business and Economic Development on March 3, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5227 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2133) the vote was:

Ayes, 43:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Readinger
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Holden	Hultman	Mann
Miller, C.P.	Nystrom	Rife	

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

The vote revealed 37 present, 13 absent and a quorum present.

BUSINESS PENDING

Senate File 2218

The Senate resumed consideration of Senate File 2218, previously deferred.

Senator Ritsema asked and received unanimous consent that **House File 2381** be substituted for **Senate File 2218**.

Senate File 2110

The Senate resumed consideration of Senate File 2110, previously deferred.

Senator Murphy asked and received unanimous consent that **House File 2301** be substituted for **Senate File 2110** as amended.

Senator Murphy asked and received unanimous consent that **Senate File 2110** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 2221

On motion of Senator Doyle, Senate File 2221, a bill for an act allowing persons providing consent for the issuance of a motor vehicle license to a minor to withdraw the consent and require cancellation of the minor's license, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2221) the vote was:

Ayes, 44:

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

Hutchins	Kinley	Lind	Miller, A.V.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Holden	Jensen	Mann	Miller, C.P.
Nystrom	Soorholtz		

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

Senate File 2222

On motion of Senator Drake, Senate File 2222, a bill for an act relating to agencies authorized to receive information pertaining to arson investigations, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2222) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hannon	Holden	Mann	Miller, C.P.
Nystrom			

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2015.

Senate File 2015

On motion of Senator Taylor, Senate File 2015, a bill for an act relating to court costs and attorney fees in actions brought under provisions on new motor vehicle warranties, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2015) the vote was:

Ayes, 45:

- | | | | |
|--------------|------------|-----------|----------|
| Boswell | Brown | Bruner | Carr |
| Coleman | Colton | Corning | Deluhery |
| Dieleman | Doyle | Drake | Fraise |
| Gentleman | Gettings | Goodwin | Gratias |
| Gronstal | Hall | Hannon | Hester |
| Holt | Horn | Hultman | Husak |
| Hutchins | Jensen | Kinley | Lind |
| Miller, A.V. | Murphy | Palmer | Peterson |
| Priebe | Readinger | Rife | Riordan |
| Ritsema | Schwengels | Soorholtz | Taylor |
| Tieden | Vande Hoef | Waldstein | Wells |
| Welsh | | | |

Nays, none.

Absent or not voting, 5:

- | | | | |
|--------|------|--------------|---------|
| Holden | Mann | Miller, C.P. | Nystrom |
| Small | | | |

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

Senate File 2022

On motion of Senator Gentleman, Senate File 2022, a bill for an act providing a criminal penalty for reporting false information to the department of human services regarding an act of child abuse, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—5256 filed by the committee on Human Resources on March 4, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5256 lost by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2022) the vote was:

Ayes, 29:

Colton	Corning	Dieleman	Doyle
Drake	Gentleman	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Miller, A.V.	Palmer	Priebe	Readinger
Rife	Ritsema	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 17:

Boswell	Brown	Bruner	Carr
Coleman	Deluhery	Fraise	Gettings
Goodwin	Gratias	Gronstal	Jensen
Murphy	Peterson	Riordan	Small
Soorholtz			

Absent or not voting, 4:

Holden	Mann	Miller, C.P.	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2093.

Senate File 2093

On motion of Senator Vande Hoef, Senate File 2093, a bill for an act extending the sunset provision for the Iowa advisory commission on intergovernmental relations, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2093) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Husak	Hutchins	Kinley
Miller, A.V.	Murphy	Palmer	Priebe
Readinger	Rife	Riordan	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 7:

Drake	Hultman	Jensen	Lind
Peterson	Ritsema	Schwengels	

Absent or not voting, 4:

Holden	Mann	Miller, C.P.	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2045** be referred from the Regular Calendar to the committee on **Agriculture**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2101.

Senate File 2101

On motion of Senator Coleman, Senate File 2101, a bill for an act providing Veterans Day as a paid state holiday and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2101) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 2:

Corning	Gentleman
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Absent or not voting, 5:

Hannon	Holden	Mann	Miller, C.P.
Nystrom			

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

BUSINESS PENDING

Senate File 2216

The Senate resumed consideration of Senate File 2216 and amendment S—5286, previously deferred.

Senator Coleman took the chair at 4:32 p.m.

Senator Ritsema asked and received unanimous consent to take up out of order amendment S—5288 filed by Senators Ritsema and Gentleman from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 24.

Amendment S—5288 lost.

Senator Doyle moved the adoption of amendment S—5286 to page 1 of the bill, previously deferred.

Amendment S—5286 was adopted by a voice vote.

Senator Doyle offered amendment S—5236 filed by him on March 3, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5236 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2216) the vote was:

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

Ayes, 24:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gratias
Gronstal	Hannon	Horn	Husak
Hutchins	Miller, A.V.	Murphy	Palmer
Priebe	Riordan	Wells	Welsh

Nays, 22:

Corning	Drake	Gentleman	Goodwin
Hall	Hester	Holt	Hultman
Jensen	Kinley	Lind	Peterson
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 4:

Holden	Mann	Miller, C.P.	Nystrom
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2227.

Senate File 2227

On motion of Senator Fraise, Senate File 2227, a bill for an act to authorize direct payment of county auditors' transfer fees to county treasurers by county recorders, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2227) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz

Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Holden	Mann	Miller, C.P.	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2151.

Senate File 2151

On motion of Senator Holt, Senate File 2151, a bill for an act providing that the small claims court has concurrent jurisdiction of an action of replevin if the value of the property claimed is two thousand dollars or less, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2151) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Holden
Tieden

Mann

Miller, C.P.

Nystrom

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2228.

Senate File 2228

On motion of Senator Fraise, Senate File 2228, a bill for an act relating to the responsibilities of county recorders to make reports concerning ownership, assessed values, and transfers of real estate, and certificates of limited partnerships, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **Senate File 2228** be **deferred** for preparation of an amendment.

INTRODUCTION OF BILL

Senate File 2283, by Committee on Labor and Industrial Relations, a bill for an act relating to voluntary contributions by special zero-rated employers to meet the applicable percentage of excess requirement of the unemployment compensation contribution law and establishing a special unemployment compensation rate for certain expanding employers, and making the expanding employer rate retroactive and conditional.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2302	Judiciary
H.F.	2191	Commerce
H.F.	2240	Natural Resources
H.F.	2349	State Government

PETITION

The following petition was presented and placed on file by:

Senator Miller of Cerro Gordo from fifty residents of Cerro Gordo County favoring legislation to repeal pound seizure.

REPORTS OF COMMITTEE MEETINGS

ENERGY AND ENVIRONMENT

Convened: March 6, 1986, 2:44 p.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, Carr (arrived 2:49 p.m.), Gronstal, Hultman (arrived 2:45 p.m.), Rife and Soorholtz.

Members Absent: A. Miller.

Committee Business: Considered SSBs 2052, 2210, 2211 and Senate File 462.

Adjourned: 2:50 p.m.

JUDICIARY

Convened: March 6, 1986, 1:35 p.m.

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

Members Absent: none.

Committee Business: Approved LSB 8356 and SSBs 2207, 2083 and 2190 as committee bills; recommended passage of Senate Files 2134 and 2184; Senate File 2145 failed recommendation for passage.

Recessed: 2:30 p.m.

Reconvened: 4:30 p.m.

Adjourned: 4:50 p.m.

RULES AND ADMINISTRATION

Convened: March 7, 1986, 10:45 a.m.

Members Present: Hutchins, Chair; Hultman, Ranking Member; Gronstal and Kinley.

Members Absent: Gettings, Vice Chair and Jensen.

Committee Business: Recommended passage of Senate Concurrent Resolution 112.

Adjourned: 10:47 a.m.

TRANSPORTATION

Convened: March 7, 1986, 9:13 a.m.

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

Members Absent: Hall, Vice Chair; Kinley, Gettings (excused) and Nystrom (excused).

Committee Business: Assigned S.F. 2236 and reassigned S.F. 2048 to subcommittees.

Adjourned: 9:17 a.m.

WAYS AND MEANS

Convened: March 7, 1986, 9:10 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Bruner, Holden, Holt, Riordan and Soorholtz.

Members Absent: Brown, Dieleman, Gratias, Gronstal, Mann and Readinger.

Committee Business: Assigned bills to subcommittees; discussed and approved SSB 2214 as a committee bill.

Adjourned: 9:15 a.m.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Nancy Blustein, Deputy Director User Liaison Program—For tireless efforts in making the User Liaison Program of the National Center for Health Services Research pertinent to critical health care issues faced by state governments, and in particular to bringing health services research of relevance to Iowa's health care system to key Iowa decision-makers, resulting in the initiation of health care reforms that have served to contain health care costs, insure health care access, and retain assurances over the quality of care. Senator Bruner (March 7, 1986).

Robert Fordham, Program Director User Liaison Program—For invaluable assistance of the User Liaison Program of the National Center for Health Services Research in providing Iowa public officials with state-of-the-art information on health services cost-containment and health service access issues, resulting in the development of successful state initiatives to provide health care cost savings to the State of Iowa and to improve health service delivery, particularly with respect to rural medical services. Senator Bruner (March 7, 1986).

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 5, 1986.

Had I been present, I would have voted "aye" on Senate Files 108, 199, 432, 2167, 2193 and 2207.

I was also necessarily absent on March 6, 1986. Had I been present, I would have voted "aye" on Senate Files 540 and 2044 and House Files 644, 712, 714, 2091 and 2287.

JIM LIND

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 10th day of March, 1986:

Senate Files 276, 326, 2051 and 2124.

K. MARIE THAYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 115

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

House File 2344

ENERGY AND ENVIRONMENT: Gronstal, Chair; Colton and Rife

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2212, a bill for an act relating to the use of trust assets received under the Federal Bankhead-Jones Farm Tenant Act for guaranteeing operating loans for farmers.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5296.

Final Vote: Ayes, 16: Welsh, Small, Tieden, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Murphy, Readinger, Ritsema, Schwengels and Lind. Nays, none. Absent or not voting, 2: Colton and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: SENATE FILE 2283, a bill for an act relating to voluntary contributions by special zero-rated employers to meet the applicable percentage of excess requirement of the unemployment compensation contribution law and establishing a special unemployment compensation rate for certain expanding employers, and making the expanding employer rate retroactive and conditional.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Hultman, Rife and Wells. Nays, none. Absent or not voting, 1: Welsh.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Thirty-five fifth grade students from Lenox Elementary School, Lenox, Iowa, accompanied by Mrs. Janet Reed. Senator Boswell.

AMENDMENTS FILED

S—5285	S. F.	132	Douglas Ritsema
S—5286	S. F.	2216	Donald V. Doyle
S—5287	S. F.	2069	Douglas Ritsema
S—5288	S. F.	2216	Douglas Ritsema Julia B. Gentleman
S—5289	S. F.	2243	Ray Taylor
S—5290	S. F.	2057	Douglas Ritsema
S—5291	S. F.	2172	David M. Readinger
S—5292	S. F.	2172	David M. Readinger
S—5293	S. F.	2280	John W. Jensen
S—5294	S. F.	2271	Richard F. Drake Joe J. Welsh
S—5295	S. F.	137	Patrick J. Deluhery
S—5296	S. F.	2212	Appropriations
S—5297	S. F.	2035	Douglas Ritsema Berl E. Priebe

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Tuesday, March 11, 1986.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 11, 1986

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

Prayer was offered by the Reverend Joe Donald, pastor of the Reorganized Church of Jesus Christ of Latter Day Saints, Lamoni, Iowa.

The Journal of Monday, March 10, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 7, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2380, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1985 and ending June 30, 1986 and making the Act effective upon publication.

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

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2277.

Senate File 2277

On motion of Senator Bruner, Senate File 2277, a bill for an act to clarify the intended effective date of portions of chapter 239, 1985 Acts, relating to the imposition of a tax on payments received by a nonprofit health service corporation for subscriber contracts, was taken up for consideration.

Senator Bruner offered amendment S—5300 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

President pro tempore Wells took the chair at 9:14 a.m.

A non record roll call was requested.

The ayes were 31, nays 15.

Amendment S—5300 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2277 the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Holden	Holt	Horn	Husak
Hutchins	Kinley	Lind	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Riordan	Small
Soorholtz	Tieden	Wells	

Nays, 10:

Hall	Hester	Hultman	Jensen
Rife	Ritsema	Schwengels	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 5:

Drake	Hannon	Mann	Miller, C.P.
Welsh			

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2109.

Senate File 2109

On motion of Senator Murphy, Senate File 2109, a bill for an act exempting the fees paid to cities and counties for the privilege of participating in any athletic sports from the state sales, services, and use tax, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5276 filed by Senators Holden and Lind on March 7, 1986, to page 1 and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 44, nays 2.

Amendment S—5276 was adopted.

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

On the question "Shall the bill pass?" (S.F. 2109) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias

Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 5:

Mann	Miller, C.P.	Rife	Small
Welsh			

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the morning on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2137.

Senate File 2137

On motion of Senator Waldstein, Senate File 2137, a bill for an act relating to the corporate ownership of agricultural land to be used for a commercial cattle feedlot, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S—5251 filed by the committee on Agriculture on March 4, 1986, to page 1 of the bill.

Senator Riordan asked and received unanimous consent that action on amendment S—5251 and **Senate File 2137** be deferred for preparation of amendments.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2226.

Senate File 2226

On motion of Senator Palmer, Senate File 2226, a bill for an act relating to the guaranty capital of a mutual insurance company, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2226) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Jensen	Mann	Miller, C.P.	Rife
Schwengels	Small	Welsh	

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2232.

Senate File 2232

On motion of Senator Dieleman, Senate File 2232, a bill for an act to legalize and validate the proceedings of the City council of the City of Ankeny, Iowa, authorizing and providing for the issuance, sale and delivery of General Obligation Bonds, providing

for the levy of taxes for the payment of the bonds and declaring the bonds to be enforceable obligations of the City of Ankeny, Iowa, was taken up for consideration.

Senator Dieleman offered amendment S—5260 filed by him on March 5, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5260 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2232) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Murphy
Nystrom	Palmer	Riordan	Soorholtz
Taylor	Wells		

Nays, 9:

Gentleman	Hester	Holt	Peterson
Priebe	Ritsema	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 7:

Mann	Miller, C.P.	Readinger	Rife
Schwengels	Small	Welsh	

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 10:08 a.m.

Senate File 2233

On motion of Senator Bruner, Senate File 2233, a bill for an act relating to the mailing of absentee ballots to electors, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2233) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Fraise	Mann	Miller, C.P.	Rife
Schwengels	Small	Welsh	

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

Senate File 2234

On motion of Senator Corning, Senate File 2234, a bill for an act relating to the percent of the proceeds from the sales of obligations of the Iowa finance authority that are required to be used for newly constructed housing units, was taken up for consideration.

Senator Bruner asked and received unanimous consent that action on **Senate File 2234** be **deferred** for preparation of an amendment.

Senate File 2235

On motion of Senator Horn, Senate File 2235, a bill for an act relating to the sale of alcoholic liquor and wine by allowing special retailers to sell alcoholic liquor in areas which are not adequately

served by state liquor stores and by limiting the sale of wine by the beer and liquor control department to sale at retail, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2235** be **deferred** for preparation of an amendment.

Senate File 132

On motion of Senator Horn, Senate File 132, a bill for an act relating to the eligible amount which can be spent on educational improvement projects by a school district and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ritsema offered amendment S—5261 filed by him on March 5, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5261 was adopted by a voice vote.

Senator Ritsema offered amendment S—5285 filed by him on March 10, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5285 was adopted by a voice vote.

With the adoption of amendment S—5285, the Chair ruled amendment S—5259 filed by the committee on Education on March 5, 1986, to page 1 of the bill, out of order.

Senator Brown asked and received unanimous consent that action on **Senate File 132** be **deferred** for preparation of a fiscal note.

Senate File 2114

On motion of Senator Hester, Senate File 2114, a bill for an act relating to the issuance of park user fees, with report of committee recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 2114** be **deferred**.

President pro tempore Wells took the chair at 10:37 a.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 323.

Senate File 323

On motion of Senator Coleman, Senate File 323, a bill for an act to establish a program for the coordination of media services at the capitol complex in the department of General Services, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S—5271 filed by the committee on State Government on March 6, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5271 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on **Senate File 323** be **deferred**.

Senate File 2081

On motion of Senator Miller of Cerro Gordo, Senate File 2081, a bill for an act exempting electric cooperative corporations and associations and electric public utilities from the rate regulation authority of the Iowa state commerce commission if they have less than twenty-five thousand customers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5277 filed by the committee on Commerce on March 7, 1986, to strike everything after the enacting clause and to the title page of the bill.

Senator Deluhery offered amendment S—5299 filed by Senator Kinley from the floor to amendment S—5277 and moved its adoption.

Amendment S—5299 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved the adoption of amendment S—5277 as amended, which motion prevailed by a voice vote.

Senator Miller of Cerro Gordo asked and received unanimous consent that **House File 2325** be substituted for **Senate File 2081** as amended.

BILL REFERRED TO COMMITTEE

Senator Waldstein asked and received unanimous consent that **Senate File 2188** be referred from the Regular Calendar to the committee on **Agriculture**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 2208

On motion of Senator Holden, Senate File 2208, a bill for an act providing that the geographic limitation on locations where a financial institution may establish an electronic funds-transfer satellite terminal does not apply to a satellite terminal that does not accept deposits, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Brown took the chair at 11:07 a.m.

Senator Holden offered amendment S—5272 filed by the committee on Commerce on March 6, 1986, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5272 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. 2208) the vote was:

Ayes, 32:

Brown	Bruner	Carr	Colton
Deluhery	Dieleman	Doyle	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Readinger	Ritsema
Schwengels	Waldstein	Wells	Welsh

Nays, 12:

Drake	Fraise	Hester	Jensen
Peterson	Priebe	Rife	Riordan
Soorholtz	Taylor	Tieden	Vande Hoef

Voting present, 2:

Coleman	Corning
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Absent or not voting, 4:

Boswell	Hutchins	Miller, C.P.	Small
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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 Gronstal asked and received unanimous consent to take up out of order Senate File 2242.

Senate File 2242

On motion of Senator Drake, Senate File 2242, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication, was taken up for consideration.

Senator Drake offered amendment S—5283 filed by him on March 7, 1986, to pages 2 and 5 of the bill and moved its adoption.

Amendment S—5283 was adopted by a voice vote.

Senator Drake offered amendment S—5305 filed by Senators Drake and Carr from the floor to page 2 of the bill and moved its adoption.

Amendment S—5305 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2242) the vote was:

Ayes, 47:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2278** be referred from the Regular Calendar to the committee on **Commerce**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 107.

Senate Concurrent Resolution 107

On motion of Senator Colton, Senate Concurrent Resolution 107, a resolution relating to American Indian Recognition, with report of committee recommending passage, was taken up for consideration.

Senator Colton moved the adoption of Senate Concurrent Resolution 107, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2099.

Senate File 2099

On motion of Senator Mann, Senate File 2099, a bill for an act relating to consumer fraud by defining and prohibiting pyramid promotional schemes and making remedies and penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that **Senate File 2099** be referred to the committee on **Judiciary**.

Senate File 2108

On motion of Senator Mann, Senate File 2108, a bill for an act relating to the reprieve, pardon, commutation of sentence, remission of fines and forfeitures, or restoration of the rights of citizenship of a person convicted of a criminal offense, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2108** be **deferred**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 116, by Wells, a senate concurrent resolution to designate July, 1986 as "Buy America" month.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:58 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

H.F.	2105	Judiciary
H.F.	2060	Judiciary
H.F.	2374	Local Government

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: March 11, 1986, 8:08 a.m.

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

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:10 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2046

APPROPRIATIONS: Husak, Chair; Ritsema and Gronstal

Senate File 2053

APPROPRIATIONS: Husak, Chair; Ritsema and Gronstal

Senate File 2194

APPROPRIATIONS: Husak, Chair; Ritsema and Gronstal

Senate File 2237

APPROPRIATIONS: Welsh, Chair; Ritsema and Murphy

Senate File 2241

APPROPRIATIONS: Small, Chair; Lind and Husak

Senate File 2250

TRANSPORTATION: Hall, Chair; Gettings and Goodwin

Senate File 2270

COMMERCE: Priebe, Chair; Palmer and Tieden

House File 732

JUDICIARY: Mann, Chair; Horn and Hester

House File 2181

COMMERCE: Palmer, Chair; Tieden and Jensen

House File 2191

COMMERCE: Nystrom, Chair; Jensen and Deluhery

House File 2352

TRANSPORTATION: A. Miller, Chair; Jensen and Nystrom

COMMUNICATION

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

IOWA DEVELOPMENT COMMISSION

A copy of a letter addressed to the Chair of the Business and Economic Development Standing Committee reporting to the General Assembly, pursuant to Chapter 256, Sec. 12, Acts of the 1985 Session of the Seventy-first General Assembly, with a statement by the development commission covering Community Economic Betterment; Jobs Now, and Education; and Agriculture Research and Development accounts.

COMMITTEE REPORT

JUDICIARY

Final Bill Action: HOUSE FILE 268, a bill for an act relating to escapees from community-based correctional facilities, and adopting penalties.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

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

Twenty-five sixth grade students from Pomeroy Elementary School, Pomeroy, Iowa, accompanied by Bob Charleston. Senator Waldstein.

AMENDMENTS FILED

S—5298	S. F.	2119	Arne Waldstein
S—5299	S. F.	2081	George R. Kinley
S—5300	S. F.	2277	Charles Bruner
S—5301	S. F.	2253	John W. Jensen
S—5302	S. F.	2057	Edgar H. Holden
S—5303	S. F.	2256	Charles Bruner
S—5304	H. F.	2301	John Jensen Larry Murphy
S—5305	S. F.	2242	Richard F. Drake Bob Carr
S—5306	S. F.	2234	Tom Mann, Jr. Charles Bruner
S—5307	S. F.	2137	Ray Taylor
S—5308	S. F.	2235	Wally E. Horn Richard F. Drake
S—5309	S. F.	2252	Joy Corning Beverly A. Hannon
S—5310	S. F.	2137	Leonard L. Boswell
S—5311	S. F.	2035	Arne Waldstein

AFTERNOON SESSION

The Senate reconvened at 4:38 p.m., Senator Colton presiding.

QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

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

The Senate resumed session, President pro tempore Wells presiding.

APPENDIX

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 732, a bill for an act relating to the penalties for violations of chapter 728 involving the promotion of obscene material and the sexual exploitation of children.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5313.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2178, a bill for an act to establish a consignment relationship between artists and art dealers for the sale of the artist's works.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5312.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2189, a bill for an act relating to income tax credits for cattle production.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Brown, Dieleman, Gronstal, Holt, Mann, Readinger, Riordan and Soorholtz. Nays, 2: Gratias and Holden. Absent or not voting, 1: Bruner.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: 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.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Riordan and Soorholtz. Nays, none. Absent or not voting, 1: Bruner.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5312	H.F.	2178	Judiciary
S—5313	H.F.	732	Judiciary
S—5314	S.F.	2035	Arne Waldstein
S—5315	S.F.	2137	James Riordan
S—5316	S.F.	2078	Leonard L. Boswell
S—5317	S.F.	2282	Joy Corning Charles Bruner
S—5318	S.F.	2266	Edgar H. Holden
S—5319	S.F.	2172	Charles Bruner Wally E. Horn
S—5320	S.F.	2001	Tom Mann, Jr.
S—5321	S.F.	2035	William W. Dieleman
S—5322	S.F.	2273	Bob Carr
S—5323	S.F.	2131	Richard Vande Hoef Jack W. Hester

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:20 p.m., until 9:00 a.m., Wednesday, March 12, 1986.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 12, 1986

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

Prayer was offered by the Reverend Earl Deugan, pastor of the First Baptist Church, Eldora, Iowa.

The Journal of Tuesday, March 11, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 1986, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 113, a house concurrent resolution endorsing "Iowa Homecoming '86".

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

ALSO: That the House has on March 10, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2019, a bill for an act to amend zoning statutes to authorize allowing older persons to reside in temporary housing on the same property as a primary dwelling and to require the state building code commissioner to adopt rules.

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

House File 2167, a bill for an act relating to the time allowed for persons to file additional objections to a school reorganization petition if the board continues the hearing on the petition.

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

House File 2189, a bill for an act relating to appointment of citizen members to the board of directors of a judicial district department of correctional services.

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

House File 2208, a bill for an act to require state conservation commission approval of county conservation board projects for acquisition or exchange of land and general development plans where the costs of the project exceed twenty-five thousand dollars.

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

House File 2216, a bill for an act providing that a judicial district department of correctional services is a state agency for purposes of coverage under the Iowa tort claims Act.

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

House File 2286, a bill for an act relating to electronically transmitted educational programs.

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

House File 2337, a bill for an act relating to insurance guaranty associations by creating an Iowa life and health insurance guaranty association.

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

House File 2347, a bill for an act relating to the definition of the term "felony" for purposes of the law relating to possession of weapons, and affecting penalties.

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

House File 2354, a bill for an act relating to the Iowa insurance guaranty association.

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

House File 2378, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments.

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

House File 2384, a bill for an act relating to the registration of a mark which has become distinctive of the applicant's goods or services.

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

House File 2395, a bill for an act authorizing a city or county hospital to establish and operate facilities, programs, and services which provide health benefits to persons.

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

House File 2400, a bill for an act relating to the Iowa community development loan program.

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

CONSIDERATION OF RESOLUTION

(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 110.

Senate Concurrent Resolution 110

On motion of Senator Miller of Cerro Gordo, Senate Concurrent Resolution 110, a concurrent resolution regarding the federal government's policy of requiring a minimum interest rate of nine percent on farm contract sales, was taken up for consideration.

Senator Miller of Cerro Gordo moved the adoption of Senate Concurrent Resolution 110, which motion prevailed by a voice vote and the resolution was adopted.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2176.

Senate File 2176

On motion of Senator Boswell, Senate File 2176, a bill for an act relating to agricultural grain marketing, by adopting the interstate compact on agricultural grain marketing, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Waldstein offered amendment S—5252 filed by the committee on Agriculture on March 4, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5252 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. 2176) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Husak	Hutchins	Jensen
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Holden

Absent or not voting, 4:

Drake	Hultman	Kinley	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2097.

Senate File 2097

On motion of Senator Riordan, Senate File 2097, a bill for an act relating to agricultural economic diversification by making an appropriation, with reports of committees on Agriculture and Appropriations recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2097) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, 2:

Holden	Lind
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Absent or not voting, 4:

Miller, C.P. Rife Small Waldstein

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2212.

Senate File 2212

On motion of Senator Miller of Cerro Gordo, Senate File 2212, a bill for an act relating to the use of trust assets received under the federal Bankhead-Jones Farm Tenant Act for guaranteeing operating loans for farmers, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—5296 filed by the committee on Appropriations on March 10, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5296 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2212) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 1:

Vande Hoef

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

UNFINISHED BUSINESS
(Deferred March 7, 1986)

House File 2351

The Senate resumed consideration of House File 2351, a bill for an act relating to the Iowa Family Farm Development Authority, by changing the name of the authority to the Agricultural Development Authority, by empowering the authority to undertake agricultural producer financial assistance programs, and providing for an effective date, deferred on March 7, 1986.

Senator Schwengels offered amendment S—5325 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5325 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (H.F. 2351) the vote was:

Ayes, 49:

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

Nays, 1:

Holden

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

UNFINISHED BUSINESS
(Deferred March 7, 1986)

House File 2353

The Senate resumed consideration of House File 2353, a bill for an act relating to the Iowa family farm development authority, by providing for an agricultural loan assistance program providing for the adoption of penalties, making an appropriation, and providing for an effective date, deferred on March 7, 1986.

Senator Soorholtz offered amendment S—5267 filed by the committee on Agriculture on March 6, 1986, to pages 3, 4, 5 and 6 of the bill.

Senator Colton took the chair at 10:53 a.m.

President Anderson took the chair at 11:08 a.m.

Senator Soorholtz moved the adoption of amendment S—5267.

Amendment S—5267 was adopted by a voice vote.

Senator Schwengels offered amendment S—5324 filed by him from the floor to pages 1 and 3 of the bill and called for a division: lines 3 through 5 as division S—5324A and lines 6 through 12 as division S—5324B.

Senator Schwengels withdrew division S—5324B.

Senator Schwengels moved the adoption of division S—5324A, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 2353) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 8:

Corning	Gentleman	Gratias	Holden
Lind	Mann	Palmer	Rife

Absent or not voting, 2:

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2376, a bill for an act establishing liability of persons responsible for hazardous conditions for reasonable costs incurred by the department of water, air and waste management in responding to the conditions, and providing for the credit of recoveries for the liabilities.

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

House File 2379, a bill for an act relating to commodity boards, by providing for their membership, the collection of their assessments, and the appropriation of their funds.

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

House File 2386, a bill for an act relating to peer review and licensing board information by providing for the confidentiality of peer review proceedings and records, by providing access to the board of medical examiners to hospital disciplinary information concerning physicians, and by providing for the exchange of confidential investigative information between licensing agencies in this state.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:11 p.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: March 11, 1986, 8:10 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member and Corning.

Members Absent: Mann.

Committee Business: Budget deliberations.

Adjourned: 9:00 a.m.

COMMERCE

Convened: March 11, 1986, 4:50 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member (arrived 4:54 p.m.); Gronstal, Jensen, Nystrom, Palmer, Priebe and Tieden.

Members Absent: Peterson.

Committee Business: Assigned Senate File 2278 to a subcommittee; discussed Senate File 2270.

Adjourned: 5:25 p.m.

JUDICIARY

Convened: March 11, 1986, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor.

Members Absent: Small.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 268; recommended passage of House Files 2178 and 732 as amended.

Adjourned: 2:00 p.m.

NATURAL RESOURCES

Convened: March 12, 1986, 8:00 a.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2078 as amended.

Adjourned: 8:24 a.m.

WAYS AND MEANS

Convened: March 11, 1986, 3:35 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown (arrived 3:40 p.m.), Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Riordan (arrived 3:47 p.m.) and Soorholtz.

Members Absent: Bruner.

Committee Business: Assigned Senate File 2219 to a subcommittee; discussed SSB 2164, Senate File 2189 and House File 717.

Adjourned: 3:50 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2219

WAYS AND MEANS: Brown, Chair; Dieleman, Gronstal, Holden and Gratias

Senate File 2265

JUDICIARY: Small, Chair; Doyle and Drake

Senate File 2278

COMMERCE: Palmer, Chair; Priebe and Holden

House File 2060

JUDICIARY: Horn, Chair; Coleman and Hester

House File 2105

JUDICIARY: Carr, Chair; Mann and Gentleman

House File 2158

(Reassigned)

STATE GOVERNMENT: Bruner, Chair; Dieleman and Corning

House File 2299

NATURAL RESOURCES: Riordan, Chair; Husak and Schwengels

House File 2302

JUDICIARY: Small, Chair; Drake and Dieleman

House File 2303

NATURAL RESOURCES: Peterson, Chair; Hester and Hannon

House File 2349

STATE GOVERNMENT: Welsh, Chair, Horn and Rife

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 10, 1986, when the final vote was taken on Senate File 2088.

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

WILLIAM W. DIELEMAN

COMMITTEE REPORT

ENERGY AND ENVIRONMENT

Final Bill Action: HOUSE FILE 2344, a bill for an act relating to the toxic cleanup days pilot program and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Bruner, Colton, Corning, Carr, Gronstal, A. Miller and Rife. Nays, none. Absent or not voting, 3: Brown, Hultman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-5324	H.F.	2353	Forrest V. Schwengels
S-5325	H.F.	2351	Forrest V. Schwengels
S-5326	S.F.	2238	Michael E. Gronstal
S-5327	S.F.	2245	Wally E. Horn
S-5328	S.F.	2235	Wally E. Horn
S-5329	S.F.	2279	Arthur A. Small, Jr.
S-5330	S.F.	2131	Berl E. Priebe
S-5331	S.F.	2231	Arne Waldstein
			Berl E. Priebe

AFTERNOON SESSION

The Senate reconvened at 4:33 p.m., Senator Coleman presiding.

QUORUM CALL

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

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester for the afternoon on request of Senator Hultman.

MOTION TO RECONSIDER ADOPTED

Senator Drake 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 2242 passed the Senate on March 11, 1986.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2242) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Rife	Riordan	Schwengels	Small
Soorholtz	Vande Hoef	Waldstein	Wells

Nays, 3:

Ritscma	Taylor	Tieden
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Absent or not voting, 7:

Hannon	Hester	Holden	Lind
Palmer	Readinger	Welsh	

The motion prevailed.

Senator Drake moved to reconsider the vote by which Senate File 2242 went to its last reading, which motion prevailed by a voice vote.

Senate File 2242

On motion of Senator Drake, Senate File 2242, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication, was taken up for reconsideration.

Senator Drake 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—5305 to Senate File 2242 was adopted by the Senate on March 11, 1986.

The motion prevailed by a voice vote and amendment S—5305 by Senators Drake and Carr to page 2 of the bill, was taken up for reconsideration.

Senator Drake asked and received unanimous consent to withdraw amendment S—5305.

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

On the question "Shall the bill pass?" (S.F. 2242) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind

Mann	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, none.

Absent or not voting, 4:

Hester	Miller, A.V.	Palmer	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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to immediately message the following bills to the House:

Senate Concurrent Resolution 110; Senate Files 2097, 2176, 2212 and 2242; and House Files 2351 and 2353.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2240.

Senate File 2240

On motion of Senator Doyle, Senate File 2240, a bill for an act relating to the collection of civil penalties for the reparation of persons injured by uninsured motorists, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2240) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery

Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Hester

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

Senate Joint Resolution 2002

On motion of Senator Carr, Senate Joint Resolution 2002, a joint resolution proposing an amendment to the Constitution of the State of Iowa regarding the political affiliation of members of judicial nominating commissions, with report of committee recommending passage, was taken up for consideration.

Senator Carr moved that the resolution be read the last time now and placed upon its passage, which motion prevailed, and the resolution was read the last time.

Senate Joint Resolution 2002, a joint resolution proposing an amendment to the Constitution of the State of Iowa regarding the political affiliation of members of judicial nominating commissions.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Unnumbered paragraph 3, section 16, Article V of the Constitution of the State of Iowa, as adopted by the amendment of 1962 is amended by striking the paragraph and adopting in lieu thereof the following:

Due consideration shall be given to area representation in the appointment and election of Judicial Nominating Commission members. Appointive and elective members of Judicial Nominating Commissions shall serve for six-year terms, are ineligible for a second six-year term on the same commission, shall hold no office of profit of the United States or of the state during their terms, and shall have other qualifications as prescribed by law. As near as may be, the terms of one third of the members shall expire every two years.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state is directed to cause it to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (S.J.R. 2002) the vote was:

Yeas, 48:

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

Nays, none.

Absent or not voting, 2:

Hester	Holt
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The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 11, 1986)

Senate File 2108

The Senate resumed consideration of Senate File 2108, a bill for an act relating to the reprieve, pardon, commutation of sentence, remission of fines and forfeitures, or restoration of the rights of citizenship of a person convicted of a criminal offense, deferred on March 11, 1986.

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. 2108) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Holden	Horn	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Wells	Welsh		

Nays, 9:

Dieleman	Gentleman	Hultman	Lind
Readinger	Taylor	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 3:

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

UNFINISHED BUSINESS
(Deferred March 10, 1986)

Senate File 2228

The Senate resumed consideration of Senate File 2228, a bill for an act relating to the responsibilities of county recorders to make reports concerning ownership, assessed values, and transfers of real estate, and certificates of limited partnerships, deferred on March 10, 1986.

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

On the question "Shall the bill pass?" (S.F. 2228) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hannon	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hall	Hester	Holt	Miller, A.V.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2131

On motion of Senator Priebe, Senate File 2131, a bill for an act relating to foreclosures against agricultural land, by providing for mediation, notice of default, or notice to cure, an appropriation, and an effective date, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S—5330 filed by him from the floor to strike everything after the enacting clause of the bill.

President Anderson took the chair at 5:15 p.m.

Senator Priebe offered amendment S—5335 filed by him from the floor to page 5 of amendment S—5330 and moved its adoption.

Amendment S—5335 was adopted by a voice vote.

Senator Vande Hoef offered amendment S—5332 filed by him from the floor to pages 1, 3 and 4 of amendment S—5330 and called for a division: lines 3 through 17 and lines 24 through 29 as division S—5332A; lines 18 through 23 as division S—5332B.

Senator Vande Hoef withdrew division S—5332A to amendment S—5330.

Senator Vande Hoef moved the adoption of division S—5332B to amendment S—5330, which motion prevailed by a voice vote.

Senator Boswell offered amendment S—5336 filed by him from the floor to page 1 of amendment S—5330.

Senator Hultman raised the point of order that amendment S—5336 was not germane.

The Chair ruled the point well taken and amendment S—5336 out of order because the bill and amendment S—5330 refers to mediation and mediation procedures and amendment S—5336 goes well beyond the scope of mediation.

Senator Priebe moved the adoption of amendment S—5330 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5330 as amended, the Chair ruled the following amendments out of order:

S—5059 filed by the committee on Appropriations on February 11, 1986, to pages 1, 2 and 3 of the bill.

S—5323 filed by Senators Vande Hoef and Hester on March 11, 1986, to pages 2 and 3 of the bill.

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

On the question "Shall the bill pass?" (S.F. 2131) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gronstal	Hall	Hannon	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Riordan	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 9:

Corning	Gentleman	Goodwin	Gratias
Holden	Lind	Rife	Ritsema
Waldstein			

Absent or not voting, 3:

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

APPENDIX

PROOF OF PUBLICATION

Published copy of Senate File 2239 and verified proof of publication of said bill in The Eldora Herald-Ledger, a newspaper published in Eldora, Iowa, on March 11, 1986, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in the Senate.

STUDY BILL RECEIVED

SSB 2215 Ways and Means

Relating to the establishment of economic development areas and providing tax credits, exemptions, refunds, and other incentives.

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 721, a bill for an act relating to the service of process on an individual's spouse at a place other than the individual's dwelling house or usual place of abode.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2067, a bill for an act relating to the use of financial instruments and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5333.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 2078, a bill for an act relating to navigation near a diving flag and subjecting violators to a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5334.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2110, a bill for an act relating to the membership of the state day care advisory committee.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Bruner, Horn, Mann, C. Miller, Drake, Schwengels, Gentleman, Corning, Coleman and Welsh. Nays, none. Absent or not voting, 2: Nystrom and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2158, a bill for an act to make the birthday of Dr. Martin Luther King, Jr. a legal public holiday.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Bruner, Horn, Mann, Schwengels, Coleman, Gentleman, Corning, Drake, C. Miller and Welsh. Nays, none. Absent or not voting, 2: Nystrom and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2349, a bill for an act relating to games of skill, games of chance and raffles.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, Bruner, Horn, Welsh, Mann, C. Miller, Schwengels, Gentleman, Drake, Corning and Coleman. Nays, 1: Dieleman. Absent or not voting, 2: Nystrom and Rife.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILL ASSIGNED TO COMMITTEE

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

S. C. R. 116 Rules and Administration

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Sixty fifth grade students from Clegg Park Elementary School, West Des Moines, Iowa, accompanied by Nancy Tychsen. Senator Gentleman.

AMENDMENTS FILED

S—5332	S. F.	2131	Richard Vande Hoef
S—5333	H. F.	2067	Judiciary
S—5334	H. F.	2078	Natural Resources
S—5335	S. F.	2131	Berl E. Priebe
S—5336	S. F.	2131	Leonard L. Boswell

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:08 p.m., until 9:00 a.m., Thursday, March 13, 1986.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 13, 1986

The Senate met in regular session at 9:05 a.m., President Anderson presiding.

Prayer was offered by the Reverend Wilbert Trusheim, pastor of the Willard Street United Methodist Church, Ottumwa, Iowa.

The Journal of Wednesday, March 12, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Miller of Cerro Gordo for the day and Miller of Des Moines for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 11, 1986, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2287, a bill for an act relating to mechanic's liens.

ALSO: That the House has on March 11, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2035, a bill for an act relating to the appointment of chiefs of the police department and chiefs of the fire department in cities under civil service.

This bill was read first time and **passed on file**.

House File 2082, a bill for an act relating to the exchange of territory between a benefited fire district and a township to provide fire protection services.

This bill was read first time and **passed on file**.

House File 2317, a bill for an act relating to the cost of reclassification of a drainage district.

This bill was read first time and **passed on file**.

House File 2370, a bill for an act relating to county officers by providing for the combining of county offices and removing salary restrictions for the combined offices under section 331.323, by amending the duties of certain elected county officers, and by making the Act effective upon publication.

This bill was read first time and **passed on file**.

House File 2389, a bill for an act relating to the population of cities in which substandard housing and related buildings are subject to abatement under chapter 657A.

This bill was read first time and **passed on file**.

DISTINGUISHED GUEST

President Anderson presented the Honorable Ben Briscoe, member of the Irish Parliament for twenty-one years and the Dublin City Council for twenty years. He was escorted to the podium by Senator Priebe.

Mr. Briscoe commented that the bond between Ireland and the United States is strong and enduring:

"The strongest link of all is the people connection, the understanding and warm friendship which binds the Irish and the people of this great country.

"I am glad to say that we are receiving more and more visitors from America every year. Last year 426,000 American tourists came to visit our emerald isle and in so doing made a very significant contribution to the economy of our country and to the employment opportunities of our people," Briscoe told the Senate.

Mr. Briscoe extended an invitation to the members of the Senate to attend the St. Patrick's Day festivities in Emmetsburg and also to visit Ireland.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2271** be referred from the Appropriations Calendar to the committee on **Appropriations**.

Senator Hutchins asked and received unanimous consent that **House File 2380** be referred to the committee on **Appropriations**.

HOUSE AMENDMENT CONSIDERED

Senate File 159

Senator Vande Hoef called up for consideration Senate File 159, a bill for an act eliminating penalties for registrations of snowmobiles which have not been registered for two subsequent registration periods, amended by the House, and moved that the Senate concur in House amendment S—5266 filed March 6, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Vande Hoef moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 159) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor

Tieden Welsh	Vande Hoef	Waldstein	Wells
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Nays, none.

Absent or not voting, 9:

Brown Kinley Small	Drake Miller, A.V.	Hester Miller, C.P.	Holt Readinger
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred March 11, 1986)

Senate File 2234

The Senate resumed consideration of Senate File 2234, a bill for an act relating to the percent of the proceeds from the sales of obligations of the Iowa finance authority that are required to be used for newly constructed housing units, deferred on March 11, 1986.

Senator Mann offered amendment S—5306 filed by Senators Mann and Bruner on March 11, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5306 was adopted by a voice vote.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2234) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Mann	Murphy

Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Brown	Holt	Kinley	Miller, A.V.
Miller, C.P.	Readinger	Vande Hoef	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2119.

Senate File 2119

On motion of Senator Riordan, Senate File 2119, a bill for an act relating to restricting the ability of a mortgage of agricultural land to remove soil and water conservation practices and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—5270 filed by the committee on Agriculture on March 6, 1986, to page 1 of the bill.

Senator Waldstein offered amendment S—5298 filed by him on March 11, 1986, to amendment S—5270 and moved its adoption.

Amendment S—5298 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—5270 as amended, which motion prevailed by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2119) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Murphy	Nystrom
Palmer	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Miller, A.V.	Miller, C.P.	Readerger	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2245.

Senate File 2245

On motion of Senator Welsh, Senate File 2245, a bill for an act relating to the sale of alcoholic liquor, wine, and beer by allowing the use of personal checks and traveler's checks for purchases at state liquor stores and agency stores and allowing the use of credit cards for purchases at agency stores, by providing for temporary liquor control licenses, wine permits, and beer permits, and by allowing a brewery to obtain a class "C" beer permit, was taken up for consideration.

Senator Horn offered amendment S—5327 filed by him on March 12, 1986, to page 4 of the bill.

Senator Welsh raised the point of order that amendment S—5327 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5327 out of order.

Senator Welsh offered amendment S—5337 filed by him from the floor to the title page of the bill and moved its adoption.

Amendment S—5337 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. 2245) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Goodwin	Gratias	Gronstal	Hall
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Murphy	Nystrom
Palmer	Priebe	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 4:

Dieleman	Gettings	Hester	Peterson
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Absent or not voting, 4:

Hannon	Miller, A.V.	Miller, C.P.	Readerger
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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 File 2246

On motion of Senator Husak, Senate File 2246, a bill for an act relating to suspensions or restrictions on water use under the state priority allocation plan, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2246) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gronstal	Hannon	Miller, A. V.	Miller, C.P.
Readinger			

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 2255.

Senate File 2255

On motion of Senator Priebe, Senate File 2255, a bill for an act permitting the inclusion of charges for credit unemployment insurance in consumer credit transactions under the Iowa consumer credit code, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2255) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester

Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Welsh

Nays, none.

Absent or not voting, 6:

Jensen	Miller, A.V.	Miller, C.P.	Readinger
Vande Hoef	Wells		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2256

On motion of Senator Welsh, Senate File 2256, a bill for an act related to the senate's review and confirmation of gubernatorial appointments, was taken up for consideration.

Senator Bruner offered amendment S—5303 filed by him on March 11, 1986, to page 1 of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—5303 and **Senate File 2256** be **deferred** for preparation of an amendment.

Senator Coleman took the chair at 10:08 a.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2259.

Senate File 2259

On motion of Senator Lind, Senate File 2259, a bill for an act relating to discussions of economic development plans by governmental bodies, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **Senate File 2259** be **deferred** for preparation of an amendment.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2264.

Senate File 2264

On motion of Senator Holden, Senate File 2264, a bill for an act relating to the notice requirements pertaining to the cancellation and nonrenewal of insurance other than life insurance, was taken up for consideration.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2264) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, A.V. Miller, C.P.

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 2262.

Senate File 2262

On motion of Senator Waldstein, Senate File 2262, a bill for an act relating to the approval of legal descriptions of parcels of land, was taken up for consideration.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2262) 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	Kinley	Lind
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Waldstein
Wells			

Nays, none.

Absent or not voting, 5:

Fraise	Miller, A.V.	Miller, C.P.	Vande Hoef
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2266.

Senate File 2266

On motion of Senator Deluhery, Senate File 2266, a bill for an act relating to electronic fund transfers, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2266** be **deferred**.

Senate File 2267

On motion of Senator Gronstal, Senate File 2267, a bill for an act relating to the powers of savings and loan associations, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2267) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Miller, A.V. Miller, C.P. Rife

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 2260.

Senate File 2260

On motion of Senator Small, Senate File 2260, a bill for an act relating to liens against mobile homes in mobile home parks for unpaid sums due under rental agreements, was taken up for consideration.

Senator Small offered amendment S—5341 filed by Senators Small and Doyle from the floor to page 1 of the bill and moved its adoption.

Amendment S—5341 was adopted by a voice vote.

Senator Holden offered amendment S—5284 filed by him on March 7, 1986, to page 2 and to the title page of the bill.

Senator Small raised the point of order that amendment S—5284 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5284 out of order because it deals with 2 different types of property.

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. 2260) the vote was:

Ayes, 46:

Boswell	Brown	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Jensen	Kinley	Lind	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Bruner

Voting present, 1:

Hutchins

Absent or not voting, 2:

Miller, A.V.

Miller, C.P.

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 2268.

Senate File 2268

On motion of Senator Priebe, Senate File 2268, a bill for an act relating to the industrial loan thrift guaranty corporation of Iowa, was taken up for consideration.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2268) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, A.V. Miller, C.P.

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 2272.

Senate File 2272

On motion of Senator Dieleman, Senate File 2272, a bill for an act removing the statutory limit on the length of time in which a person may be reinstated in the state merit system, 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. 2272) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Jensen	Miller, A.V.	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2134.

Senate File 2134

On motion of Senator Horn, Senate File 2134, a bill for an act relating to the granting or denial of parental or visitation time to a parent not awarded custody or physical care of a child, with report of committee recommending passage, was taken up for consideration.

Senator Horn offered amendment S—5338 filed by him from the floor to page 1 and to the title page of the bill.

Senator Gentleman raised the point of order that amendment S—5338 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5338 in order because the bill has language dealing with joint custody and the amendment defines joint custody.

Senator Horn moved the adoption of amendment S—5338.

A non record roll call was requested.

The ayes were 8, nays 25.

Amendment S—5338 lost.

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. 2134) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Boswell	Carr	Coleman	Colton
Dieleman	Doyle	Gettings	Gratias
Holt	Horn	Husak	Hutchins
Kinley	Mann	Murphy	Nystrom
Readinger	Rife	Riordan	Small
Taylor	Wells	Welsh	

Nays, 22:

Brown	Bruner	Corning	Deluhery
Drake	Fraise	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Hultman	Jensen	Lind	Peterson
Priebe	Ritsema	Schwengels	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 5:

Holden	Miller, A.V.	Miller, C.P.	Palmer
Soorholtz			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

Senate File 2273

On motion of Senator Brown, Senate File 2273, a bill for an act relating to the election of directors of a local school district, merged area, and area education agency, and providing an effective date, was taken up for consideration.

Senator Carr offered amendment S—5322 filed by him on March 11, 1986, to pages 1 and 14 of the bill and moved its adoption.

Amendment S—5322 was adopted by a voice vote.

Senator Brown offered amendment S—5340 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—5340 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2273** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 11, 1986, adopted the following concurrent resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 114, a concurrent resolution relating to the creation of an interim study committee relating to health care for the indigent population of Iowa.

This resolution was read first time and **passed on file**.

House Concurrent Resolution 122, a concurrent resolution requesting Governor Branstad to prevent the sending of Iowa National Guard units to Honduras.

This resolution was read first time and **passed on file**.

ALSO: That the House has on March 11, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2219, a bill for an act providing for optional payment by corporations subject to chapters 509, 514, and 514B for services performed by chiropractors, making corporations organized by chiropractors for establishing, maintaining, and operating a health care service plan subject to chapter 514 and requiring chapter 514 corporations and physician providers to establish utilization review programs for purposes of health care cost control.

This bill was read first time and **passed on file**.

House File 2226, a bill for an act relating to the licenses issued to landowners or tenants for the taking of deer and wild turkey.

This bill was read first time and **passed on file**.

House File 2293, a bill for an act relating to the definition of a transporter.

This bill was read first time and **passed on file**.

House File 2387, a bill for an act relating to energy management by school districts and merged area schools, requiring periodic energy audits, providing financial and technical assistance for energy conservation for school districts and merged area schools.

This bill was read first time and **passed on file**.

House File 2388, a bill for an act relating to statutory requirements for corporations and limited partnerships by revising provisions governing filings, fees, reports, service of process, and publication of notice.

This bill was read first time and **passed on file**.

House File 2390, a bill for an act relating to the regulation of insurance holding companies and providing for penalties.

This bill was read first time and **passed on file**.

House File 2397, a bill for an act relating to sanitary landfills.

This bill was read first time and **passed on file**.

House File 2402, a bill for an act relating to the election of judicial nominating commissioners and county magistrate appointing commissioners.

This bill was read first time and **passed on file.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:46 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 12, 1986, 3:37 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Palmer, Peterson, Priebe and Tieden.

Members Absent: Jensen (excused) and Nystrom.

Committee Business: Senate File 2270, as amended, failed recommendation for passage.

Adjourned: 4:15 p.m.

ENERGY AND ENVIRONMENT

Convened: March 12, 1986, 8:55 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Carr, Gronstal, A. Miller and Rife.

Members Absent: Brown, Hultman and Soorholtz.

Committee Business: Recommended passage of House File 2344.

Adjourned: 9:01 a.m.

JUDICIARY

Convened: March 12, 1986, 1:35 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Holt, Horn, Small and Taylor.

Members Absent: Hester.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 721 and 2067.

Adjourned: 2:00 p.m.

STATE GOVERNMENT

Convened: March 12, 1986, 2:44 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Welsh, Bruner, Horn, Mann, Coleman, C. Miller, Drake, Gentleman, Corning and Schwengels.

Members Absent: Nystrom, Ranking Member and Rife.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2110, 2158 and 2349.

Adjourned: 2:59 p.m.

AMENDMENTS FILED

S—5337	S. F.	2245	Joe Welsh
S—5338	S. F.	2134	Wally E. Horn
S—5339	S. F.	2256	Julia Gentleman
S—5340	S. F.	2273	Joe Brown
S—5341	S. F.	2260	Arthur A. Small, Jr. Donald V. Doyle
S—5342	S. F.	2275	Donald V. Doyle
S—5343	S. F.	2252	Ray Taylor
S—5344	H.F.	2160	Emil J. Husak Jack Rife
S—5345	S. F.	2035	Arne Waldstein

AFTERNOON SESSION

The Senate reconvened at 4:35 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Welsh presiding.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2197, a bill for an act relating to gambling by making changes in the operation of the state lottery and the Iowa lottery agency, the use of tickets, making certain acts relating to lottery tickets or shares illegal, providing penalties, and providing for an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Carr, Nystrom, C. Miller, Horn, Coleman, Drake, Rife, Gentleman and Welsh. Nays, 4: Dieleman, Mann, Bruner and Corning. Absent or not voting, 1: Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **House File 2197** be referred to the committee on **Appropriations**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Carr presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows for the remainder of the day:

Senators Readinger and Vande Hoef on request of Senator Hultman; Senators Miller of Des Moines and Small on request of Senator Hutchins; Senator Kinley on request of Senator Palmer; and Senator Gratias on request of Senator Holden.

INTRODUCTION OF BILL

Senate File 2284, by Committee on Ways and Means, a bill for an act exempting trailers and semitrailers registered under chapter 326 and ships, barges, and waterborne vessels used primarily for transporting property or cargo for hire from the state use tax.

Read first time and **placed on the Ways and Means Calendar**.

BUSINESS PENDING

Senate File 2256

The Senate resumed consideration of Senate File 2256 and amendment S—5303 by Senator Bruner to page 1 of the bill, previously deferred.

Senator Gentleman offered amendment S—5339 filed by her from the floor to amendment S—5303.

Senator Dieleman called for a division of amendment S—5339 to amendment S—5303: lines 3 and 4 as division S—5339A and lines 5 through 8 as division S—5339B.

On motion of Senator Gentleman, divisions S—5339A and S—5339B to amendment S—5303 were adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5303 as amended.

A record roll call was requested.

On the question "Shall amendment S—5303 as amended be adopted?" (S.F. 2256) the vote was:

Ayes, 17:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Gettings	Gronstal	Hannon	Hutchins
Mann	Murphy	Palmer	Riordan
Welsh			

Nays, 27:

Coleman	Corning	Drake	Fraise
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Jensen	Lind	Nystrom
Peterson	Priebe	Rife	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Absent or not voting, 6:

Gratias	Kinley	Miller, A.V.	Miller, C.P.
Readinger	Small		

Amendment S—5303 as amended lost.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2256** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2275.

Senate File 2275

On motion of Senator Doyle, Senate File 2275, a bill for an act to require lenders or secured parties to provide debtors with copies of documents relating to the debt, was taken up for consideration.

Senator Doyle offered amendment S—5342 filed by him from the floor to page 1 and the title page of the bill.

Senator Holden raised the point of order that amendment S—5342 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5342 out of order because it goes beyond the scope of the bill and amends the title.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2275) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Gratias	Kinley	Miller, A.V.	Miller, C.P.
Readinger	Small		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.C.R.	113	Rules and Administration
H.F.	2019	Local Government
H.F.	2167	Education
H.F.	2189	State Government
H.F.	2208	Natural Resources
H.F.	2216	State Government
H.F.	2286	Education
H.F.	2337	Commerce
H.F.	2347	Judiciary
H.F.	2376	Energy and Environment
H.F.	2378	Agriculture
H.F.	2379	Agriculture
H.F.	2384	Commerce
H.F.	2386	Human Resources
H.F.	2395	Local Government
H.F.	2400	Small Business and Economic Development

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2163, a bill for an act relating to unclaimed winnings from pari-mutuel betting.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-5347.

Final Vote: Ayes, 14: Welsh, Tieden, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Readinger and Ritsema. Nays, none. Absent or not voting, 4: Small, Colton, Murphy and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2380, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1985 and ending June 30, 1986 and making the Act effective upon publication.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Tieden, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Readinger and Ritsema. Nays, none. Absent or not voting, 4: Small, Colton, Murphy and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 106, a bill for an act to provide a specific exemption to the sales and use tax relative to gross receipts from the sale of automotive fluids and providing retroactive effect.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5354.

Final Vote: Ayes, 13: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gronstal, Holden, Holt, Mann, Riordan and Soorholtz. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2284, a bill for an act exempting trailers and semitrailers registered under chapter 326 and ships, barges, and waterborne vessels used primarily for transporting property or cargo for hire from the state use tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gronstal, Holden, Holt, Mann, Riordan and Soorholtz. Nays, none. Absent or not voting, 2: Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2134 failed to pass the Senate on March 13, 1986.

CHARLES BRUNER

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 13, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 276 — Relating to the jurisdiction of district associate judges.

Senate File 326 — Relating to the selection of official newspapers.

Senate File 2051 — Relating to the attachment of child and spousal support liens to real property and providing a retroactive effective date.

Senate File 2124 — Relating to the appointment of a district associate judge in lieu of magistrates.

AMENDMENTS FILED

S—5346	S. F.	2273	John A. Peterson
S—5347	S. F.	2163	Appropriations
S—5348	H. F.	2197	William W. Dieleman
S—5349	S. F.	2082	Calvin O. Hultman
S—5350	S. F.	2082	Calvin O. Hultman
S—5351	S. F.	2137	Arne Waldstein James R. Riordan
S—5352	S. F.	2248	James R. Riordan
S—5353	S. F.	2057	Edgar H. Holden
S—5354	S. F.	106	Ways and Means
S—5355	S. F.	2134	Charles Bruner
S—5356	S. F.	2259	Julia Gentleman Edgar H. Holden James Lind

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:58 p.m., until 10:00 a.m., Monday, March 17, 1986.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 17, 1986

The Senate met in regular session at 10:01 a.m., President Anderson presiding.

Prayer was offered by Dr. Thurman Rynbrandt, pastor of the First Reformed Church, Sioux Center, Iowa.

The Journal of Thursday, March 13, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery for the day on request of Senator Hutchins and Senator Corning for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 6, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 665, a bill for an act relating to the operation of motorboats.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 11, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2393, a bill for an act authorizing cities and counties to establish civil penalties for violations of ordinances.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 12, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2098, a bill for an act to prohibit the abandonment of dogs and cats and providing a penalty.

This bill was read first time and **passed on file**.

House File 2128, a bill for an act relating to the residency of a township clerk.

This bill was read first time and **passed on file**.

House File 2204, a bill for an act relating to the placement of appropriate highway signs and other highway information devices along primary roads and interstate highways to guide traffic to tourist attractions by the state department of transportation.

This bill was read first time and **passed on file**.

House File 2222, a bill for an act relating to the number of state officers or employees required to request payroll deduction for purposes of purchasing insurance.

This bill was read first time and **passed on file**.

House File 2280, a bill for an act relating to violations of child custody orders and making penalties applicable.

This bill was read first time and **passed on file**.

House File 2319, a bill for an act relating to the sale of unused right of way by the county board of supervisors.

This bill was read first time and **passed on file**.

House File 2403, a bill for an act relating to the operation of city civil service commissions.

This bill was read first time and **passed on file**.

House File 2405, a bill for an act relating to the administration of the local police and fire retirement systems.

This bill was read first time and **passed on file**.

House File 2415, a bill for an act relating to the effect of expiration of a writ of execution in garnishment proceedings.

This bill was read first time and **passed on file**.

House File 2416, a bill for an act relating to the filing of a surety bond or depositing of moneys or securities with the department of job service by a nonprofit organization electing to become a reimbursable employer under the unemployment compensation law.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 13, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2330, a bill for an act to allow the registration of trailers and semitrailers for a period of six registration years.

This bill was read first time and **passed on file**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 2078

On motion of Senator Boswell, Senate File 2078, a bill for an act relating to cooperative associations, with report of committee recommending passage, was taken up for consideration.

Senator Boswell offered amendment S—5316 filed by him on March 11, 1986, to pages 1, 2, 4, 5 and 6 of the bill.

Senator Boswell offered amendment S—5357 filed by him from the floor to amendment S—5316 and moved its adoption.

Amendment S—5357 was adopted by a voice vote.

Senator Boswell moved the adoption of amendment S—5316 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5316 as amended, the Chair ruled amendment S—5211 filed by Senator Boswell on February 25, 1986, to page 6 of the bill, out of order.

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. 2078) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Colton	Dieleman	Doyle	Drake
Gentleman	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 2:

Fraise Gettings

Voting present, 1:

Coleman

Absent or not voting, 5:

Corning	Deluhery	Small	Soorholtz
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2062

On motion of Senator Boswell, Senate File 2062, a bill for an act relating to membership sales, by exempting cooperatives organized under chapter 499, with report of committee recommending passage, was taken up for consideration.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2062) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Corning	Deluhery	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.

UNFINISHED BUSINESS (Deferred March 10, 1986)

Senate File 2072

The Senate resumed consideration of Senate File 2072, a bill for an act to require the certification of sanitary landfill operators and providing a penalty, and amendment S—5239 by the committee on Energy and Environment, deferred on March 10, 1986.

Senator Murphy moved the adoption of amendment S—5239 to page 1 of the bill, which motion prevailed by a voice vote.

Senator Hultman raised the point of order that Senate File 2072 should be referred to the committee on Appropriations under Senate Rule 38.

The Chair ruled the point well taken and **Senate File 2072** was referred to the committee on **Appropriations** under Senate Rule 38.

UNFINISHED BUSINESS
(Deferred March 11, 1986)

Senate File 132

The Senate resumed consideration of Senate File 132, a bill for an act relating to the eligible amount which can be spent on educational improvement projects by a school district and providing an effective date, deferred on March 11, 1986.

Senator Riordan asked and received unanimous consent that action on **Senate File 132** be **deferred** for preparation of an amendment.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2231.

Senate File 2231

On motion of Senator Husak, Senate File 2231, a bill for an act relating to the right to first refusal allowed to immediately prior owners of agricultural land held by state banks, was taken up for consideration.

Senator Waldstein offered amendment S—5331 filed by Senators Waldstein and Priebe on March 12, 1986, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5331 was adopted by a voice vote.

President pro tempore Wells took the chair at 11:05 a.m.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2231) the vote was:

Ayes, 47:

Boswell
Coleman

Brown
Colton

Bruner
Dieleman

Carr
Doyle

Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Corning	Deluhery	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.

AMENDMENT WITHDRAWN

Senator Riordan withdrew amendment S—5352 to Senate File 2248 filed by him on March 13, 1986, to page 1 of the bill.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2239.

Senate File 2239

On motion of Senator Taylor, Senate File 2239, a bill for an act to legalize the purchase of certain property by the Hardin county conservation board, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2239) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle

Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Readinger
Rife	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 2:

Fraise	Priebe
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Absent or not voting, 5:

Corning	Deluhery	Hester	Mann
Small			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2247.

Senate File 2247

On motion of Senator Gentleman, Senate File 2247, a bill for an act relating to the disclosure of mental health information and providing an effective date, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **Senate File 2247** be **deferred** for preparation of an amendment.

UNFINISHED BUSINESS (Deferred March 13, 1986)

Senate File 2256

The Senate resumed consideration of Senate File 2256, a bill for an act related to the senate's review and confirmation of gubernatorial appointments, deferred on March 13, 1986.

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. 2256) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Riordan	Small	Soorholtz
Wells	Welsh		

Nays, 22:

Drake	Gentleman	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 2:

Corning	Deluhery
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 11, 1986)

Senate File 323

The Senate resumed consideration of Senate File 323, a bill for an act to establish a program for the coordination of media services at the capitol complex in the department of General Services, deferred March 11, 1986.

Senator Husak asked and received unanimous consent that action on **Senate File 323** be deferred.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2172.

Senate File 2172

On motion of Senator Readinger, Senate File 2172, a bill for an act relating to the certificate of need process regarding organ or tissue transplant services and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—5264 filed by the committee on Human Resources on March 5, 1986, to page 1 of the bill.

Senator Readinger offered amendment S—5291 filed by him on March 10, 1986, to amendment S—5264 and moved its adoption.

Amendment S—5291 was adopted by a voice vote.

Senator Hannon moved the adoption of amendment S—5264 as amended, which motion prevailed by a voice vote.

Senator Readinger offered amendment S—5292 filed by him on March 10, 1986, to page 1 of the bill.

Senator Bruner offered amendment S—5319 filed by Senators Bruner and Horn on March 11, 1986, to amendment S—5292 and moved its adoption.

Amendment S—5319 was adopted by a voice vote.

Senator Readinger moved the adoption of amendment S—5292 as amended, which motion prevailed by a voice vote.

Senator Readinger moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2172) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Drake	Fraise
Gentleman	Gronstal	Hannon	Hester
Horn	Hultman	Hutchins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rife	Riordan	Small
Soorholtz	Tieden	Waldstein	Wells
Welsh			

Nays, 12:

Doyle	Gettings	Goodwin	Hall
Holden	Holt	Jensen	Priebe
Ritsema	Schwengels	Taylor	Vande Hoef

Absent or not voting, 5:

Corning	Deluhery	Dieleman	Gratias
Husak			

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

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 1986, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 112, a resolution extending congratulations and giving special recognition to veterans of the China-Burma-India theater of operations during World War II.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:59 a.m., until 2:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 2224

WAYS AND MEANS: Holden, Chair; Gronstal and Mann

Senate File 2229

WAYS AND MEANS: Palmer, Chair; Gratias, and Husak

Senate File 2244

WAYS AND MEANS: Mann, Chair; Riordan and Hester

SSB 2215

WAYS AND MEANS: Gronstal, Chair; Riordan, Brown, Readinger and Holden

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.C.R.	114	Rules and Administration
H.C.R.	122	Rules and Administration
H.F.	2035	Local Government
H.F.	2082	Local Government
H.F.	2219	Commerce
H.F.	2226	Natural Resources
H.F.	2293	Transportation
H.F.	2317	Agriculture
H.F.	2370	Local Government
H.F.	2388	Commerce
H.F.	2389	Local Government
H.F.	2397	Energy and Environment

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 17, 1986, when the final vote was taken on Senate File 2172.

Had I been present, I would have voted "aye" on this bill.

WILLIAM W. DIELEMAN

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 13, 1986, 1:37 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Readinger and Ritsema.

Members Absent: Small, Vice Chair; Colton, Murphy and Schwengels.

Committee Business: Recommended passage of Senate File 2163 as amended; recommended passage of House File 2380.

Recessed: 2:05 p.m.

Reconvened: 4:48 p.m.

Adjourned: 5:07 p.m.

STATE GOVERNMENT

Convened: March 13, 1986, 2:48 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Rife, C. Miller, Coleman, Welsh, Horn, Mann, Drake, Corning, Gentleman and Bruner.

Members Absent: Schwengels.

Committee Business: Recommended passage of House File 2197.

Adjourned: 3:14 p.m.

WAYS AND MEANS

Convened: March 13, 1986, 3:40 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner (arrived 3:45 p.m.), Dieleman, Gronstal, Holden (arrived 3:45 p.m.), Holt, Mann (arrived 3:45 p.m.), Riordan and Soorholtz.

Members Absent: Gratias (excused) and Readinger.

Committee Business: Assigned bills to subcommittees; amended and approved SSB 2164 as a committee bill; recommended passage of Senate File 106 as amended; discussed and deferred action on Senate File 2144.

Adjourned: 3:55 p.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary to 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 17th day of March, 1986:

Senate Files 120, 199 and 432.

ANN VER HEUL
Parliamentarian

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2062 passed the Senate on March 17, 1986.

EMIL J. HUSAK

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2078 passed the Senate on March 17, 1986.

EMIL J. HUSAK

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2245 passed the Senate on March 13, 1986.

CALVIN O. HULTMAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Mary Huggins and Paul Linn. Senator Gentleman.

AMENDMENTS FILED

S—5357	S. F.	2078	Leonard Boswell
S—5358	H. F.	2380	Calvin O. Hultman
S—5359	H. F.	2387	Charles Bruner
S—5360	S. F.	2281	Charles Bruner
S—5361	S. F.	2225	Arthur A. Small, Jr.
S—5362	H. F.	2197	Calvin O. Hultman
S—5363	S. F.	84	Douglas Ritsema
S—5364	S. F.	2057	Douglas Ritsema
S—5365	H. F.	2380	Joe Welsh
S—5366	H. F.	2380	Dale L. Tieden
S—5367	H. F.	2390	Michael E. Gronstal
S—5368	S. F.	2114	Joe Welsh
			Leonard L. Boswell
			John N. Nystrom
			Jack Rife
S—5369	S. F.	2263	Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 2:31 p.m., President pro tempore Wells presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 33 present, 17 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Anderson presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

CONSIDERATION OF BILL
(Regular Calendar)**Senate File 2199**

On motion of Senator Taylor, Senate File 2199, a bill for an act relating to the adjusting of the foundation property tax levy of reorganized school districts, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Taylor offered amendment S—5223 filed by the committee on Education on February 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5223 was adopted by a voice vote.

Senator Carr asked and received unanimous consent that action on **Senate File 2199** be **deferred** for preparation of a fiscal note.

UNFINISHED BUSINESS
(Deferred March 11, 1986)

Senate File 2235

The Senate resumed consideration of Senate File 2235, a bill for an act relating to the sale of alcoholic liquor and wine by allowing special retailers to sell alcoholic liquor in areas which are not adequately served by state liquor stores and by limiting the sale of wine by the beer and liquor control department to sale at retail, deferred on March 11, 1986.

Senator Horn offered amendment S—5308 filed by Senators Horn and Drake on March 11, 1986, to pages 3, 6 and 13 of the bill.

Senator Horn offered amendment S—5328 filed by him on March 12, 1986, to amendment S—5308 and moved its adoption.

Amendment S—5328 was adopted by a voice vote.

Senator Dieleman raised the point of order that amendment S—5308 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5308 as amended in order because the amendment further defined the requirements for a special retailers license.

Senator Horn moved the adoption of amendment S—5308 as amended, which motion prevailed by a voice vote.

Senator Horn offered amendment S—5372 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—5372 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. 2235) the vote was:

Ayes, 31:

Boswell
Colton

Brown
Doyle

Bruner
Drake

Carr
Fraise

Gentleman	Gettings	Gronstal	Hall
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Small	Tieden	Welsh	

Nays, 14:

Coleman	Dieleman	Goodwin	Gratias
Hester	Holden	Holt	Jensen
Ritsema	Schwengels	Soorholtz	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 5:

Corning	Deluhery	Hannon	Mann
Wells			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 2263.

Senate File 2263

On motion of Senator Murphy, Senate File 2263, a bill for an act relating to certain loan and grant programs administered by the college aid commission and providing an effective date, was taken up for consideration.

Senator Murphy offered amendment S—5369 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5369 lost by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2263) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Tieden	Wells	Welsh

Nays, 6:

Hester	Holden	Holt	Jensen
Taylor	Vande Hoef		

Absent or not voting, 4:

Corning	Deluhery	Hannon	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husak asked and received unanimous consent to take up out of order Senate File 2205.

Senate File 2205

On motion of Senator Taylor, Senate File 2205, a bill for an act to provide for maintaining the supplementary weighting funding for school districts that reorganize, with report of committee recommending passage, was taken up for consideration.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2205) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hester	Holden	Holt	Horn

Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Corning	Deluhery	Hannon	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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hannon after 3:30 p.m. on request of Senator Hutchins.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

House File 466

(Reassigned)

STATE GOVERNMENT: Coleman, Chair; Dieleman and Drake

House File 2208

NATURAL RESOURCES: Riordan, Chair; Gratias and Tieden

House File 2240

NATURAL RESOURCES: Hester, Chair; Goodwin and Husak

PETITIONS

The following petitions were presented and placed on file by:

Senator Drake from one hundred four residents of Muscatine County opposing legislation authorizing auto dealers to sell automobiles on Sunday.

Senator Hutchins from two hundred sixteen residents of Iowa favoring individual sponsorship of the minimum pricing bill.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2078 passed the Senate on March 17, 1986.

LEONARD L. BOSWELL

AMENDMENTS FILED

S-5370	S.F.	2261	Beverly A. Hannon
S-5371	S.F.	2273	Joe Brown
S-5372	S.F.	2235	Wally E. Horn

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:00 p.m., until 10:00 a.m., Tuesday, March 18, 1986.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
 FORTY-FIRST SESSION DAY

Senate Chamber
 Des Moines, Iowa, Tuesday, March 18, 1986

The Senate met in regular session at 10:06 a.m., President Anderson presiding.

Prayer was offered by the Reverend Ralph Andersen, pastor of the First Lutheran Church, Ottumwa, Iowa.

The Journal of Monday, March 17, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Des Moines for the morning and Senator Hall for the day on request of Senator Hutchins; Senator Corning for the day on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 14, 1986, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2351, a bill for an act relating to the Iowa family farm development authority, by changing the name of the authority to the agricultural development authority, by empowering the authority to undertake agricultural producer financial assistance programs, and providing for an effective date.

House File 2353, a bill for an act relating to the Iowa family farm development authority, by providing for an agricultural loan assistance program, providing for the adoption of penalties, making an appropriation, and providing for an effective date.

ALSO: That the House has on March 14, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2235, a bill for an act relating to the regulation of vicious dogs and providing a penalty and an effective date.

This bill was read first time and **passed on file**.

House File 2239, a bill for an act relating to criminal offenses committed against or with children and to court testimony by children.

This bill was read first time and **passed on file**.

House File 2252, a bill for an act relating to the proving of paternity for purposes of inheritance.

This bill was read first time and **passed on file**.

House File 2345, a bill for an act relating to drainage districts.

This bill was read first time and **passed on file**.

House File 2348, a bill for an act relating to water sold in sealed containers for human consumption and making penalties applicable.

This bill was read first time and **passed on file**.

House File 2401, a bill for an act establishing a state management training program and a management training revolving fund.

This bill was read first time and **passed on file**.

House File 2407, a bill for an act relating to the sale, lease, or disposal of property of a school corporation.

This bill was read first time and **passed on file**.

House File 2409, a bill for an act relating to the visitation rights of grandparents.

This bill was read first time and **passed on file**.

House File 2412, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used and providing an effective date.

This bill was read first time and **passed on file**.

House File 2414, a bill for an act relating to hunting and fishing.

This bill was read first time and **passed on file**.

House File 2417, a bill for an act relating to the regulation of stairway chair lifts and wheelchair lifts, and making penalties applicable.

This bill was read first time and **passed on file**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2235** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2238.

Senate File 2238

On motion of Senator Gronstal, Senate File 2238, a bill for an act relating to the regulation of insurance holding companies and providing for penalties, was taken up for consideration.

Senator Gronstal offered amendment S—5326 filed by him on March 12, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5326 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that **House File 2390** be **substituted** for **Senate File 2238** as amended.

Senator Gronstal asked and received unanimous consent that action on **House File 2390** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2254.

Senate File 2254

On motion of Senator Gronstal, Senate File 2254, a bill for an act relating to the Iowa insurance guaranty association, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that **House File 2354** be substituted for **Senate File 2254**.

Senator Gronstal asked and received unanimous consent that action on **House File 2354** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2225.

Senate File 2225

On motion of Senator Small, Senate File 2225, a bill for an act relating to the election of county magistrate appointing commissioners, was taken up for consideration.

Senator Small offered amendment S—5361 filed by him on March 17, 1986, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—5361 was adopted by a voice vote.

Senator Small asked and received unanimous consent that **House File 2402** be substituted for **Senate File 2225** as amended.

Senator Small asked and received unanimous consent that action on **House File 2402** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2281.

Senate File 2281

On motion of Senator Bruner, Senate File 2281, a bill for an act relating to energy management by school districts and merged area schools, requiring energy audits and providing financial and

technical assistance for school districts and merged area schools to achieve energy conservation, was taken up for consideration.

Senator Bruner offered amendment S—5360 filed by him on March 17, 1986, to strike everything after the enacting clause of the bill.

Senator Hultman asked and received unanimous consent that action on amendment S—5360 and **Senate File 2281** be **deferred**.

BILL REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that **Senate File 2199** be referred from the Unfinished Business Calendar to the committee on **Appropriations**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2261.

Senate File 2261

On motion of Senator Hannon, Senate File 2261, a bill for an act to provide a procedure for the accreditation of school districts and nonpublic schools, was taken up for consideration.

Senator Hannon offered amendment S—5370 filed by her on March 17, 1986, to pages 2 and 4 of the bill and moved its adoption.

Amendment S—5370 was adopted by a voice vote.

Senator Small asked and received unanimous consent that action on **Senate File 2261** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2248.

Senate File 2248

On motion of Senator Bruner, Senate File 2248, a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **Senate File 2248** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2253.

Senate File 2253

On motion of Senator Deluhery, Senate File 2253, a bill for an act relating to municipally owned utilities, was taken up for consideration.

Senator Jensen offered amendment S—5373 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5373 was adopted by a voice vote.

With the adoption of amendment S—5373, the Chair ruled amendment S—5301 filed by Senator Jensen on March 11, 1986, to page 1 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?” (S.F. 2253) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Corning	Hall	Miller, A.V.	Miller, C.P.
Small	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 2281

The Senate resumed consideration of Senate File 2281 and amendment S—5360 to strike everything after the enacting clause of the bill, previously deferred.

Senator Bruner moved the adoption of amendment S—5360, which motion prevailed by a voice vote.

Senator Bruner offered amendment S—5375 filed by him from the floor to the title page of the bill and moved its adoption.

Amendment S—5375 was adopted by a voice vote.

Senator Bruner asked and received unanimous consent that **House File 2387** be substituted for **Senate File 2281** as amended.

Senator Bruner asked and received unanimous consent that action on **House File 2387** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

MOTION TO RECONSIDER ADOPTED

Senator Bruner called up the motion to reconsider Senate File 2134 filed by him on March 13, 1986, found on page 726 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2134) the vote was:

Ayes, 32:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hester	Holden
Holt	Horn	Hutchins	Kinley

Mann	Nystrom	Palmer	Peterson
Priebe	Readinger	Riordan	Schwengels
Soorholtz	Taylor	Wells	Welsh

Nays, 10:

Gentleman	Hannon	Hultman	Jensen
Lind	Murphy	Rife	Ritsema
Tieden	Vande Hoef		

Absent or not voting, 8:

Coleman	Corning	Hall	Husak
Miller, A.V.	Miller, C.P.	Small	Waldstein

The motion prevailed.

Senator Bruner moved to reconsider the vote by which Senate File 2134 went to its last reading, which motion prevailed by a voice vote.

Senate File 2134

On motion of Senator Bruner, Senate File 2134, a bill for an act relating to the granting or denial of parental or visitation time to a parent not awarded custody or physical care of a child, was taken up for reconsideration.

Senator Bruner offered amendment S—5355 filed by him on March 13, 1986, to page 1 of the bill.

Senator Ritsema asked and received unanimous consent that action on amendment S—5355 and **Senate File 2134** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 476.

Senate File 476

On motion of Senator Mann, Senate File 476, a bill for an act to prohibit the relinquishment of prior seniority rights as a condition of employment, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 476) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hannon	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Schwengels
Small	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 4:

Hester	Holt	Ritsema	Vande Hoef
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Absent or not voting, 3:

Corning	Hall	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2269.

Senate File 2269

On motion of Senator Murphy, Senate File 2269, a bill for an act relating to the education of certain children by private instruction or in nonpublic schools through a home instruction assistance program, was taken up for consideration.

Senator Taylor offered amendment S—5379 filed by him from the floor to strike everything after the enacting clause of the bill.

(Senate File 2269 and amendment S—5379 pending on recess).

MOTION TO RECONSIDER WITHDRAWN**Senate File 2083**

Senator Carr withdrew the motion to reconsider Senate File 2083, a bill for an act repealing the energy conservation improvement pilot programs and providing an effective date, filed by him on March 3, 1986, and found on page 510 of the Senate Journal.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2189** be referred from the Ways and Means Calendar to the committee on **Appropriations**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:10 p.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.F.	665	Natural Resources
H.F.	2098	Judiciary
H.F.	2128	Local Government
H.F.	2204	Transportation
H.F.	2222	State Government
H.F.	2280	Judiciary
H.F.	2319	Local Government
H.F.	2330	Transportation
H.F.	2393	Local Government
H.F.	2403	Local Government
H.F.	2405	Local Government
H.F.	2415	Judiciary
H.F.	2416	Labor and Industrial Relations

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2119, the following technical corrections were made:

1. Page 1, line 14, "commisioners" was changed to "commissioners".
2. Page 1, line 2 of amendment S—5270, should have read: "1. Page 1, by striking lines 3 through 10 and".

K. MARIE THAYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 116

RULES AND ADMINISTRATION: Gettings, Chair; Gronstal and Jensen

Senate File 2072

APPROPRIATIONS: Murphy, Chair; Schwengels and Gronstal

House Concurrent Resolution 113

RULES AND ADMINISTRATION: Gettings, Chair; Gronstal and Jensen

House File 2019

LOCAL GOVERNMENT: Wells, Chair; Hall and Goodwin

House File 2035

LOCAL GOVERNMENT: Waldstein, Chair; Fraise and Lind

House File 2082

LOCAL GOVERNMENT: Vande Hoef, Chair; Priebe and A. Miller

House File 2128

LOCAL GOVERNMENT: Waldstein, Chair; Vande Hoef and Wells

House File 2204

TRANSPORTATION: Gettings, Chair; Hall and Nystrom

House File 2293

TRANSPORTATION: Nystrom, Chair; Jensen and Kinley

House File 2319

LOCAL GOVERNMENT: Priebe, Chair; Wells and Lind

House File 2330

TRANSPORTATION: Jensen, Chair; Goodwin and Kinley

House File 2347

JUDICIARY: Coleman, Chair; Hester and Doyle

House File 2370

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Wells

House File 2374

LOCAL GOVERNMENT: A. Miller, Chair; Wells and Lind

House File 2389

LOCAL GOVERNMENT: Wells, Chair; Waldstein and Fraise

House File 2393

LOCAL GOVERNMENT: A. Miller, Chair; Lind and Wells

House File 2395

LOCAL GOVERNMENT: Goodwin, Chair; C. Miller and Wells

House File 2403

LOCAL GOVERNMENT: A. Miller, Chair; Hall and Lind

House File 2405

LOCAL GOVERNMENT: Wells, Chair; Goodwin and Hall

REPORT OF COMMITTEE MEETING**APPROPRIATIONS**

Convened: March 17, 1986, 2:47 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: Deluhery (excused).

Committee Business: Recommended passage of House File 2197 as amended.

Recessed: 2:59 p.m.

Reconvened: 3:11 p.m.

Adjourned: 3:49 p.m.

PROOF OF PUBLICATION

Published copy of Senate File 2276 and verified proof of publication of said bill in the Iowa City Press-Citizen, a newspaper published in Johnson County, Iowa, on March 5, 1986, was filed with the Secretary of the Senate prior to the time said bill was placed on passage in 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 18th day of March, 1986:

Senate Files 540, 2166 and 2152.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2197, a bill for an act relating to gambling by making changes in the operation of the state lottery and the Iowa lottery agency, the use of lottery tickets, making certain acts relating to lottery tickets or shares illegal, providing penalties, and providing for an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5378.

Final Vote: Ayes, 10: Welsh, Colton, Gettings, Gronstal, Horn, Husak, C. Miller, Murphy, Readinger and Lind. Nays, 6: Small, Tieden, Dieleman, Holt, Ritsema and Schwengels. Absent or not voting, 2: Deluhery and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2347, a bill for an act relating to the definition of the term "felony" for purposes of the law relating to possession of weapons, and affecting penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor. Nays, none. Absent or not voting, 2: Deluhery and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2026, a bill for an act related to the appointment of county deputies, assistants, and clerks.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Waldstein, Fraise, Goodwin, Lind, Vande Hoef and Wells. Nays, none. Absent or not voting, 3: C. Miller, Priebe and Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Students from the Prescott Community School District, accompanied by Dr. Russell Mahaffey, Superintendent, the guests of Senator Boswell. Among the students was Rish Scumi, exchange student from Switzerland attending Prescott High School.

AMENDMENTS FILED

S—5373	S. F.	2253	John W. Jensen
S—5374	H. F.	2387	Charles Bruner
S—5375	S. F.	2281	Charles Bruner
S—5376	S. F.	2163	Berl E. Priebe
S—5377	H. F.	2380	Edgar H. Holden
S—5378	H. F.	2197	Appropriations
S—5379	S. F.	2269	Ray Taylor
S—5380	S. F.	2245	Calvin O. Hultman
S—5381	S. F.	2134	Douglas Ritsema
S—5382	S. F.	2269	James R. Riordan
S—5383	S. F.	2273	John A. Peterson Joe Brown
S—5384	S. F.	2163	Joe J. Welsh
S—5385	S. F.	2269	William W. Dieleman

AFTERNOON SESSION

The Senate reconvened at 4:34 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 39 present, 11 absent and a quorum present.

BUSINESS PENDING

Senate File 2269

The Senate resumed consideration of Senate File 2269 and amendment S—5379 by Senator Taylor to strike everything after the enacting clause of the bill, pending on recess.

President pro tempore Wells took the chair at 5:10 p.m.

President Anderson took the chair at 5:27 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Small for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 2269

The Senate resumed consideration of Senate File 2269 and amendment S—5379.

Senator Taylor moved the adoption of amendment S—5379.

A record roll call was requested.

On the question "Shall amendment S—5379 be adopted?" (S.F. 2269) the vote was:

Ayes, 21:

Dieleman	Drake	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Kinley	Lind	Nystrom
Palmer	Priebe	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 25:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Fraise
Gentleman	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Peterson
Readinger	Rife	Riordan	Wells
Welsh			

Absent or not voting, 4:

Corning	Doyle	Hall	Small
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Amendment S—5379 lost.

Senator Riordan offered amendment S—5382 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5382 was adopted by a voice vote.

Senator Dieleman offered amendment S—5385 filed by him from the floor to page 6 of the bill.

Senator Murphy raised the point of order that amendment S—5385 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5385 out of order.

Senator Dieleman asked unanimous consent that action on Senate File 2269 be deferred.

Senator Dieleman withdrew his request.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2269) the vote was:

Ayes, 32:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hester	Hultman	Husak
Hutchins	Kinley	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Priebe
Readinger	Riordan	Ritsema	Soorholtz
Vande Hoef	Waldstein	Wells	Welsh

Nays, 14:

Brown	Carr	Colton	Hannon
Holden	Holt	Horn	Jensen
Lind	Peterson	Rife	Schwengels
Taylor	Tieden		

Absent or not voting, 4:

Corning	Hall	Miller, C.P.	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2269** be **immediately messaged** to the House.

BILLS REFERRED FROM COMMITTEE TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2265** be referred from the committee on **Judiciary** to the committee on **Commerce**.

Senator Hutchins asked and received unanimous consent that **Senate File 2278** be referred from the committee on **Commerce** to the committee on **Judiciary**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2380.

House File 2380

On motion of Senator Welsh, House File 2380, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1985 and ending June 30, 1986 and making the Act effective upon publication, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5377 filed by him from the floor to pages 2 through 6 of the bill and called for a division: lines 3 and 4 as division S—5377A; line 5 as division S—5377B; lines 6 through 9 as division S—5377C and lines 10 and 11 as division S—5377D.

Senator Holden withdrew division S—5377D.

Senator Holden moved the adoption of division S—5377A.

A record roll call was requested.

On the question “Shall division S—5377A be adopted?” (H.F. 2380) the vote was:

Ayes, 9:

Gentleman	Hannon	Holden	Holt
Jensen	Lind	Ritsema	Schwengels
Waldstein			

Nays, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hester
Horn	Hultman	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Absent or not voting, 3:

Corning	Hall	Small
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Division S—5377A lost.

Senator Holden moved the adoption of division S—5377B.

A record roll call was requested.

On the question “Shall division S—5377B be adopted?” (H.F. 2380) the vote was:

Ayes, 20:

Drake	Gettings	Gratias	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Peterson	Priebe
Readinger	Rife	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Goodwin
Gronstal	Hannon	Horn	Husak
Hutchins	Kinley	Mann	Miller, A.V.
Murphy	Palmer	Riordan	Schwengels
Wells	Welsh		

Absent or not voting, 4:

Corning	Hall	Miller, C.P.	Small
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Division S—5377B lost.

Senator Holden moved the adoption of division S—5377C, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—5365 filed by him on March 17, 1986, to page 6 of the bill and moved its adoption.

Amendment S—5365 was adopted by a voice vote.

Senator Hultman offered amendment S—5358 filed by him on March 17, 1986, to page 6 of the bill.

Senator Welsh raised the point of order that amendment S—5358 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5358 out of order.

Senator Tieden offered amendment S—5366 filed by him on March 17, 1986, to page 6 of the bill and moved its adoption.

Amendment S—5366 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?” (H.F. 2380) the vote was:

Ayes, 29:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gratias	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Tieden	Wells
Welsh			

Nays, 16:

Drake	Gentleman	Goodwin	Hester
Holden	Holt	Hultman	Jensen
Lind	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Vande Hoef	Waldstein

Absent or not voting, 5:

Boswell	Corning	Hall	Readeringer
Small			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 17, 1986.

Had I been present, I would have voted "aye" on Senate Files 2205, 2235 and 2263.

BEVERLY A. HANNON

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Coach Tom C. Murr and the Dike High School Girls' basketball team ("Bobcats") — For participation in the 1986 Girls' State six-player high school basketball tournament. Senator Jensen (March 14, 1986).

Coach Dick Pollitt and the Waverly-Shell Rock High School Girls' basketball team ("Go-Hawks") — For participation in the 1986 Girls' State six-player high school basketball tournament. Senator Jensen (March 14, 1986).

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2380 passed the Senate on March 18, 1986.

BERL E. PRIEBE

AMENDMENTS FILED

S—5386	S.F.	2245	Joe Welsh Calvin O. Hultman
S—5387	H.F.	2167	Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:56 p.m., until 10:00 a.m., Wednesday, March 19, 1986.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 19, 1986

The Senate met in regular session at 10:07 a.m., President Anderson presiding.

Prayer was offered by Father David Hitch, pastor of the St. Joseph's Catholic Church, Hills, Iowa.

The Journal of Tuesday, March 18, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Soorholtz for the day on request of Senator Hultman and Senator Miller of Des Moines for the morning on request of Senator Hutchins.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

March 14, 1986

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

Pursuant to Section 2.32(4), 1985 Code of Iowa, I submit the deferral of the Public Employment Relations Board vacancy pending review of applicants.

John Beamer's vacancy occurred January 6, 1986, and pursuant to 2.32(2), I will make an appointment or file another notice or deferral by April 5, 1986.

ALSO:

Dear Ms. Thayer:

Pursuant to Section 2.32(4), 1985 Code of Iowa, I submit the deferral of the following boards and commissions, pending legislative action:

Assessor Education Committee, 3 four-year terms
City Finance Committee, 3 four-year terms
Civil Rights Commission Director
Energy Policy Council Director
Historical Board, 2 three-year terms
Iowa Community Cultural Grants Commission, 1 unexpired term
Occupational Safety and Health Review Commission, 1 six-year term
Public Health Commissioner
Railway Finance Authority, 1 six-year term
Waterworks and Waste Waterworks Certification Board, 1 three-year term.

ALSO:

March 13, 1986

Dear Ms. Thayer:

It is my pleasure to submit to the Senate for their consideration the following Governor's appointees as members of state boards and commissions:

To the State Board of Public Instruction pursuant to Section 257.1, 1985 Code of Iowa:

Betty L. Dexter, Davenport, Scott County, Iowa, and Thomas M. Glenn, Des Moines, Polk County, Iowa, for appointment to unexpired terms beginning immediately and ending April 30, 1990.

Francis N. Kenkel, Defiance, Shelby County, Iowa, for appointment; Dianne L. Paca, Garner, Hancock County, Iowa, for reappointment; and Mary E. Robinson, Cedar Rapids, Linn County, Iowa, for reappointment, for six-year terms beginning May 1, 1986, and ending April 30, 1992.

To the State Transportation Commission pursuant to Section 307.3, 1985 Code of Iowa, for four-year terms beginning May 1, 1986, and ending April 30, 1990:

Robert H. Meier, Ottumwa, Wapello County, Iowa, for appointment and Austin B. Turner, Corning, Adams County, Iowa, for reappointment.

To the Water, Air and Waste Management Commission pursuant to Section 455B.104, 1985 Code of Iowa:

Catherine Dunn, Dubuque, Dubuque County, Iowa, for an unexpired term beginning immediately and ending April 30, 1989.

NancyLee A. Siebenmann, Cedar Rapids, Linn County, Iowa, for an unexpired term beginning April 1, 1986, and ending April 30, 1987.

March 14, 1986

To the Board of Accountancy pursuant to Section 116.3, 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Alvin E. Iverson, Iowa City, Johnson County, Iowa, for reappointment and Diane J. McNulty, Mason City, Cerro Gordo County, Iowa, for appointment.

To the Board of Architectural Examiners pursuant to Section 118.1, 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

William M. Dikis, Des Moines, Polk County, Iowa, and Ruth M. Roberts, Cedar Rapids, Linn County, Iowa, for reappointments.

To the Board of Corrections pursuant to Section 217A.4, 1985 Code of Iowa, for four-year terms beginning May 1, 1986, and ending April 30, 1990:

Michael W. Mahaffey, Montezuma, Poweshiek County, Iowa, and Jack J. Paschall, Anamosa, Jones County, Iowa, for reappointments.

To the Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Donna R. Robinson, Des Moines, Polk County, Iowa, and James L. Tweeten, Lake Mills, Worth County, Iowa, for reappointments.

To the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers pursuant to Section 154A.2, 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Joseph C. Huibsch, Iowa Falls, Hardin County, Iowa, and Dorothea M. Luddington, Des Moines, Polk County, Iowa, for reappointments.

To the Board of Landscape Architectural Examiners pursuant to Section 118A.3, 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Ronald S. Niemann, Manning, Carroll County, Iowa, and Dorothy B. Sheil, Des Moines, Polk County, Iowa, for reappointments.

To the Board of Parole pursuant to Section 904.2, 1985 Code of Iowa, for five-year terms beginning May 1, 1986, and ending April 30, 1991:

Thomas R. Eller, Denison, Crawford County, Iowa; Charles W. Larson, Newton, Jasper County, Iowa, and Eldon E. Leonard, Ankeny, Polk County, Iowa, for reappointments.

Marsha M. McGlaughlin, Jesup, Buchanan County, Iowa, for reappointment to the City Development Board pursuant to Section 368.9, 1985 Code of Iowa, for a six-year term beginning May 1, 1986, and ending April 30, 1992.

John C. Wellman, Des Moines, Polk County, Iowa, for reappointment to the Commission for the Blind pursuant to Section 601B.1, 1985 Code of Iowa, for a three-year term beginning May 1, 1986, and ending April 30, 1989.

To the Credit Union Review Board pursuant to Section 533.53, 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Marcia J. Benit, Spirit Lake, Emmet County, Iowa, and Barbara A. Nixon, Fairfield, Jefferson County, Iowa.

To the Criminal and Juvenile Justice Advisory Council pursuant to Section 80C.2, 1985 Code of Iowa, for four-year terms beginning May 1, 1986, and ending April 30, 1990:

George Belitsos, Ames, Story County, Iowa; Lorna Mae Burnside, Storm Lake, Buena Vista County, Iowa; Alan L. Pearson, Dubuque, Dubuque County, Iowa; Russell H. White, Sioux City, Woodbury County, Iowa; and R. Dean Wright, West Des Moines, Polk County, Iowa, for reappointments; Michael K. Elliott, Centerville, Appanoose County, Iowa, and Willa Mae Williams, Ottumwa, Wapello County, Iowa, for appointments.

Larry A. Huegli, Mason City, Cerro Gordo County, Iowa, for appointment to the Iowa Beer and Liquor Control Council pursuant to Section 123.6, 1985 Code of Iowa, for a five-year term beginning May 1, 1986, and ending April 30, 1991.

To the Iowa Board of Veterinary Medicine pursuant to Section 169.5, 1985 Code of Iowa:

Dean Frey, North Liberty, Linn County, Iowa, for appointment to an unexpired term beginning immediately and ending April 30, 1988, and Rex W. Wilhelm, Stuart, Guthrie County, Iowa, for reappointment to a three-year term beginning May 1, 1986, and ending April 30, 1989.

To the Iowa Family Farm Development Authority pursuant to Section 175.3, 1985 Code of Iowa, for six-year terms beginning May 1, 1986, and ending April 30, 1992:

Eric W. Dee, State Center, Marshall County, Iowa; George K. Schneidermann, Rock Rapids, Lyon County, Iowa, and Lois A. Schnoor, Maquoketa, Jackson County, Iowa, for reappointments.

Judith B. Smith, Decorah, Winneshiek County, Iowa, for appointment to the Iowa Higher Education Loan Authority pursuant to Section 261A.6, 1985 Code of Iowa, for a six-year term beginning May 1, 1986, and ending April 30, 1992.

To the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1985 Code of Iowa, for four-year terms beginning May 1, 1986, and ending April 30, 1990:

John Desmond Crotty, Pocahontas, Pocahontas County, Iowa, for reappointment and Gordon E. Plepla, Fairfield, Jefferson County, Iowa, for appointment.

Joan Ballantyne, Cherokee, Cherokee County, Iowa, for reappointment to the Iowa Real Estate Commission pursuant to Section 117.8, 1985 Code of Iowa, for a three-year term beginning May 1, 1986, and ending April 30, 1989.

James A. Althaus, Des Moines, Polk County, Iowa, for reappointment to the Job Service Appeal Board pursuant to Section 96.6(4), 1985 Code of Iowa, for a six-year term beginning May 1, 1986, and ending April 30, 1992.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5, 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Martin Dettmer, Janesville, Bremer County, Iowa, for reappointment; and Glenda D. Gorsh, Boone, Boone County, Iowa; Ferrell C. Reed, Clarinda, Page County, Iowa; Sharon K. Smith, Bloomfield, Davis County, Iowa, and Karen A. Vossberg, Marion, Linn County, Iowa, for appointments.

To the Respiratory Care Advisory Committee pursuant to Section 135F.13, 1985 Code Supplement, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Earl L. Howard, Bloomfield, Davis County, Iowa, and Sara E. Sutton, Fort Dodge, Webster County, Iowa, for reappointments.

Al C. Maiers, Dubuque, Dubuque County, Iowa, for reappointment to the State Board of Barber Examiners pursuant to Section 147.14(1), 1985 Code of Iowa, for a three-year term beginning May 1, 1986, and ending April 30, 1989.

To the State Board of Chiropractic Examiners pursuant to Section 147.14(8), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Carl H. Lundahl, Indianola, Warren County, Iowa, and Shirley A. Schaefer, Davenport, Scott County, Iowa, for reappointments.

Jo Ann Nina Pals, Mason City, Cerro Gordo County, Iowa, for appointment to the State Board of Cosmetology Examiners pursuant to Section 147.14(1), 1985 Code of Iowa, for a three-year term beginning May 1, 1986, and ending April 30, 1989.

To the State Board of Dental Examiners pursuant to Section 147.14(4), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Eugene E. Houk, Jefferson, Greene County, Iowa; Pamela G. Kapple, Sigourney, Keokuk County, Iowa, and August G. Kegler, Independence, Buchanan County, Iowa, for reappointments.

Mary Jane Oakland, Ames, Story County, Iowa, for reappointment to the State Board of Dietetic Examiners pursuant to Section 147.13, Code Supplement 1985, for a three-year term beginning May 1, 1986, and ending April 30, 1989.

To the State Board of Engineering and Land Surveying Examiners pursuant to Section 114.3, 1985 Code of Iowa, for a three-year term beginning May 1, 1986, and ending April 30, 1989:

Cheryl J. Richardson, West Des Moines, Polk County, Iowa, and James W. Vander Woude, Rock Rapids, Lyon County, Iowa, for reappointments.

To the State Board of Medical Examiners pursuant to Section 147.14(2), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Elizabeth A. Coyte, Des Moines, Polk County, Iowa, and Robert B. Stickler, Des Moines, Polk County, Iowa, for appointments; and Dorothy J. Gildea, Davenport, Scott County, Iowa, and Hormoz Rassekh, Council Bluffs, Pottawattamie County, Iowa, for reappointments.

Calvin J. Van Arkel, Oskaloosa, Mahaska County, Iowa, for reappointment to the State Board of Mortuary Science Examiners pursuant to Section 147.14(1), 1985 Code of Iowa, for a three-year term beginning May 1, 1986, and ending April 30, 1989.

To the State Board of Nursing Examiners pursuant to Section 147.14(3), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Marjorie M. Matzen, Council Bluffs, Pottawattamie County, Iowa, for reappointment and Erlene Veverka, Prairie City, Jasper County, Iowa, for appointment.

To the State Board of Optometry Examiners pursuant to Section 147.14(6), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Larry D. Brewer, Charles City, Floyd County, Iowa, and Ann M. Lohman, Denison, Crawford County, Iowa, for appointments.

To the State Board of Pharmacy Examiners pursuant to Section 147.14(5), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Rollin C. Bridge, Lamoni, Decatur County, Iowa, and Melba L. Scaglione, Des Moines, Polk County, Iowa, for reappointments.

To the State Board of Physical and Occupational Therapy Examiners pursuant to Section 147.14(10), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Dorothy W. Main, Waterloo, Black Hawk County, Iowa, and Carol A. Morris, Story City, Chickasaw County, Iowa, for reappointments.

Terry K. Lichty, Waterloo, Black Hawk County, Iowa, for appointment to the State Board of Podiatry Examiners pursuant to Section 147.14(1), 1985 Code of Iowa, for a three-year term beginning May 1, 1986, and ending April 30, 1989.

To the State Board of Psychology Examiners pursuant to Section 147.14(7), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Darlene E. K. Blake, Des Moines, Polk County, Iowa, and Gratia Gilbert, Sioux City, Woodbury County, Iowa, for reappointments.

To the State Board of Social Work Examiners pursuant to Section 147.14(1), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Alyce Ann Clasen, Council Bluffs, Pottawattamie County, Iowa, and Judith Kaye Rinehart, Bondurant, Polk County, Iowa, for reappointments.

To the State Board of Speech Pathology and Audiology Examiners pursuant to Section 147.14(9), 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Sherry J. Carter, Bellevue, Clinton County, Iowa, for appointment and SueAnn N. Hillman, West Des Moines, Polk County, Iowa, for reappointment.

To the State Foster Care Review Board pursuant to Section 237.16, 1985 Code of Iowa, for three-year terms beginning May 1, 1986, and ending April 30, 1989:

Harriet Vande Hoef, Harris, Osceola County, Iowa, and Carol A. Worlan Young, Des Moines, Polk County, Iowa, for reappointments; and Kathryn M. Youberg, Sac City, Sac County, Iowa, for appointment.

Lawrence F. Scalise, Des Moines, Polk County, Iowa, for reappointment to the State Racing Commission pursuant to Section 99D.5, 1985 Code of Iowa, for a three-year term beginning May 1, 1986, and ending April 30, 1989.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communications were read and referred to the committee on
Rules and Administration.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 12, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2404, a bill for an act relating to sales by the state historical department.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2285, by Kinley, a bill for an act relating to the preservation of family bonds in the awarding of child custody.

Read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Hultman called up the motion to reconsider Senate File 2245 filed by him on March 17, 1986, found on page 741 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2245) the vote was:

Ayes, 42:

- | | | | |
|----------|----------|---------------|-----------|
| Boswell | Brown | Bruner | Carr |
| Coleman | Colton | Corning | Deluhery |
| Doyle | Drake | Fraise | Gentleman |
| Gettings | Gronstal | Hall | Hannon |
| Hester | Holden | Holt | Horn |
| Hultman | Husak | Hutchins | Jensen |
| Lind | Mann | Miller, A. V. | Murphy |

Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 2:

Peterson	Tieden
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Absent or not voting, 6:

Dieleman	Goodwin	Gratias	Kinley
Miller, C.P.	Soorholtz		

The motion prevailed.

Senator Hultman moved to reconsider the vote by which Senate File 2245 went to its last reading, which motion prevailed by a voice vote.

Senate File 2245

On motion of Senator Hultman, Senate File 2245, a bill for an act relating to the sale of alcoholic liquor, wine, and beer by allowing the use of personal checks and traveler's checks for purchases at state liquor stores and agency stores and allowing the use of credit cards for purchases at agency stores, by providing for temporary liquor control licenses, wine permits, and beer permits, and by allowing a brewery to obtain a class "C" beer permit, was taken up for reconsideration.

Senator Hultman offered amendment S—5386 filed by Senators Welsh and Hultman on March 18, 1986, to pages 1, 2, 4 and the title page of the bill and moved its adoption.

Amendment S—5386 was adopted by a voice vote.

With the adoption of amendment S—5386, the Chair ruled amendment S—5380 filed by Senator Hultman on March 18, 1986, to pages 1, 2 and 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?" (S.F. 2245) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 5:

Dieleman	Hester	Jensen	Peterson
Schwengels			

Absent or not voting, 3:

Kinley	Miller, C.P.	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2283.

Senate File 2283

On motion of Senator Hultman, Senate File 2283, a bill for an act relating to voluntary contributions by special zero-rated employers to meet the applicable percentage of excess requirement of the unemployment compensation contribution law and establishing a special unemployment compensation rate for certain expanding employers, and making the expanding employer rate retroactive and conditional, 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. 2283) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Miller, C.P.	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 Hutchins asked and received unanimous consent to take up out of order Senate File 2252.

Senate File 2252

On motion of Senator Riordan, Senate File 2252, a bill for an act to establish local, area education agency, and state school economy task forces and to provide an effective date, was taken up for consideration.

Senator Corning offered amendment S—5309 filed by Senators Corning and Hannon on March 11, 1986, to strike everything after the enacting clause of the bill.

Senator Brown raised the point of order that amendment S—5309 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5309 in order.

Senator Hutchins asked and received unanimous consent that action on amendment S—5309 and **Senate File 2252** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2283 and 2245** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:17 a.m., until 4:30 p.m.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****House Concurrent Resolution 114**

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

House Concurrent Resolution 122

RULES AND ADMINISTRATION: Gettings, Chair; Jensen and Gronstal

House File 2098

JUDICIARY: Dieleman, Chair; Hester and Horn

House File 2167

EDUCATION: Wells, Chair; Horn and Gratias

House File 2208

NATURAL RESOURCES: Riordan, Chair; Gratias and Tieden

House File 2222

STATE GOVERNMENT: Coleman, Chair; C. Miller and Rife

House File 2226

NATURAL RESOURCES: Tieden, Chair; Schwengels and Priebe

House File 2240

NATURAL RESOURCES: Hester, Chair; Goodwin and Husak

House File 2280

JUDICIARY: Horn, Chair; Gentleman and Coleman

House File 2286

EDUCATION: Riordan, Chair; Hannon and Ritsema

House File 2317

AGRICULTURE: Boswell, Chair; Waldstein and Hester

House File 2376

ENERGY AND ENVIRONMENT: Colton, Chair; Rife and Brown

House File 2378

AGRICULTURE: A. Miller, Chair; Soorholtz and Palmer

House File 2379

AGRICULTURE: Husak, Chair; Vande Hoef and Fraise

House File 2386

HUMAN RESOURCES: Bruner, Chair; Hannon and Gratias

House File 2397

ENERGY AND ENVIRONMENT: Colton, Chair; Hultman and Gronstal

House File 2415

JUDICIARY: Carr, Chair; Deluhery and Gentleman

House File 2416

LABOR AND INDUSTRIAL RELATIONS: Deluhery, Chair; Hultman and Wells

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 18, 1986, 2:34 p.m.

Members Present: Priebe, Chair; Soorholtz, Ranking Member; Boswell, Hester, Husak, Fraise, Vande Hoef and Waldstein.

Members Absent: A. Miller, Vice Chair (excused) and Palmer.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:37 p.m.

JUDICIARY

Convened: March 18, 1986, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Dieleman, Drake, Gentleman, Hester, Holt, Horn and Taylor.

Members Absent: Deluhery and Small.

Committee Business: Assigned bills to subcommittees and recommended passage of House File 2347.

Adjourned: 1:45 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 18, 1986, 2:30 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: Jensen, Ranking Member and Colton.

Committee Business: Recommended passage of House File 2001.

Adjourned: 2:45 p.m.

LOCAL GOVERNMENT

Convened: March 18, 1986, 1:36 p.m.

Members Present: A. Miller, Chair; Waldstein, Ranking Member; Fraise, Goodwin, Lind, Vande Hoef and Wells.

Members Absent: C. Miller, Vice Chair; Hall (excused) and Priebe.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2026.

Adjourned: 1:43 p.m.

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.F.	2235	Local Government
H.F.	2239	Juciciary
H.F.	2252	Judiciary

H.F.	2345	Agriculture
H.F.	2348	Energy and Environment
H.F.	2401	State Government
H.F.	2407	Education
H.F.	2412	Small Business and Economic Development
H.F.	2414	Natural Resources
H.F.	2417	Labor and Industrial Relations

COMMITTEE REPORTS

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: HOUSE FILE 2001, a bill for an act relating to the length of exposure in the last employment to the hazards of pneumoconiosis under the workers' compensation law.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Mann, Gettings, Deluhery, Holden, Hultman, Rife, Wells and Welsh. Nays, none. Absent or not voting, 2: Colton and Jensen.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 2032, a bill for an act relating to combined hunting, fishing, and fur harvesting licenses.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hall, Doyle, Priebe, Goodwin, Hannon, Hester, Husak, Peterson, Riordan, Schwengels and Tieden. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2221, a bill for an act providing for modification of the authority of the department of water, air, and waste management over water pollution, flood plain construction, and water use.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hall, Doyle, Goodwin, Hannon, Hester, Riordan, Schwengels and Tieden. Nays, 1: Husak. Absent or not voting, 3: Gratias, Peterson and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Vote: HOUSE FILE 2297, a bill for an act relating to the meetings of the state conservation commission.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hall, Priebe, Doyle, Goodwin, Hannon, Hester, Husak, Peterson, Riordan, Schwengels and Tieden. Nays, none. Absent or not voting, 1: Gratias.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2299, a bill for an act to increase snowmobile registration fees and provide an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Hannon, Hester, Riordan, Schwengels and Tieden. Nays, 2: Husak and Peterson. Absent or not voting, 1: 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:

Twenty-seven fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Scott Mashek. Senator Gentleman.

Sixty students from Rudd-Rockford-Marble Rock High School, Rockford, Iowa, accompanied by Robert Druckrey. Senator Gratias.

AMENDMENTS FILED

S—5388	S.F.	2261	Arthur A. Small, Jr.
S—5389	S.F.	2237	James R. Riordan Ray Taylor

S—5390	S. F.	2237	Larry Murphy James R. Riordan Arthur L. Grattias
S—5391	S. F.	2247	Julia Gentleman
S—5392	H.F.	2067	Arthur A. Small, Jr.

AFTERNOON SESSION

The Senate reconvened at 4:31 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 35 present, 15 absent and a quorum present.

MOTION TO RECONSIDER WITHDRAWN

House File 712

Senator Holden withdrew the motion to reconsider House File 712, a bill for an act regarding the filing of documents for evidencing a thresher's or cornsheller's lien and providing for a penalty, filed by him on March 7, 1986, and found on page 619 of the Senate Journal.

BUSINESS PENDING

Senate File 2252

The Senate resumed consideration of Senate File 2252 and amendment S—5309 by Senators Corning and Hannon to strike everything after the enacting clause of the bill, previously deferred.

Senator Corning moved the adoption of amendment S—5309.

A non record roll call was requested.

The ayes were 15, nays 31.

Amendment S—5309 lost.

Senator Taylor offered amendment S—5343 filed by him on March 13, 1986, to pages 2, 3, 4 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 29.

Amendment S—5343 lost.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2252) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Gronstal	Hall	Horn
Husak	Hutchins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Waldstein	Wells	Welsh	

Nays, 16:

Corning	Goodwin	Gratias	Hannon
Hester	Holden	Holt	Hultman
Jensen	Lind	Readinger	Ritsema
Schwengels	Taylor	Tieden	Vande Hoef

Absent or not voting, 3:

Rife	Small	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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dieleman for the remainder of the week on request of Senator Hutchins.

UNFINISHED BUSINESS (Deferred March 18, 1986)

Senate File 2261

The Senate resumed consideration of Senate File 2261, a bill for an act to provide a procedure for the accreditation of school districts and nonpublic schools, deferred on March 18, 1986.

Senator Small offered amendment S—5388 filed by him from the floor to page 8 of the bill.

Senator Brown raised the point of order that amendment S—5388 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5388 out of order.

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. 2261) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Holden

Absent or not voting, 5:

Dieleman	Miller, A.V.	Nystrom	Rife
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPENDIX

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5397.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Palmer, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2060, a bill for an act relating to assignments of income in delinquent support cases and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2302, a bill for an act relating to an act defining conservancy districts as state agencies for purposes of the state tort claims Act.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2082, a bill for an act relating to the exchange of territory between a benefited fire district and a township to provide fire protection services.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2128, a bill for an act relating to the residency of a township clerk.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, 1: Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2389, a bill for an act relating to the population of cities in which substandard housing and related buildings are subject to abatement under chapter 657A.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2395, a bill for an act authorizing a city or county hospital to establish and operate facilities, programs, and services which provide health benefits to persons.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 392, a bill for an act relating to the establishment of a business license center, an economic policy for small business and a data base of vendors to state agencies.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 12: Carr, Dieleman, Bruner, Corning, Rife, Horn, Mann, Schwengels, Welsh, Gentleman, Coleman and C. Miller. Nays, none. Absent or not voting, 2: Nystrom and Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 466, a bill for an act to establish a program for the coordination of media services at the capitol complex in the Department of General Services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Mann, C. Miller, Horn, Coleman, Bruner, Rife, Gentleman, Corning, Schwengels and Welsh. Nays, none. Absent or not voting, 2: Nystrom and Drake.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2189, a bill for an act relating to the appointment of citizen members to the board of directors of judicial district department of correctional services.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Mann, C. Miller, Horn, Coleman, Bruner, Rife, Gentleman, Corning, Schwengels and Welsh. Nays, none. Absent or not voting, 2: Nystrom and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2216, a bill for an act providing that a judicial district department of correctional services is a state agency for purposes of coverage under the Iowa Tort Claims Act.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Mann, C. Miller, Horn, Coleman, Bruner, Rife, Gentleman, Corning, Schwengels and Welsh. Nays, none. Absent or not voting, 2: Nystrom and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2222, a bill for an act relating to the number of state officials or employees required to request payroll deduction for the purpose of purchasing insurance.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Mann, Bruner, C. Miller, Horn, Coleman, Rife, Gentleman, Corning, Schwengels and Welsh. Nays, none. Absent or not voting, 2: Nystrom and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 2236, a bill for an act relating to motorcycle and motorized bicycle education, to establish a motorcycle rider education fund, to increase certain license fees, and to appropriate moneys from the fund to the department of public instruction for the costs of motorcycle and motorized bicycle education courses.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, 1: Doyle. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: 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.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2204, a bill for an act relating to the placement of appropriate highway signs and other highway information devices along primary roads and interstate highways to guide traffic to tourist attractions by the state department of transportation.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2330, a bill for an act to allow the registration of trailers and semitrailers for a period of six registration years.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2352, a bill for an act authorizing the temporary transfer of funds between the primary road fund and the farm-to-market road fund.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5393	S. F.	2274	Arthur A. Small, Jr. Calvin O. Hultman
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S—5394	S. F.	2266	Patrick J. Deluhery
S—5395	H. F.	2414	Ray Taylor
S—5396	H. F.	2197	Joe Welsh
S—5397	S. F.	2265	Commerce
S—5398	S. F.	2248	Calvin O. Hultman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:25 p.m., until 1:30 p.m., Thursday, March 20, 1986.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 20, 1986

The Senate met in regular session at 1:35 p.m., President Anderson presiding.

Prayer was offered by the Reverend Ronald Schrock, pastor of the First Baptist Church, Creston, Iowa.

The Journal of Wednesday, March 19, 1986, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure (S—5399).

ALSO: That the House has on March 18, 1986, passed the following bill in which the concurrence of the House was asked:

Senate File 2215, a bill for an act relating to investments by fiduciaries by broadening provisions relating to investments in United States government obligations.

ALSO: That the House has on March 18, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2113, a bill for an act relating to the liability for actions to allow or facilitate the use of land contiguous to highways or roadways.

This bill was read first time and **passed on file**.

House File 2154, a bill for an act relating to licenses for the taking of animals.

This bill was read first time and **passed on file**.

House File 2363, a bill for an act amending the juvenile justice code by applying statutes of limitations to delinquency cases, retaining juvenile court jurisdiction for one year beyond the attachment of jurisdiction, providing for the appointment of separate guardians ad litem, providing that adults under the juvenile court's jurisdiction are not bailable but must be detained separately from other adults, providing for chemical dependency evaluations as either physical or mental examinations, providing for the application of civil commitment procedures in delinquency cases, establishing standards of proof for certain proceedings removing persons from the home, providing for the submission of social investigation reports prior to the entering of child-in-need-of-assistance dispositions, providing for involuntary termination of parental rights under certain conditions involving ineffectiveness of corrective services, and providing for appeals of delinquency cases after disposition.

This bill was read first time and **passed on file**.

House File 2422, a bill for an act relating to the department of human services' authority to investigate certain child sexual abuse cases and control access to certain information in child abuse cases.

This bill was read first time and **passed on file**.

House File 2423, a bill for an act relating to the monetary penalties for violation of the health care facilities' licensing law.

This bill was read first time and **passed on file**.

House File 2424, a bill for an act relating to the computation of the average daily patient costs at the state mental health institutes and hospital-schools.

This bill was read first time and **passed on file**.

House File 2426, a bill for an act relating to the deferral of fees, costs, or security in civil or criminal actions, and providing a penalty.

This bill was read first time and **passed on file**.

House File 2434, a bill for an act relating to the treatment of certain waters, incorporating a penalty, and providing an effective date.

This bill was read first time and **passed on file**.

House File 2435, a bill for an act providing the right to a chemical test upon arrest on a charge of public intoxication.

This bill was read first time and **passed on file**.

House File 2436, a bill for an act relating to judgment liens on real estate and providing a penalty.

This bill was read first time and **passed on file**.

House File 2446, a bill for an act relating to the insurance and tariff provisions for bonded warehouses for agricultural products.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred March 17, 1986)

Senate File 2247

The Senate resumed consideration of Senate File 2247, a bill for an act relating to the disclosure of mental health information and providing an effective date, deferred on March 17, 1986.

Senator Gentleman offered amendment S—5391 filed by her on March 19, 1986, to pages 1 through 7 of the bill and moved its adoption.

Amendment S—5391 was adopted by a voice vote.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2247) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Miller, C.P.

Absent or not voting, 4:

Coleman	Dieleman	Riordan	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2265.

Senate File 2265

On motion of Senator Palmer, Senate File 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—5397 filed by the committee on Commerce on March 19, 1986, to strike everything after the enacting clause and to the title page of the bill.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2315** be referred from the Regular Calendar to the committee on **Small Business and Economic Development**.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Welsh presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fraise for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 2265

The Senate resumed consideration of Senate File 2265 and amendment S—5397.

Senator Drake offered amendment S—5418 filed by him from the floor to page 1 of amendment S—5397 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5418 to amendment S—5397 be adopted?” (S.F. 2265) the vote was:

Ayes, 20:

Corning	Deluhery	Drake	Gentleman
Goodwin	Gratias	Hester	Holden
Holt	Jensen	Lind	Nystrom
Readinger	Rife	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 24:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Doyle	Gettings
Gronstal	Hall	Hannon	Horn
Hutchins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Riordan	Small	Wells	Welsh

Absent or not voting, 6:

Dieleman	Fraise	Hultman	Husak
Priebe	Soorholtz		

Amendment S—5418 lost.

Senator Waldstein offered amendment S—5409 filed by Senators Waldstein, Holden and Tieden from the floor to pages 2, 5, 9 and 10 of amendment S—5397 and called for a division: lines 3 through 7 as division S—5409A; lines 8 through 11 as division S—5409B; lines 12 and 13 as division S—5409C; and lines 14 through 16 as division S—5409D.

Senator Waldstein moved the adoption of division S—5409A to amendment S—5397.

A non record roll call was requested.

The ayes were 21, nays 26.

Division S—5409A lost.

Senator Waldstein moved the adoption of division S—5409B to amendment S—5397.

A non record roll call was requested.

The ayes were 17, nays 27.

Division S—5409B lost.

Senator Waldstein moved the adoption of division S—5409C to amendment S—5397.

A non record roll call was requested.

The ayes were 21, nays 26.

Division S—5409C lost.

Senator Waldstein asked and received unanimous consent to withdraw division S—5409D to amendment S—5397.

Senator Horn offered amendment S—5405 filed by him from the floor to page 2 of amendment S—5397 and moved its adoption.

Amendment S—5405 was adopted by a voice vote.

Senator Waldstein offered amendment S—5408 filed by him from the floor to pages 4 and 5 of amendment S—5397.

Senator Palmer asked and received unanimous consent that action on amendment S—5408 to amendment S—5397 be deferred.

Senator Gentleman offered amendment S—5419 filed by her from the floor to page 9 of amendment S—5397.

Senator Mann raised the point of order that amendment S—5419 to amendment S—5397 was not germane.

The Chair ruled the point well taken and amendment S—5419 out of order.

Senator Holden offered amendment S—5406 filed by Senators Holden and Priebe from the floor to page 9 of amendment S—5397.

Senator Mann raised the point of order that amendment S—5406 to amendment S—5397 was not germane.

The Chair ruled the point well taken and amendment S—5406 out of order.

Senator Waldstein withdrew amendment S—5407 filed by him from the floor to page 10 of amendment S—5397.

President pro tempore Wells took the chair at 4:55 p.m.

Senator Drake offered amendment S—5411 filed by him from the floor to pages 11 and 12 of amendment S—5397 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5411 to amendment S—5397 be adopted?” (S.F. 2265) the vote was:

Ayes, 21:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Readinger	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 25:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Gettings	Gronstal	Hall	Hannon
Horn	Hutchins	Kinley	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Riordan	Small	Wells
Welsh			

Absent or not voting, 4:

Dieleman

Fraise

Husak

Miller, C.P.

Amendment S—5411 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 2265

The Senate resumed consideration of Senate File 2265 and amendment S—5397.

Senator Ritsema offered amendment S—5414 filed by him from the floor to pages 11 and 12 of amendment S—5397 and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 23.

Amendment S—5414 lost.

Senator Gentleman offered amendment S—5413 filed by her from the floor to pages 12, 13 and 14 of amendment S—5397.

Senator Welsh raised the point of order that amendment S—5413 to amendment S—5397 was not germane.

The Chair ruled the point well taken and amendment S—5413 out of order.

(Senate File 2265 and amendment S—5397 as amended pending on adjournment).

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. F.	2285	Judiciary
H. F.	2404	State Government

SUBCOMMITTEE ASSIGNMENTS

House File 2216

STATE GOVERNMENT: Mann, Chair; Drake and Bruner

House File 2219

COMMERCE: Gronstal, Chair; Jensen and Tieden

House File 2189

STATE GOVERNMENT: Carr, Chair; Schwengels and Mann

House File 2337

COMMERCE: Palmer, Chair; Priebe and Holden

House File 2384

COMMERCE: Peterson, Chair; Gronstal and Tieden

House File 2388

COMMERCE: Nystrom, Chair; Tieden and Gronstal

COMMITTEE REPORT (Filed March 19, 1986)

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2405, a bill for an act relating to the administration of the local police and fire retirement systems.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 19, 1986, 3:40 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Palmer, Peterson, Priebe and Tieden.

Members Absent: Nystrom.

Committee Business: Recommended passage of Senate Files 2265 and 2270 as amended and assigned bills to subcommittees.

Adjourned: 4:15 p.m.

EDUCATION

Convened: March 19, 1986, 11:30 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Corning, Riordan, Hannon, Taylor, Wells and Ritsema.

Members Absent: Gratias, Ranking Member and Colton (excused).

Committee Business: Assigned bills to subcommittees; assigned standing subcommittees as follows: telecommunications - Riordan, Chair; Colton, Hannon, Corning and Ritsema; merged area schools, AEA's - Murphy, Chair; Horn, Wells, Gratias and Taylor; discussed school aid formula.

Adjourned: 12:11 p.m.

JUDICIARY

Convened: March 19, 1986, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2302 and 2060.

Adjourned: 2:00 p.m.

LOCAL GOVERNMENT

Convened: March 19, 1986, 1:37 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Amended and recommended passage of House Files 724, 2035 and 2393; recommended passage of House Files 2389, 2405, 2395, 2082 and 2128.

Adjourned: 2:24 p.m.

NATURAL RESOURCES

Convened: March 19, 1986, 9:07 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Goodwin, Hannon, Hester, Husak, Peterson, Riordan and Tieden.

Members Absent: Gratias (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2299, 2032, 2297 and 2221; discussed and deferred action on House File 2240.

Adjourned: 10:06 a.m.

TRANSPORTATION

Convened: March 19, 1986, 11:23 a.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Kinley and A. Miller.

Members Absent: Nystrom (excused).

Committee Business: Recommended passage of House Files 2330, 2352, 2204 and 710 and Senate File 2236; committee failed to approve request for unanimous consent to suspend rules for consideration of Senate File 2250.

Adjourned: 11:52 a.m.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I inadvertently voted "aye" on division S—5377A to House File 2380 on March 18, 1986. I should have voted "nay".

BEVERLY A. HANNON

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 17, 1986.

Had I been present, I would have voted "aye" on Senate Files 2078, 2062, 2231, 2239, 2172, 2235, 2263 and 2205 and "nay" on Senate File 2256.

I was also necessarily absent on March 18, 1986. Had I been present, I would have voted as follows:

"Aye" on Senate Files 2253 and 476 and division S—5377B to House File 2380. "Nay" on the motion to reconsider Senate File 2134, amendment S—5379 to Senate File 2269, final passage of Senate File 2269, division S—5377A to House File 2380 and final passage of House File 2380.

JOY CORNING

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 2270, a bill for an act relating to real estate, by providing for the payment of property tax installments, the eligibility of certain types of real estate for a foreclosure continuance, time limits for applying for a foreclosure continuance and the term of a foreclosure continuance, the distribution of income and a phase-in of required interest under a foreclosure continuance, the separate sale of a homestead under a foreclosure on agricultural land, foreclosure continuance eligibility to real estate used for small business, an extension of time under the current declaration of economic emergency, and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—5402 and 5403.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Palmer, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: REQUIRED UNDER JOINT RULE 17

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 724, a bill for an act requiring a separate award of real estate taxes, personal property taxes and special assessments to the county treasurer by the compensation commission as damages in condemnation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5415.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2035, a bill for an act relating to the appointment of chiefs of the police department and chiefs of the fire department in cities under civil service.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5416.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Vande Hoef and Wells. Nays, none. Voting present, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2393, a bill for an act authorizing cities and counties to establish civil penalties for violations of ordinances.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5417.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Cody Jordan — For heroic action in saving the life of Mr. Bert Schenken, Marion, Iowa. Senator Hall (March 20, 1986).

Marcus High School Girls' basketball team ("Eagles") — For participation in the 1986 Girls' State six-player high school basketball tournament. Senator Vande Hoef (March 17, 1986).

Sibley-Ocheyedan High School Girls' basketball team ("Generals") — State Champions of the 1986 Girls' State six-player high school basketball tournament. Senator Vande Hoef (March 17, 1986).

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 20, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 120 — Relating to grave or burial sites by allowing their protection and preservation by law enforcement agencies and providing a penalty.

SENATE FILE 199 — Relating to leaves of absence for a public employee who is a candidate for elective public office.

SENATE FILE 432 — Relating to the makeup of the Board of Nursing Examiners.

SENATE FILE 540 — Relating to the financing of political campaigns and the reporting of that financing.

SENATE FILE 2152 — Relating to the authority of the county board of supervisors regarding roads established or improved by petition of landowners.

SENATE FILE 2166 — Relating to the authority of the Department of Water, Air and Waste Management to remove and compel removal of hazardous substances or hazardous wastes.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Members of the Bettendorf High School Boys' State basketball tournament team, Bettendorf, Iowa. Senator Holden.

AMENDMENTS FILED

S-5399	S. F.	2175	House
S-5400	S. F.	2248	Charles Bruner
S-5401	S. F.	2282	David M. Readinger
S-5402	S. F.	2270	Commerce
S-5403	S. F.	2270	Commerce
S-5404	S. F.	2270	Donald V. Doyle
S-5405	S. F.	2265	Wally E. Horn
S-5406	S. F.	2265	Edgar H. Holden Berl E. Priebe
S-5407	S. F.	2265	Arne Waldstein
S-5408	S. F.	2265	Arne Waldstein
S-5409	S. F.	2265	Arne Waldstein Edgar H. Holden Dale L. Tieden
S-5410	S. F.	2163	Richard Vande Hoef
S-5411	S. F.	2265	Richard F. Drake
S-5412	S. F.	2265	Julia B. Gentleman
S-5413	S. F.	2265	Julia B. Gentleman
S-5414	S. F.	2265	Douglas Ritsema
S-5415	H. F.	724	Local Government
S-5416	H. F.	2035	Local Government
S-5417	H. F.	2393	Local Government
S-5418	S. F.	2265	Richard F. Drake
S-5419	S. F.	2265	Julia B. Gentleman
S-5420	H. F.	2405	Don Gettings
S-5421	S. F.	2265	Douglas Ritsema
S-5422	S. F.	2265	Julia B. Gentleman
S-5423	S. F.	2265	Edgar H. Holden Berl E. Priebe
S-5424	S. F.	2265	Arne Waldstein William D. Palmer Richard F. Drake
S-5425	S. F.	2265	Arne Waldstein Edgar H. Holden Dale L. Tieden Berl E. Priebe

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:03 p.m., until 8:00 a.m., Friday, March 21, 1986.

JOURNAL OF THE SENATE

SIXTY-EIGHTH CALENDAR DAY
 FORTY-FOURTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Friday, March 21, 1986

The Senate met in regular session at 8:10 a.m., President pro tempore Wells presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Hardin County, Steamboat Rock, Iowa.

The Journal of Thursday, March 20, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Jensen, Gentleman and Schwengels for the day on request of Senator Hultman and Senator Fraise for the day on request of Senator Hutchins.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2236** be referred from the Regular Calendar to the committee on **Ways and Means**.

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.

Senator Colton took the chair at 8:20 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2276.

Senate File 2276

On motion of Senator Small, Senate File 2276, a bill for an act to legalize proceedings taken by the board of directors of the Iowa City community school district relating to the sale of certain property, 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. 2276) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Brown	Dieleman	Fraise	Gentleman
Jensen	Kinley	Miller, C.P.	Readinger
Schwengels	Tieden		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 18, 1986)

Senate File 2134

The Senate resumed consideration of Senate File 2134, a bill for an act relating to the granting or denial of parental or visitation time to a parent not awarded custody or physical care of a child, and amendment S—5355 by Senator Bruner to page 1 of the bill, deferred on March 18, 1986.

Senator Ritsema offered amendment S—5381 filed by him on March 18, 1986, to amendment S—5355 and moved its adoption.

Amendment S—5381 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5355 as amended, 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?” (S.F. 2134) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Gettings	Goodwin	Gratias
Gronstal	Hall	Hester	Holden
Horn	Husak	Hutchins	Lind
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Hultman

Absent or not voting, 12:

Brown	Dieleman	Fraise	Gentleman
Hannon	Holt	Jensen	Kinley
Miller, A.V.	Miller, C.P.	Readinger	Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 2276 and 2134 be immediately messaged to the House.

UNFINISHED BUSINESS
(Pending March 20, 1986)

Senate File 2265

The Senate resumed consideration of Senate File 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date, and amendment S—5397 by the committee on Commerce to strike everything after the enacting clause of the bill, pending on adjournment on March 20, 1986.

Senator Waldstein offered amendment S—5425 filed by Senators Waldstein, et al., on March 20, 1986, to page 13 of amendment S—5397.

Senator Mann raised the point of order that amendment S—5425 to amendment S—5397 was not germane.

The Chair ruled the point well taken and amendment S—5425 out of order.

Senator Hultman asked and received unanimous consent that action on amendment S—5412 filed by Senator Gentleman on March 20, 1986, to pages 13 and 14 of amendment S—5397 be deferred.

Senator Hultman offered amendment S—5426 filed by him from the floor to pages 1, 4 and 9 of amendment S—5397 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5426 to amendment S—5397 be adopted?" (S.F. 2265) the vote was:

Ayes, 17:

Corning	Drake	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Lind	Nystrom	Rife	Ritsema
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 25:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Doyle	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Kinley	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Riordan	Small	Wells
Welsh			

Absent or not voting, 8:

Brown	Dieleman	Fraise	Gentleman
Jensen	Miller, C.P.	Readinger	Schwengels

Amendment S—5426 lost.

Senator Waldstein offered amendment S—5424 filed by Senators Waldstein, Palmer and Drake on March 20, 1986, to pages 1 and 4 through 9 of amendment S—5397 and moved its adoption.

Amendment S—5424 was adopted by a voice vote.

Senator Ritsema offered amendment S—5421 filed by him on March 20, 1986, to page 1 of amendment S—5397 and moved its adoption.

Amendment S—5421 lost by a voice vote.

With the adoption of amendment S—5424, the Chair ruled amendment S—5408 by Senator Waldstein to pages 4 and 5 of amendment S—5397, deferred on March 20, 1986, out of order.

Senator Hultman offered amendment S—5422 filed by Senator Gentleman on March 20, 1986, to pages 1 and 12 of amendment S—5397.

Senator Mann raised the point of order that amendment S—5422 to amendment S—5397 was not germane.

The Chair ruled the point well taken amendment S—5422 out of order.

Senator Priebe offered amendment S—5427 filed by him from the floor to pages 2, 3, and 10 of amendment S—5397.

Senator Small raised the point of order that amendment S—5427 to amendment S—5397 was not germane.

Senator Small withdrew his point of order.

Senator Priebe moved the adoption of amendment S—5427 to amendment S—5397, which motion prevailed by a voice vote.

Senator Hultman asked and received unanimous consent that action on amendment S—5423 filed by Senators Holden and Priebe on March 20, 1986, to page 10 of amendment S—5397 be deferred.

Senator Hultman moved the adoption of amendment S—5412 by Senator Gentleman to pages 13 and 14 of amendment S—5397, previously deferred.

A record roll call was requested.

On the question “Shall amendment S—5412 to amendment S—5397 be adopted?” (S.F. 2265) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 17:

Corning	Deluhery	Drake	Goodwin
Gratias	Hester	Holt	Hultman
Lind	Nystrom	Rife	Ritserma
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 23:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Doyle	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Kinley	Mann

Miller, A.V. Small	Murphy Wells	Peterson Welsh	Riordan
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Absent or not voting, 10:

Dieleman Jensen Readinger	Fraise Miller, C.P. Schwengels	Gentleman Palmer	Holden Priebe
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Amendment S—5412 lost.

Senator Mann offered amendment S—5431 filed by him from the floor to page 9 of amendment S—5397.

Senator Hultman raised the point of order that amendment S—5431 to amendment S—5397 was not germane.

The Chair ruled the point not well taken and amendment S—5431 in order.

Senator Mann withdrew amendment S—5431 to amendment S—5397.

Senator Holden moved the adoption of amendment S—5423 by Senators Holden and Priebe to page 10 of amendment S—5397, previously deferred.

Amendment S—5423 was adopted by a voice vote.

Senator Ritsema raised the point of order that amendment S—5397 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5397 as amended in order.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Colton presiding.

Senator Palmer moved the adoption of amendment S—5397 as amended, which motion prevailed by a voice vote.

Senator Hultman raised the point of order that Senate File 2265 should be referred to the committee on State Government under Senate Rule 38.

The Chair ruled the point well taken and **Senate File 2265** was referred to the committee on **State Government** under Senate Rule 38.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Colton presiding.

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Nystrom, Mann, Bruner, C. Miller, Horn, Coleman, Drake, Corning and Welsh. Nays, 1: Rife. Absent or not voting, 3: Gentleman, Dieleman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS PENDING

Senate File 2265

The Senate resumed consideration of Senate File 2265.

Senator Holden raised the point of order that Senate File 2265 should be referred to the committee on Ways and Means under Senate Rule 38.

The Chair ruled the point well taken and **Senate File 2265** was referred to the committee on **Ways and Means** under Senate Rule 38.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Colton presiding.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Palmer, Husak, Boswell, Brown, Bruner, Gronstal, Mann, Riordan and Soorholtz. Nays, 3: Hester, Holden and Holt. Absent or not voting, 3: Dieleman, Gratias and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS PENDING

Senate File 2265

The Senate resumed consideration of Senate File 2265.

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. 2265) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman

Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Small	Soorholtz
Taylor	Waldstein	Wells	Welsh

Nays, 5:

Holden	Rife	Ritsema	Tieden
Vande Hoef			

Absent or not voting, 5:

Dieleman	Fraise	Gentleman	Jensen
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2265** be **immediately messaged** to the House.

Senator Coleman took the chair at 11:32 a.m.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2197.

House File 2197

On motion of Senator Welsh, House File 2197, a bill for an act relating to gambling by making changes in the operation of the state lottery and the Iowa lottery agency, the use of lottery tickets, making certain acts relating to lottery tickets or shares illegal, providing penalties, and providing for an effective date, with report of committee on State Government recommending passage, and report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5378 filed by the committee on Appropriations on March 18, 1986, to pages 1, 2 and 4 of the bill.

Senator Murphy offered amendment S—5396 filed by Senator Welsh on March 19, 1986, to amendment S—5378 and moved its adoption.

Amendment S—5396 was adopted by a voice vote.

Senator Ritsema raised the point of order that amendment S—5378 as amended was not germane to the bill.

Senator Ritsema withdrew his point of order.

Senator Murphy called for a division of amendment S—5378 as follows:

Division S—5378A: Page 1, lines 3 through 39 and page 3, lines 4 through 13.

Division S—5378B: Page 1, lines 40 through 50 and page 2, lines 1 through 12.

Division S—5378C: Page 2, lines 13 through 50 and page 3, lines 1 through 3.

Senator Murphy withdrew division S—5378A.

Senator Welsh raised the point of order that divisions S—5378B and S—5378C were not germane to the bill.

The Chair ruled the point not well taken and divisions S—5378B and S—5378C in order.

Senator Hutchins asked and received unanimous consent that action on divisions S—5378B and S—5378C and **House File 2197** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on February 27, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2173, a bill for an act relating to the disclosure of conciliation agreements in civil rights matters when a governmental body is a party.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 19, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2442, a bill for an act providing a statute of limitations for certain actions arising out of improvements to real property.

This bill was read first time and **passed on file**.

House File 2443, a bill for an act to establish the Iowa conservation corps and making an appropriation.

This bill was read first time and **passed on file**.

House File 2454, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date.

This bill was read first time and **passed on file**.

House File 2465, a bill for an act relating to the continuation of and conversion of accident or health insurance benefits and providing an effective date.

This bill was read first time and **passed on file**.

House File 2466, a bill for an act relating to financial transactions.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 117, by Riordan and Drake, a concurrent resolution relating to the 1986 Farm Progress Show.

Read first time and **passed on file**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2247** be **immediately messaged** to the House.

APPENDIX

SUBCOMMITTEE ASSIGNMENT

House File 2235

LOCAL GOVERNMENT: Goodwin, Chair; Wells and Fraise

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointments to state boards and commissions to standing committees as indicated for investigation on March 21, 1986:

EDUCATION

Iowa Higher Education Loan Authority — Judith B. Smith.

State Board of Public Instruction:

Thomas M. Glenn, Mary E. Robinson, Dianne L. Paca, Francis N. Kenkel and Betty L. Dexter.

HUMAN RESOURCES

Respiratory Care Advisory Committee:

Earl L. Howard and Sara E. Sutton.

State Board of Dietetic Examiners — Mary Jane Oakland.

State Board of Social Work Examiners:

Alyce Ann Clasen and Judith Kaye Rinehart.

State Foster Care Review Board:

Kathryn M. Youberg, Harriet Vande Hoef and Carol A. Worlan Young.

JUDICIARY

Board of Parole:

Charles W. Larson, Thomas R. Eller and Eldon E. Leonard.

Criminal and Juvenile Justice Advisory Council:

Michael K. Elliott, Lorna Mae Burnside, Alan L. Pearson, R. Dean Wright, George Belitsos, Willa Mae Williams and Russell H. White.

State Racing Commission — Lawrence F. Scalise.

NATURAL RESOURCES

Water, Air and Waste Management Commission:

Nancy Lee A. Siebenmann and Catherine Dunn.

STATE GOVERNMENT

Board of Corrections:

Jack J. Paschall and Michael W. Mahaffey.

Commission for the Blind — John C. Wellman.

Iowa Beer and Liquor Control Council — Larry A. Huegli.

TRANSPORTATION

State Transportation Commission:

Austin B. Turner and Robert H. Meier.

BILL HUTCHINS, Chair

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 60, the following senators were appointed to subcommittees of standing committees:

EDUCATION

As a member of the Iowa Higher Education Loan Authority:

JUDITH B. SMITH: Murphy, Chair; Gratias and Colton.

As members of the State Board of Public Instruction:

BETTY L. DEXTER: Horn, Chair; Hannon and Corning.

THOMAS M. GLENN: Hannon, Chair; Murphy and Gratias.

FRANCIS N. KENKEL: Colton, Chair; Hannon and Corning.

DIANNE L. PACA: Riordan, Chair; Wells and Taylor.

MARY E. ROBINSON: Wells, Chair; Horn and Taylor.

JUDICIARY

As members of the Board of Parole:

THOMAS R. ELLER: Hester, Chair; Holt and Carr.

CHARLES W. LARSON: Carr, Chair; Small and Gentleman.

ELDON E. LEONARD: Carr, Chair; Coleman and Gentleman.

As members of the Criminal and Juvenile Justice Advisory Council:

GEORGE BELITSOS: Small, Chair; Gentleman and Horn.

LORNA MAE BURNSIDE: Holt, Chair; Ritsema and Coleman.

MICHAEL K. ELLIOTT: Drake, Chair; Carr and Holt.

ALAN L. PEARSON: Carr, Chair; Deluhery and Ritsema.

RUSSELL H. WHITE: Carr, Chair; Doyle and Holt.

WILLA MAE WILLIAMS: Gentleman, Chair; Drake and Deluhery.

R. DEAN WRIGHT: Mann, Chair; Small and Gentleman.

As a member of the State Racing Commission:

LAWRENCE F. SCALISE: Mann, Chair; Doyle and Gentleman.

NATURAL RESOURCES

As members of the Water, Air and Waste Management Commission:

CATHERINE DUNN: Peterson, Chair; Gratias and Hannon.

NANCYLEE A. SIEBENMANN: Tieden, Chair; Schwengels and Riordan.

TRANSPORTATION

As members of the State Transportation Commission:

ROBERT H. MEIER: Gettings, Chair; A. Miller and Nystrom.

AUSTIN B. TURNER: Coleman, Chair; Hall and Drake.

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.F.	2113	Transportation
H.F.	2154	Natural Resources
H.F.	2363	Judiciary
H.F.	2422	Human Resources

H.F.	2423	Human Resources
H.F.	2424	Human Resources
H.F.	2426	Judiciary
H.F.	2434	Energy
H.F.	2435	Judiciary
H.F.	2436	Judiciary
H.F.	2446	Agriculture

REPORT OF COMMITTEE MEETING

HUMAN RESOURCES

Convened: March 20, 1986, 11:05 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member (arrived 11:06 a.m.); Coleman, Gratiyas, C. Miller (arrived 11:40 a.m.), Murphy, Readinger (arrived 11:07 a.m.), Taylor (arrived 11:06 a.m.), Vande Hoef and Wells.

Members Absent: Carr (excused).

Committee Business: Assigned House File 2386 to a subcommittee; discussed House File 547.

Adjourned: 12:15 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2265, the following technical corrections were made:

1. Amendment S—5397, page 15, line 28, "Sections 2,3," was changed to "Sections 13,14,".

2. Amendment S—5397, page 15, line 31, "Sections 1, 4 through 12," was changed to "Sections 12, 15 through 23,".

K. MARIE THAYER
Secretary of the Senate

AMENDMENTS FILED

S—5426	S. F.	2265	Calvin O. Hultman
S—5427	S. F.	2265	Berl E. Priebe
S—5428	S. F.	2163	Jack Rife

S—5429	H.F.	2380	Berl E. Priebe Dale L. Tieden Joe J. Welsh
S—5430	H.F.	2380	Joe J. Welsh
S—5431	S.F.	2265	Tom Mann, Jr.
S—5432	S.F.	2259	Jim Lind
S—5433	H.F.	2197	Joe J. Welsh

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:55 a.m., until 10:00 a.m., Monday, March 24, 1986.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 24, 1986

The Senate met in regular session at 10:07 a.m., President Anderson presiding.

Prayer was offered by Monsignor A.W. Behrens, pastor of the Saint Mary's Catholic Church, Mapleton, Iowa.

The Journal of Friday, March 21, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Mann for the day and Brown for the morning on request of Senator Hutchins; Senator Soorholtz for the morning on request of Senator Rife and Senator Waldstein for the morning and early afternoon on request of Senator Holden.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1986, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 107, a resolution relating to American Indian Recognition.

ALSO: That the House has on March 20, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2127, a bill for an act relating to the proof of financial responsibility required of liquor control licensees and wine and beer permittees.

This bill was read first time and **passed on file**.

House File 2427, a bill for an act relating to the penalties for violations of law involving the promotion of obscene material and the sexual exploitation of children.

This bill was read first time and **passed on file**.

House File 2439, a bill for an act relating to the control of certain tobacco products.

This bill was read first time and **passed on file**.

House File 2452, a bill for an act relating to the health data commission by adding the executive director of the commission on the aging to the membership of the health data commission, providing for the collection of certain billing information, and permitting the health data commission to collect long-term care data.

This bill was read first time and **passed on file**.

House File 2456, a bill for an act relating to workers' compensation benefits for persons receiving employment training or employment evaluations.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 21, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2220, a bill for an act relating to the power of a city council over variances granted by a board of adjustment.

This bill was read first time and **passed on file**.

House File 2369, a bill for an act relating to public employee grievance procedures.

This bill was read first time and **passed on file**.

House File 2438, a bill for an act relating to clinical privileges for certified health service providers in psychology.

This bill was read first time and **passed on file**.

House File 2459, a bill for an act to establish an Iowa environmental improvement and energy resources authority.

This bill was read first time and **passed on file**.

House File 2461, a bill for an act relating to the attorney general's consumer protection efforts against transient merchants, out-of-state contractors, and health club membership sales, and providing penalties.

This bill was read first time and **passed on file**.

CONFIRMATION OF GOVERNOR'S APPOINTMENT
(En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins called up the following appointee on the En Bloc Confirmation Calendar:

Board of Parole

Robert A. Jackson, Sr., committee recommendation found on page 276 of the Senate Journal.

Senator Hutchins moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Brown	Jensen	Mann	Small
Soorholtz	Taylor	Waldstein	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2057.

Senate File 2057

On motion of Senator Corning, Senate File 2057, a bill for an act relating to the licensing of marital and family therapists and mental health counselors, with report of committee recommending passage, was taken up for consideration.

Senator Wells took the chair at 10:43 a.m.

Senator Ritsema offered amendment S—5290 filed by him on March 10, 1986, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 27.

Amendment S—5290 lost.

Senator Holden offered amendment S—5302 filed by him on March 11, 1986, to pages 2, 3, 4, 6, 7 and 9 of the bill and called for a division as follows:

Division S—5302A: Page 1, lines 2 through 16 and lines 26 through 34; page 2, lines 4 through 9.

Division S—5302B: Page 1, lines 17 through 25.

Division S—5302C: Page 1, lines 35 and 36 and lines 38 and 39.

Division S—5302D: Page 1, lines 37 and lines 40 through 42.

Division S—5302E: Page 1, lines 43 and 44.

Division S—5302F: Page 1, lines 45 through 50 and page 2, lines 1 through 3.

Senator Holden moved the adoption of division S—5302A, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—5302B, which motion prevailed by a voice vote.

Senator Holden offered amendment S—5353 filed by him on March 13, 1986, to division S—5302C and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 13.

Amendment S—5353 was adopted.

Senator Holden moved the adoption of division S—5302C as amended, which motion prevailed by a voice vote.

Senator Holden asked and received unanimous consent that action on division S—5302D be deferred.

Senator Holden moved the adoption of division S—5302E.

A non record roll call was requested.

The ayes were 42, nays 3.

Division S—5302E was adopted.

Senator Holden moved the adoption of division S—5302F, which motion prevailed by a voice vote.

Senator Corning offered amendment S—5233 filed by her on March 3, 1986, to page 4 of the bill and moved its adoption.

Amendment S—5233 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on division S—5302D and **Senate File 2057** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2441, a bill for an act relating to notary publics by eliminating the bond requirements.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 20, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2425, a bill for an act relating to the disclosure of information by continuing-care facilities, and providing penalties.

This bill was read first time and **passed on file**.

House File 2433, a bill for an act relating to domestic abuse, and providing penalties.

This bill was read first time and **passed on file**.

House File 2457, a bill for an act relating to elections.

This bill was read first time and **passed on file**.

House File 2458, a bill for an act relating to victims and witnesses of criminal offenses, and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 21, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2120, a bill for an act relating to the care of neglected or estray animals.

This bill was read first time and **passed on file**.

House File 2244, a bill for an act relating to dog racing where pari-mutuel racing is permitted.

This bill was read first time and **passed on file**.

House File 2350, a bill for an act relating to the publication of official public notices by defining a newspaper, by establishing fees for the publication of official notices, and by providing for enforcement of official publication requirements, and subjecting violators to penalties.

This bill was read first time and **passed on file**.

House File 2455, a bill for an act relating to tax sales and redemptions, by revising provisions governing notice and other procedures.

This bill was read first time and **passed on file**.

House File 2464, a bill for an act relating to the taking of animals.

This bill was read first time and **passed on file**.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2299** be referred from the Regular Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:05 p.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 21, 1986, 11:05 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Hannon and Wells.

Members Absent: Corning, Riordan, Taylor and Ritsema.

Committee Business: Assigned House File 2407 to a subcommittee; assigned governor's appointees to subcommittees.

Adjourned: 11:10 a.m.

STATE GOVERNMENT

Convened: March 21, 1986, 11:11 a.m.

Members Present: Carr, Chair; Nystrom, Ranking Member; Welsh, Coleman, C. Miller, Corning, Rife, Horn, Mann, Bruner and Drake.

Members Absent: Dieleman, Vice Chair; Schwengels and Gentleman (all excused).

Committee Business: Recommended passage of Senate File 2265.

Adjourned: 11:18 a.m.

WAYS AND MEANS

Convened: March 21, 1986, 11:25 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Gronstal, Holden, Holt, Mann, Riordan and Soorholtz.

Members Absent: Dieleman (excused), Gratias and Readinger.

Committee Business: Recommended passage of Senate File 2265.

Adjourned: 11:30 a.m.

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following appointees to state boards and commissions on the **En Bloc Confirmation Calendar** on March 24, 1986, and recommended the appointments be confirmed by the Senate:

Board of Accountancy

Diane J. McNulty
Alvin E. Iverson

Board of Architectural Examiners

Ruth M. Roberts
William M. Dikis

State Board of Barber Examiners

Al C. Maiers

State Board of Chiropractic Examiners

Shirley A. Schaefer
Carl H. Lundahl

City Development Board

Marsha M. McGlaughlin

State Board of Cosmetology Examiners

Jo Ann Nina Pals

Credit Union Review Board

Barbara A. Nixon
Marcia J. Benit

State Board of Dental Examiners

August G. Kegler
Pamela G. Kapple
Eugene E. Houk

State Board of Engineering and Land Surveying Examiners

James W. Vander Woude
Cheryl J. Richardson

Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers

Joseph C. Huibsch
Dorothea M. Luddington

Job Service Appeal Board

James A. Althaus

Board of Landscape Architectural Examiners

Dorothy B. Sheil
Ronald S. Niemann

Iowa Law Enforcement Academy Council

John Desmond Crotty
Gordon E. Plepla

State Board of Medical Examiners

Elizabeth A. Coyte
Robert B. Stickler
Hormoz Rassekh
Dorothy J. Gildea

Mental Health and Mental Retardation Commission

Martin Dettmer
Glenda D. Gorsh
Karen A. Vossberg
Sharon K. Smith
Ferrell C. Reed

State Board of Mortuary Science Examiners

Calvin J. Van Arkel

State Board of Nursing Examiners

Erlene Veverka
Marjorie M. Matzen

Board of Examiners for Nursing Home Administrators

James L. Tweeten
Donna R. Robinson

State Board of Optometry Examiners

Ann M. Lohman
Larry D. Brewer

State Board of Pharmacy Examiners

Melba L. Scaglione
Rollin C. Bridge

State Board of Physical and Occupational Therapy Examiners

Carol A. Morris
Dorothy W. Main

State Board of Podiatry Examiners

Terry K. Lichty

State Board of Psychology Examiners

Darlene E.K. Blake
Gratia Gilbert

Iowa Real Estate Commission

Joan Ballantyne

State Board of Speech Pathology and Audiology Examiners

SueAnn N. Hillman
Sherry J. Carter

Iowa Board of Veterinary Medicine

Dean Frey
Rex W. Wilhelm

BILL HUTCHINS, Chair

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 24th day of March, 1986:

Senate File 159.

K. MARIE THAYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENTS

Senate File 2189

APPROPRIATIONS: Husak, Chair; Schwengels and Gronstal

Senate File 2199

APPROPRIATIONS: Gronstal, Chair; Ritsema and Murphy

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following governor's appointment to a state board to a standing committee as indicated for investigation on March 24, 1986:

AGRICULTURE

Iowa Family Farm Development Authority:

Eric W. Dee, Lois A. Schnoor and George K. Schneidermann.

PETITIONS

The following petitions were presented and placed on file by:

Senator Coleman from eight hundred eighty residents of Webster and Hamilton Counties favoring legislation to develop a lake of approximately 1,000 acres in Brushy Creek State Park, south central Webster County, between Lehigh and Duncombe, Iowa.

Senator Miller of Des Moines from one hundred fifty-nine residents of the thirtieth senatorial district of Iowa voicing concern over skyrocketing insurance costs caused by huge settlements currently being awarded in the court systems and calling for action by the Iowa legislature to 1) pass a disclosure bill requiring insurance companies to justify premium costs, 2) investigate the civil justice system regarding "excessive" settlements, 3) encourage congress to bring insurance companies under federal anti-trust laws and 4) make sure the Iowa Insurance Commissioner is adequately staffed and funded.

Senator Schwengels from sixty-six residents of Keokuk County favoring legislation keeping the state in the business of retailing liquor and wine.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty sixth grade students from James Elementary School, Ottumwa, Iowa, accompanied by Bob Snell, Jo Ann Craft, Mary Johnson and Mike Pixley. Senator Gettings.

Twenty-one fifth and sixth grade students from Trinity Lutheran School, Boone, Iowa, accompanied by Phil Laskowski and Lynette Johnson. Senator Nystrom.

AMENDMENTS FILED

S—5434	H.F.	2344	Edgar H. Holden
S—5435	S. F.	132	James Riordan
S—5436	H.F.	2349	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 2:37 p.m., President Anderson presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Brown for the afternoon on request of Senator Hutchins and Senator Jensen for the afternoon on request of Senator Hultman.

BUSINESS PENDING

Senate File 2057

The Senate resumed consideration of Senate File 2057 and division S—5302D, previously deferred.

Senator Ritsema offered amendment S—5364 filed by him on March 17, 1986, to page 9 of the bill and moved its adoption.

Amendment S—5364 was adopted by a voice vote.

Senator Holden moved the adoption of division S—5302D by him to page 6 of the bill, previously deferred.

Division S—5302D was adopted by a voice vote.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2057) the vote was:

Ayes, 29:

Boswell
Colton

Bruner
Corning

Carr
Deluhery

Coleman
Dieleman

Doyle	Fraise	Gettings	Goodwin
Gratias	Hannon	Hester	Horn
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Riordan	Small	Soorholtz
Welsh			

Nays, 16:

Drake	Gentleman	Gronstal	Hall
Holden	Holt	Miller, C.P.	Peterson
Priebe	Readinger	Rife	Ritsema
Schwengels	Taylor	Tieden	Vande Hoef

Absent or not voting, 5:

Brown	Hultman	Jensen	Waldstein
Wells			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2463, a bill for an act relating to commercial fishing and providing penalties.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 118, by Lind and Corning, a resolution extending support for the erection and dedication for the Black Hawk County Viet Nam Veterans Memorial.

This resolution was read first time and **passed on file**.

UNFINISHED BUSINESS
(Deferred March 21, 1986)

House File 2197

The Senate resumed consideration of House File 2197, a bill for an act relating to gambling by making changes in the operation of the state lottery and the Iowa lottery agency, the use of lottery tickets, making certain acts relating to lottery tickets or shares illegal, providing penalties, and providing for an effective date, and divisions S—5378B and S—5378C, by the committee on Appropriations to pages 2 and 3 of the bill, deferred on March 21, 1986.

President pro tempore Wells took the chair at 3:15 p.m.

Senator Murphy moved the adoption of division S—5378B.

A record roll call was requested.

On the question “Shall division S—5378B be adopted?” (H.F. 2197) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 12:

Carr	Colton	Doyle	Hall
Horn	Hutchins	Kinley	Lind
Murphy	Palmer	Readinger	Welsh

Nays, 34:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hannon	Hester	Holden
Holt	Husak	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Peterson	Priebe
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells		

Absent or not voting, 4:

Brown	Hultman	Jensen	Waldstein
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Division S—5378B lost.

Senator Murphy asked and received unanimous consent to withdraw division S—5378C.

The Chair ruled amendment S—5433 filed by Senator Welsh on March 21, 1986, to division S—5378C, out of order.

Senator Dieleman offered amendment S—5348 filed by him on March 13, 1986, to pages 1 and 5 of the bill and called for a division: line 3 as division S—5348A; and lines 4 through 6 as division S—5348B.

Senator Dieleman moved the adoption of division S—5348A, which motion prevailed by a voice vote.

Senator Dieleman moved the adoption of division S—5348B, which motion prevailed by a voice vote.

Senator Hultman offered amendment S—5362 filed by him on March 17, 1986, to pages 1 and 3 of the bill and moved its adoption.

Amendment S—5362 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?” (H.F. 2197) the vote was:

Ayes, 31:

Carr	Coleman	Colton	Corning
Deluhery	Doyle	Drake	Fraise
Gentleman	Gronstal	Hall	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Ritsema	Small	Soorholtz
Tieden	Wells	Welsh	

Nays, 16:

Boswell	Bruner	Dieleman	Gettings
Goodwin	Gratias	Hannon	Hester
Holden	Holt	Mann	Murphy
Riordan	Schwengels	Taylor	Vande Hoef

Absent or not voting, 3:

Brown Jensen Waldstein

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 called up the motion to reconsider House File 2380 filed by him on March 18, 1986, found on page 771 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2380) the vote was:

Ayes, 30:

Boswell	Carr	Coleman	Colton
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gratias	Hall	Hester
Horn	Husak	Hutchins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Small	Soorholtz
Wells	Welsh		

Nays, 17:

Bruner	Corning	Drake	Gentleman
Goodwin	Gronstal	Hannon	Holden
Holt	Hultman	Lind	Rife
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef			

Absent or not voting, 3:

Brown Jensen Waldstein

The motion prevailed.

Senator Priebe moved to reconsider the vote by which House File 2380 went to its last reading, which motion prevailed by a voice vote.

House File 2380

On motion of Senator Priebe, House File 2380, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1985, and ending June 30, 1986 and making the Act effective upon publication, was taken up for reconsideration.

Senator Priebe asked and received unanimous consent to withdraw amendment S—5429 filed by Senators Priebe, Tieden and Welsh on March 21, 1986, to page 2 of the bill.

The Chair ruled amendment S—5430 filed by Senator Welsh on March 21, 1986, to pages 2, 4 and 5 of the bill and amendment S—5437 filed by Senator Bruner from the floor to amendment S—5429, out of order.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2380) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Readinger	Riordan	Small
Soorholtz	Tieden	Wells	Welsh

Nays, 13:

Corning	Drake	Hester	Holden
Holt	Hultman	Lind	Nystrom
Rife	Ritsema	Schwengels	Taylor
Vande Hoef			

Voting present, 1:

Miller, C.P.

Absent or not voting, 4:

Brown	Hall	Jensen	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.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2270.

Senate File 2270

On motion of Senator Priebe, Senate File 2270, a bill for an act relating to real estate, by providing for the payment of property tax installments, the eligibility of certain types of real estate for a foreclosure continuance, time limits for applying for a foreclosure continuance and the term of a foreclosure continuance, the distribution of income and a phase-in of required interest under a foreclosure continuance, the separate sale of a homestead under a foreclosure on agricultural land, foreclosure continuance eligibility to real estate used for small business, an extension of time under the current declaration of economic emergency, and an effective date, with report of committee on Commerce recommending amendments and passage, was taken up for consideration.

Senator Priebe offered amendment S—5402 filed by the committee on Commerce on March 20, 1986, to pages 1, 2, 4, 5 and the title page of the bill and called for a division: lines 2 through 18 as division S—5402A and lines 19 through 47 as division S—5402B.

Senator Riordan took the chair at 4:25 p.m.

Senator Miller of Cerro Gordo asked and received unanimous consent that action on division S—5402A be deferred for preparation of an amendment.

Senator Priebe moved the adoption of division S—5402B, which motion prevailed by a voice vote.

Senator Priebe asked and received unanimous consent that action on amendment S—5403 filed by the committee on Commerce on March 20, 1986, to page 1 of the bill, be deferred.

Senator Doyle offered amendment S—5404 filed by him on March 20, 1986, to page 2 of the bill.

Senator Holden raised the point of order that amendment S—5404 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5404 in order.

Senator Doyle moved the adoption of amendment S—5404, which motion prevailed by a voice vote.

Senator Miller of Cerro offered amendment S—5438 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5438 be adopted?” (S.F. 2270) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Readinger	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Tieden
Vande Hoef	Wells	Welsh	

Nays, 6:

Gronstal	Hutchins	Miller, C.P.	Peterson
Priebe	Taylor		

Absent or not voting, 5:

Brown	Jensen	Kinley	Small
Waldstein			

Amendment S—5438 was adopted.

With the adoption of amendment S—5438, the Chair ruled division S—5402A, by the committee on Commerce to pages 1 and 2, and amendment S—5403 by the committee on Commerce, to page 1 of the bill, previously deferred, out of order.

Senator Holden offered amendment S—5439 filed by Senators Holden and Husak from the floor to page 2 of the bill and moved its adoption.

Amendment S—5439 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. 2270) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Brown	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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2270 and 2057** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 2175

Senator Carr called up for consideration Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure, amended by the House, and moved that the Senate concur in House amendment S—5399 filed March 20, 1986.

Senator Gentleman asked and received unanimous consent that action on **Senate File 2175** and the motion to concur in House amendment S—5399 be **deferred** for preparation of an amendment.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Riordan presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2428, a bill for an act modifying section 709.4, relating to sexual abuse in the third degree, and providing penalties.

This bill was read first time and **passed on file**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 2285

JUDICIARY: Horn, Chair; Small and Gentleman

House File 2239

JUDICIARY: Mann, Chair; Horn and Holt

House File 2252

JUDICIARY: Mann, Chair; Small and Ritsema

House File 2313

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Small, Chair; Riordan and Rife

House File 2315

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Small, Chair; Fraise, Rife, Lind and Riordan

House File 2348

ENERGY AND ENVIRONMENT: Gronstal, Chair; Bruner and Soorholtz

House File 2363

JUDICIARY: Mann, Chair; Deluhery and Gentleman

House File 2400

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Small, Chair; Boswell and Rife

House File 2412

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Small, Chair; Rife and Riordan

House File 2424

HUMAN RESOURCES: Coleman, Chair; Taylor and Hannon

House File 2426

JUDICIARY: Ritsema, Chair; Dieleman and Holt

House File 2434

ENERGY AND ENVIRONMENT: Gronstal, Chair; Corning and Colton

House File 2435

JUDICIARY: Mann, Chair; Doyle and Drake

House File 2436

JUDICIARY: Small, Chair; Ritsema and Carr

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. C. R.	117	Rules and Administration
H. F.	2173	State Government
H. F.	2442	Judiciary
H. F.	2443	Natural Resources
H. F.	2454	Judiciary
H. F.	2465	Commerce
H. F.	2466	Commerce

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

In accordance with Senate Rule 60, the following senators were appointed to subcommittees of standing committees:

HUMAN RESOURCES

As members of the Respiratory Care Advisory Committee:

EARL L. HOWARD: Murphy, Chair; C. Miller and Vande Hoef
SARA E. SUTTON: Readinger, Chair; Coleman and Gentleman

As a member of the State Board of Dietitic Examiners:

MARY JANE OAKLAND: Carr, Chair; Bruner and Vande Hoef

As members of the State Board of Social Work Examiners:

ALYCE ANN CLASEN: Taylor, Chair; Coleman and Murphy
JUDITH KAYE RINEHART: Gentleman, Chair; Hannon and C. Miller

As members of the State Foster Care Review Board:

HARRIET VANDE HOEF: Coleman, Chair; Readinger and Carr
KATHRYN M. YOUNG: Wells, Chair; Gratias and Bruner
CAROL A. WORLAN YOUNG: Vande Hoef, Chair; Hannon and Gentleman

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate Chamber on March 19, 20 and 21, 1986.

Had I been present, I would have voted "aye" on Senate Files 2134, 2247, 2261, 2265 and 2276.

WILLIAM W. DIELEMAN

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Orange City Unity Christian High School — 1986 Class 1-A Boys' State basketball tournament champions. Senator Ritsema (March 24, 1986).

Orange City Unity Christian High School Student Body — Winning the 1986 Sportsmanship Award at the Class 1-A Boys' State basketball tournament. Senator Ritsema (March 24, 1986).

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: March 21, 1986, 11:55 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Gronstal and Kinley.

Members Absent: Jensen.

Committee Business: Assigned governor's appointees to committees and to the En Bloc Confirmation Calendar.

Adjourned: 11:59 a.m.

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate:

IOWA LOTTERY

A copy of the Audit Report of the Iowa Lottery for the period ending December 31, 1985, pursuant to Sec. 99E.11, 1985 Code Supplement.

AMENDMENTS FILED

S—5437	H.F.	2380	Charles Bruner
S—5438	S.F.	2270	Alvin L. Miller
S—5439	S.F.	2270	Edgar H. Holden Emil J. Husak
S—5440	S.F.	2163	Jack Rife Michael E. Gronstal
S—5441	S.F.	2249	Beverly Hannon

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Tuesday, March 25, 1986.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 25, 1986

The Senate met in regular session at 9:05 a.m., President Anderson presiding.

Prayer was offered by the Reverend Marvin Van Donselaar, pastor of the Christian Reformed Church, Ocheydan, Iowa.

The Journal of Monday, March 24, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President pro tempore Wells presiding.

HOUSE AMENDMENT CONSIDERED (Deferred March 24, 1986)

Senate File 2175

The Senate resumed consideration of Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel,

management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure and the motion to concur by Senator Carr in House amendment S—5399, deferred on March 24, 1986.

Senator Hutchins asked and received unanimous consent that action on the motion to concur in House amendment S—5399 and Senate File 2175 be deferred.

UNFINISHED BUSINESS (Deferred March 11, 1986)

Senate File 2114

The Senate resumed consideration of Senate File 2114, a bill for an act relating to the issuance of park user fees, deferred March 11, 1986.

Senator Welsh offered amendment S—5368 filed by Senators Welsh, et al., on March 17, 1986, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5368 be adopted?” (S.F. 2114) the vote was:

Ayes, 30:

Boswell	Brown	Coleman	Colton
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rife

Riordan Wells	Soorholtz Welsh	Taylor	Waldstein
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Nays, 17:

Bruner	Carr	Corning	Gentleman
Goodwin	Gratias	Hall	Holden
Holt	Hultman	Lind	Readinger
Ritsema	Schwengels	Small	Tieden
Vande Hoef			

Absent or not voting, 3:

Jensen	Kinley	Miller, C.P.
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Amendment S—5368 was adopted.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2114) the vote was:

Ayes, 33:

Boswell	Brown	Coleman	Colton
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Hall	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Lind	Mann	Miller, A.V.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rife	Riordan	Schwengels
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 15:

Bruner	Carr	Corning	Gentleman
Goodwin	Gratias	Gronstal	Holden
Holt	Jensen	Kinley	Palmer
Ritsema	Small	Vande Hoef	

Absent or not voting, 2:

Miller, C.P.	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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2114** and **House File 2197** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2175

The Senate resumed consideration of Senate File 2175 and the motion to concur in House amendment S—5399, previously deferred.

Senator Gentleman withdrew amendment S—5443 filed by her from the floor to pages 105, 106, 107 through 111, 113, 115, 119 and 121 of House amendment S—5399.

Senator Carr renewed the motion that the Senate concur in House amendment S—5399.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2251** be referred from the Regular Calendar to the committee on **Agriculture**; **Senate File 2279** be referred from the Regular Calendar to the committee on **Judiciary** and **Senate File 323** be referred from the Unfinished Business Calendar to the committee on **State Government**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2175** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:00 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. C. R.	118	Rules and Administration
H.F.	2120	Agriculture
H.F.	2127	Judiciary
H.F.	2220	Local Government
H.F.	2244	State Government
H.F.	2350	Local Government
H.F.	2369	Labor and Industrial Relations
H.F.	2425	Human Resources
H.F.	2427	Judiciary
H.F.	2428	Judiciary
H.F.	2433	Judiciary
H.F.	2438	Human Resources
H.F.	2439	Human Resources
H.F.	2441	State Government
H.F.	2452	Human Resources
H.F.	2455	Judiciary
H.F.	2456	Labor and Industrial Relations
H.F.	2457	State Government
H.F.	2458	Judiciary
H.F.	2459	Energy and Environment
H.F.	2461	Commerce
H.F.	2463	Natural Resources
H.F.	2464	Natural Resources

SUBCOMMITTEE ASSIGNMENTS

House File 2113

TRANSPORTATION: Doyle, Chair; Drake and Hall

House File 2173

STATE GOVERNMENT: Mann, Chair; Dieleman and Corning

House File 2345

AGRICULTURE: Waldstein, Chair; Hester and Boswell

House File 2401

STATE GOVERNMENT: Carr, Chair; Coleman and Schwengels

House File 2404

STATE GOVERNMENT: Schwengels, Chair; Bruner and Corning

House File 2417

LABOR AND INDUSTRIAL RELATIONS: Wells, Chair; Holden and Deluhery

House File 2422

HUMAN RESOURCES: Murphy, Chair; Carr and Vande Hoef

House File 2423

HUMAN RESOURCES: Taylor, Chair; Hannon and Carr

House File 2442

JUDICIARY: Dieleman, Chair; Carr and Drake

House File 2446

AGRICULTURE: A. Miller, Chair; Husak and Waldstein

House File 2454

JUDICIARY: Ritsema, Chair; Mann and Small

House File 2465

COMMERCE: Palmer, Chair; Priebe and Tieden

House File 2466

COMMERCE: Kinley, Chair; Deluhery and Holden

REPORT OF COMMITTEE MEETING**SMALL BUSINESS AND ECONOMIC DEVELOPMENT****Convened:** March 6, 1986, 3:35 p.m.

Members Present: Small, Chair; Boswell, Vice Chair; Rife, Ranking Member; Brown, Peterson, Readinger, Riordan, Vande Hoef and Waldstein.

Members Absent: Doyle, Fraise and Lind (excused).

Committee Business: Approved LSB 7727 as a committee bill.

Recessed: 3:50 p.m.

Reconvened: March 24, 1986, 1:40 p.m.

Members Present: Small, Chair; Boswell, Vice Chair; Rife, Ranking Member; Doyle, Fraise, Lind, Peterson, Riordan and Vande Hoef.

Members Absent: Brown, Readinger and Waldstein.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on House File 2313.

Adjourned: 2:00 p.m.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on March 21, 1986.

Had I been present, I would have voted "aye" on amendments S—5418, 5411, 5426 and 5412 to Senate File 2265.

WILLIAM W. DIELEMAN

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 60, the following senators were appointed to a subcommittee of a standing committee:

AGRICULTURE

As members of the Iowa Family Farm Development Authority:

ERIC W. DEE: Soorholtz, Chair; Palmer and Husak
GEORGE K. SCHNEIDERMAN: Vande Hoef, Chair; Boswell and Husak
LOIS A. SCHNOOR: A. Miller, Chair; Fraise and Hester

STATE GOVERNMENT

As members of the Board of Corrections:

MICHAEL W. MAHAFFEY: Mann, Chair; Carr and Schwengels

JACK J. PASCHALL: Mann, Chair; Carr and Schwengels

As a member of the Commission for the Blind:

JOHN C. WELLMAN: Mann, Chair; Bruner and Gentleman

As a member of the Iowa Beer and Liquor Control Council:

LARRY A. HUEGLI: Nystrom, Chair; C. Miller and Horn

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 2191, a bill for an act relating to the disclosure of suggested price information by the retail seller of certain motor vehicles, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2384, a bill for an act relating to the registration of a mark which has become distinctive of the applicant's goods or services.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 1: Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2386, a bill for an act relating to peer review and licensing board information by providing for the confidentiality of peer review proceedings and records, by providing access to the board of medical examiners to hospital disciplinary information concerning physicians, and by providing for the exchange of confidential investigative information between licensing agencies in this state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5445.

Final Vote: Ayes, 10: Hannon, Bruner, Gentleman, Carr, Coleman, Gratias, Murphy, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 2: C. Miller and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2422, a bill for an act relating to the department of human services' authority to investigate certain child sexual abuse cases and control access to certain information in child abuse cases.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Bruner, Gentleman, Carr, Coleman, Gratias, Murphy, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 2: C. Miller and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the Committee on Human Resources assigned to investigate the reappointment of Alyce Ann Clasen as a member of the State Board of Social Work Examiners, completed its investigation on March 25, 1986, and recommended the appointment be confirmed.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eight students from Plymouth County High Schools, accompanied by Weston Karr. Senator Ritsema.

Senior students from Reinbeck High School, Reinbeck, Iowa, accompanied by Marvin Cook. Senator Jensen.

AMENDMENTS FILED

S—5442	H.F.	2344	Berl E. Priebe
S—5443	S.F.	2175	Julia Gentleman

S—5444	H.F.	732	Edgar H. Holden
S—5445	H.F.	2386	Human Resources

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Anderson presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 18, 1986)

Senate File 2248

The Senate resumed consideration of Senate File 2248, a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist, deferred on March 18, 1986.

Senator Coleman took the chair at 4:40 p.m.

Senator Bruner offered amendment S—5400 filed by him on March 20, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5400 was adopted by a voice vote.

Senator Hultman offered amendment S—5398 filed by him on March 19, 1986 to page 1 of the bill.

Senator Bruner raised the point of order that amendment S—5398 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5398 in order.

Senator Waldstein asked unanimous consent that action on amendment S—5398 and Senate File 2248 be deferred.

Senator Waldstein withdrew his request.

Senator Hultman withdrew amendment S—5398.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2248) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Riordan	Ritsema
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 11:

Drake	Hester	Holden	Holt
Hultman	Jensen	Lind	Readinger
Rife	Schwengels	Tieden	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2248 passed the Senate on March 25, 1986.

ARNE WALDSTEIN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2248 passed the Senate on March 25, 1986.

CHARLES BRUNER

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2381

On motion of Senator Ritsema, House File 2381, a bill for a act relating to the adoption of the uniform transfers to minors Act, was taken up for consideration (substituted for Senate File 2218 on March 10, 1986).

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2381) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2301

On motion of Senator Murphy, House File 2301, a bill for an act relating to sanitary disposal projects, was taken up for consideration (substituted for Senate File 2110 as amended on March 10, 1986).

Senator Jensen offered amendment S—5304 filed by Senators Jensen and Murphy on March 11, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5304 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. 2301) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Ritsema asked and received unanimous consent that **Senate File 2218** be **withdrawn** from further consideration of the Senate.

House File 767

On motion of Senator Colton, 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, with report of committee recommending passage, was taken up for consideration.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 767) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2325.

House File 2325

On motion of Senator Miller of Cerro Gordo, House File 2325, a bill for an act exempting electric public utilities having less than ten thousand customers and electric cooperative corporations and associations from the rate regulation authority of the Iowa commerce commission and defining the areas in which such utilities remain subject to regulation, was taken up for consideration (substituted for Senate File 2081 as amended on March 11, 1986).

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. 2325) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman

Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Miller of Cerro Gordo asked and received unanimous consent that **Senate File 2081** be **withdrawn** from further consideration of the Senate.

Senator Hutchins asked and received unanimous consent to take up out of order House File 166.

House File 166

On motion of Senator Riordan, House File 166, a bill for an act requiring the Iowa development commission to collect information regarding farm tourism, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—5275 filed by the committee on Small Business and Economic Development on March 6, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5275 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 166) the vote was:

Ayes, 27:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Hester	Horn	Hutchins	Mann

Miller, A. V.	Miller, C.P.	Murphy	Priebe
Rife	Riordan	Small	Soorholtz
Tieden	Vande Hoef	Wells	

Nays, 23:

Brown	Corning	Dieleman	Drake
Gentleman	Goodwin	Gratias	Holden
Holt	Hultman	Husak	Jensen
Kinley	Lind	Nystrom	Palmer
Peterson	Readinger	Ritsema	Schwengels
Taylor	Waldstein	Welsh	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2437, a bill for an act prohibiting certain rate-regulated electric public utilities from including in their charges or rates to customers costs of construction of electric generating power plants which have not been placed in commercial operation with exceptions for certain prudently incurred costs.

This bill was read first time and **passed on file**.

House File 2460, a bill for an act relating to the disposition of seizable and forfeitable property, and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 25, 1986, **insisted on** its amendment to **Senate File 2175**, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of

law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure, and the members of the **conference committee**, on the part of the House are: The Representative from Johnson, Mrs. Lloyd-Jones, chair; the Representative from Story, Mrs. Hammond, the Representative from Webster, Mr. Rod Halvorson, the Representative from Delaware, Mr. Hansen and the Representative from Keokuk, Mr. Swearingen.

INTRODUCTION OF BILL

Senate File 2286, by Holden, a bill for an act relating to the establishment of enterprise zones and providing tax credits, exemptions, refunds, and other incentives.

Read first time and **passed on file**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following **conference committee** on **Senate File 2175** on the part of the Senate: Senators Carr, Chair; Bruner, Dieleman, Drake and Nystrom.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.F.	2437	Commerce
H.F.	2460	Judiciary

STUDY BILLS RECEIVED

SSB 2216 Ways and Means

Relating to care of animals in commercial establishments.

SSB 2217 Ways and Means

Relating to activities for which certain state tax liabilities will not arise.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary to the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 25th day of March, 1986:

Senate File 2215.

K. MARIE THAYER
Secretary of the Senate

COMMUNICATION

The following communication has been received in the office of the Secretary of the Senate on March 25, 1986:

March 24, 1986

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the Senate.

These include 14 claims of a general nature. This supplements our filing of January 6, 1986.

Index is attached showing number of claim, name and address of claimant, amount of claim, and action taken.

Very truly yours,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

Pursuant to Chapter 24A, General Claims denied by the State Appeal Board were received and filed with the Claims subcommittee of the Senate Appropriations Committee.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the reappointment of R. Dean Wright as a member of the Criminal and Juvenile Justice Advisory Committee, completed its investigation on March 25, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the reappointment of Lawrence F. Scalise as a member of the State Racing Commission, completed its investigation on March 25, 1986, and recommended the appointment be confirmed.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: HOUSE FILE 2167, a bill for an act relating to the time allowed for persons to file additional objections to a school reorganization petition if the board continues the hearing on the petition.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Murphy, Horn, Gratias, Colton, Corning, Hannon, Riordan, Ritsema, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2407, a bill for an act relating to the sale, lease, or disposal of property of a school corporation.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Murphy, Horn, Gratias, Colton, Corning, Hannon, Riordan, Ritsema, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2098, a bill for an act to prohibit the abandonment of dogs and cats and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 1: Ritsema.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2239, a bill for an act relating to criminal offenses committed against or with children and to court testimony by children.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2252, a bill for an act relating to the proving of paternity for purposes of inheritance.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2280, a bill for an act relating to violations of child custody orders and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5447.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2426, a bill for an act relating to the deferral of fees, costs, or security in civil or criminal actions, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2435, a bill for an act providing the right to a chemical test upon arrest on a charge of public intoxication.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, 2: Dieleman and Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: HOUSE FILE 2416, a bill for an act relating to the filing of a surety bond or depositing of moneys or securities with the department of job service by a nonprofit organization electing to become a reimbursable employer under the unemployment compensation law.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2417, a bill for an act relating to the regulation of stairway chair lifts and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Mann, Gettings, Jensen, Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2403, a bill for an act relating to the operation of city civil service commissions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 102, a bill for an act relating to smoking in public places and public meetings and applying penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5449.

Final Vote: Ayes, 9: Carr, Dieleman, Bruner, Nystrom, C. Miller, Drake, Corning, Welsh and Mann. Nays, 4: Coleman, Rife, Gentleman and Schwengels. Absent or not voting, 1: Horn.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2404, a bill for an act relating to sales by the historical department.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Mann, C. Miller, Horn, Welsh, Drake, Gentleman, Corning, Schwengels, Rife and Coleman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 123, a bill for an act relating to the issuance of handicapped identification devices, making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and Nystrom. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2097, a bill for an act to exempt authorized emergency vehicles from the child restraint law.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Kinley and Nystrom. Nays, none. Absent or not voting, 2: Jensen and A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2113, a bill for an act relating to the liability for actions to allow or facilitate the use of land contiguous to highways or roadways.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and Nystrom. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2293, a bill for an act relating to the definition of a transporter.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5446.

Final Vote: Ayes, 9: Coleman, Hall, Drake, Doyle, Gettings, Goodwin, Jensen, Kinley and Nystrom. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5446	H.F.	2293	Transportation
S—5447	H.F.	2280	Judiciary
S—5448	H.F.	2280	Ray Taylor
S—5449	H.F.	102	State Government

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:53 p.m., until 9:00 a.m., Wednesday, March 26, 1986.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
 FORTY-SEVENTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, March 26, 1986

The Senate met in regular session at 9:09 a.m., President Anderson presiding.

Prayer was offered by Father Phillip Schmitt, pastor of the Immaculate Conception Church, Cedar Rapids, Iowa.

The Journal of Tuesday, March 25, 1986, was approved.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 340.

House File 340

On motion of Senator Riordan, House File 340, a bill for an act relating to the operation of bed and breakfast homes, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 340) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom

Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 2:

Holden	Hultman
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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.

MOTION TO RECONSIDER ADOPTED

Senator Bruner called up the motion to reconsider Senate File 2248 filed by him on March 25, 1986, found on page 869 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2248) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A. V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Schwengels	Small	Waldstein
Wells	Welsh		

Nays, 13:

Corning	Gentleman	Goodwin	Gratias
Hester	Holden	Hultman	Lind
Rife	Ritsema	Taylor	Tieden
Vande Hoef			

Absent or not voting, 3:

Holt	Miller, C.P.	Soorholtz
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The motion prevailed.

Senator Bruner moved to reconsider the vote by which Senate File 2248 went to its last reading, which motion prevailed by a voice vote.

Senate File 2248

On motion of Senator Bruner, Senate File 2248, a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist, was taken up for reconsideration.

Senator Bruner filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5400 to Senate File 2248 was adopted by the Senate on March 25, 1986.

The motion prevailed by a voice vote and amendment S—5400 by Senator Bruner to page 1 of the bill, was taken up for reconsideration.

Senator Waldstein offered amendment S—5452 filed by Senators Waldstein and Hultman from the floor to amendment S—5400 and moved its adoption.

Amendment S—5452 lost by a voice vote.

Senator Bruner moved the adoption of amendment S—5400, which motion prevailed by a voice vote.

Senator Riordan took the chair at 10:11 a.m.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2248) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Horn

Husak	Hutchins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Wells	Welsh

Nays, 10:

Hester	Holden	Holt	Hultman
Jensen	Lind	Rife	Soorholtz
Vande Hoef	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2248** be **immediately messaged** to the House.

The motion to reconsider the vote by which Senate File 2248 passed the Senate on March 25, 1986, filed by Senator Waldstein on March 25, 1986, and found on page 869 of the Senate Journal, was out of order.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2451, a bill for an act relating to the provision of grants intended to facilitate the establishment of businesses within this state.

This bill was read first time and **passed on file**.

House File 2462, a bill for an act relating to education cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a

time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts.

This bill was read first time and referred to the committee on **Education**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:16 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.F.	2065	Judiciary
H.F.	2164	State Government
S.F.	2286	Small Business & Economic Development

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 25, 1986, 2:37 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member; Boswell, Fraise, Hester, Husak, Palmer and Waldstein.

Members Absent: Vande Hoef.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:43 p.m.

COMMERCE

Convened: March 25, 1986, 8:07 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Nystrom, Peterson, Priebe and Tieden.

Members Absent: Palmer.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2191 and 2384; deferred action on House File 2388.

Adjourned: 8:15 a.m.

EDUCATION

Convened: March 25, 1986, 11:10 a.m..

Members Present: Murphy, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Riordan, Taylor, Wells and Ritsema.

Members Absent: none.

Committee Business: Recommended passage of House Files 2167, 2407 and 2286 and discussed governor's appointees.

Adjourned: 11:45 a.m.

EDUCATION

Convened: March 26, 1986, 10:22 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Colton, Corning, Hannon, Ritsema and Wells.

Members Absent: Gratias, Ranking Member (excused), Riordan and Taylor.

Committee Business: Assigned House File 2462 to a subcommittee.

Adjourned: 10:25 a.m.

ENERGY AND ENVIRONMENT

Convened: March 26, 1986, 8:25 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown (arrived 8:26 a.m.), Carr (arrived 8:29 a.m.), Gronstal, Hultman, A. Miller and Rife.

Members Absent: Soorholtz.

Committee Business: Assigned House File 2459 to a subcommittee; recommended passage of House Files 2348 and 2397.

Adjourned: 9:00 a.m.

HUMAN RESOURCES

Convened: March 25, 1986, 8:12 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member (arrived 8:17 a.m.); Carr, Coleman, Gratias, Murphy (arrived 8:13 a.m.), Taylor, Vande Hoef (arrived 8:13 a.m.) and Wells.

Members Absent: C. Miller and Readinger.

Committee Business: Announced assignment of governor's appointees and bills to subcommittees; recommended confirmation of governor's appointee, Alyce Ann Clasen, to the En Bloc Confirmation Calendar; recommended passage of House Files 2386 and 2422.

Adjourned: 8:30 a.m.

JUDICIARY

Convened: March 25, 1986, 1:35 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2426, 2098, 2280, 2252, 2239 and 2235.

Adjourned: 2:35 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 25, 1986, 2:30 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife, Wells and Welsh.

Members Absent: none.

Committee Business: Recommended passage of House Files 2416, 2417 and 187.

Adjourned: 2:55 p.m.

LOCAL GOVERNMENT

Convened: March 25, 1986, 1:39 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Fraise, Goodwin, Hall, Lind, Priebe, Vande Hoef and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 2403; discussed and deferred action on House Files 2370 and 2374.

Adjourned: 2:17 p.m.

NATURAL RESOURCES

Convened: March 26, 1986, 8:03 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Peterson, Riordan and Tieden.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2414 and 2154.

Adjourned: 9:10 a.m.

TRANSPORTATION

Convened: March 25, 1986, 11:02 a.m.

Members Present: Coleman, Chair; Hall, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen (excused and arrived at 11:08 a.m.), Kinley and Nystrom.

Members Absent: A. Miller (excused).

Committee Business: Announced subcommittees assigned for governor's appointees; assigned House File 2113 to a subcommittee; recommended confirmation of governor's appointees to the En Bloc Confirmation Calendar; recommended passage of House Files 2097, 2113 and 123; recommended passage of House File 2293 as amended.

Adjourned: 11:15 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 117

RULES AND ADMINISTRATION: Gettings, Chair; Jensen and Gronstal

Senate File 2236

WAYS AND MEANS: Dieleman, Chair; Husak and Readinger

House File 2127

JUDICIARY: Doyle, Chair; Deluhery and Drake

House File 2154

NATURAL RESOURCES: Tieden, Chair; Goodwin and Hall

House File 2220

LOCAL GOVERNMENT: A. Miller, Chair; Waldstein and Wells

House File 2299

WAYS AND MEANS: Boswell, Chair; Riordan and Hester

House File 2350

LOCAL GOVERNMENT: Lind, Chair; A. Miller and Fraise

House File 2369

LABOR AND INDUSTRIAL RELATIONS: Colton, Chair; Wells and Rife

House File 2414

NATURAL RESOURCES: Peterson, Chair; Tieden and Hannon

House File 2425

HUMAN RESOURCES: Readinger, Chair; Coleman and Hannon

House File 2427

JUDICIARY: Mann, Chair; Small and Ritsema

House File 2428

JUDICIARY: Coleman, Chair; Taylor and Carr

House File 2433

JUDICIARY: Mann, Chair; Horn and Taylor

House File 2438

HUMAN RESOURCES: Carr, Chair; Bruner and Vande Hoef

House File 2439

HUMAN RESOURCES: Taylor, Chair; C. Miller and Murphy

House File 2441

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

House File 2443

NATURAL RESOURCES: Hannon, Chair; Schwengels and Husak

House File 2452

HUMAN RESOURCES: Bruner, Chair; Carr and Gratias

House File 2455

JUDICIARY: Small, Chair; Deluhery and Holt

House File 2456

LABOR AND INDUSTRIAL RELATIONS: Wells, Chair; Welsh and Jensen

House File 2457

STATE GOVERNMENT: Bruner, Chair; Drake and Mann

House File 2458

JUDICIARY: Mann, Chair; Small and Ritsema

House File 2459

ENERGY AND ENVIRONMENT: Bruner, Chair; Brown and Soorholtz

House File 2460

JUDICIARY: Mann, Chair; Small and Ritsema

House File 2462

EDUCATION: Horn, Chair; Wells and Gratias

House File 2463

NATURAL RESOURCES: Tieden, Chair; Goodwin and Hall

House File 2464

NATURAL RESOURCES: Gratias, Chair; Hannon and Peterson

SSB 2216

WAYS AND MEANS: Riordan, Chair; Dieleman and Holt

SSB 2217

WAYS AND MEANS: Bruner, Chair; Mann and Hester

REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

TRANSPORTATION

Pursuant to Senate Rule 60, the Committee on Transportation assigned to investigate the appointment of Robert H. Meier and the reappointment of Austin B. Turner as a member of the State Transportation Commission, completed its investigation on March 25, 1986, and recommended the appointments be confirmed.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: HOUSE FILE 2286, a bill for an act relating to electronically transmitted educational programs.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5453.

Final Vote: Ayes, 10: Murphy, Horn, Gratias, Colton, Corning, Hannon, Riordan, Ritsema, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENERGY AND ENVIRONMENT

Final Bill Action: HOUSE FILE 2348, a bill for an act relating to water sold in sealed containers for human consumption and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Bruner, Colton, Corning, Brown, Carr, Gronstal, and A. Miller. Nays, 2: Hultman and Rife. Absent or not voting, 1: Soorholtz.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2397, a bill for an act relating to sanitary landfills.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Bruner, Colton, Brown, Carr, Gronstal and A. Miller. Nays, 3: Corning, Hultman and Rife. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 2154, a bill for an act relating to licenses for the taking of animals.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5454.

Final Vote: Ayes, 10: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Riordan, Schwengels and Tieden. Nays, 2: Husak and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5450	H.F.	2417	Ray Taylor
S—5451	H.F.	2417	Ray Taylor
S—5452	S.F.	2248	Arne Waldstein Calvin O. Hultman
S—5453	H.F.	2286	Education
S—5454	H.F.	2154	Natural Resources

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Anderson presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Holt for the remainder of the day on request of Senator Holden and Senator Wells for the remainder of the day on request of Senator Hutchins.

QUORUM CALL

Senator Husak 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 AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2065, a bill for an act relating to nonsubstantive Code corrections.

This bill was read first time and **passed on file**.

House File 2164, a bill for an act to provide for a public policy research foundation.

This bill was read first time and **passed on file**.

House File 2336, a bill for an act relating to the authority of the department of water, air and waste management over hazardous substances and hazardous conditions.

This bill was read first time and **passed on file**.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Coleman presiding.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2062

Senator Husak withdrew the motion to reconsider Senate File 2062, a bill for an act relating to membership sales, by exempting cooperatives organized under chapter 499, filed by him on March 17, 1986, and found on page 741 of the Senate Journal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 268.

House File 268

On motion of Senator Carr, House File 268, a bill for an act relating to escapees from community-based correctional facilities, and adopting penalties, with report of committee recommending passage, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 268) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 2:

Holt

Wells

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Small for the remainder of the day on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

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 passage, was taken up for consideration.

Senator Mann offered amendment S—5313 filed by the committee on Judiciary on March 11, 1986, to page 1 and the title page of the bill.

Senator Holden offered amendment S—5444 filed by him on March 25, 1986, to amendment S—5313.

Senator Mann raised the point of order that amendment S—5444 to amendment S—5313 was not germane.

The Chair ruled the point well taken and amendment S—5444 out of order.

Senator Lind asked and received unanimous consent that action on amendment S—5313 and **House File 732** be **deferred**.

House File 2178

On motion of Senator Gentleman, House File 2178, a bill for an act to establish a consignment relationship between artists and art dealers for the sale of the artist's works, with report of

committee recommending amendment and passage, was taken up for consideration.

Senator Gentleman offered amendment S—5312 filed by the committee on Judiciary on March 11, 1986, to pages 1 and 3 of the bill and moved its adoption.

Amendment S—5312 was adopted by a voice vote.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2178) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, none.

Absent or not voting, 3:

Holt	Small	Wells
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2078.

House File 2078

On motion of Senator Riordan, House File 2078, a bill for an act relating to navigation near a diving flag and subjecting violators to a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—5334 filed by the committee on Natural Resources on March 12, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5334 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2078) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Riordan	Ritsema	Schwengels	Soorholtz
Tieden	Vande Hoef	Waldstein	Welsh

Nays, 2:

Peterson	Readinger
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Voting present, 4:

Drake	Lind	Rife	Taylor
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Absent or not voting, 4:

Holden	Holt	Small	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.

BUSINESS PENDING

House File 732

The Senate resumed consideration of House File 732 and amendment S—5313, previously deferred.

Senator Mann moved the adoption of amendment S—5313, which motion prevailed by a voice vote.

With the adoption of amendment S—5313, the Chair ruled amendment S—3734 filed by the committee on Judiciary on March 28, 1985, to page 1 of the bill, out of order.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 732) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, none.

Absent or not voting, 4:

Holt	Small	Wells	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.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 26, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 159 — Relating to registration and numbering of snowmobiles and eliminating penalties for registration of snowmobiles which have not been registered for two consecutive registration periods.

SENATE FILE 2215 — Relating to investments by fiduciaries by broadening provisions relating to investments in United States government obligations.

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 26, 1986, 2:40 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Palmer, Peterson, Priebe and Tieden.

Members Absent: Nystrom (excused).

Committee Business: Recommended passage of House Files 2388, 2181, 2465 and 2230; recommended passage of House File 2219 as amended.

Adjourned: 3:17 p.m.

JUDICIARY

Convened: March 26, 1986, 1:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Ritsema, Ranking Member; Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 2454, 2455 and 2442.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: March 26, 1986, 10:25 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Riordan and Soorholtz.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 2144; discussed SSB 2213.

Adjourned: 11:05 a.m.

REPORTS OF COMMITTEE

(Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the reappointment of Michael W. Mahaffey as a member of the Board of Corrections, completed its investigation on March 25, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the reappointment of John C. Wellman as a member of the Commission for the Blind, completed its investigation on March 25, 1986, and recommended the appointment be confirmed.

REPORT OF STANDING COMMITTEE

(Place nominee on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 60, the Committee on State Government assigned to investigate the reappointment of Jack J. Paschall as a member of the Board of Corrections, completed its investigation on March 26, 1986, and **made no recommendation.**

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: HOUSE FILE 2181, a bill for an act relating to establishing the Iowa comprehensive health association, providing for a plan of operation,

establishing financial procedures, providing eligible expenses, excluding certain requirements, and relating to other provisions of health insurance coverage and providing an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Palmer, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2219, a bill for an act providing for optional payment by corporations subject to chapters 509, 514, and 514B for services performed by chiropractors, making corporations organized by chiropractors for establishing, maintaining, and operating a health care service plan subject to chapter 514 and requiring chapter 514 corporations and physician providers to establish utilization review programs for purposes of health care cost control.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5462.

Final Vote: Ayes, 7: Kinley, Deluhery, Gronstal, Jensen, Palmer, Peterson and Priebe. Nays, 2: Holden and Tieden. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2230, a bill for an act relating to the disclosure of information regarding open-end credit accounts, credit cards, and financial services.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Kinley, Deluhery, Gronstal, Jensen, Palmer, Peterson, Priebe and Tieden. Nays, 1: Holden. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2388, a bill for an act relating to statutory requirements for corporations and limited partnerships by revising provisions governing filings, fees, reports, service of process, and publication of notice.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Palmer, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2465, a bill for an act relating to the continuation of and conversion of accident or health benefits and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Kinley, Deluhery, Gronstal, Holden, Jensen, Palmer, Peterson, Priebe and Tieden. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2442, a bill for an act relating to an act providing a statute of limitations for certain actions arising out of improvements to real property.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Small and Taylor. Nays, 2: Mann and Ritsema. Absent or not voting, 2: Horn and Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2454, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5458.

Final Vote: Ayes, 12: Doyle, Mann, Ritsema, Carr, Deluhery, Dieleman, Drake, Hester, Holt, Horn, Small and Taylor. Nays, 2: Coleman and Gentleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2455, a bill for an act relating to tax sales and redemptions, by revising provisions governing notice and other procedures.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5459.

Final Vote: Ayes, 14: Doyle, Mann, Ritsema, Carr, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 2414, a bill for an act relating to hunting and fishing.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5457.

Final Vote: Ayes, 11: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Peterson, Riordan, Schwengels and Tieden. Nays, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2457, a bill for an act relating to elections.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5463.

Final Vote: Ayes, 12: Carr, Dieleman, Bruner, Horn, Mann, Corning, Gentleman, Rife, Drake, Coleman, Schwengels and C. Miller. Nays, none. Absent or not voting, 2: Nystrom and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5455	S. F.	2243	Milo Colton
S—5456	S. F.	2274	Arthur A. Small, Jr.
S—5457	H. F.	2414	Natural Resources
S—5458	H. F.	2454	Judiciary
S—5459	H. F.	2455	Judiciary

S—5460	H.F.	2349	William W. Dieleman
S—5461	S.F.	2266	Patrick J. Deluhery
S—5462	H.F.	2219	Commerce
S—5463	H.F.	2457	State Government

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:44 p.m., until 9:00 a.m., Thursday, March 27, 1986.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
 FORTY-EIGHTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Thursday, March 27, 1986

The Senate met in regular session at 9:06 a.m., President Anderson presiding.

Prayer was offered by the Honorable Jack Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa who vocally performed "How Great Thou Art".

The Journal of Wednesday, March 26, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Miller of Des Moines for the morning and Wells for the remainder of the week on request of Senator Hutchins.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 545

Senator Holden withdrew the motion to reconsider Senate File 545, a bill for an act relating to the reorganization of bank affiliates, filed by him on March 5, 1986, and found on page 566 of the Senate Journal.

Senator Priebe withdrew the motion to reconsider Senate File 545 filed by him on March 4, 1986, and found on page 540 of the Senate Journal.

Senator Hutchins asked and received unanimous consent that **Senate File 545** be **immediately messaged** to the House.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House Files 2404** and **2286** be referred from the Regular Calendar to the committee on **Appropriations**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2243.

Senate File 2243

On motion of Senator Colton, Senate File 2243, a bill for an act relating to the authority of the department of water, air and waste management over hazardous substances and hazardous conditions, was taken up for consideration.

Senator Colton asked and received unanimous consent that action on **Senate File 2243** be **deferred**.

Senate File 2249

On motion of Senator Hannon, Senate File 2249, a bill for an act relating to the rights of grandparents, was taken up for consideration.

Senator Hannon offered amendment S—5441 filed by her on March 24, 1986, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5441 was adopted by a voice vote.

Senator Hannon asked and received unanimous consent that **House File 2409** be substituted for **Senate File 2249**.

Senator Hannon asked and received unanimous consent that action on **House File 2409** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2274.

Senate File 2274

On motion of Senator Small, Senate File 2274, a bill for an act relating to the establishment of private sector small-business development corporations, was taken up for consideration.

Senator Small offered amendment S—5456 filed by him on March 26, 1986, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5456 was adopted by a voice vote.

Senator Small withdrew amendment S—5393 filed by Senators Small and Hultman on March 19, 1986, to strike everything after the enacting clause and the title page of the bill.

Senator Small asked and received unanimous consent that **House File 2451** be substituted for **Senate File 2274** as amended.

Senator Small asked and received unanimous consent that action on **House File 2451** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 721.

House File 721

On motion of Senator Small, House File 721, a bill for an act relating to the service of process on an individual's spouse at a place other than the individual's dwelling house or usual place of abode, with report of committee recommending passage, was taken up for consideration.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 721) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins

Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Small	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Hester	Miller, C.P.	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 File 2067

On motion of Senator Small, House File 2067, a bill for an act relating to the use of financial instruments and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Small offered amendment S—5333 filed by the committee on Judiciary on March 12, 1986, to page 1 and the title page of the bill.

Senator Small offered amendment S—5392 filed by him on March 19, 1986, to amendment S—5333 and moved its adoption.

Amendment S—5392 was adopted by a voice vote.

Senator Small moved the adoption of amendment S—5333 as amended, which motion prevailed by a voice vote.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2067) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise

Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Small	Taylor
Tieden	Vande Hoef	Waldstein	Welsh

Nays, none.

Absent or not voting, 6:

Hultman	Miller, A.V.	Miller, C.P.	Schwengels
Soorholtz	Wells		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 2110

On motion of Senator Corning, House File 2110, a bill for an act relating to the membership of the state day care advisory committee, with report of committee recommending passage, was taken up for consideration.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2110) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Small	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Nays, none.

Absent or not voting, 7:

Deluhery	Miller, C.P.	Rife	Ritsema
Schwengels	Soorholtz	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2344.

House File 2344

On motion of Senator Gronstal, House File 2344, a bill for an act relating to the toxic cleanup days pilot program and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Priebe offered amendment S—5442 filed by him on March 25, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5442 was adopted by a voice vote.

Senator Holden offered amendment S—5434 filed by him on March 24, 1986, to page 1 and the title page of the bill and called for a division: line 3 as division S—5434A and lines 4 through 6 as division S—5434B.

Senator Holden moved the adoption of division S—5434A, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—5434B, which motion lost by a voice vote.

Senator Gronstal asked and received unanimous consent that action on **House File 2344** be deferred.

House File 2349

On motion of Senator Welsh, House File 2349, a bill for an act relating to games of skill, games of chance and raffles, with report of committee recommending passage, was taken up for consideration.

Senator Welsh asked and received unanimous consent that action on **House File 2349** be deferred for preparation of an amendment.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 2163

On motion of Senator Vande Hoef, Senate File 2163, a bill for an act relating to unclaimed winnings from pari-mutuel betting, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S—5347 filed by the committee on Appropriations on March 13, 1986, to page 1 of the bill.

Senator Welsh offered amendment S—5384 filed by him on March 18, 1986, to amendment S—5347.

Senator Priebe asked and received unanimous consent that action on amendment S—5347, amendment S—5384 to S—5347 and **Senate File 2163** be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:00 a.m., until 4:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 118

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

House File 2065

JUDICIARY: Doyle, Chair; Coleman and Ritsema

House File 2437

COMMERCE: Deluhery, Chair; Palmer and Holden

House File 2461

COMMERCE: Tieden, Chair; Nystrom and Gronstal

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 27, 1986, 11:10 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Riordan, Taylor and Ritsema.

Members Absent: Wells.

Committee Business: Recommended passage of House File 2462.

Adjourned: 11:50 a.m.

ENERGY AND ENVIRONMENT

Convened: March 27, 1986, 10:20 a.m.

Members Present: Bruner, Chair; Colton, Vice Chair; Corning, Ranking Member; Brown, Carr, Gronstal, Hultman, A. Miller, Rife and Soorholtz (arrived 10:28 a.m.).

Members Absent: none.

Committee Business: Recommended passage of House Files 2376, 2434 and 2459.

Adjourned: 10:40 a.m.

HUMAN RESOURCES

Convened: March 26, 1986, 1:40 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Gratias, C. Miller, Murphy, Readinger (arrived 1:41 p.m.), Taylor (arrived 1:41 p.m.), Vande Hoef and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and House File 547 failed recommendation for passage.

Adjourned: 3:31 p.m.

LOCAL GOVERNMENT

Convened: March 27, 1986, 1:38 p.m.

Members Present: A. Miller, Chair; C. Miller, Vice Chair; Waldstein, Ranking Member; Fraise, Goodwin, Hall, Lind, Priebe and Vande Hoef.

Members Absent: Wells (excused).

Committee Business: Recommended passage of House File 2220; recommended passage of House Files 2370, 2374 and 2350 as amended.

Adjourned: 1:59 p.m.

NATURAL RESOURCES

Convened: March 27, 1986, 10:05 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Gratias, Husak (arrived 10:14 a.m.), Hannon, Hester, Peterson, Riordan, Tieden and Goodwin.

Members Absent: none.

Committee Business: Recommended passage of House Files 2208, 2226 and 2245; recommended passage of House File 2443 as amended; deferred action on House File 2303.

Adjourned: 11:04 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 27, 1986, 8:30 a.m.

Members Present: Small, Chair; Boswell, Vice Chair; Rife, Ranking Member; Brown, Doyle, Fraise, Peterson, Riordan, Vande Hoef and Lind.

Members Absent: Readinger and Waldstein.

Committee Business: Recommended passage of House Files 2400, 2315, 2313 and 2412.

Adjourned: 9:00 a.m.

STATE GOVERNMENT

Convened: March 26, 1986, 3:49 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Horn, Mann, Rife, Drake, Gentleman, Corning, Schwengels, Coleman and C. Miller.

Members Absent: Nystrom, Ranking Member and Welsh (both excused).

Committee Business: Recommended confirmation of governor's appointees John C. Wellman and Michael W. Mahaffey to En Bloc Confirmation Calendar; placed Jack J. Paschall on the Individual Confirmation Calendar and made no recommendation; recommended passage of House Files 2441 and 2457.

Adjourned: 4:30 p.m.

COMMITTEE REPORTS**ENERGY AND ENVIRONMENT**

Final Bill Action: HOUSE FILE 2376, a bill for an act establishing liability of persons responsible for hazardous conditions for reasonable costs incurred by the department of water, air and waste management in responding to the conditions, and providing for the credit of recoveries for the liabilities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5479.

Final Vote: Ayes, 8: Bruner, Colton, Corning, Brown, Carr, Gronstal, Hultman and Rife. Nays, 1: A. Miller. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2434, a bill for an act relating to the treatment of certain waters, incorporating a penalty, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5480.

Final Vote: Ayes, 10: Bruner, Colton, Corning, Brown, Carr, Gronstal, Hultman, A. Miller, Rife and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2459, a bill for an act to establish an Iowa environmental improvement and energy resources authority.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Bruner, Colton, Corning, Carr, Gronstal, A. Miller, Rife and Soorholtz. Nays, 1: Hultman. Absent or not voting, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2220, a bill for an act relating to the power of a city council over variances granted by a board of adjustment.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind and Vande Hoef. Nays, 1: Priebe. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 2208, a bill for an act to require state conservation approval of county conservation board projects for aquisition or exchange of land and general development plans where costs of the project exceed twenty-five thousand dollars.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Peterson, Riordan, Schwengels and Tieden. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2226, a bill for an act relating to licenses issued to landowners and tenants for the taking of deer and wild turkey.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Peterson, Riordan, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2245, a bill for an act relating to the confidentiality of archaeological sites or resource information and subjecting violators to a civil and criminal penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Peterson, Riordan, Schwengels and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2303, a bill for an act to require a one-time, extensive test for water contaminants in certain public water supplies.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5482.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Gratias, Hannon, Husak, Riordan and Tieden. Nays, none. Absent or not voting, 3: Hester, Peterson and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2443, a bill for an act to establish the Iowa Conservation Corps and making an appropriation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5483.

Final Vote: Ayes, 10: Priebe, Doyle, Goodwin, Gratias, Hannon, Hester, Husak, Riordan, Schwengels and Tieden. Nays, 1: Peterson. Absent or not voting, 1: Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 2313, a bill for an act relating to horticultural crops and nontraditional crops by creating a linked deposit program to provide loan moneys for the production, processing, and marketing of horticultural crops or nontraditional crops and providing a preference for purchasing horticultural products grown in this state, providing for penalties, providing for a repeal, and providing for an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Small, Boswell, Brown, Doyle, Fraise, Riordan and Lind. Nays, 3: Rife, Peterson and Vande Hoef. Absent or not voting, 2: Readinger and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2315, a bill for an act providing for an interim study relating to the promotion and development of recreation and tourism along the Missouri and Mississippi rivers.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Small, Boswell, Rife, Brown, Doyle, Fraise, Peterson, Riordan, Vande Hoef and Lind. Nays, none. Absent or not voting, 2: Readinger and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2400, a bill for an act relating to the Iowa community development loan program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5481.

Final Vote: Ayes, 10: Small, Boswell, Rife, Brown, Doyle, Fraise, Peterson, Riordan, Vande Hoef and Lind. Nays, none. Absent or not voting, 2: Readinger and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2412, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Small, Boswell, Rife, Brown, Doyle, Fraise, Peterson, Riordan, Vande Hoef and Lind. Nays, none. Absent or not voting, 2: Readinger and Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2164, a bill for an act to provide for a public policy research foundation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5474.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Mann, Bruner, Horn, Coleman, Drake, Rife, Gentleman, Corning and Welsh. Nays, none. Absent or not voting, 2: C. Miller and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2401, a bill for an act establishing a state management training program and a management training revolving fund.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5475.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Mann, Bruner, Horn, Coleman, Drake, Rife, Gentleman, Corning and Welsh. Nays, none. Absent or not voting, 2: C. Miller and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2441, a bill for an act relating to notary publics by eliminating the bond requirement.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5476.

Final Vote: Ayes, 12: Carr, Dieleman, Bruner, Horn, Mann, Corning, Gentleman, Rife, Drake, Coleman, Schwengels and C. Miller. Nays, none. Absent or not voting, 2: Nystrom and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2144, a bill for an act to require the payment of interest on any amount of a refund for motor fuel taxes paid if the refund is not paid within sixty days from the date the claim is filed.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5464.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Riordan and Soorholtz. Nays, none. Absent or not voting, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Coach Bruce Huber and the Grundy Center High School boys' basketball team ("Spartans") — For participation in the 1986 Boys' State Class 1-A high school basketball tournament. Senator Jensen (March 24, 1986).

Coach David Ray and the Tripoli High School boys' basketball team ("Panthers") — For winning the Class 1-A Consolation Title at the 1986 Boys' State high school basketball tournament. Senator Jensen (March 24, 1986).

Coach Martin McKowen and the Wapsie Valley High School boys' basketball team ("Warriors") — For participation in the 1986 Boys' State Class 2-A high school basketball tournament. Senator Jensen (March 24, 1986).

AMENDMENTS FILED

S—5464	S.F.	2144	Ways and Means
S—5465	H.F.	2348	Michael E. Gronstal
S—5466	S.F.	2266	Patrick J. Deluhery
S—5467	H.F.	2409	Beverly A. Hannon
S—5468	H.F.	2466	Patrick J. Deluhery
S—5469	H.F.	2349	Joe J. Welsh Jack Rife Wally E. Horn
S—5470	H.F.	2349	William W. Dieleman
S—5471	H.F.	2417	Edgar H. Holden
S—5472	H.F.	2349	Joe J. Welsh
S—5473	H.F.	2457	Charles Bruner
S—5474	H.F.	2164	State Government
S—5475	H.F.	2401	State Government
S—5476	H.F.	2441	State Government
S—5477	H.F.	2286	James R. Riordan
S—5478	H.F.	2414	Jack W. Hester Emil J. Husak
S—5479	H.F.	2376	Energy & Environment
S—5480	H.F.	2434	Energy & Environment
S—5481	H.F.	2400	Small Business
S—5482	H.F.	2303	Natural Resources
S—5483	H.F.	2443	Natural Resources
S—5484	H.F.	2197	House
S—5485	H.F.	2350	Jim Lind Eugene Fraise

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Anderson presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2448, a bill for an act relating to cooperative associations.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 26, 1986, passed the following bill in which the concurrence of the House was asked:

Senate File 2226, a bill for an act relating to guaranty capital of a mutual insurance company.

ALSO: That the House has on March 27, 1986, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the Senate is asked:

House File 2197, a bill for an act relating to gambling by making changes in the operation of the state lottery and the Iowa lottery agency, the use of lottery tickets, making certain acts relating to lottery tickets or shares illegal, providing penalties, and providing for an effective date (S—5484).

ALSO: That the House has on March 27, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2066, a bill for an act relating to Code corrections which adjust and correct earlier omissions and inaccuracies, remove inconsistencies, and reflect current practices.

This bill was read first time and referred to the committee on **Judiciary**.

House File 2372, a bill for an act making corrections and additions to the law dealing with alcoholic liquor, wine, and beer by amending the definition of beer to reflect current commercial practices, and by including a reference to wine in the section allowing the sale of alcoholic beverages or beer for consumption on the premises by licensees or permittees on the Sunday before New Years Day.

This bill was read first time and referred to the committee on **Judiciary**.

COMMITTEE REPORT

COMMERCE

Final Bill Action: HOUSE FILE 2466, a bill for an act relating to financial transaction.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that **House File 2466** be referred from the Regular Calendar to the committee on **Commerce**.

President Anderson announced that **House File 2443** was referred from the Regular Calendar to the committee on **Appropriations**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Fraise presiding.

APPENDIX

EXPLANATION OF VOTES

MR. PRESIDENT: Due to the birth of our daughter, Madison Layne Brown at 5:47 p.m. on Monday, March 24, 1986, I was absent from the Senate. Had I been present, I would have voted "aye" on the following:

Senate confirmation of Robert A. Jackson, Sr., final passage of Senate File 2057, division S—5378B to House File 2197, final passage of House File 2197, motion to reconsider House File 2380, final passage of House File 2380, amendment S—5438 to Senate File 2270 and final passage of Senate File 2270.

JOE BROWN

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 2065, a bill for an act relating to nonsubstantive Code corrections.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2350, a bill for an act relating to the publication of official public notices by defining a newspaper, by establishing fees for the publication of official notices, and by providing for enforcement of official publication requirements, and subjecting violators to penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5490.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe and Vande Hoef. Nays, none. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2374, a bill for an act relating to the collection of prosecution costs by a city or county, and providing for punishment for contempt.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5489.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe and Vande Hoef. Nays, none. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5486	H.F.	2303	Donald V. Doyle Berl E. Priebe James R. Riordan
S—5487	S.F.	2266	Patrick J. Deluhery
S—5488	H.F.	2466	Patrick J. Deluhery
S—5489	H.F.	2374	Local Government
S—5490	H.F.	2350	Local Government
S—5491	H.F.	2442	Berl E. Priebe
S—5492	H.F.	2393	Edgar H. Holden

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:11 p.m., until 9:00 a.m., Friday, March 28, 1986.

JOURNAL OF THE SENATE

SEVENTY-FIFTH CALENDAR DAY
 FORTY-NINTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Friday, March 28, 1986

The Senate met in regular session at 9:03 a.m., Senator Doyle presiding.

Prayer was offered by the Honorable Leonard Boswell, member of the Senate from Decatur County, Davis City, Iowa.

BILLS RETURNED TO COMMITTEE

Senator Husak asked and received unanimous consent that the following bills be returned from the Unfinished Business Calendar to committee under Joint Rule 20:

S. F.	84	Local Government
S. F.	132	Education
S. F.	341	Transportation
S. F.	2094	Local Government
S. F.	2137	Agriculture
S. F.	2259	Local Government
S. F.	2266	Commerce
S. F.	2273	State Government

Senator Husak asked and received unanimous consent that the following bills be returned from the Regular Calendar to committee under Joint Rule 20:

S. F.	137	State Government
S. F.	2001	Labor
S. F.	2257	Commerce
S. F.	2258	Energy & Environment
S. F.	2280	Labor
S. F.	2282	Energy & Environment

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Nystrom, Drake, Schwengels, Readinger, Taylor and Hutchins for the day on request of Senator Hultman.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **House File 2412** be referred from the Regular Calendar to the committee on **Appropriations**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

House File 2066

JUDICIARY: Doyle, Chair; Mann and Ritsema

House File 2372

JUDICIARY: Mann, Chair; Doyle and Drake

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 2120, a bill for an act relating to the care of neglected or estray animals.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, Boswell, Hester, Husak, Fraise, Vande Hoef, Palmer, Waldstein and A. Miller. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2345, a bill for an act relating to drainage districts.

Recommendation: DO PASS.

Final Bill Action: Ayes, 9: Priebe, A. Miller, Boswell, Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2378, a bill for an act relating to providing referendums to terminate the collection of the beef and soybean assessments.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Fraise, Palmer and Vande Hoef. Nays, 1: Waldstein.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2379, a bill for an act relating to commodity boards, by providing for their membership, the collection of their assessments, and the appropriations of their funds.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Priebe, A. Miller, Boswell, Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2446, a bill for an act relating to the insurance and tariff provisions for bonded warehouses for agricultural products.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, A. Miller, Soorholtz, Boswell, Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2066, a bill for an act relating to Code corrections which adjust and correct earlier omissions and inaccuracies, remove inconsistencies, and reflect current practices.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2339, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical test performed within two hours of an arrest

indicates the alcohol concentration at the time of arrest, by providing that the period of revocation of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—5495 and S—5496.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2363, a bill for an act amending the juvenile justice code by applying statutes of limitations to delinquency cases, retaining juvenile court jurisdiction for one year beyond the attachment of jurisdiction, providing for the appointment of separate guardians ad litem, providing that adults under the juvenile court's jurisdiction are not bailable but must be detained separately from other adults, providing for chemical dependency evaluations as either physical or mental examinations, providing for the application of civil commitment procedures in delinquency cases, establishing standards of proof for certain proceedings removing persons from the home, providing for the submission of social investigation reports prior to the entering of child-in-need-of-assistance dispositions, providing for involuntary termination of parental rights under certain conditions involving ineffectiveness of corrective services, and providing for appeals of delinquency cases after disposition.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Hester, Horn, Small and Taylor. Nays, 3: Drake, Gentleman and Holt. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2372, a bill for an act making corrections and additions to the law dealing with alcoholic liquor, wine, and beer by amending the definition of beer to reflect current commercial practices, and by including a reference to wine in the section allowing the sale of alcoholic beverages or beer

for consumption on the premises by licensees or permittees on the Sunday before New Years Day.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Doyle, Mann, Coleman, Deluhery, Drake, Gentleman, Holt, Horn and Small. Nays, 2: Dieleman and Hester. Absent or not voting, 3: Carr, Ritsema and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2433, a bill for an act relating to domestic abuse, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5493.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2458, a bill for an act relating to victims and witnesses of criminal offenses, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2460, a bill for an act relating to the disposition of seizable and forfeitable property, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Ritsema, Coleman, Deluhery, Dieleman, Drake, Gentleman, Hester, Holt, Horn, Small and Taylor. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: 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.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Mann, Jensen, Colton, Deluhery, Hultman, Rife and Welsh. Nays, 1: Holden. Absent or not voting, 2: Gettings and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2369, a bill for an act relating to public employee grievance procedures.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Mann, Jensen, Colton, Deluhery, Hultman, Rife, Welsh and Holden. Nays, none. Absent or not voting, 2: Gettings and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2456, a bill for an act relating to workers' compensation benefits for persons receiving employment training or employment evaluations.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Mann, Jensen, Colton, Deluhery, Holden, Hultman, Rife and Welsh. Nays, none. Absent or not voting, 2: Gettings and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5493	H.F.	2433	Judiciary
S—5494	S.F.	2078	Leonard Boswell
S—5495	H.F.	2339	Judiciary
S—5496	H.F.	2339	Judiciary

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 9:07 a.m., until 10:00 a.m., Tuesday, April 1, 1986.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 1, 1986

The Senate met in regular session at 10:12 a.m., Senator Brown presiding.

Prayer was offered by the Reverend Jack Boonstra, pastor of the Christian Reformed Church, Tracy, Iowa.

The Journals of Thursday, March 27 and Friday, March 28, 1986 were approved.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March 26, 1986

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 Mark A. Stansberry, Sioux City, Woodbury County, Iowa, for appointment to the State Board of Barber Examiners pursuant to Section 147.14(1), 1985 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1988.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was read and referred to the committee on **Rules and Administration**.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 26 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2123, a bill for an act relating to the judgeship formula for the apportionment of district judges (S—5497).

ALSO: That the House has on March 27, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 444, a bill for an act relating to the time in which a defendant may waive the defendant's right to a jury trial (S—5498).

ALSO: That the House has on March 27, 1986, passed the following bills in which the concurrence of the House was asked:

Senate File 532, a bill for an act relating to bovine brucellosis, by providing vaccination requirements, providing definitions, providing for the adoption of rules, providing for the movement of cattle, and providing for indemnification for slaughtered cattle.

Senate File 2041, a bill for an act relating to schedule I and schedule II controlled substances regulated by the board of pharmacy examiners.

Senator Coleman took the chair at 10:35 a.m.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2066** be referred from the Regular Calendar to the committee on **Judiciary**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2026.

House File 2026

On motion of Senator Fraise, House File 2026, a bill for an act related to the appointment of county deputies, assistants, and clerks, with report of committee recommending passage, was taken up for consideration.

President pro tempore Wells took the chair at 10:42 a.m.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2026) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Hultman Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2347

On motion of Senator Coleman, House File 2347, a bill for an act relating to the definition of the term "felony" for purposes of the law relating to possession of weapons, and affecting penalties, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2347) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gronstal	Hultman	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 392

On motion of Senator Boswell, House File 392, a bill for an act relating to the establishment of a business license center, an economic policy for small business and a data base of vendors to state agencies, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Boswell offered amendment S—5228 filed by the committee on Small Business and Economic Development on March 3, 1986, to strike everything after the enacting clause of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 35, nays 11.

Amendment S—5228 was adopted.

With the adoption of amendment S—5228, the Chair ruled amendment S—3794 filed by Senator Gentleman on April 17, 1985, to pages 2 and 3 of the bill, out of order.

Senator Small asked and received unanimous consent that action on **House File 392** be deferred.

House File 466

On motion of Senator Coleman, House File 466, a bill for an act to establish a program for the coordination of media services at the capitol complex in the Department of General Services, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 466) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 4:

Holden	Lind	Schwengels	Welsh
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Absent or not voting, 3:

Coleman	Hester	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 466 passed the Senate on April 1, 1986.

JOE J. WELSH

CONSIDERATION OF BILLS
(Regular Calendar)

House File 710

On motion of Senator Miller of Cerro Gordo, 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, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 710) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Schwengels
Small	Soorholtz	Taylor	Tieden
Wells	Welsh		

Nays, 2:

Ritsema Vande Hoef

Absent or not voting, 2:

Coleman Waldstein

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2001

On motion of Senator Gettings, House File 2001, a bill for an act relating to the length of exposure in the last employment to the hazards of pneumoconiosis under the workers' compensation law, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2001) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2001 passed the Senate on April 1, 1986.

JULIA GENTLEMAN

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2032

On motion of Senator Tieden, House File 2032, a bill for an act relating to combined hunting, fishing, and fur harvesting licenses, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **House File 2032** be **deferred**.

House File 2060

On motion of Senator Horn, House File 2060, a bill for an act relating to assignments of income in delinquent support cases and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on **House File 2060** be **deferred**.

House File 2082

On motion of Senator Vande Hoef, House File 2082, a bill for an act relating to the exchange of territory between a benefited fire district and a township to provide fire protection services, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2082) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy

Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2128

On motion of Senator Waldstein, House File 2128, a bill for an act relating to the residency of a township clerk, with report of committee recommending passage, was taken up for consideration.

Senator Hester offered amendment S—5505 filed by him from the floor to page 1 of the bill.

Senator Miller of Cerro Gordo raised the point of order that amendment S—5505 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5505 in order.

Senator Hester withdrew amendment S—5505.

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. 2128) 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	Hutchins	Jensen

Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Fraise	Husak	Murphy
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Absent or not voting, 1:

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2189

On motion of Senator Carr, House File 2189, a bill for an act relating to the appointment of citizen members to the board of directors of judicial district department of correctional services, with report of committee recommending passage, was taken up for consideration.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2189) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2423, a bill for an act relating to the monetary penalties for violation of the health care facilities' licensing law.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Hannon, Gentleman, Coleman, C. Miller, Readinger, Taylor and Vande Hoef. Nays, none. Absent or not voting, 5: Bruner, Carr, Gratias, Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2424, a bill for an act relating to the computation of the average daily patient costs at the state mental health institutes and hospital-schools.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Hannon, Gentleman, Coleman, C. Miller, Readinger, Taylor and Vande Hoef. Nays, none. Absent or not voting, 5: Bruner, Carr, Gratias, Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2425, a bill for an act relating to the disclosure of information by continuing-care facilities, and providing penalties.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Hannon, Gentleman, Coleman, C. Miller, Readinger, Taylor and Vande Hoef. Nays, none. Absent or not voting, 5: Bruner, Carr, Gratias, Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2438, a bill for an act relating to clinical privileges for certified health service providers in psychology.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Hannon, Gentleman, Coleman, C. Miller, Readinger, Taylor and Vande Hoef. Nays, none. Absent or not voting, 5: Bruner, Carr, Gratias, Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2439, a bill for an act relating to the control of certain tobacco products.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Hannon, Gentleman, Coleman, C. Miller, Readinger, Taylor and Vande Hoef. Nays, none. Absent or not voting, 5: Bruner, Carr, Gratias, Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2452, a bill for an act relating to the health data commission by adding the executive director of the commission on the aging to the membership of the health data commission, providing for the collection of certain billing information, and permitting the health data commission to collect long-term data.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 7: Hannon, Gentleman, Coleman, C. Miller, Readinger, Taylor and Vande Hoef. Nays, none. Absent or not voting, 5: Bruner, Carr, Gratias, Murphy and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House Files 2423, 2424, 2425, 2438, 2439 and 2452** be referred from the Regular Calendar to the committee on **Human Resources**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:02 p.m., until 1:30 p.m.

APPENDIX

COMMUNICATIONS

The following letters were received from the Governor in the office of the Secretary of the Senate noting that the terms of the following appointees were transposed in the original appointment letters received on March 13, 1986. The correct terms have been noted in the records of the Secretary's office:

March 28, 1986

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 a state board:

To the State Board of Public Instruction pursuant to Section 257.1, 1985 Code of Iowa:

Betty L. Dexter, Davenport, Scott County, Iowa, for appointment to a six-year term beginning May 1, 1986, and ending April 30, 1992.

Francis N. Kenkel, Defiance, Shelby County, Iowa, for appointment to an unexpired term beginning immediately and ending April 30, 1990.

Very truly yours,
TERRY E. BRANSTAD
Governor

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MR. PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have been deceased and appointed the following committees to prepare memorial resolutions:

Don A. Risk, Independence

Larry Murphy, Chair
Hurley W. Hall
Dale L. Tieden

Loyd H. Van Patten, Indianola

James R. Riordan, Chair
Wm. W. Dieleman
Julia B. Gentleman

CHARLES P. MILLER, Chair
C. JOSEPH COLEMAN
RAY TAYLOR
DALE L. TIEDEN

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 27, 1986, 2:35 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Soorholtz, Ranking Member (arrived 2:40 p.m.); Boswell, Hester, Husak, Fraise, Palmer, Vande Hoef and Waldstein.

Members Absent: none.

Committee Business: Recommended passage of House Files 2120, 2379, 2345, 2378 and 2446; recommended confirmation of governor's appointees.

Adjourned: 2:51 p.m.

COMMERCE

Convened: March 27, 1986, 3:38 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden.

Members Absent: none.

Committee Business: Recommended passage of House File 2466.

Adjourned: 3:40 p.m.

HUMAN RESOURCES

Convened: March 27, 1986, 5:02 p.m.

Members Present: Hannon, Chair; Gentleman, Ranking Member; Coleman, C. Miller, Readinger, Taylor and Vande Hoef.

Members Absent: Bruner, Vice Chair; Carr, Gratias, Murphy and Wells.

Committee Business: Placed House Files 2423, 2424, 2425, 2438, 2439 and 2452 on the Senate calendar without recommendation.

Adjourned: 5:05 p.m.

LABOR AND INDUSTRIAL RELATIONS

Convened: March 27, 1986, 2:30 p.m.

Members Present: Mann, Chair; Jensen, Ranking Member; Colton, Deluhery, Holden, Hultman, Rife and Welsh.

Members Absent: Gettings, Vice Chair and Wells (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 601 and 2456.

Adjourned: 2:50 p.m.

NATURAL RESOURCES

Convened: March 27, 1986, 4:15 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Goodwin, Hannon, Husak, Peterson, Riordan and Tieden.

Members Absent: Gratias and Hester.

Committee Business: Recommended passage of House Files 665 and 2463; approved a proposed resolution relating to the state nursery.

Adjourned: 4:33 p.m.

PETITION

The following petition was presented and placed on file by:

Senator Hester from two hundred twenty-four residents of Harrison and Pottawattamie Counties opposing legislation allowing nonresident deer and turkey licenses to be sold.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the reappointment of Thomas R. Eller as a member of the Board of Parole, completed its investigation on March 27, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the reappointment of George Belitsos and the appointment of Willa Mae Williams as members of the Criminal and Juvenile Justice Advisory Council, completed its investigation on March 27, 1986, and recommended the appointments be confirmed.

COMMITTEE REPORTS

LABOR AND INDUSTRIAL RELATIONS

Final Bill Action: HOUSE FILE 187, a bill for an act to prohibit retributive actions of employers against employees serving as jurors, to allow employers to give testimony relating to an employee's request for deferral or excuse, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Mann, Jensen, Colton, Deluhery, Holden, Hultman, Rife and Wells. Nays, none. Absent or not voting, 2: Gettings and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 2370, a bill for an act relating to county officers by providing for the combining of county offices and removing salary restrictions for the combined offices under section 331.323, by amending the duties of certain elected county officers, and by making the Act effective upon publication.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5501.

Final Vote: Ayes, 9: A. Miller, C. Miller, Waldstein, Fraise, Goodwin, Hall, Lind, Priebe and Vande Hoef. Nays, none. Absent or not voting, 1: Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 665, a bill for an act relating to the operation of motorboats.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5500.

Final Vote: Ayes, 9: Hall, Priebe, Doyle, Goodwin, Husak, Peterson, Riordan, Schwengels and Tieden. Nays, 1: Hannon. Absent or not voting, 2: Gratias and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2463, a bill for an act relating to commercial fishing and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Hall, Doyle, Goodwin, Hannon, Riordan, Schwengels and Tieden. Nays, 3: Priebe, Husak and Peterson. Absent or not voting, 2: Gratias and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5316 to Senate File 2078 was adopted by the Senate on March 17, 1986.

LEONARD L. BOSWELL

AMENDMENTS FILED

S—5497	S. F.	2123	House
S—5498	S. F.	444	House
S—5499	S. F.	2078	Leonard L. Boswell
S—5500	H. F.	665	Natural Resources
S—5501	H. F.	2370	Local Government
S—5502	H. F.	2397	Michael E. Gronstal Bob Carr Charles Bruner Calvin O. Hultman John Soorholtz Joy Corning

			Joe Brown
			Milo Colton
			Alvin V. Miller
S—5503	H.F.	2330	Edgar H. Holden
S—5504	H.F.	2414	Berl E. Priebe
S—5505	H.F.	2128	Jack W. Hester
S—5506	H.F.	2462	Education

AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2221.

House File 2221

On motion of Senator Schwengels, House File 2221, a bill for an act providing for modification of the authority of the department of water, air and waste management over water pollution, flood plain construction, and water use, with report of committee recommending passage, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **House File 2221** be deferred.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2197

Senator Welsh called up for consideration House File 2197, a bill for an act relating to gambling by making changes in the operation of the state lottery and the Iowa lottery agency, the use of lottery tickets, making certain acts relating to lottery tickets or shares illegal, providing penalties, and providing for an effective date, amended by the Senate, further amended by the House in House amendment S—5484 to Senate amendment H—5539 filed March 27, 1986.

Senator Welsh called for a division of House amendment S—5484 to Senate amendment H—5539: line 4 as division S—5484A and lines 5 through 11 as division S—5484B.

Senator Hutchins asked and received unanimous consent that action on divisions S—5484A and S—5484B of the House amendment to Senate amendment H—5539 and **House File 2197** be **deferred**.

BUSINESS PENDING

House File 2221

The Senate resumed consideration of House File 2221, previously deferred.

Senator Rife offered amendment S—5509 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5509 was adopted by a voice vote.

Senator Schwengels moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2221) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, A.V. Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2204.

House File 2204

On motion of Senator Gettings, House File 2204, a bill for an act relating to the placement of appropriate highway signs and other highway information devices along primary roads and interstate highways to guide traffic to tourist attractions by the state department of transportation, with report of committee recommending passage, was taken up for consideration.

Senator Gettings asked and received unanimous consent that action on **House File 2204** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2297.

House File 2297

On motion of Senator Schwengels, House File 2297, a bill for an act relating to the meetings of the state conservation commission, with report of committee recommending passage, was taken up for consideration.

Senator Schwengels moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2297) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley

Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2204

The Senate resumed consideration of House File 2204, previously deferred.

Senator Holden offered amendment S—5511 filed by him from the floor to page 1 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the day on request of Senator Hutchins.

Senator Holt took the chair at 3:00 p.m.

BUSINESS PENDING

House File 2204

The Senate resumed consideration of House File 2204 and amendment S—5511 to page 1 of the bill.

Senator Holden moved the adoption of amendment S—5511.

A non record roll call was requested.

The ayes were 12, nays 33.

Amendment S—5511 lost.

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. 2204) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Wells		

Nays, 2:

Holden	Tieden
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Absent or not voting, 2:

Hultman	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.

BUSINESS PENDING

House File 2197

The Senate resumed consideration of House File 2197 and divisions S—5484A and S—5484B of the House amendment to Senate amendment H—5539, previously deferred.

The Chair stated that House amendment S—5484 to Senate amendment H—5539 was not divisible under Joint Rule 12.

Senator Welsh moved that the Senate concur in House amendment S—5484 to Senate amendment H—5539.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 2197) the vote was:

Ayes, 25:

Brown	Carr	Coleman	Colton
Deluhery	Doyle	Fraise	Gentleman
Gronstal	Hall	Horn	Husak
Hutchins	Lind	Miller, A.V.	Murphy
Nystrom	Priebe	Readinger	Rife
Riordan	Small	Soorholtz	Wells
Welsh			

Nays, 23:

Boswell	Bruner	Corning	Dieleman
Drake	Gettings	Goodwin	Gratias
Hannon	Hester	Holden	Holt
Hultman	Jensen	Kinley	Palmer
Peterson	Ritsema	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 2:

Mann	Miller, C.P.
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The motion prevailed 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. 2197) the vote was:

Ayes, 27:

Brown	Carr	Coleman	Colton
Deluhery	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hall	Horn
Husak	Hutchins	Lind	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Priebe
Readinger	Rife	Riordan	Small
Soorholtz	Wells	Welsh	

Nays, 22:

Boswell	Bruner	Corning	Dieleman
Drake	Goodwin	Gratias	Hannon
Hester	Holden	Holt	Hultman
Jensen	Kinley	Palmer	Peterson
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 1:

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2197** be **immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Colton 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.

President Anderson took the chair at 4:32 p.m.

HOUSE AMENDMENT CONSIDERED

Senate File 447

Senator Welsh called up for consideration Senate File 447, a bill for an act to license operators of radiation emitting equipment, amended by the House, and moved that the Senate concur in House amendment S—5254 filed March 4, 1986.

Senator Ritsema raised the point of order that Senate File 447 was ineligible for consideration under Joint Rule 20.

The Chair ruled the point well taken and Senate File 447 ineligible for consideration under Joint Rule 20.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Small for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2222.

House File 2222

On motion of Senator Coleman, House File 2222, a bill for an act relating to the number of state officials or employees required to request payroll deduction for the purpose of purchasing insurance, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2222) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Gratias	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Wells	

Nays, 6:

Goodwin	Holden	Tieden	Vande Hoef
Waldstein	Welsh		

Absent or not voting, 5:

Holt	Husak	Mann	Rife
Small			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2330.

House File 2330

On motion of Senator Jensen, House File 2330, a bill for an act to allow the registration of trailers and semitrailers for a period of six registration years, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5503 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 14.

Amendment S—5503 was adopted.

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. 2330) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Drake	Husak	Mann	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2352

On motion of Senator Miller of Cerro Gordo, House File 2352, a bill for an act authorizing the temporary transfer of funds between the primary road fund and the farm-to-market road fund, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2352) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 3:

Fraise	Hester	Peterson
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Absent or not voting, 4:

Drake	Husak	Mann	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2389

On motion of Senator Wells, House File 2389, a bill for an act relating to the population of cities in which substandard housing and related buildings are subject to abatement under chapter 657A, with report of committee recommending passage, was taken up for consideration.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2389) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Husak	Mann	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 447

The Senate resumed consideration of Senate File 447 and House amendment S—5254, previously inadvertently ruled ineligible for consideration.

Senator Welsh renewed his motion that the Senate concur in House amendment S—5254.

A record roll call was requested.

On the question “Shall the motion to concur be adopted?” (S.F. 447) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Boswell	Corning	Drake	Gentleman
Goodwin	Gratias	Hall	Hannon
Hester	Holden	Holt	Hultman
Jensen	Miller, C.P.	Nystrom	Peterson
Readinger	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 24:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Horn
Hutchins	Kinley	Lind	Miller, A.V.
Murphy	Palmer	Priebe	Rife
Riordan	Schwengels	Wells	Welsh

Absent or not voting, 3:

Husak	Mann	Small
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The motion lost and the Senate **refused to concur** in the House amendment.

APPENDIX

COMMITTEE REPORT

EDUCATION

Final Bill Action: HOUSE FILE 2462, a bill for an act relating to educational cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5506.

Final Vote: Ayes, 9: Murphy, Horn, Gratias, Colton, Corning, Riordan, Ritsema, Taylor and Wells. Nays, none. Absent or not voting, 1: Hannon.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

COMMUNICATION FROM THE SECRETARY OF STATE

March 27, 1986

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

Pursuant to the authority vested in the undersigned Secretary of State of the State of Iowa, under the provisions of Section 3.9, Code of Iowa, 1985, there being no newspaper by the name of The Iowegian and Citizen published in Centerville, Iowa, I hereby designate that Senate File 2051 be published in the Ad-Express and Daily Iowegian and Citizen, a newspaper published in Centerville, Iowa.

I hereby certify that Senate File 2051 was published in The Sioux City Journal, Sioux City, Iowa, on March 21, 1986, and in the Ad-Express and Daily Iowegian and Citizen, Centerville, Iowa, on March 21, 1986.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2128 passed the Senate on April 1, 1986.

BERL E. PRIEBE

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5228 to House File 392 was adopted by the Senate on April 1, 1986.

CHARLES BRUNER

AMENDMENTS FILED

S—5507	S.F.	2243	Milo Colton
S—5508	H.F.	2216	Edgar H. Holden
S—5509	H.F.	2221	Jack Rife
S—5510	H.F.	2035	Arne Waldstein
S—5511	H.F.	2204	Edgar H. Holden
S—5512	H.F.	2339	Richard F. Drake
S—5513	H.F.	2460	Tom Mann, Jr.
S—5514	H.F.	2303	Hurley W. Hall
S—5515	H.F.	392	Charles Bruner Leonard L. Boswell
S—5516	H.F.	2405	Alvin V. Miller
S—5517	H.F.	2403	Alvin V. Miller
S—5518	H.F.	2339	Douglas Ritsema
S—5519	H.F.	2370	Alvin V. Miller

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:18 p.m., until 9:00 a.m., Wednesday, April 2, 1986.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 2, 1986

The Senate met in regular session at 9:16 a.m., President Anderson presiding.

Prayer was offered by the Reverend Helmer Peterson, pastor of the Liscomb Church of Christ, Liscomb, Iowa.

The Journal of Tuesday, April 1, 1986, 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 March 27, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2116, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date (S—5520).

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2216.

House File 2216

On motion of Senator Mann, House File 2216, a bill for an act providing that a judicial district department of correctional services is a state agency for purposes of coverage under the Iowa Tort Claims Act, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5508 filed by him on April 1, 1986, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5508 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2216) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Dieleman	Hannon	Jensen	Murphy
Readinger	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2395.

House File 2395

On motion of Senator Goodwin, House File 2395, a bill for an act authorizing a city or county hospital to establish and operate facilities, programs, and services which provide health benefits to persons, with report of committee recommending passage, was taken up for consideration.

Senator Goodwin moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2395) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Dieleman	Hannon	Jensen	Miller, C.P.
Murphy	Readinger	Soorholtz	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 724.

House File 724

On motion of Senator Waldstein, House File 724, a bill for an act requiring a separate award of real estate taxes, personal property taxes and special assessments to the county treasurer by the compensation commission as damages in condemnation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Waldstein offered amendment S—5415 filed by the committee on Local Government on March 20, 1986, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5415 was adopted by a voice vote.

Senator Waldstein moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 724) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Dieleman	Jensen	Miller, C.P.	Murphy
Ritsema	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 2035

On motion of Senator Waldstein, House File 2035, a bill for an act relating to the appointment of chiefs of the police department and chiefs of the fire department in cities under civil service, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo asked and received unanimous consent that amendment S—5510 be taken up for consideration.

Senator Waldstein offered amendment S—5510 filed by him on April 1, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5510 was adopted by a voice vote.

With the adoption of amendment S—5510, the Chair ruled amendment S—5416 filed by the committee on Local Government on April 1, 1986, to page 1 of the bill, out of order.

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. 2035) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Holden	Jensen	Murphy	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 Hutchins asked and received unanimous consent to take up out of order House File 123.

House File 123

On motion of Senator Nystrom, House File 123, a bill for an act relating to the issuance of handicapped identification devices, making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—5521 filed by Senators Nystrom and Doyle from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5521 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 123) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Drake	Holden	Miller, C.P.	Murphy
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

President Anderson announced that **House File 2181** was referred from the Regular Calendar to the committee on **Appropriations** under Senate Rule 38.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2097

On motion of Senator Kinley, House File 2097, a bill for an act to exempt authorized emergency vehicles from the child restraint law, with report of committee recommending passage, was taken up for consideration.

Senator Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2097) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	

Nays, none.

Absent or not voting, 7:

Holden	Miller, C.P.	Murphy	Rife
Small	Waldstein	Welsh	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2098

On motion of Senator Dieleman, House File 2098, a bill for an act to prohibit the abandonment of dogs and cats and providing a penalty, 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. 2098) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Kinley	Mann
Miller, A.V.	Nystrom	Palmer	Priebe
Readinger	Rife	Riordan	Small
Soorholtz	Wells	Welsh	

Nays, 10:

Hester	Holt	Hultman	Jensen
Peterson	Ritsema	Schwengels	Taylor
Tieden	Vande Hoef		

Voting present, 1:

Lind

Absent or not voting, 4:

Holden	Miller, C.P.	Murphy	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2113

On motion of Senator Doyle, House File 2113, a bill for an act relating to the liability for actions to allow or facilitate the use of land contiguous to highways or roadways, with report of committee recommending passage, was taken up for consideration.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2113) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, 1:

Mann

Voting present, 1:

Drake

Absent or not voting, 3:

Holden Murphy Waldstein

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2167

On motion of Senator Wells, House File 2167, a bill for an act relating to the time allowed for persons to file additional objections to a school reorganization petition if the board continues the hearing on petition, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—5387 filed by him on March 18, 1986, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5387 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. 2167) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hester	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hannon	Holden	Hultman	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.

House File 2191

On motion of Senator Nystrom, House File 2191, a bill for an act relating to the disclosure of suggested price information by the retail seller of certain motor vehicles, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2191) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Horn	Husak

Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, 1:

Ritsema

Voting present, 1:

Holt

Absent or not voting, 5:

Coleman	Gronstal	Holden	Hultman
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2239

On motion of Senator Mann, House File 2239, a bill for an act relating to criminal offenses committed against or with children and to court testimony by children, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2239) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells

Nays, none.

Absent or not voting, 6:

Hester	Holden	Lind	Miller, C.P.
Waldstein	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2252

On motion of Senator Mann, House File 2252, a bill for an act relating to the proving of paternity for purposes of inheritance, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2252) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer.
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Wells

Nays, none.

Absent or not voting, 6:

Gratias	Holden	Murphy	Small
Waldstein	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2280

On motion of Senator Horn, House File 2280, a bill for an act relating to violations of child custody orders and making penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—5447 filed by the committee on Judiciary on March 25, 1986, to page 1 of the bill.

Senator Ritsema asked and received unanimous consent that action on amendment S—5447 and **House File 2280** be **deferred**.

House File 2293

On motion of Senator Nystrom, House File 2293, a bill for an act relating to the definition of a transporter, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Nystrom offered amendment S—5446 filed by the committee on Transportation on March 25, 1986, to page 1 of the bill.

Senator Ritsema raised the point of order that amendment S—5446 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5446 out of order.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2293) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger

Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gratias	Murphy	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2384

On motion of Senator Peterson, House File 2384, a bill for an act relating to the registration of a mark which has become distinctive of the applicant's goods or services, with report of committee recommending passage, was taken up for consideration.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2384) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gratias	Holden	Murphy	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2386

On motion of Senator Bruner, House File 2386, a bill for an act relating to peer review and licensing board information by providing for the confidentiality of peer review proceedings and records, by providing access to the board of medical examiners to hospital disciplinary information concerning physicians, and by providing for the exchange of confidential investigative information between licensing agencies in this state, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner asked and received unanimous consent that action on **House File 2386** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2407.

House File 2407

On motion of Senator Wells, House File 2407, a bill for an act relating to the sale, lease, or disposal of property of a school corporation, with report of committee recommending passage, was taken up for consideration.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2407) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small

Soorholtz
Waldstein

Taylor
Wells

Tieden
Welsh

Vande Hoef

Nays, none.

Absent or not voting, 3:

Gratias

Hultman

Murphy

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 Murphy for the remainder of the morning on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

House File 2416

On motion of Senator Deluhery, House File 2416, a bill for an act relating to the filing of a surety bond or depositing of moneys or securities with the department of job service by a nonprofit organization electing to become a reimbursable employer under the unemployment compensation law, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2416) the vote was:

Ayes, 46:

Boswell
Coleman
Dieleman
Gettings
Hester
Hultman
Kinley
Miller, C.P.

Brown
Colton
Doyle
Goodwin
Holden
Husak
Lind
Nystrom

Bruner
Corning
Drake
Gronstal
Holt
Hutchins
Mann
Palmer

Carr
Deluhery
Fraise
Hall
Horn
Jensen
Miller, A.V.
Peterson

Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gentleman	Gratias	Hannon	Murphy
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2417

On motion of Senator Wells, House File 2417, a bill for an act relating to the regulation of stairway chair lifts and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Taylor asked and received unanimous consent that action on amendment S—5450 filed by him on March 26, 1986, to page 1 of the bill be deferred.

Senator Taylor offered amendment S—5451 filed by him on March 26, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5451 was adopted by a voice vote.

With the adoption of amendment S—5451, the Chair ruled amendment S—5450 by Senator Taylor to page 1 of the bill, previously deferred, and amendment S—5471 filed by Senator Holden on March 27, 1986, to page 1 of the bill, out of order.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2417) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hall

Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 4:

Gentleman	Gratias	Murphy	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.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2302** be referred from the Regular Calendar to the committee on **Agriculture**.

Senator Coleman took the chair at 10:48 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2426.

House File 2426

On motion of Senator Ritsema, House File 2426, a bill for an act relating to the deferral of fees, costs, or security in civil or criminal actions, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2426) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Gratias Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2435

On motion of Senator Mann, House File 2435, a bill for an act providing the right to a chemical test upon arrest on a charge of public intoxication, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2435) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Small	Soorholtz

Taylor
Wells

Tieden
Welsh

Vande Hoef

Waldstein

Nays, none.

Absent or not voting, 4:

Corning

Gratias

Murphy

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2219.

House File 2219

On motion of Senator Gronstal, House File 2219, a bill for an act providing for optional payment by corporations subject to chapters 509, 514, and 514B for services performed by chiropractors, making corporations organized by chiropractors for establishing, maintaining, and operating a health care service plan subject to chapter 514 and requiring chapter 514 corporations and physician providers to establish utilization review programs for purposes of health care cost control, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5462 filed by the committee on Commerce on March 26, 1986, to page 6 of the bill.

Senator Dieleman asked and received unanimous consent that action on amendment S—5462 and **House File 2219** be deferred.

House File 2230

On motion of Senator Deluhery, House File 2230, a bill for an act relating to the disclosure of information regarding open-end credit accounts, credit cards, and financial services, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2230) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Husak	Hutchins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Vande Hoef	Wells	Welsh	

Nays, 4:

Holden	Hultman	Jensen	Tieden
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Absent or not voting, 3:

Gratias	Murphy	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2348

On motion of Senator Gronstal, House File 2348, a bill for an act relating to water sold in sealed containers for human consumption and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2348** be **deferred**.

House File 2388

On motion of Senator Nystrom, House File 2388, a bill for an act relating to statutory requirements for corporations and limited partnerships by revising provisions governing filings, fees, reports, service of process, and publication of notice, with report of committee recommending passage, was taken up for consideration.

Senator Nystrom asked and received unanimous consent that action on **House File 2388** be **deferred**.

House File 2397

On motion of Senator Colton, House File 2397, a bill for an act relating to sanitary landfills, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—5502 filed by Senators Gronstal, et al., on April 1, 1986, to pages 2 through 5 of the bill and moved its adoption.

Amendment S—5502 was adopted by a voice vote.

Senator Rife offered amendment S—5532 filed by him from the floor to pages 3 through 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 13.

Amendment S—5532 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. 2397) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 1:

Holden

Absent or not voting, 3:

Gratias Murphy Waldstein

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 27, 1986)

House File 2451

The Senate resumed consideration of House File 2451, a bill for an act relating to the provision of grants intended to facilitate the establishment of businesses within this state, deferred on March 27, 1986 (substituted for Senate File 2274 as amended on March 27, 1986).

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. 2451) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gratias Murphy Waldstein

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Small asked and received unanimous consent that **Senate File 2274** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred March 3, 1986)

Senate File 2190

The Senate resumed consideration of Senate File 2190, a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way, and amendment S—5225, deferred on March 3, 1986.

Senator Bruner withdrew amendment S—5225 to page 1 of the bill.

Senator Mann offered amendment S—5258 filed by him on March 5, 1986, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 26.

Amendment S—5258 lost.

Senator Readinger offered amendment S—5269 filed by Senators Readinger, et al., on March 6, 1986, to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—5269 and **Senate File 2190** be **deferred**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1986, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 119, a resolution honoring and congratulating Dale L. Renaud, an Iowan who is 1985-1986 National Commander of the American legion.

This resolution was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:53 a.m., until 1:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

COMMERCE

Convened: April 2, 1986, 8:07 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal (arrived 8:09 a.m.), Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden.

Members Absent: none.

Committee Business: Discussed House File 2466.

Adjourned: 8:49 a.m.

EXPLANATION OF VOTES

MR. PRESIDENT: On April 1, when the final vote was taken on House Files 466 and 710, my light was not operating. I did vote "aye" on final passage of both bills.

C. JOSEPH COLEMAN

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—5254 to Senate File 447 on April 1, 1986.

C. JOSEPH COLEMAN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5258 to Senate File 2190 failed to be adopted by the Senate on April 2, 1986.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which House File 123 passed the Senate on April 2, 1986.

JULIA GENTLEMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 2167 passed the Senate on April 2, 1986.

JOHN W. JENSEN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5387 to House File 2167 was adopted by the Senate on April 2, 1986.

JOHN W. JENSEN

MR. PRESIDENT: I move to reconsider the vote by which House File 2330 passed the Senate on April 1, 1986.

JOHN N. NYSTROM

MR. PRESIDENT: I move to reconsider the vote by which House File 2407 passed the Senate on April 2, 1986.

BERL E. PRIEBE

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 2423, a bill for an act relating to the monetary penalties for violation of the health care facilities' licensing law.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5527.

Final Vote: Ayes, 8: Hannon, Bruner, Coleman, Gratias, C. Miller, Murphy, Taylor and Wells. Nays, 2: Gentleman and Vande Hoef. Absent or not voting, 2: Readinger and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2424, a bill for an act relating to the computation of the average daily patient costs at the state mental health institutes and hospital-schools.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hannon, Bruner, Gentleman, Coleman, Gratias, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 4: Carr, C. Miller, Murphy and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2439, a bill for an act relating to the control of certain tobacco products.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hannon, Bruner, Gentleman, Coleman, Gratiias, Taylor, Vande Hoef and Wells. Nays, none. Absent or not voting, 4: Carr, C. Miller, Murphy and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2452, a bill for an act relating to the health data commission by adding the executive director of the commission on the aging to the membership of the health data commission, providing for the collection of certain billing information, and permitting the health data commission to collect long-term care data.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S--5528.

Final Vote: Ayes, 7: Hannon, Bruner, Gentleman, Coleman, Gratiias, Taylor and Wells. Nays, 1: Vande Hoef. Absent or not voting, 4: Carr, C. Miller, Murphy and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

President Anderson welcomed Dale L. Renaud, 1985-1986 National Commander of the American Legion from Bondurant, Iowa, who was present in the Senate chamber as the guest of Senator Husak.

The Chair welcomed the Honorable Howard Vincent, former member of the Senate from Wayne County, who was present in the Senate chamber as the guest of Senator Peterson.

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventy-five students, members of the Worth County 4-H program. Senator Gratiias.

AMENDMENTS FILED

S—5520	S.F.	2116	House
S—5521	H.F.	123	John N. Nystrom Donald V. Doyle
S—5522	S.F.	461	Charles Bruner Larry Murphy Bob Carr Beverly A. Hannon James D. Wells Charles P. Miller
S—5523	H.F.	2386	Charles Bruner
S—5524	H.F.	2226	Berl E. Priebe
S—5525	H.F.	2414	Berl E. Priebe
S—5526	H.F.	2120	William W. Dieleman
S—5527	H.F.	2423	Human Resources
S—5528	H.F.	2452	Human Resources
S—5529	H.F.	2280	David M. Readinger
S—5530	H.F.	2280	Douglas Ritsema
S—5531	H.F.	2370	Alvin V. Miller
S—5532	H.F.	2397	Jack Rife
S—5533	H.F.	2181	Edgar H. Holden
S—5534	H.F.	2280	Douglas Ritsema

AFTERNOON SESSION

The Senate reconvened at 1:33 p.m., Senator Coleman presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 103, by Committee on Natural Resources, a resolution regarding the state nursery.

Read first time and **placed on calendar**.

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.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2374** be referred from the Regular Calendar to the committee on **Judiciary**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Colton for the afternoon on request of Senator Hutchins.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2442.

House File 2442

On motion of Senator Dieleman, House File 2442, a bill for an act providing a statute of limitations for certain actions arising out of improvements to real property, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **House File 2442** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the remainder of the afternoon on request of Senator Jensen.

CONSIDERATION OF BILLS (Regular Calendar)

House File 2454

On motion of Senator Ritsema, House File 2454, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Ritsema offered amendment S—5458 filed by the committee on Judiciary on March 26, 1986, to pages 1 through 3 and 5 through 10 of the bill.

Senator Mann asked and received unanimous consent that action on amendment S—5458 and **House File 2454** be **deferred**.

House File 2455

On motion of Senator Small, House File 2455, a bill for an act relating to tax sales and redemptions, by revising provisions governing notice and other procedures, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Small offered amendment S—5459 filed by the committee on Judiciary on March 26, 1986, to page 3 of the bill and moved its adoption.

Amendment S—5459 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. 2455) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Tieden	Vande Hoef	Wells	Welsh

Nays, 2:

Peterson	Priebe
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Absent or not voting, 4:

Colton	Kinley	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.

BILL ASSIGNED TO COMMITTEE

The Chair announced that **House Concurrent Resolution 119** was assigned to the committee on **Rules and Administration**.

CONSIDERATION OF BILLS (Regular Calendar)

House File 2457

On motion of Senator Bruner, House File 2457, a bill for an act relating to elections, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5463 filed by the committee on State Government on March 26, 1986, to pages 5, 6, 16 and 19 of the bill and called for a division: lines 3 through 5 and line 7 as division S—5463A; line 6 and lines 8 through 11 as division S—5463B.

Senator Bruner called for a further division of amendment S—5463:

Division S—5463A: lines 3 through 5.

Division S—5463B: line 6 and lines 8 through 11.

Division S—5463C: line 7.

Senator Rife called for a further division of amendment S—5463:

Division S—5463A: lines 3 and 4.

Division S—5463B: line 6 and lines 8 through 11.

Division S—5463C: line 7.

Division S—5463D: line 5.

Senator Bruner moved the adoption of division S—5463A, which motion prevailed by a voice vote.

Senator Bruner asked and received unanimous consent to withdraw division S—5463B.

Senator Bruner moved the adoption of division S—5463C, which motion lost by a voice vote.

Senator Bruner moved the adoption of division S—5463D, which motion prevailed by a voice vote.

Senator Bruner offered amendment S—5473 filed by him on March 27, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5473 was adopted by a voice vote.

Senator Gentleman offered amendment S—5546 filed by her from the floor to page 5 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Doyle for the remainder of the afternoon on request of Senator Hutchins.

BUSINESS PENDING

House File 2457

The Senate resumed consideration of House File 2457 and amendment S—5546.

Senator Welsh took the chair at 2:54 p.m.

Senator Gentleman moved the adoption of amendment S—5546 to page 5 of the bill.

A non record roll call was requested.

The ayes were 12, nays 27.

Amendment S—5546 lost.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2457) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Dieleman	Drake
Fraise	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Tieden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Colton	Deluhery	Doyle	Hannon
Hultman	Palmer	Priebe	Readinger
Taylor	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, Senator Coleman presiding.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

House File 2422

On motion of Senator Murphy, House File 2422, a bill for an act relating to the department of human services' authority to investigate certain child sexual abuse cases and control access to certain information in child abuse cases, with report of committee recommending passage, was taken up for consideration.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2422) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Deluhery	Dieleman
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt

Horn	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Colton	Doyle	Hultman	Husak
Mann	Palmer	Taylor	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 2219

The Senate resumed consideration of House File 2219 and amendment S—5462, previously deferred.

Senator Gronstal asked and received unanimous consent to take up for consideration amendment S—5550.

Senator Gronstal offered amendment S—5550 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—5550 was adopted by a voice vote.

Senator Dieleman offered amendment S—5549 filed by him from the floor to pages 1, 2 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 33.

Amendment S—5549 lost.

With the adoption of amendment S—5550, the Chair ruled amendment S—5462 by the committee on Commerce to page 6 of the bill, previously deferred, out of order.

Senator Small offered amendment S—5544 filed by him from the floor to pages 1, 4 and 5 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5544 be adopted?” (H.F. 2219) the vote was:

Ayes, 19:

Coleman	Corning	Drake	Gentleman
Gettings	Goodwin	Hall	Holden
Holt	Hultman	Lind	Nystrom
Readinger	Rife	Schwengels	Small
Soorholtz	Tieden	Waldstein	

Nays, 27:

Boswell	Brown	Bruner	Carr
Deluhery	Dieleman	Fraise	Gratias
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Peterson	Priebe	Riordan	Ritsema
Vande Hoef	Wells	Welsh	

Absent or not voting, 4:

Colton	Doyle	Palmer	Taylor
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Amendment S—5544 lost.

Senator Tieden asked and received unanimous consent that action on **House File 2219** be deferred.

BUSINESS PENDING

House File 2442

The Senate resumed consideration of House File 2442, previously deferred.

Senator Mann offered amendment S—5538 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5538 lost by a voice vote.

Senator Priebe offered amendment S—5491 filed by him on March 27, 1986, to page 1 of the bill.

Senator Mann raised the point of order that amendment S—5491 was not germane to the bill.

Senator Mann withdrew his point of order.

Senator Gronstal offered amendment S—5541 filed by him from the floor to amendment S—5491 and moved its adoption.

Amendment S—5541 lost by a voice vote.

Senator Priebe moved the adoption of amendment S—5491.

A record roll call was requested.

On the question “Shall amendment S—5491 be adopted?” (H.F. 2442) the vote was:

Ayes, 9:

Bruner	Gettings	Gronstal	Husak
Kinley	Mann	Miller, A.V.	Palmer
Priebe			

Nays, 37:

Boswell	Brown	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Drake	Fraise	Gentleman	Goodwin
Gratias	Hall	Hannon	Hester
Holt	Horn	Hultman	Hutchins
Jensen	Lind	Murphy	Nystrom
Peterson	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Absent or not voting, 4:

Doyle	Holden	Miller, C.P.	Taylor
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Amendment S—5491 lost.

Senator Welsh took the chair at 4:27 p.m.

Senator Mann offered amendment S—5539 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5539 lost by a voice vote.

Senator Mann offered amendment S—5540 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5540 lost 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. 2442) the vote was:

Ayes, 42:

Boswell	Brown	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Schwengels	Small
Soorholtz	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 6:

Bruner	Gronstal	Kinley	Mann
Murphy	Ritsema		

Absent or not voting, 2:

Doyle	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.

BUSINESS PENDING

House File 2219

The Senate resumed consideration of House File 2219, previously deferred.

Senator Tieden offered amendment S—5553 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—5553 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. 2219) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Drake	Fraise	Gettings	Gratias
Gronstal	Hannon	Hester	Holden
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A. V.	Murphy
Palmer	Peterson	Priebe	Riordan
Ritsema	Soorholtz	Vande Hoef	Wells
Welsh			

Nays, 13:

Corning	Gentleman	Goodwin	Hall
Holt	Hultman	Nystrom	Readinger
Rife	Schwengels	Small	Tieden
Waldstein			

Voting present, 1:

Miller, C.P.

Absent or not voting, 3:

Doyle	Mann	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.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 119, a resolution honoring Dale L. Renaud, an Iowan who is 1985-1986 National Commander of the American Legion.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hutchins, Gettings, Gronstal, Kinley and Jensen. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 119.

House Concurrent Resolution 119

On motion of Senator Husak, House Concurrent Resolution 119, a resolution honoring Dale L. Renaud, an Iowan who is 1985-1986 National Commander of the American Legion, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved the adoption of House Concurrent Resolution 119, which motion prevailed by a voice vote and the resolution was adopted.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 119, by Carr, a resolution relating to an interim study committee to study the concept of permitting certain licensed psychologists to be granted clinical privileges and staff membership in organized health care system.

Read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2287, by Hutchins and Hultman, a bill for an act to exempt employees of the judicial branch of state government from the statute authorizing a leave of absence campaign for political office and providing an effective date.

Read first time and **passed on file**.

APPENDIX**COMMITTEE REPORTS****NATURAL RESOURCES**

Final Bill Action: SENATE RESOLUTION 103, a resolution regarding the state nursery.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Hall, Priebe, Doyle, Goodwin, Hannon, Riordan, Peterson, Schwengels, Husak and Tieden. Nays, none. Absent or not voting, 2: Gratias and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 116, a resolution to designate July, 1986 as "Buy America" month.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hutchins, Gettings, Gronstal, Kinley and Jensen. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 117, a resolution relating to the 1986 Farm Progress Show.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hutchins, Gettings, Gronstal, Kinley and Jensen. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 118, a resolution extending support of the erection and dedication for the Black Hawk County Viet Nam Veterans Memorial.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hutchins, Gettings, Gronstal, Kinley and Jensen. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 113, a resolution endorsing "Iowa Homecoming '86".

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hutchins, Gettings, Gronstal, Kinley and Jensen. Nays, none. Absent or not voting, 1: Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration placed the following governor's appointee to a state board on the **En Bloc Confirmation Calendar** on April 2, 1986, and recommended the appointment be confirmed:

Mark A. Stansberry as a member of the State Board of Barber Examiners

BILL HUTCHINS, Chair

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 60, the committee on Agriculture assigned to investigate the reappointments of Eric W. Dee and Lois A. Schnoor as members of the Iowa Family Farm Development Authority, completed its investigation on March 27, 1986, and recommended the appointments be confirmed.

EDUCATION

Pursuant to Senate Rule 60, the committee on Education assigned to investigate the appointment of Judith B. Smith as a member of the Iowa Higher Education Loan Authority, completed its investigation on April 2, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Education assigned to investigate the appointments of Thomas M. Glenn and Francis N. Kenkel as members of the State Board of Public Instruction, completed its investigation on April 2, 1986, and recommended the appointments be confirmed.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—5254 to Senate File 447 on April 1, 1986.

JOE J. WELSH

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—5254 to Senate File 447 on April 1, 1986.

JAMES R. RIORDAN

MR. PRESIDENT: I move to reconsider the vote by which House File 2457 passed the Senate on April 2, 1986.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which House File 2422 passed the Senate on April 2, 1986.

C. JOSEPH COLEMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 2219 passed the Senate on April 2, 1986.

WILLIAM W. DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 2219 passed the Senate on April 2, 1986.

MICHAEL E. GRONSTAL

MR. PRESIDENT: I move to reconsider the vote by which House File 2219 passed the Senate on April 2, 1986.

EDGAR H. HOLDEN

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Coach Tom McGrane and the Denison High School decathlon team — For winning the Iowa Academic Decathlon (“First Decathlon held in Iowa”). Participants: Mark Boech, Eric Carlyle, Kwan Choi, Jim Penn, Crystal Winey and Rollie Woodward. Senator Hutchins (April 2, 1986).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

4-H members from Henry, Lee and Des Moines Counties, accompanied by Les Schoffelman. Senators Miller of Des Moines and Fraise.

Twenty twelfth grade students from Sioux Valley High School, Linn Grove, Iowa. Senators Holt and Waldstein.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Helen Oglesby. Senator Gettings.

Thirty-five fourth through ninth grade students from Knoxville Regular Baptist School, Knoxville, Iowa. Senator Dieleman.

Forty-five seventh and eighth grade students from St. John of Bancroft School, Bancroft, Iowa, accompanied by Madeline Summitt. Senator Priebe.

Thirty twelfth grade students from Aurelia High School, Aurelia, Iowa, accompanied by Marlin Lode and Garry DeWall. Senator Vande Hoef.

AMENDMENTS FILED

S—5535	H.F.	2454	Douglas Ritsema
S—5536	H.F.	2374	Douglas Ritsema
S—5537	H.F.	2374	Douglas Ritsema
S—5538	H.F.	2442	Tom Mann, Jr.
S—5539	H.F.	2442	Tom Mann, Jr.
S—5540	H.F.	2442	Tom Mann, Jr.
S—5541	H.F.	2442	Michael E. Gronstal
S—5542	H.F.	2454	Julia Gentleman
			Tom Mann, Jr.

S—5543	H.F.	2388	John N. Nystrom
S—5544	H.F.	2219	Arthur A. Small, Jr.
S—5545	H.F.	2414	Hurley Hall Berl E. Priebe
S—5546	H.F.	2457	Julia Gentleman
S—5547	H.F.	2454	Julia Gentleman Tom Mann, Jr.
S—5548	H.F.	2403	Alvin V. Miller James D. Wells Jim Lind
S—5549	H.F.	2219	William W. Dieleman
S—5550	H.F.	2219	Michael E. Gronstal
S—5551	H.F.	2350	Jim Lind Alvin V. Miller
S—5552	S.F.	2284	Lee Holt
S—5553	H.F.	2219	Dale L. Tieden
S—5554	H.F.	2433	Tom Mann, Jr.
S—5555	H.F.	2060	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:57 p.m., until 10:00 a.m., Thursday, April 3, 1986.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 3, 1986

The Senate met in regular session at 10:08 a.m., President Anderson presiding.

Prayer was offered by the Reverend Charles Klink, pastor of the United Methodist Church of Christ, Sumner, Iowa.

The Journal of Wednesday, April 2, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Gronstal.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1986, passed the following bills in which the concurrence of the House was asked:

Senate File 108, a bill for an act relating to information regarding medicare supplement insurance coverage.

Senate File 2003, a bill for an act relating to the establishment of a drainage subdistrict.

Senate File 2029, a bill for an act relating to the sending, or causing to be sent, of a minor to a place of prostitution or to become a prostitute, and providing penalties.

Senate File 2133, a bill for an act relating to gambling devices by permitting the manufacture of certain devices in the state and providing that the Iowa lottery agency shall give preference in contracts for lottery machines to persons who manufacture the machines in the state and in contracts for servicing machines to persons who have their principal place of business in the state.

Senate File 2143, a bill for an act relating to corrections; changing certain administrative provisions; limiting remedies in restitution matters; changing the applicability dates of certain provisions relating to inmate discipline and the availability of remedies; and providing penalties.

Senate File 2155, a bill for an act relating to the powers of the administrator of the department of credit unions in taking over the management of credit unions.

Senate File 2193, a bill for an act to remove the notice requirements to the department of revenue relating to the discharge of a person representative and making the Act retroactive.

Senate File 2213, a bill for an act relating to the criminal penalty for the fraudulent use of registration.

Senate File 2214, a bill for an act relating to fiduciary security transfers by increasing the duration of a certificate evidencing the appointment or incumbency of a fiduciary.

Senate File 2221, a bill for an act allowing persons providing consent for the issuance of a motor vehicle license to a minor to withdraw the consent and require cancellation of the minor's license.

Senate File 2222, a bill for an act relating to agencies authorized to receive information pertaining to arson investigations.

Senate File 2232, a bill for an act to legalize and validate the proceedings of the City council of the City of Ankeny, Iowa, authorizing and providing for the issuance, sale and delivery of General Obligation Bonds, providing for the levy of taxes for the payment of the bonds and declaring the bonds to be enforceable obligations of the City of Ankeny, Iowa.

ALSO: That the House has on April 1, 1986, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 245, a bill for an act relating to jurors, jury commissions and juror selection and providing penalties (S—5557).

Senate File 477, a bill for an act relating to the search of students or protected student areas (S—5558).

Senate File 505, a bill for an act relating to the regulation of motor carriers and making penalties applicable (S—5559).

Senate File 2049, a bill for an act relating to the purchases of American made products and purchases from American based businesses (S—5560).

Senate File 2088, a bill for an act relating to access to the results of energy audits (S—5561).

Senate File 2100, a bill for an act relating to public defenders (S—5562).

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for today and April 4, 1986, on request of Senator Holden.

UNFINISHED BUSINESS (Deferred April 2, 1986)

Senate File 2190

The Senate resumed consideration of Senate File 2190, a bill for an act relating to the removal of trees, brush, and underbrush, and other growth within the highway right-of-way, and amendment S—5269, deferred on April 2, 1986.

Senator Readinger moved the adoption of amendment S—5269 by Senators Readinger, et al., to page 1 of the bill.

A record roll call was requested.

On the question “Shall amendment S—5269 be adopted?” (S.F. 2190) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Brown	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Horn
Husak	Mann	Murphy	Palmer
Priebe	Readinger	Riordan	Ritsema
Soorholtz	Wells	Welsh	

Nays, 23:

Boswell	Corning	Drake	Gentleman
Goodwin	Gratias	Hall	Hannon
Hester	Holden	Hultman	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Nystrom	Peterson	Rife	Schwengels
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 4:

Holt	Miller, C.P.	Small	Taylor
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The Chair voted "aye" to break the tie and amendment S—5269 was adopted.

Senator Mann withdrew the motion to reconsider amendment S—5258 to page 1 of Senate File 2190 filed by him on April 2, 1986, and found on page 994 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. 2190) the vote was:

Ayes, 38:

Brown	Carr	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Horn	Hultman	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Murphy	Nystrom	Priebe	Readinger
Riordan	Ritsema	Schwengels	Soorholtz

Taylor
Wells

Tieden
Welsh

Vande Hoef

Waldstein

Nays, 8:

Boswell
Mann

Bruner
Palmer

Gentleman
Peterson

Husak
Rife

Absent or not voting, 4:

Holden

Holt

Miller, C.P.

Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

House File 2300

On motion of Senator Wells, House File 2300, a bill for an act relating to the transfer of moneys in the temporary emergency surcharge fund to the unemployment compensation fund under certain circumstances, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on **House File 2300** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 2116

Senator Husak called up for consideration Senate File 2116, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date, amended by the House and moved that the Senate concur in House amendment S—5520 filed April 2, 1986.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

UNFINISHED BUSINESS

(Deferred April 2, 1986)

House File 2388

The Senate resumed consideration of House File 2388, a bill for an act relating to statutory requirements for corporations and limited partnerships by revising provisions governing filings, fees, reports, service of process, and publication of notice, deferred on April 2, 1986.

Senator Nystrom offered amendment S—5543 filed by him on April 2, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5543 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2388) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Horn	Husak	Hutchins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Holden	Holt	Hultman	Jensen
Miller, C.P.	Small		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2065.

House File 2065

On motion of Senator Doyle, House File 2065, a bill for an act relating to nonsubstantive Code corrections, with report of committee recommending passage, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on **House File 2065** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2208.

House File 2208

On motion of Senator Riordan, House File 2208, a bill for an act to require state conservation approval of county conservation board projects for acquisition or exchange of land and general development plans where costs of the project exceed twenty-five thousand dollars, with report of committee recommending passage, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2208) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Drake	Holden	Holt	Mann
Miller, C.P.	Rife		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2220

On motion of Senator Miller of Cerro Gordo, House File 2220, a bill for an act relating to the power of a city council over variances granted by a board of adjustment, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2220) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rife	Riordan	Schwengels
Small	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 4:

Gentleman	Peterson	Ritsema	Vande Hoef
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Absent or not voting, 3:

Holden	Holt	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2226

On motion of Senator Tieden, House File 2226, a bill for an act relating to licenses issued to landowners and tenants for the taking of deer and wild turkey, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **House File 2226** be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent to send an immediate message to the House on **Senate File 2116**.

CONSIDERATION OF BILLS (Regular Calendar)

House File 2245

On motion of Senator Doyle, House File 2245, a bill for an act relating to the confidentiality of archaeological sites or resource information and subjecting violators to a civil and criminal penalty, with report of committee recommending passage, was taken up for consideration.

Senator Schwengels offered amendment S—5567 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5567 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2245) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind

Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Murphy

Absent or not voting, 2:

Holt Miller, C.P.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2313

On motion of Senator Small, House File 2313, a bill for an act relating to horticultural crops and nontraditional crops by creating a linked deposit program to provide loan moneys for the production, processing, and marketing of horticultural crops or nontraditional crops and providing a preference for purchasing horticultural products grown in this state, providing for penalties, providing for a repeal, and providing for an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Colton took the chair at 11:18 a.m.

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. 2313) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger

Riordan
Vande Hoef

Schwengels
Waldstein

Small
Wells

Soorholtz
Welsh

Nays, 11:

Corning
Holden
Ritsema

Gentleman
Jensen
Taylor

Goodwin
Lind
Tieden

Gratias
Rife

Absent or not voting, 3:

Holt

Kinley

Miller, C.P.

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 12:03 p.m., until 3:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. F.	2287	State Government
S. C. R.	119	Rules & Administration

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: April 2, 1986, 8:02 a.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Coleman, Gratias, C. Miller (arrived 8:30 a.m.), Murphy (arrived 8:33 a.m.), Taylor, Vande Hoef and Wells.

Members Absent: Carr and Readinger.

Committee Business: Recommended confirmation of governor's appointees to the En Bloc Confirmation Calendar; recommended passage of House Files 2424 and 2439; recommended passage of House Files 2452 and 2423 as amended.

Adjourned: 8:40 a.m.

HUMAN RESOURCES

Convened: April 2, 1986, 3:15 p.m.

Members Present: Hannon, Chair; Bruner, Vice Chair; Gentleman, Ranking Member; Carr, Coleman, Gratias, C. Miller, Murphy, Taylor, Vande Hoef and Wells.

Members Absent: Readinger.

Committee Business: Recommended confirmation of governor's appointees to En Bloc Confirmation Calendar.

Adjourned: 3:20 p.m.

RULES AND ADMINISTRATION

Convened: April 2, 1986, 3:07 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Gronstal, Kinley and Jensen.

Members Absent: Hultman, Ranking Member.

Committee Business: Recommended passage of Senate Concurrent Resolutions 116, 117 and 118 and House Concurrent Resolutions 113 and 119.

Adjourned: 3:14 p.m.

PRESENTATION OF VISITORS

Senator Hannon welcomed sixty cadette, senior and adult Girl Scouts from across the state of Iowa representing six of Iowa's nine Girl Scout Councils, who were present in the Senate gallery.

The following visitors were present in the Senate gallery:

Fifteen sixth grade students from Klemme Elementary School, Klemme, Iowa, accompanied by Gladys Wessels. Senator Taylor.

The Chair welcomed the following visitors who were present in the Senate gallery:

High school students from Creston, Iowa, accompanied by Jeff Wignall. Senator Boswell.

Four twelfth grade students from Storm Lake High School, Storm Lake, Iowa, accompanied by Ann Mein. Senator Waldstein.

Forty student council members from Holmes Junior High School, Cedar Falls, Iowa, accompanied by Carrie Jorgensen, Judy Johnson and Dave Andreasen. Senator Corning.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2190 passed the Senate on April 3, 1986.

JOHN W. JENSEN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2190 passed the Senate on April 3, 1986.

WILLIAM W. DIELEMAN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5269 to Senate File 2190 was adopted by the Senate on April 3, 1986.

WILLIAM W. DIELEMAN

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate:

DEPARTMENT OF HUMAN SERVICES

A copy of the Executive Summary of the Implementation of the Bills of Rights for Persons with Mental Retardation, Developmental Disabilities or Chronic Mental Illness and Assessment of Impact, pursuant to Chapter 249, Sec. 7, 1985 Acts of the Seventy-first General Assembly, prepared by the Department of Human Services.

AMENDMENTS FILED

S—5556	H.F.	2462	Wally E. Horn
S—5557	S.F.	245	House
S—5558	S.F.	477	House
S—5559	S.F.	505	House
S—5560	S.F.	2049	House
S—5561	S.F.	2088	House
S—5562	S.F.	2100	House
S—5563	H.F.	2339	Tom Mann, Jr.
S—5564	H.F.	2423	C. Joseph Coleman
S—5565	H.F.	2363	Julia Gentleman
S—5566	H.F.	2339	C. Joseph Coleman Dale L. Tieden
S—5567	H.F.	2245	Forrest Schwengels
S—5568	H.F.	2330	John N. Nystrom C. Joseph Coleman
S—5569	H.F.	2339	Douglas Ritsema
S—5570	S.F.	2163	William W. Dieleman
S—5571	H.F.	2339	Julia B. Gentleman

S-5572	H.F.	2280	David M. Readinger Charles Bruner
S-5573	H.F.	2154	Dale L. Tieden
S-5574	H.F.	2339	Julia B. Gentleman
S-5575	H.F.	2339	Donald V. Doyle
S-5576	H.F.	2226	Jim Lind Berl E. Priebe

AFTERNOON SESSION

The Senate reconvened at 3:44 p.m., Senator Coleman 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.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2350.

House File 2350

On motion of Senator Lind, House File 2350, a bill for an act relating to the publication of official public notices by defining a newspaper, by establishing fees for the publication of official notices, and by providing for enforcement of official publication requirements, and subjecting violators to penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5490 filed by the committee on Local Government on March 27, 1986, to pages 2, 3 and the title page of the bill.

Senator Lind offered amendment S—5551 filed by Senators Lind and Miller of Cerro Gordo on April 2, 1986, to amendment S—5490 and moved its adoption.

Amendment S—5551 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved the adoption of amendment S—5490 as amended, which motion prevailed by a voice vote.

Senator Lind offered amendment S—5485 filed by Senators Lind and Miller of Cerro Gordo on March 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5485 was adopted by a voice vote.

Senator Lind moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2350) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, none.

Voting present, 1:

Dieleman

Absent or not voting, 4:

Holt	Murphy	Palmer	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2400.

House File 2400

On motion of Senator Small, House File 2400, a bill for an act relating to the Iowa community development loan program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Small offered amendment S—5481 filed by the committee on Small Business and Economic Development on March 27, 1986, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5481 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. 2400) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Holden	Holt	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 601.

House File 601

On motion of Senator Deluhery, 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, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **House File 601** be deferred.

House File 2120

On motion of Senator Fraise, House File 2120, a bill for an act relating to the care of neglected or estray animals, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman withdrew amendment S—5526 filed by him on April 2, 1986, to page 1 of the bill.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2120) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Horn	Husak	Jensen	Kinley
Lind	Mann	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Holden	Holt	Hultman	Hutchins
Palmer			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2339

On motion of Senator Doyle, House File 2339, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol

or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical test performed within two hours of an arrest indicates the alcohol concentration at the time of arrest, by providing that the period of revocation of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license, with report of committee recommending amendments and passage, was taken up for consideration.

President pro tempore Wells took the chair at 4:09 p.m.

Senator Doyle offered amendment S—5495 filed by the committee on Judiciary on March 28, 1986, to pages 1, 6 through 9, 11 and 15 through 20 of the bill.

Senator Ritsema asked and received unanimous consent that action on amendment S—5495 be deferred.

Senator Doyle offered amendment S—5496 filed by the committee on Judiciary on March 28, 1986, to pages 1 through 5, 11, 15, 16 and 18 through 25 of the bill.

Senator Doyle offered amendment S—5575 filed by him from the floor to page 1 of amendment S—5496 and moved its adoption.

Amendment S—5575 was adopted by a voice vote.

Senator Gentleman offered amendment S—5571 filed by her from the floor to page 2 of amendment S—5496.

Senator Husak asked and received unanimous consent that action on amendment S—5496, amendment S—5571 to S—5496 and **House File 2339** be deferred.

House File 2345

On motion of Senator Waldstein, House File 2345, a bill for an act relating to drainage districts, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 4:42 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. 2345) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Husak	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells		

Nays, none.

Absent or not voting, 4:

Holt	Hultman	Hutchins	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.

House File 2363

On motion of Senator Mann, House File 2363, a bill for an act amending the juvenile justice code by applying statutes of limitations to delinquency cases, retaining juvenile court jurisdiction for one year beyond the attachment of jurisdiction, providing for the appointment of separate guardians ad litem, providing that adults under the juvenile court's jurisdiction are not bailable but must be detained separately from other adults,

providing for chemical dependency evaluations as either physical or mental examinations, providing for the application of civil commitment procedures in delinquency cases, establishing standards of proof for certain proceedings removing persons from the home, providing for the submission of social investigation reports prior to the entering of child-in-need-of-assistance dispositions, providing for involuntary termination of parental rights under certain conditions involving ineffectiveness of corrective services, and providing for appeals of delinquency cases after disposition, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **House File 2363** be **deferred**.

House File 2369

On motion of Senator Colton, House File 2369, a bill for an act relating to public employee grievance procedures, with report of committee recommending passage, was taken up for consideration.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2369) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Holt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2372

On motion of Senator Mann, House File 2372, a bill for an act making corrections and additions to the law dealing with alcoholic liquor, wine, and beer by amending the definition of beer to reflect current commercial practices, and by including a reference to wine in the section allowing the sale of alcoholic beverages or beer for consumption on the premises by licensees or permittees on the Sunday before New Years Day, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2372) the vote was:

Ayes, 44:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, 4:

Boswell	Holden	Jensen	Vande Hoef
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Absent or not voting, 2:

Gentleman Holt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2378

On motion of Senator Miller of Cerro Gordo, House File 2378, a bill for an act relating to providing referendums to terminate the collection of the beef and soybean assessments, with report of committee recommending passage, was taken up for consideration.

President pro tempore Wells took the chair at 5:00 p.m.

Senator Doyle asked and received unanimous consent that action on **House File 2378** be deferred.

House File 2379

On motion of Senator Husak, House File 2379, a bill for an act relating to commodity boards, by providing for their membership, the collection of their assessments, and the appropriations of their funds, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2379) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Holt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2433

On motion of Senator Mann, House File 2433, a bill for an act relating to domestic abuse, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—5493 filed by the committee on Judiciary on March 28, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5493 was adopted by a voice vote.

Senator Mann offered amendment S—5554 filed by him on April 2, 1986, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 7, nays 32.

Amendment S—5554 lost.

Senator Mann asked and received unanimous consent that action on **House File 2433** be **deferred**.

House File 2446

On motion of Senator Miller of Cerro Gordo, House File 2446, a bill for an act relating to the insurance and tariff provisions for bonded warehouses for agricultural products, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2446) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias

Gronstal	Hall	Hannon	Holden
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hester	Holt	Hultman	Miller, C.P.
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2456

On motion of Senator Deluhery, House File 2456, a bill for an act relating to workers' compensation benefits for persons receiving employment training or employment evaluations, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2456) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hannon

Hester

Holt

Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2458

On motion of Senator Mann, House File 2458, a bill for an act relating to victims and witnesses of criminal offenses, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on **House File 2458** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2370.

House File 2370

On motion of Senator Fraise, House File 2370, a bill for an act relating to county officers by providing for the combining of county offices and removing salary restrictions for the combined offices under section 331.323, by amending the duties of certain elected county officers, and by making the Act effective upon publication, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5501 filed by the committee on Local Government on April 1, 1986, to page 1 of the bill.

Senator Miller of Cerro Gordo offered amendment S—5531 filed by him on April 2, 1986, to amendment S—5501 and moved its adoption.

Amendment S—5531 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved the adoption of amendment S—5501 as amended, which motion prevailed by a voice vote.

Senator Miller of Cerro Gordo withdrew amendment S—5519 filed by him on April 1, 1986, to page 1 of the bill.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2370) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

Hester Holt Nystrom

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2370** 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, on April 3, 1986, **insisted on** its amendment to **Senate File 2116**, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and that the members of the **Conference Committee** on the part of the House are; the Representative

from Mitchell, Mr. Koenigs, Chair; the Representative from Crawford, Mr. Muhlbauer, the Representative from Guthrie, Mr. Skow, the Representative from Lyon, Mr. De Groot, and the Representative from Cass, Mr. Pellett.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following **conference committee** on **Senate File 2116** on the part of the Senate: Senators Husak, Chair; Fraise, Miller of Cerro Gordo, Soorholtz and Gratias.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Gronstal presiding.

INTRODUCTION OF BILL

Senate File 2288, by Committee on Appropriations, a bill for an act relating to the operation of certain state agencies including the insurance department, the department of banking, the credit union department, and the savings and loan division of the auditors of state's office by exempting certain personnel from merit employment and collective bargaining, establishing trust funds, and making certain payments to the general fund.

Read first time and **placed on Appropriations calendar.**

APPENDIX

SUBCOMMITTEE ASSIGNMENT

House File 2374

JUDICIARY: Mann, Chair; Ritsema and Small

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the reappointments of Earl L. Howard and Sara E. Sutton as members of the Respiratory Care Advisory Committee, completed its investigation on April 2, 1986, and recommended the appointments be confirmed.

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the reappointment of Mary Jane Oakland as a member of the State Board of Dietetic Examiners, completed its investigation on April 2, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the reappointment of Judith Kaye Rinehart as a member of the State Board of Social Work Examiners, completed its investigation on April 2, 1986, and recommended the appointment be confirmed.

Pursuant to Senate Rule 60, the committee on Human Resources assigned to investigate the reappointments of Harriet Vande Hoef and Carol A. Worlan Young and the appointment of Kathryn M. Youberg as members of the State Foster Care Review Board, completed its investigation on April 2, 1986, and recommended the appointments be confirmed.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2288, a bill for an act relating to the operation of certain state agencies including the insurance department, the department of banking, the credit union department, and the savings and loan division of the auditor of state's office by exempting certain personnel from merit employment and collective bargaining, establishing trust funds, and making certain payments to the general fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Welsh, Tieden, Colton, Gettings, Gronstal, Horn, Lind, Readinger, Ritsema and Schwengels. Nays, none. Absent or not voting, 8: Small, Deluhery, Dieleman, Gentleman, Holt, Husak, C. Miller and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2412, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5582.

Final Vote: Ayes, 10: Welsh, Small, Colton, Gettings, Gronstal, Horn, Husak, Lind, Murphy and Schwengels. Nays, 4: Tieden, Dieleman, Readinger and Ritsema. Absent or not voting, 4: Deluhery, Gentleman, Holt and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 2066, a bill for an act relating to Code corrections which adjust and correct earlier omissions and inaccuracies, remove inconsistencies, and reflect current practices.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5583.

Final Vote: Ayes, 11: Doyle, Mann, Ritsema, Carr, Coleman, Dieleman, Drake, Gentleman, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Deluhery, Holt and Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5554 to House File 2433 failed to be adopted by the Senate on April 3, 1986.

TOM MANN, JR.

AMENDMENTS FILED

S—5577

H.F.

2422

C. Joseph Coleman

S—5578	H.F.	2339	Tom Mann, Jr. C. Joseph Coleman James R. Riordan
S—5579	H.F.	2441	Ray Taylor
S—5580	H.F.	2414	Leonard L. Boswell John W. Jensen Joe J. Welsh James Lind Beverly A. Hannon Eugene Fraise Berl E. Priebe James R. Riordan
S—5581	H.F.	2339	Jim Lind
S—5582	H.F.	2412	Appropriations
S—5583	H.F.	2066	Judiciary
S—5584	H.F.	2066	Milo Colton
S—5585	S.F.	2288	Michael E. Gronstal

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:15 p.m., until 9:00 a.m., Friday, April 4, 1986.

JOURNAL OF THE SENATE

EIGHTY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 4, 1986

The Senate met in regular session at 9:24 a.m., President pro tempore Wells presiding.

Prayer was offered by the Reverend Ken Suetterman, pastor of the Faith United Methodist Church, Russell, Iowa.

The Journal of Thursday, April 3, 1986, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1986, passed the following bills in which the concurrence of the House was asked:

Senate File 2093, a bill for an act extending the sunset provision for the Iowa advisory commission on intergovernmental relations.

Senate File 2104, a bill for an act relating to coverage of proprietors, partners, and owner-operators of certain trucks under the workers' compensation law.

Senate File 2150, a bill for an act relating to the assessment on porcine animals.

Senate File 2151, a bill for an act providing that the small claims court has concurrent jurisdiction of an action of replevin if the value of the property claimed is two thousand dollars or less.

Senate File 2159, a bill for an act relating to the reduction of recommended salary increases by the board of supervisors.

Senate File 2212, a bill for an act relating to the use of trust assets received under the federal Bankhead-Jones Farm Tenant Act for guaranteeing operating loans for farmers.

Senate File 2227, a bill for an act to authorize direct payment of county auditors' transfer fees to county treasurers by county recorders.

Senate File 2247, a bill for an act relating to the disclosure of mental health information and providing an effective date.

Senate File 2262, a bill for an act relating to the approval of legal descriptions of parcels of land.

Senate File 2275, a bill for an act to require lenders or secured parties to provide debtors with copies of documents relating to the debt.

ALSO: That the House has on April 2, 1986, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2037, a bill for an act relating to the labeling of fuel sold as kerosene (S—5586).

Senate File 2043, a bill for an act relating to qualification of nonprofit corporations as conservators (S—5588).

Senate File 2052, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date (S—5587).

Senate File 2108, a bill for an act relating to the reprieve, pardon, commutation of sentence, remission of fines and forfeitures, or restoration of the rights of citizenship of a person convicted of a criminal offense (S—5589).

Senate File 2165, a bill for an act providing that the hazardous chemicals risk right to know Act does not apply to employers not regulated by the federal occupational safety and health administration's hazard communication regulation with respect to hazardous chemicals which are consumer products as defined in, labeled, and regulated pursuant to the federal Consumer Product Safety Act, was taken up for consideration (S—5590).

Senate File 2177, a bill for an act requiring specific criteria for the acquisition, selection, or approval of a site for a hazardous waste treatment, disposal, or storage facility (S—5591).

Senate File 2253, a bill for an act relating to municipally owned utilities (S—5592).

Senate File 2283, a bill for an act relating to voluntary contributions by special zero-rated employers to meet the applicable percentage of excess requirement of the unemployment compensation contribution law and establishing a special unemployment compensation rate for certain expanding employers, and making the expanding employer rate retroactive and conditional (S—5593).

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gratias for the day on request of Senator Holden.

GOVERNOR'S APPOINTEE EXCUSED FROM INTRODUCTION

Senator Hutchins asked and received unanimous consent that George K. Schneiderman, governor's appointee for reappointment to the Iowa Family Farm Development Authority, be excused from introduction before the Senate.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2460.

House File 2460

On motion of Senator Mann, House File 2460, a bill for an act relating to the disposition of seizable and forfeitable property, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5513 filed by him on April 1, 1986, to pages 4 and 6 of the bill and moved its adoption.

Amendment S—5513 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. 2460) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gratias	Holt	Miller, C.P.	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 665.

House File 665

On motion of Senator Schwengels, House File 665, a bill for an act relating to the operation of motorboats, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Schwengels offered amendment S—5500 filed by the committee on Natural Resources on April 1, 1986, to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—5500 and **House File 665** be **deferred**.

House File 2462

On motion of Senator Horn, House File 2462, a bill for an act relating to educational cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts, with report of committee recommending amendment and passage, was taken up consideration.

Senator Horn asked and received unanimous consent that action on **House File 2462** be **deferred**.

UNFINISHED BUSINESS (Deferred March 27, 1986)

Senate File 2243

The Senate resumed consideration of Senate File 2243, a bill for an act relating to the authority of the department of water, air and waste management over hazardous substances and hazardous conditions, deferred on March 27, 1986.

Senator Colton offered amendment S—5455 filed by him on March 26, 1986, to strike everything after the enacting clause of the bill.

Senator Colton offered amendment S—5507 filed by him on April 1, 1986, to amendment S—5455 and moved its adoption.

Amendment S—5507 was adopted by a voice vote.

Senator Colton moved the adoption of amendment S—5455 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5455 as amended, the Chair ruled amendment S—5289 filed by Senator Taylor on March 10, 1986, to pages 1 and 2 of the bill, out of order.

Senator Colton asked and received unanimous consent that **House File 2336** be substituted for **Senate File 2243** as amended.

House File 2336

On motion of Senator Colton, House File 2336, a bill for an act relating to the authority of the department of water, air and waste management over hazardous substances and hazardous conditions, was taken up for consideration.

Senator Colton moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2336) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Gratias Holt

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Colton asked and received unanimous consent that **Senate File 2243** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILLS
(Regular Calendar)

House File 2463

On motion of Senator Tieden, House File 2463, a bill for an act relating to commercial fishing and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **House File 2463** be **deferred**.

House File 2423

On motion of Senator Taylor, House File 2423, a bill for an act relating to the monetary penalties for violation of the health care facilities' licensing law, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—5527 filed by the committee on Human Resources on April 2, 1986, to pages 1 and 2 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—5527 and **House File 2423** be **deferred**.

House File 2424

On motion of Senator Coleman, House File 2424, a bill for an act relating to the computation of the average daily patient costs at the state mental health institutes and hospital-schools, with report of committee recommending passage, was taken up for consideration.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2424) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Drake	Gratias	Holt	Nystrom
Small			

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 10:25 a.m.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2452.

House File 2452

On motion of Senator Bruner, House File 2452, a bill for an act relating to the health data commission by adding the executive director of the commission on the aging to the membership of the health data commission, providing for the collection of certain billing information, and permitting the health data commission to collect long-term care data, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5528 filed by the committee on Human Resources on April 2, 1986, to page 1 of the bill.

Senator Bruner asked and received unanimous consent that action on amendment S—5528 and **House File 2452** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order **House File 2405**.

House File 2405

On motion of Senator Wells, House File 2405, a bill for an act relating to the administration of the local police and fire retirement systems, with report of committee recommending passage, was taken up for consideration.

Senator Gettings offered amendment S—5420 filed by him on March 20, 1986, to page 1 of the bill.

Senator Miller of Cerro Gordo offered amendment S—5516 filed by him on April 1, 1986, to amendment S—5420 and moved its adoption.

A non record roll call was requested.

The ayes were 11, nays 28.

Amendment S—5516 lost.

Senator Gettings moved the adoption of amendment S—5420, which motion prevailed by a voice vote.

Senator Bruner asked and received unanimous consent that action on **House File 2405** be **deferred**.

House File 2393

On motion of Senator Miller of Cerro Gordo, House File 2393, a bill for an act authorizing cities and counties to establish civil penalties for violations of ordinances, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5417 filed by the committee on Local Government on March 20, 1986, to pages 1 through 5 of the bill.

Senator Riordan called for a division of amendment S—5417: lines 3 through 10 as division S—5417A and lines 11 through 48 as division S—5417B.

Senator Riordan raised the point of order that division S—5417A was not germane to the bill.

The Chair ruled the point not well taken and division S—5417A in order.

Senator Husak asked and received unanimous consent that action on divisions S—5417A and S—5417B and **House File 2393** be deferred.

Senator Colton took the chair at 10:59 a.m.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2403.

House File 2403

On motion of Senator Miller of Cerro Gordo, House File 2403, a bill for an act relating to the operation of city civil service commissions, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5548 filed by Senators Miller of Cerro Gordo, Wells and Lind on April 2, 1986, to pages 3 and 5 of the bill and moved its adoption.

Amendment S—5548 was adopted by a voice vote.

With the adoption of amendment S—5548, the Chair ruled amendment S—5517 filed by Senator Miller of Cerro Gordo on April 1, 1986, to page 3 of the bill, out of order.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2403) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy

Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Gratias	Holt	Hultman	Hutchins
Jensen	Rife	Small	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2414.

House File 2414

On motion of Senator Peterson, House File 2414, a bill for an act relating to hunting and fishing, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 2414** be **deferred**.

House File 2465

On motion of Senator Palmer, House File 2465, a bill for an act relating to the continuation of and conversion of accident or health benefits and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2465) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden

Horn	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gratias	Holt	Hultman	Small
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2164

On motion of Senator Mann, House File 2164, a bill for an act to provide for a public policy research foundation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—5474 filed by the committee on State Government on March 27, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5474 was adopted by a voice vote.

Senator Ritsema asked and received unanimous consent that action on **House File 2164** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown for the remainder of the day on request of Senator Hutchins.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 2, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 508, a bill for an act relating to the forcible entry or detention of real property (S—5598).

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 102.

House File 102

On motion of Senator Hannon, House File 102, a bill for an act relating to smoking in public places and public meetings and applying penalties, with report of committee on Local Government recommending passage, and report of committee on Human Resources recommending amendment and passage, was taken up for consideration.

Senator Colton took the chair at 11:48 a.m.

Senator Hutchins asked and received unanimous consent that action on **House File 102** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2154.

House File 2154

On motion of Senator Tieden, House File 2154, a bill for an act relating to licenses for the taking of animals, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tieden asked and received unanimous consent that action on **House File 2154** be **deferred**.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2315** be referred from the Regular Calendar to the committee on **Rules and Administration**.

Senator Coleman took the chair at 11:50 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

House File 2376

On motion of Senator Colton, House File 2376, a bill for an act establishing liability of persons responsible for hazardous conditions for reasonable costs incurred by the department of water, air and waste management in responding to the conditions, and providing for the credit of recoveries for the liabilities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Colton offered amendment S—5479 filed by the committee on Energy and Environment on March 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5479 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. 2376) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gronstal	Hall	Hannon

Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Peterson	Readinger	Rife
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Wells

Nays, 1:

Gentleman

Absent or not voting, 9:

Brown	Gratias	Holt	Nystrom
Palmer	Priebe	Small	Waldstein
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Colton took the chair at 11:55 a.m.

House File 2401

On motion of Senator Coleman, House File 2401, a bill for an act establishing a state management training program and a management training revolving fund, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman offered amendment S—5475 filed by the committee on State Government on March 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5475 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2401) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hall

Hannon	Hester	Holden	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, C.P.	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Brown	Gratias	Holt	Hultman
Miller, A.V.	Murphy	Nystrom	Schwengels
Small	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2434

On motion of Senator Gronstal, House File 2434, a bill for an act relating to the treatment of certain waters, incorporating a penalty, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2434** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2459.

House File 2459

On motion of Senator Bruner, House File 2459, a bill for an act to establish an Iowa environmental improvement and energy resources authority, with report of committee recommending passage, was taken up for consideration.

Senator Hultman raised the point of order that House File 2459 should be referred to the committee on State Government under Senate Rule 38.

Senator Hultman withdrew his point of order.

Senator Hutchins asked and received unanimous consent that action on **House File 2459** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 187.

House File 187

On motion of Senator Deluhery, House File 187, a bill for an act to prohibit retributive actions of employers against employees serving as jurors, to allow employers to give testimony relating to an employee's request for deferral or excuse, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **House File 187** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2066.

House File 2066

On motion of Senator Doyle, House File 2066, a bill for an act relating to Code corrections which adjust and correct earlier omissions and inaccuracies, remove inconsistencies, and reflect current practices, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman took the chair at 12:12 p.m.

Senator Doyle asked and received unanimous consent that action on amendment S—5583 filed by the committee on Judiciary to pages 1 and 4 through 6 of the bill be deferred.

Senator Colton offered amendment S—5584 filed by him on April 3, 1986, to page 5 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendments S—5583 and S—5584 and **House File 2066** be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

House File 2412

Senator Hutchins asked and received unanimous consent to take up House File 2412, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used and providing an effective date, with report of committee on Small Business recommending passage and report of committee on Appropriations recommending amendment and passage.

Senator Hutchins asked and received unanimous consent that action on **House File 2412** be **deferred**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2303.

House File 2303

On motion of Senator Peterson, House File 2303, a bill for an act to require a one-time, extensive test for water contaminants in certain public water supplies, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hall offered amendment S—5482 filed by the committee on Natural Resources on March 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5482 was adopted by a voice vote.

Senator Doyle offered amendment S—5486 filed by Senators Doyle, Priebe and Riordan to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—5486 and **House File 2303** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2441.

House File 2441

On motion of Senator Bruner, House File 2441, a bill for an act relating to notary publics by eliminating the bond requirement, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **House File 2441** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2158.

House File 2158

On motion of Senator Mann, House File 2158, a bill for an act to make the birthday of Dr. Martin Luther King, Jr. a legal public holiday, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that action on **House File 2158** be **deferred**.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2181, a bill for an act relating to establishing the Iowa comprehensive health association, providing for a plan of operation, establishing financial procedures, providing eligible expenses, excluding certain requirements, and relating to other provisions of health insurance coverage and providing an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Husak, Lind, C. Miller, Murphy, Readinger and Schwengels. Nays, 1: Ritsema. Absent or not voting, 3: Small, Holt and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2443, a bill for an act to establish the Iowa conservation corps and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Husak, Lind, C. Miller, Murphy, Readinger and Schwengels. Nays, 1: Ritsema. Absent or not voting, 3: Small, Holt and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2181.

House File 2181

On motion of Senator Gronstal, House File 2181, a bill for an act relating to establishing the Iowa comprehensive health association, providing for a plan of operation, establishing financial procedures, providing eligible expenses, excluding certain requirements, and relating to other provisions of health insurance coverage and providing an appropriation, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2181** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2443.

House File 2443

On motion of Senator Hannon, House File 2443, a bill for an act to establish the Iowa conservation corps and making an appropriation, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **House File 2443** be **deferred**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

House File 2372

JUDICIARY: Mann, Chair; Ritsema and Small

LSB 8396

APPROPRIATIONS: Gronstal, Chair; Tieden and Murphy

The following subcommittee was appointed to consider proposed changes in the Iowa Rules of Civil Procedure: Rules 49(a), 50, 69(a) and form 4:

JUDICIARY: Ritsema, Chair; Small and Mann

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 3, 1986, 1:17 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gettings, Gronstal, Horn, Husak, Lind, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: Gentleman, Holt (excused) and C. Miller.

Committee Business: Amended LSB 8277S and ordered redrafted for final approval as a committee bill; recommended passage of House File 2412 as amended.

Adjourned: 2:07 p.m.

APPROPRIATIONS

Convened: April 3, 1986, 6:00 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Colton, Gettings, Gronstal, Horn, Lind, Readinger, Ritsema and Schwengels.

Members Absent: Small, Vice Chair; Deluhery, Dieleman, Gentleman, Holt (excused), Husak, C. Miller and Murphy.

Committee Business: Approved LSB 8277S as a committee bill; assigned LSB 8396 to a subcommittee.

Adjourned: 6:02 p.m.

COMMERCE

Convened: April 3, 1986, 2:23 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Palmer, Peterson, Priebe and Tieden.

Members Absent: Nystrom (excused).

Committee Business: Discussed House File 2466.

Adjourned: 3:42 p.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 4th day of April, 1986:

Senate Files 532, 2041 and 2226.

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2424 passed the Senate on April 4, 1986.

CHARLES BRUNER

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 2370, the following technical correction was made to amendment S—5531:

1. Page 1, lines 4 through 7, "In the event that any of these offices have been abolished through consolidation, the county attorney shall serve on this committee." were underscored.

K. MARIE THAYER
Secretary of the Senate

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 60, the committee on Agriculture assigned to investigate the reappointment of George K. Schneidermann as a member of the Iowa Family Farm Development Authority, completed its investigation on March 27, 1986, and recommended the appointment be confirmed.

JUDICIARY

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the reappointments of Charles W. Larson and Eldon E. Leonard as members of the Board of Parole, completed its investigation on April 2, 1986, and recommended the appointments be confirmed.

Pursuant to Senate Rule 60, the committee on Judiciary assigned to investigate the reappointments of Lorna Mae Burnside, Alan L. Pearson, Russell H. White and the appointment of Michael K. Elliott as members of the Criminal and Juvenile Justice Advisory Council, completed its investigation on April 2, 1986, and recommended the appointments be confirmed.

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 2, 1986.

Had I been present, I would have voted "aye" on House Files 724, 2216 and 2395.

WILLIAM W. DIELEMAN

PRESENTATION OF VISITORS

The Chair welcomed Don Rumsfeld from Chicago, Illinois, former U.S. Secretary of Defense, who was present in the Senate chamber as the guest of Senator Nystrom.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five eighth grade students from Mar-Mac Middle School, McGregor, Iowa, accompanied by Mr. Elliott, Mr. Vick, Mrs. Jane Deets, Beverly Pazour and Cathy Hallberg. Senator Tieden.

Twenty-two students from Twin Rivers Community School, Bode, Iowa, accompanied by Garvin Larson and Greg Schmidt. Senator Priebe.

Twenty-five sixth grade students from Orient-Macksburg Community School, Orient, Iowa, accompanied by John Dunlevey. Senators Boswell and Riordan.

AMENDMENTS FILED

S—5586	S. F.	2037	House
S—5587	S. F.	2052	House
S—5588	S. F.	2043	House
S—5589	S. F.	2108	House
S—5590	S. F.	2165	House
S—5591	S. F.	2177	House
S—5592	S. F.	2253	House
S—5593	S. F.	2283	House
S—5594	H. F.	2339	Tom Mann, Jr.
S—5595	S. F.	2190	Hurley W. Hall
S—5596	H. F.	2462	Beverly A. Hannon
S—5597	H. F.	2457	John W. Jensen
S—5598	S. F.	508	House
S—5599	H. F.	2414	Hurley W. Hall Emil J. Husak Jack W. Hester John A. Peterson Dale L. Tieden Berl E. Priebe
S—5600	H. F.	2452	Charles Bruner
S—5601	H. F.	2280	Tom Mann, Jr.
S—5602	H. F.	2457	Charles Bruner Tom Mann, Jr.
S—5603	H. F.	102	Jim Lind

S—5604	H.F.	2405	Charles Bruner
S—5605	H.F.	2462	Arne Waldstein Joe Brown
S—5606	H.F.	2164	Douglas Ritsema
S—5607	H.F.	2066	Tom Mann, Jr. C. Joseph Coleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:34 p.m., until 1:30 p.m., Monday, April 7, 1986.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 7, 1986

The Senate met in regular session at 1:37 p.m., Senator Coleman presiding.

Prayer was offered by Father Richard Weimer, pastor of the Holy Name Catholic Church, West Union.

The Journal of Friday, April 4, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind 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 3, 1986, passed the following bills in which the concurrence of the House was asked:

Senate File 249, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state.

Senate File 476, a bill for an act to prohibit the relinquishment of prior seniority rights as a condition of employment.

Senate File 2015, a bill for an act relating to court costs and attorney fees in actions brought under provisions on new motor vehicle warranties.

Senate File 2228, a bill for an act relating to the responsibilities of county recorders to make reports concerning ownership, assessed values, and transfers of real estate, and certificates of limited partnerships.

Senate File 2239, a bill for an act to legalize the purchase of certain property by the Hardin county conservation board.

Senate File 2276, a bill for an act to legalize proceedings taken by the board of directors of the Iowa City community school district relating to the sale of certain property.

ALSO: That the House has on April 3, 1986, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 549, a bill for an act providing for a raffle conducted by the Iowa development commission with the proceeds of the raffle to be invested in certain types of venture capital funds and the earnings on the proceeds prior to investment to be used as prizes (S—5612).

Senate File 2050, a bill for an act relating to the security interest in farm products and providing an effective date (S—5608).

Senate File 2207, a bill for an act excluding residential care facilities from certificate-of-need reviews for two fiscal years (S—5611).

Senate File 2234, a bill for an act relating to the percent of the proceeds from the sales of obligations of the Iowa finance authority that are required to be used for newly constructed housing units (S—5610).

Senate File 2255, a bill for an act permitting the inclusion of charges for credit unemployment insurance in consumer credit transactions under the Iowa consumer credit code (S—5609).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred March 18, 1986)

House File 2402

The Senate resumed consideration of House File 2402, a bill for an act relating to the election of judicial nominating commissioners and county magistrate appointing commissioners, deferred on March 18, 1986.

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. 2402) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Drake	Lind	Readerger
Riordan	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Small asked and received unanimous consent that **Senate File 2225** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred March 18, 1986)

House File 2390

The Senate resumed consideration of House File 2390, a bill for an act relating to the regulation of insurance holding companies and providing for penalties, deferred on March 18, 1986.

Senator Gronstal withdrew amendment S—5367 filed by him on March 17, 1986, to pages 4, 7, and 12 of the bill.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2390) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Corning	Deluhery	Hannon	Lind
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 18, 1986)

House File 2354

The Senate resumed consideration of House File 2354, a bill for an act relating to the Iowa insurance guaranty association, deferred on March 18, 1986.

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. 2354) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Lind	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gronstal asked and received unanimous consent that **Senate Files 2238** and **2254** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS
(Deferred March 27, 1986)

House File 2409

The Senate resumed consideration of House File 2409, a bill for an act relating to the visitation rights of grandparents, deferred on March 27, 1986.

Senator Hannon offered amendment S—5467 filed by her on March 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5467 lost by a voice vote.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2409) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, 1:

Hultman

Absent or not voting, 4:

Deluhery	Holden	Lind	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.

UNFINISHED BUSINESS
(Deferred March 27, 1986)

House File 2349

The Senate resumed consideration of House File 2349, a bill for a act relating to games of skill, games of chance and raffles, deferred on March 27, 1986.

Senator Dieleman withdrew amendment S—5460 filed by him on March 26, 1986, to pages 1, 4 and 5 of the bill.

Senator Welsh offered amendment S—5469 filed by Senators Welsh, Rife and Horn on March 27, 1986, to pages 1, 2, 3 and 5 of the bill.

Senator Dieleman offered amendment S—5470 filed by him on March 27, 1986, to amendment S—5469 and moved its adoption.

Amendment S—5470 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—5469 as amended, which motion prevailed by a voice vote.

Senator Gronstal offered amendment S—5436 filed by him on March 24, 1986, to page 5 of the bill.

Senator Ritsema raised the point of order that amendment S—5436 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5436 out of order.

Senator Welsh offered amendment S—5472 filed by him on March 27, 1986, to page 5 of the bill and moved its adoption.

Amendment S—5472 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?” (H.F. 2349) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Husak	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Small
Soorholtz	Tieden	Wells	Welsh

Nays, 7:

Dieleman	Goodwin	Hester	Jensen
Schwengels	Taylor	Vande Hoef	

Absent or not voting, 3:

Hutchins	Lind	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gronstal asked and received unanimous consent that **House File 2349** be **immediately messaged** to the House.

WITHDRAWN

Senator Hannon asked and received unanimous consent that **Senate File 2249** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 1, 1986)

House File 2060

The Senate resumed consideration of House File 2060, a bill for an act relating to assignments of income in delinquent support cases and providing a penalty, deferred on April 1, 1986.

Senator Mann offered amendment S—5555 filed by him on April 2, 1986, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 23, nays 21.

Amendment S—5555 was adopted.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2060) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hultman	Lind	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.

UNFINISHED BUSINESS

(Deferred April 1, 1986)

House File 392

The Senate resumed consideration of House File 392, a bill for an act relating to the establishment of a business license center, an economic policy for small business and a data base of vendors to state agencies, deferred on April 1, 1986.

Action on **House File 392** was temporarily **deferred**.

UNFINISHED BUSINESS
(Deferred April 2, 1986)

House File 2280

The Senate resumed consideration of House File 2280, a bill for an act relating to violations of child custody orders and making penalties applicable, and amendment S—5447 by the committee on Judiciary to page 1 of the bill, offered and deferred on April 2, 1986.

Senator Ritsema withdrew amendment S—5530 filed by him on April 2, 1986, to amendment S—5447.

Senator Ritsema offered amendment S—5534 filed by him on April 2, 1986, to amendment S—5447 and moved its adoption.

Amendment S—5534 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—5447 as amended, which motion prevailed by a voice vote.

Senator Readinger offered amendment S—5529 filed by him on April 2, 1986, to page 1 of the bill.

Senator Gentleman raised the point of order that amendment S—5529 was not germane to the bill.

Senator Readinger withdrew amendment S—5529.

Senator Readinger offered amendment S—5572 filed by Senators Readinger and Bruner on April 3, 1986, to page 1 of the bill.

Senator Mann offered amendment S—5601 filed by him on April 4, 1986, to amendment S—5572 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 24, nays 22.

Amendment S—5601 was adopted.

Senator Mann asked and received unanimous consent that action on amendment S—5572 as amended be deferred.

Senator Taylor offered amendment S—5448 filed by him on March 25, 1986, to page 1 of the bill.

Senator Ritsema raised the point of order that amendment S—5448 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5448 in order.

President Anderson took the chair at 3:24 p.m.

Senator Taylor moved the adoption of amendment S—5448.

A non record roll call was requested.

The ayes were 14, nays 28.

Amendment S—5448 lost.

The Senate resumed consideration of amendment S—5572 as amended to page 1 of the bill, previously deferred.

Senator Mann offered amendment S—5621 filed by him from the floor to amendment S—5572 and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 29.

Amendment S—5621 lost.

Senator Ritsema raised the point of order that amendment S—5572 as amended was not germane to the bill.

The Chair ruled the point well taken and amendment S—5572 as amended 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?" (H.F. 2280) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind Miller, C.P.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Coleman presiding.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 2288

On motion of Senator Gronstal, Senate File 2288, a bill for an act relating to the operation of certain state agencies including the insurance department, the department of banking, the credit union department, and the savings and loan division of the auditor of state's office by exempting certain personnel from merit employment and collective bargaining, establishing trust funds, and making certain payments to the general fund, was taken up for consideration.

Senator Gronstal offered amendment S—5615 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5615 was adopted by a voice vote.

Senator Gronstal offered amendment S—5585 filed by him on April 3, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5585 was adopted by a voice vote.

Senator Gronstal offered amendment S—5613 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5613 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2288) the vote was:

Ayes, 43:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Small	Soorholtz
Tieden	Vande Hoef	Wells	

Nays, 4:

Hester	Rife	Taylor	Waldstein
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Absent or not voting, 3:

Boswell	Lind	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.

CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 717.

House File 717

On motion of Senator Mann, 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, with report of committee recommending passage, was taken up for consideration.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 717) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Ritsema	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Drake	Lind	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.

Senate File 106

On motion of Senator Gronstal, Senate File 106, a bill for an act to provide a specific exemption to the sales and use tax relative to gross receipts from the sale of automotive fluids and providing retroactive effect, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5354 filed by the committee on Ways and Means on March 13, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5354 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 106) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readerger
Rife	Riordan	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Peterson

Absent or not voting, 2:

Lind Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2284

On motion of Senator Holden, Senate File 2284, a bill for an act exempting trailers and semitrailers registered under chapter 326 and ships, barges, and waterborne vessels used primarily for transporting property or cargo for hire from the state use tax, was taken up for consideration.

Senator Holt offered amendment S—5552 filed by him on April 2, 1986, to page 1 and the title page of the bill.

Senator Palmer raised the point of order that amendment S—5552 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5552 in order.

Senator Holt moved the adoption of amendment S—5552, which motion lost 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. 2284) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Welsh		

Nays, none.

Absent or not voting, 4:

Lind	Schwengels	Waldstein	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 2144

On motion of Senator Coleman, Senate File 2144, a bill for an act to require the payment of interest on any amount of a refund for motor fuel taxes paid if the refund is not paid within sixty days from the date the claim is filed, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Palmer offered amendment S—5464 filed by the committee on Ways and Means on March 27, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5464 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2144) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Mann
Miller, A. V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Jensen

Absent or not voting, 2:

Lind

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 2, 1986)

House File 2454

The Senate resumed consideration of House File 2454, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement

for certain juvenile justice costs, and providing an effective date, and amendment S—5458 deferred on April 2, 1986.

Senator Gentleman offered amendment S—5547 filed by Senators Gentleman and Mann on April 2, 1986, to pages 1 and 4 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendments S—5547 and S—5458 and **House File 2454** be **deferred**.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2454** be referred from the Unfinished Business Calendar to the committee on **Appropriations**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 106** be **immediately messaged** to the House.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: April 4, 1986, 8:15 a.m.

Members Present: C. Miller, Chair; Doyle, Vice Chair (arrived 9:05 a.m.); Ritsema, Ranking Member; Carr and Waldstein.

Committee Business: Discussed proposed appropriations bill and amendments.

Adjourned: 9:10 a.m.

APPROPRIATIONS

Convened: April 4, 1986, 11:31 a.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: Small, Vice Chair; Holt and Horn.

Committee Business: Recommended passage of House Files 2181 and 2443.

Adjourned: 11:38 a.m.

COMMERCE

Convened: April 4, 1986, 8:13 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Palmer, Peterson, Priebe and Tieden.

Members Absent: Nystrom (excused).

Committee Business: House File 2466 failed recommendation for passage as amended.

Adjourned: 8:16 a.m.

COMMERCE

Convened: April 4, 1986, 11:25 a.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden.

Members Absent: none.

Committee Business: House File 2466 failed recommendation for passage.

Adjourned: 11:26 a.m.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2060 passed the Senate on April 7, 1986.

TOM MANN, JR.

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5555 to House File 2060 was adopted by the Senate on April 7, 1986.

TOM MANN, JR.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 7, 1986, the governor approved and transmitted to the secretary of state the following bills:

SENATE FILE 532 — Relating to bovine brucellosis, by providing vaccination requirements, providing definitions, providing for the adoption of rules, providing for the movement of cattle, and providing for indemnification for slaughtered cattle.

SENATE FILE 2041 — Relating to schedule I and schedule II controlled substances regulated by the Board of Pharmacy Examiners.

SENATE FILE 2226 — Relating to the guaranty capital of a mutual insurance company.

PETITIONS

The following petitions favoring the allowance of debate on resolutions to stop the deployment of Iowa National Guard troops to Honduras were presented and placed on file by:

Senator Hutchins from ten residents of Calhoun and Webster Counties.

Senator Hutchins from one hundred nineteen residents of the state of Iowa.

The following petitions were presented and placed on file by:

Senator Hutchins from four hundred sixty-five residents of the state of Iowa urging all Iowans to place education and youth as a high priority.

Senator Hutchins from twenty-seven residents opposing legislation to require distributors and retailers to redeem fruit drink and iced tea cans.

Senators Priebe and Gettings from fifty-nine residents of Wapello County opposing legislation allowing nonresident deer and turkey licenses to be sold.

Senator Miller of Des Moines from one hundred forty-eight residents of Iowa's thirtieth senatorial district in support of Senate File 2349, amending Chapter 99 of the Code of Iowa, to allow The Knights of Columbus and other similarly groups to conduct bingo games and other games of chance.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Tom Riley, former member of the Senate from Linn County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Andrew cadette and senior Girl Scouts, Andrew, Iowa, accompanied by Joyce Till. Senator Welsh.

AMENDMENT FILED

(April 4, 1986)

S—5520

S.F.

2116

House amendment
(Corrected)

AMENDMENTS FILED

S—5608	S. F.	2050	House
S—5609	S. F.	2255	House
S—5610	S. F.	2234	House
S—5611	S. F.	2207	House
S—5612	S. F.	549	House
S—5613	S. F.	2288	Michael E. Gronstal
S—5614	S. F.	2283	Calvin O. Hultman
S—5615	S. F.	2288	Michael E. Gronstal
S—5616	H. F.	2363	Douglas Ritsema
S—5617	H. F.	2441	Ray Taylor
S—5618	H. F.	2363	Julia B. Gentleman
S—5619	S. C. R.	117	C.W. Bill Hutchins
S—5620	H. F.	2066	Donald V. Doyle
S—5621	H. F.	2280	Tom Mann, Jr.
S—5622	H. F.	2433	Beverly Hannon
S—5623	H. F.	2462	Joe Brown
S—5624	H. F.	2433	Arthur L. Gratias
S—5625	H. F.	2407	Berl E. Priebe
S—5626	H. F.	2344	Joe J. Welsh

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:21 p.m., until 9:30 a.m., Tuesday, April 8, 1986.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 8, 1986

The Senate met in regular session at 9:31 a.m., President Anderson presiding.

Prayer was offered by the Reverend Al Folkes, pastor of the Wesleyan Methodist Church, Rudd, Iowa.

The Journal of Monday, April 7, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Brown for the day and Miller of Des Moines for the morning on request of Senator Hutchins; Senators Vande Hoef for the day and Lind for the morning on request of Senator Hultman.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

April 4, 1986

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

Pursuant to Section 2.32(4), 1985 Code of Iowa, I submit the deferral of the Public Employment Relations Board member. A final candidate has not been selected.

Very truly yours,
TERRY E. BRANSTAD
Governor

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 4, 1986, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 166, a bill for an act to authorize the setting of seasons for pigeons (S—5628).

Senate File 2069, a bill for an act relating to the issuance of temporary certificates for chiropractors (S—5629).

Senate File 2101, a bill for an act providing Veterans Day as a paid state holiday and providing an effective date (S—5630).

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2163** be referred from the Unfinished Business Calendar to the committee on **Agriculture**; **House File 2160** from the Regular Calendar to the committee on **Labor and Industrial Relations** and **House File 2439** from the Regular Calendar to the committee on **Human Resources**.

MOTIONS TO RECONSIDER WITHDRAWN

House File 123

Senator Gentleman withdrew the motion to reconsider House File 123, a bill for an act relating to the issuance of handicapped identification devices, making penalties applicable, filed by her on April 2, 1986, and found on page 994 of the Senate Journal.

House File 2001

Senator Gentleman withdrew the motion to reconsider House File 2001, a bill for an act relating to the length of exposure in the last employment to the hazards of pneumoconiosis under the workers' compensation law, filed by her on April 1, 1986, and found on page 942 of the Senate Journal.

UNFINISHED BUSINESS
(Deferred April 7, 1986)

House File 392

The Senate resumed consideration of House File 392, a bill for an act related to the establishment of a business license center, an economic policy for small business and a data base of vendors to state agencies, deferred on April 7, 1986.

Senator Bruner called up the motion to reconsider the vote by which amendment S—5228 to House File 392 was adopted by the Senate on April 1, 1986, filed by him on April 1, 1986, found on page 968 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5228 by the committee on Small Business and Economic Development to strike everything after the enacting clause of the bill, was taken up for reconsideration.

Senator Bruner offered amendment S—5515 filed by Senators Bruner and Boswell on April 1, 1986, to amendment S—5228 and moved its adoption.

Amendment S—5515 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5228 as amended, which motion prevailed 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?" (H.F. 392) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gratias
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Priebe
Riordan	Ritsema	Small	Tieden
Wells			

Nays, 7:

Coleman	Goodwin	Holden	Peterson
Rife	Schwengels	Waldstein	

Absent or not voting, 10:

Brown	Drake	Kinley	Lind
Miller, C.P.	Readinger	Soorholtz	Taylor
Vande Hoef	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 3, 1986)

House File 2363

The Senate resumed consideration of House File 2363, a bill for an act amending the juvenile justice code by applying statutes of limitations to delinquency cases, retaining juvenile court jurisdiction for one year beyond the attachment of jurisdiction, providing for the appointment of separate guardians ad litem, providing that adults under the juvenile court's jurisdiction are not bailable but must be detained separately from other adults, providing for chemical dependency evaluations as either physical or mental examinations, providing for the application of civil commitment procedures in delinquency cases, establishing standards of proof for certain proceedings removing persons from the home, providing for the submission of social investigation reports prior to the entering of child-in-need-of-assistance dispositions, providing for involuntary termination of parental rights under certain conditions involving ineffectiveness of corrective services, and providing for appeals of delinquency cases after disposition, deferred on April 3, 1986.

Senator Gentleman offered amendment S—5618 filed by her on April 7, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5618 was adopted by a voice vote.

Senator Gentleman withdrew amendment S—5565 filed by her on April 3, 1986, to page 3 of the bill.

Senator Ritsema offered amendment S—5616 filed by him on April 7, 1986, to page 3 of the bill and moved its adoption.

Amendment S—5616 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. 2363) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Waldstein	Wells		

Nays, none.

Absent or not voting, 8:

Brown	Kinley	Lind	Miller, C.P.
Readinger	Soorholtz	Vande Hoef	Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 3, 1986)

House File 2433

The Senate resumed consideration of House File 2433, a bill for an act relating to domestic abuse, and providing penalties, deferred on April 3, 1986.

Senator Gronstal took the chair at 10:00 a.m.

Senator Gratias offered amendment S—5624 filed by him on April 7, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5624 was adopted by a voice vote.

Senator Hannon offered amendment S—5622 filed by her on April 7, 1986, to page 3 and the title page of the bill.

Senator Dieleman raised the point of order that amendment S—5622 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5622 in order.

Senator Coleman asked and received unanimous consent that action on amendment S—5622 and **House File 2433** be **deferred**.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 2405

The Senate resumed consideration of House File 2405, a bill for an act relating to the administration of the local police and fire retirement systems, deferred on April 4, 1986.

Senator Bruner offered amendment S—5604 filed by him on April 4, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5604 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. 2405) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger

Riordan
Soorholtz
Wells

Ritsema
Taylor

Schwengels
Tieden

Small
Waldstein

Nays, 2:

Gentleman

Holden

Absent or not voting, 7:

Brown
Rife

Kinley
Vande Hoef

Lind
Welsh

Miller, C.P.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 2164

The Senate resumed consideration of House File 2164, a bill for an act to provide for a public policy research foundation, deferred on April 4, 1986.

Senator Ritsema offered amendment S—5606 filed by him on April 4, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5606 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2164) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell
Colton
Fraise
Hall
Hutchins

Bruner
Dieleman
Gettings
Hannon
Kinley

Carr
Doyle
Gratias
Horn
Mann

Coleman
Drake
Gronstal
Husak
Miller, A.V.

Murphy	Palmer	Priebe	Readinger
Riordan	Soorholtz	Wells	

Nays, 16:

Corning	Deluhery	Gentleman	Goodwin
Hester	Holden	Holt	Jensen
Nystrom	Peterson	Ritsema	Schwengels
Small	Taylor	Tieden	Waldstein

Absent or not voting, 7:

Brown	Hultman	Lind	Miller, C.P.
Rife	Vande Hoef	Welsh	

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 10:35 a.m.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 2452

The Senate resumed consideration of House File 2452, a bill for an act relating to the health data commission by adding the executive director of the commission on the aging to the membership of the health data commission, providing for the collection of certain billing information, and permitting the health data commission to collect long-term care data, and amendment S—5528 by the committee on Human Resources, offered and deferred on April 4, 1986.

Senator Bruner offered amendment S—5600 filed by him on April 4, 1986, to amendment S—5528 and moved its adoption.

Amendment S—5600 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5528 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. 2452) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Riordan	Schwengels
Small	Soorholtz	Taylor	Waldstein
Wells	Welsh		

Nays, 2:

Ritsema	Tieden
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Absent or not voting, 6:

Brown	Hultman	Lind	Miller, C.P.
Rife	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 18, 1986)

House File 2387

The Senate resumed consideration of House File 2387, a bill for an act relating to energy management by school districts and merged area schools, requiring periodic energy audits, providing financial and technical assistance for energy conservation for school districts and merged area schools, and providing an appropriation, deferred on March 18, 1986.

Senator Bruner offered amendment S—5359 filed by him on March 17, 1986, to strike everything after the enacting clause of the bill.

Senator Bruner offered amendment S—5627 filed by him from the floor to amendment S—5359 and moved its adoption.

Amendment S—5627 was adopted by a voice vote.

Senator Waldstein raised the point of order that House File 2387 should be referred to the committee on Ways and Means or the committee on Appropriations under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Bruner moved the adoption of amendment S—5359 as amended, which motion prevailed by a voice vote.

Senator Bruner withdrew amendment S—5374 filed by him on March 18, 1986, to the title page of the bill.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2387) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gratias	Gronstal	Hall	Hannon
Hester	Horn	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Murphy
Nystrom	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Tieden	Wells	Welsh

Nays, 9:

Gentleman	Goodwin	Holden	Holt
Hultman	Jensen	Readinger	Taylor
Waldstein			

Absent or not voting, 5:

Brown	Lind	Miller, C.P.	Palmer
Vande Hoef			

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 Nystrom called up the motion to reconsider House File 2330 filed by him on April 2, 1986, found on page 995 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2330) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Murphy
Nystrom	Peterson	Readinger	Riordan
Schwengels	Small	Taylor	Wells
Welsh			

Nays, 4:

Rife	Ritsema	Tieden	Waldstein
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Absent or not voting, 9:

Brown	Coleman	Holden	Lind
Miller, C.P.	Palmer	Priebe	Soorholtz
Vande Hoef			

The motion prevailed.

Senator Nystrom moved to reconsider the vote by which House File 2330 went to its last reading, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan for the remainder of the morning on request of Senator Husak.

BUSINESS PENDING

The Senate resumed consideration of House File 2330.

House File 2330

On motion of Senator Nystrom, House File 2330, a bill for an act to allow the registration of trailers and semitrailers for a period of six registration years, was taken up for reconsideration.

Senator Nystrom offered amendment S—5568 filed by Senators Nystrom and Coleman on April 3, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5568 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2330) the vote was:

Ayes, 34:

Bruner	Carr	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Murphy	Nystrom	Peterson	Readinger
Schwengels	Small	Taylor	Waldstein
Wells	Welsh		

Nays, 7:

Drake	Gentleman	Hester	Holden
Rife	Ritsema	Tieden	

Absent or not voting, 9:

Boswell	Brown	Lind	Miller, C.P.
Palmer	Priebe	Riordan	Soorholtz
Vande Hoef			

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 Boswell for the remainder of the morning on request of Senator Hutchins.

UNFINISHED BUSINESS
(Deferred March 27, 1986)**House File 2344**

The Senate resumed consideration of House File 2344, a bill for an act relating to the toxic cleanup days pilot program and providing an effective date, deferred on March 27, 1986.

Senator Welsh offered amendment S—5626 filed by him on April 7, 1986, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5626 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. 2344) the vote was:

Ayes, 35:

Bruner	Carr	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rife	Schwengels	Small	Taylor
Tieden	Wells	Welsh	

Nays, 5:

Gentleman	Holden	Holt	Ritsema
Waldstein			

Absent or not voting, 10:

Boswell	Brown	Hester	Jensen
Lind	Miller, C.P.	Palmer	Riordan
Soorholtz	Vande Hoef		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 1, 1986)

House File 2032

The Senate resumed consideration of House File 2032, a bill for an act relating to combined hunting, fishing and fur harvesting licenses, deferred on April 1, 1986.

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. 2032) the vote was:

Ayes, 38:

Bruner	Carr	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Small	Tieden
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Boswell	Brown	Hester	Holden
Lind	Miller, C.P.	Palmer	Riordan
Soorholtz	Taylor	Vande Hoef	Waldstein

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 2, 1986)

House File 2348

The Senate resumed consideration of House File 2348, a bill for an act relating to water sold in sealed containers for human consumption and making penalties applicable, deferred on April 2, 1986.

Senator Gronstal offered amendment S—5465 filed by him on March 27, 1986, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5465 was adopted by a voice vote.

Senator Gronstal offered amendment S—5632 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5632 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. 2348) the vote was:

Ayes, 34:

Bruner	Carr	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holt	Horn	Husak
Hutchins	Kinley	Mann	Miller, A. V.
Murphy	Nystrom	Peterson	Priebe
Readinger	Ritsema	Schwengels	Small
Wells	Welsh		

Nays, 5:

Hultman	Jensen	Rife	Taylor
Tieden			

Absent or not voting, 11:

Boswell	Brown	Hester	Holden
Lind	Miller, C.P.	Palmer	Riordan
Soorholtz	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 Carr and Welsh for the remainder of the morning on request of Senator Hutchins.

UNFINISHED BUSINESS (Deferred April 3, 1986)

House File 2226

The Senate resumed consideration of House File 2226, a bill for an act relating to licenses issued to landowners and tenants for the taking of deer and wild turkey, deferred on April 3, 1986.

Senator Husak took the chair at 11:32 a.m.

Senator Priebe offered amendment S—5524 filed by him on April 2, 1986, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 35, nays 4.

Amendment S—5524 was adopted.

Senator Priebe offered amendment S—5576 filed by Senators Lind and Priebe on April 3, 1986, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5576 be adopted?” (H.F. 2226) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 8:

Gratias	Hutchins	Mann	Miller, A.V.
Palmer	Priebe	Schwengels	Waldstein

Nays, 29:

Bruner	Coleman	Colton	Corning
Deluhery	Dieleman	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Holt	Horn
Hultman	Husak	Jensen	Murphy
Peterson	Readinger	Rife	Ritsema
Small	Soorholtz	Taylor	Tieden
Wells			

Voting present, 1:

Doyle

Absent or not voting, 12:

Boswell	Brown	Carr	Hester
Holden	Kinley	Lind	Miller, C.P.
Nystrom	Riordan	Vande Hoef	Welsh

Amendment S—5576 lost.

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. 2226) the vote was:

Ayes, 36:

Bruner	Coleman	Colton	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gratias
Gronstal	Hall	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Mann	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells

Nays, 1:

Gentleman

Absent or not voting, 13:

Boswell	Brown	Carr	Hannon
Hester	Holden	Kinley	Lind
Miller, C.P.	Nystrom	Riordan	Vande Hoef
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Bruner asked and received unanimous consent that **Senate File 2281** be **withdrawn** from further consideration of the Senate.

INTRODUCTION OF BILL

Senate File 2289 by Administrative Rules Review Committee, a bill for an act relating to the Code editor, the deputy Code editor, and the office of the Code editor, also known as the Iowa Code office; relating to the duties, powers, and organization of the position and office of the Code editor; relating to the structuring of the legislative service bureau in relation to the position and office of the Code editor; and relating to the publication of the Iowa Code, the Iowa administrative code, and related documents.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:12 p.m., until 2:00 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 119

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

House File 2315

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

House File 2454

APPROPRIATIONS: Ritsema, Chair; Tieden and Husak

COMMITTEE REPORT

ADMINISTRATIVE RULES REVIEW COMMITTEE

Final Bill Action: SENATE FILE 2289, a bill for an act relating to the Code editor, the deputy Code editor, and the office of the Code editor, also known as the Iowa Code office; relating to the duties, powers, and organization of the position and office of the Code editor; relating to the structuring of the legislative service bureau in relation to the position and office of the Code editor; and relating to the publication of the Iowa Code, the Iowa administrative code, and related documents.

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Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 4: Senators Priebe and Doyle and Representatives O'Kane and Clark. Nays, 1: Senator Tieden. Absent or not voting, 1: Representative Parker.

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 8th day of April, 1986:

Senate Files 108, 2003, 2029, 2133, 2155, 2193, 2213, 2214, 2221, 2222 and 2232

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2354 passed the Senate on April 7, 1986.

MICHAEL E. GRONSTAL

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-eight eighth grade students from Alden Community High School, Alden, Iowa, accompanied by J. Zeisman. Senator Taylor.

AMENDMENTS FILED

S—5627	H.F.	2387	Charles Bruner
S—5628	S.F.	166	House
S—5629	S.F.	2069	House
S—5630	S.F.	2101	House
S—5631	S.F.	2052	Donald V. Doyle
S—5632	H.F.	2348	Michael E. Gronstal
S—5633	H.F.	2433	C. Joseph Coleman
S—5634	H.F.	2454	Tom Mann, Jr.
S—5635	H.F.	2378	C. Joseph Coleman
S—5636	H.F.	2463	Berl E. Priebe
			Dale L. Tieden

AFTERNOON SESSION

The Senate reconvened at 2:08 p.m., Senator Colton presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

UNFINISHED BUSINESS

(Deferred April 3, 1986)

House File 601

The Senate resumed consideration of 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, deferred on April 3, 1986.

Senator Deluhery asked and received unanimous consent that action on **House File 601** be **deferred**.

UNFINISHED BUSINESS

(Deferred April 3, 1986)

House File 2378

The Senate resumed consideration of House File 2378, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments, deferred on April 3, 1986.

Senator Coleman offered amendment S—5635 filed by him from the floor to pages 1 through 3 and 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 18, nays 28.

Amendment S—5635 lost.

Senator Waldstein asked and received unanimous consent that action on **House File 2378** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the afternoon on request of Senator Husak.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 2414

The Senate resumed consideration of House File 2414, a bill for an act relating to hunting and fishing, deferred on April 4, 1986.

Senator Hall asked and received unanimous consent that action on amendment S—5457 filed by the committee on Natural Resources on March 26, 1986, to pages 1 through 5 of the bill, be deferred.

Senator Hall offered amendment S—5599 filed by Senators Hall, et al., on April 4, 1986, to pages 1 through 5 of the bill.

Senator Peterson called for a division of amendment S—5599: page 1 and page 2, lines 1 through 24 and lines 29 through 46 as division S—5599A; page 2, lines 25 through 28 as division S—5599B.

Senator Peterson moved the adoption of division S—5599A, which motion prevailed by a voice vote.

President pro tempore Wells took the chair at 3:15 p.m.

Senator Hall moved the adoption of division S—5599B.

A record roll call was requested.

On the question “Shall division S—5599B be adopted?” (H.F. 2414) the vote was:

Ayes, 31:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Priebe
Riordan	Small	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Nays, 13:

Gentleman	Goodwin	Holden	Holt
Lind	Murphy	Palmer	Peterson
Readinger	Rife	Ritsema	Schwengels
Taylor			

Absent or not voting, 6:

Brown	Drake	Gratias	Hultman
Mann	Vande Hoef		

Division S—5599B was adopted.

With the adoption of divisions S—5599A and S—5599B, the Chair ruled the following amendments out of order:

S—5395 filed by Senator Taylor on March 19, 1986, to pages 1 through 3 of the bill.

S—5457 filed by the committee on Natural Resources to pages 1 through 5 of the bill, previously deferred.

S—5478 filed by Senators Hester and Husak on March 27, 1986, to pages 1 and 2 of the bill.

S—5504 filed by Senator Priebe on April 1, 1986, to amendment S—5457.

S—5525 filed by Senator Priebe on April 2, 1986, to pages 1 and 2 of the bill.

S—5545 filed by Senators Hall and Priebe on April 2, 1986, to amendment S—5457.

Senator Boswell offered amendment S—5580 filed by Senators Boswell, et al., on April 3, 1986, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 24.

Amendment S—5580 lost.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2414) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Brown	Hultman	Mann	Murphy
Rife	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 April 4, 1986)

House File 2303

The Senate resumed consideration of House File 2303, a bill for an act to require a one-time, extensive test for water

contaminants in certain public water supplies, and amendment S—5486 by Senators Doyle, Priebe and Riordan, offered and deferred on April 4, 1986.

Senator Doyle moved the adoption of amendment S—5486 to page 1 of the bill, which motion prevailed by a voice vote.

Senator Hall offered amendment S—5514 filed by him on April 1, 1986, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5514 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **House File 2303** be **deferred**.

BUSINESS PENDING

House File 2378

The Senate resumed consideration of House File 2378, previously deferred.

Senator Waldstein offered amendment S—5641 filed by Senators Waldstein and Coleman from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5641 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **House File 2378** be **deferred**.

UNFINISHED BUSINESS

(Deferred April 4, 1986)

House File 665

The Senate resumed consideration of House File 665, a bill for an act relating to the operation of motorboats, and amendment S—5500, deferred on April 4, 1986.

Senator Tieden moved the adoption of amendment S—5500 by the committee on Natural Resources to page 1 of the bill.

A record roll call was requested.

On the question "Shall amendment S—5500 be adopted?" (H.F. 665) the vote was:

Ayes, 30:

Boswell	Coleman	Colton	Corning
Dieleman	Doyle	Fraise	Goodwin
Gratias	Hester	Holden	Holt
Horn	Hultman	Husak	Jensen
Kinley	Lind	Miller, A.V.	Miller, C.P.
Nystrom	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Taylor
Tieden	Welsh		

Nays, 14:

Bruner	Carr	Deluhery	Drake
Gentleman	Gettings	Hall	Hannon
Mann	Murphy	Palmer	Readinger
Small	Wells		

Absent or not voting, 6:

Brown	Gronstal	Hutchins	Soorholtz
Vande Hoef	Waldstein		

Amendment S—5500 was adopted.

Senator Schwengels moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 665) the vote was:

Ayes, 34:

Boswell	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Nystrom
Peterson	Priebe	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Waldstein	Welsh		

Nays, 12:

Bruner	Carr	Deluhery	Gentleman
Gronstal	Mann	Murphy	Palmer
Readinger	Rife	Small	Wells

Absent or not voting, 4:

Brown	Coleman	Hutchins	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.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 2463

The Senate resumed consideration of House File 2463, a bill for an act relating to commerial fishing and providing penalties, deferred on April 4, 1986.

Senator Priebe offered amendment S—5636 filed by Senators Priebe and Tieden from the floor to page 5 of the bill and moved its adoption.

Amendment S—5636 was adopted by a voice vote.

Senator Tieden offered amendment S—5640 filed by him from the floor to pages 5, 10 and 11 of the bill and moved its adoption.

Amendment S—5640 was adopted by a voice vote.

Senator Tieden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2463) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen

Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 1:

Husak

Absent or not voting, 4:

Brown	Drake	Rife	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.

DEFERRAL OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senate Husak called up the eligible appointees listed on the En Bloc Confirmation Calendar.

Senator Riordan requested that Melba L. Scaglione be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

Senator Hutchins asked and received unanimous consent that action on the En Bloc Confirmation Calendar be deferred.

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APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: April 8, 1986, 8:10 a.m.

Members Present: Doyle, Vice Chair; Ritsema, Ranking Member; Carr and Waldstein.

Members Absent: C. Miller, Chair (excused).

Committee Business: Amended proposed appropriations bill and ordered redrafted for final recommendation.

Adjourned: 8:55 a.m.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 60, the committee on Education assigned to investigate the appointment of Betty L. Dexter and the reappointments of Dianne L. Paca and Mary E. Robinson as members of the State Board of Public Instruction, completed its investigation on April 7, 1986, and recommended the appointments be confirmed.

NATURAL RESOURCES

Pursuant to Senate Rule 60, the committee on Natural Resources assigned to investigate the appointments of Catherine Dunn and Nancy Lee A. Siebenmann as members of the Water, Air and Waste Management Commission, completed its investigation on April 10, 1986, and March 27, 1986, respectively, and recommended the appointments be confirmed.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5641 to House File 2378 was adopted by the Senate on April 8, 1986.

WILLIAM W. DIELEMAN

PRESENTATION OF VISITOR

The Chair welcomed the Honorable William Gluba, former member of the Senate from Scott County, who was present in the Senate chamber.

AMENDMENTS FILED

S—5637	H.F.	2354	Michael E. Gronstal
S—5638	H.F.	2443	Beverly A. Hannon
S—5639	S.F.	505	James D. Wells
S—5640	H.F.	2463	Dale L. Tieden
S—5641	H.F.	2378	Arne Waldstein C. Joseph Coleman
S—5642	H.F.	2423	Beverly A. Hannon
S—5643	H.F.	2412	Arne Waldstein Lee Holt

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:24 p.m., until 9:30 a.m., Wednesday, April 9, 1986.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 9, 1986

The Senate met in regular session at 9:31 a.m., President Anderson presiding.

Prayer was offered by the Reverend Duane Churchman, pastor of the Trinity United Methodist Church, Waverly, Iowa.

The Journal of Tuesday, April 8, 1986, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1986, passed the following bill in which the concurrence of the House was asked:

Senate File 2277, a bill for an act to clarify the intended effective date of portions of chapter 239, 1985 Acts, relating to the imposition of a tax on payments received by a nonprofit health service corporation for subscriber contracts and providing an effective date.

ALSO: That the House has on April 7, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2471, a bill for an act relating to taxation, by amending administrative requirements of taxpayers, taxpayers' representatives, and public and taxing authorities, including nonsubstantive and technical corrections and making certain provisions of the Act retroactive.

This bill was read first time and **passed on file**.

House File 2472, a bill for an act relating to taxation by updating references to the Internal Revenue Code, eliminating one of the net operating loss deductions in computing the state minimum tax, removing the requirement that members of an affiliated group of corporations consent in writing to the filing of a consolidated corporation income tax return, and providing an effective date.

This bill was read first time and **passed on file**.

House File 2475, a bill for an act exempting certain nonresidents engaged in feature film, television, and educational production from the state income tax withholding provisions.

This bill was read first time and **passed on file**.

House File 2477, a bill for an act relating to the payment of installments of special assessments.

This bill was read first time and **passed on file**.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)
(Deferred April 8, 1986)

In accordance with Senate Rule 60, Senator Husak called up the following eligible appointees on the En Bloc Confirmation Calendar, deferred on April 8, 1986:

Board of Accountancy

Committee recommendations found on page 841 of the Senate Journal:

Diane J. McNulty
Alvin E. Iverson

Board of Architectural Examiners

Committee recommendations found on page 841 of the Senate Journal:

Ruth M. Roberts
William M. Dikis

State Board of Barber Examiners

Al C. Maiers, committee recommendation found on page 841 of the Senate Journal.

State Board of Chiropractic Examiners

Committee recommendations found on page 841 of the Senate Journal:

Carl H. Lundahl
Shirley A. Schaefer

City Development Board

Marsha M. McGlaughlin, committee recommendation found on page 841 of the Senate Journal.

State Board of Cosmetology Examiners

Jo Ann Nina Pals, committee recommendation found on page 841 of the Senate Journal.

Credit Union Review Board

Committee recommendations found on page 841 of the Senate Journal:

Marcia J. Benit
Barbara A. Nixon

State Board of Dental Examiners

Committee recommendations found on page 841 of the Senate Journal:

Eugene E. Houk
Pamela G. Kapple
August G. Kegler

State Board of Engineering and Land Surveying Examiners

James W. Vander Woude, committee recommendation found on page 841 of the Senate Journal.

Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers

Committee recommendations found on page 841 of the Senate Journal:

Joseph C. Huibsch
Dorothea M. Luddington

Job Service Appeal Board

James A. Althaus, committee recommendation found on page 841 of the Senate Journal.

Board of Landscape Architectural Examiners

Ronald S. Niemann, committee recommendation found on page 841 of the Senate Journal.

Iowa Law Enforcement Academy Council

Committee recommendations found on page 841 of the Senate Journal:

John Desmond Crotty
Gordon E. Plepla

State Board of Medical Examiners

Committee recommendations found on page 841 of the Senate Journal:

Elizabeth A. Coyte
Dorothy J. Gildea
Hormoz Rassekh
Robert B. Stickler

Mental Health and Mental Retardation Commission

Committee recommendations found on page 842 of the Senate Journal:

Martin Dettmer
Glenda D. Gorsh
Ferrell C. Reed
Sharon K. Smith
Karen A. Vossberg

State Board of Mortuary Science Examiners

Calvin J. Van Arkel, committee recommendation found on page 842 of the Senate Journal.

State Board of Nursing Examiners

Committee recommendations found on page 842 of the Senate Journal:

Marjorie M. Matzen
Erlene Veverka

Board of Examiners for Nursing Home Administrators

James L. Tweeten, committee recommendation found on page 842 of the Senate Journal.

State Board of Optometry Examiners

Committee recommendations found on page 842 of the Senate Journal:

Larry D. Brewer
Ann M. Lohman

State Board of Pharmacy Examiners

Rollin C. Bridge, committee recommendation found on page 842 of the Senate Journal.

State Board of Physical and Occupational Therapy Examiners

Committee recommendations found on page 842 of the Senate Journal:

Dorothy W. Main
Carol A. Morris

State Board of Podiatry Examiners

Terry K. Lichty, committee recommendation found on page 842 of the Senate Journal.

State Board of Psychology Examiners

Committee recommendations found on page 842 of the Senate Journal:

Darlene E. K. Blake
Gratia Gilbert

Iowa Real Estate Commission

Joan Ballantyne, committee recommendation found on page 842 of the Senate Journal.

State Board of Speech Pathology and Audiology Examiners

Committee recommendations found on page 842 of the Senate Journal:

Sherry J. Carter
Sue Ann N. Hillman

Iowa Board of Veterinary Medicine

Committee recommendations found on page 842 of the Senate Journal:

Dean Frey
Rex W. Wilhelm

State Board of Social Work Examiners

Alyce Ann Clasen, committee recommendation found on page 867 of the Senate Journal.

Criminal and Juvenile Justice Advisory Committee

R. Dean Wright, committee recommendation found on page 877 of the Senate Journal.

George Belitsos, committee recommendation found on page 952 of the Senate Journal.

Michael K. Elliott, committee recommendation found on page 1069 of the Senate Journal.

State Racing Commission

Lawrence F. Scalise, committee recommendation found on page 877 of the Senate Journal.

State Transportation Commission

Committee recommendations found on page 894 of the Senate Journal:

Robert H. Meier
Austin B. Turner

Board of Corrections

Michael W. Mahaffey, committee recommendation found on page 903 of the Senate Journal.

Board of Parole

Thomas R. Eller, committee recommendation found on page 952 of the Senate Journal.

Committee recommendations found on page 1069 of the Senate Journal:

Charles W. Larson
Eldon E. Leonard

Iowa Higher Education Loan Authority

Judith B. Smith, committee recommendation found on page 1011 of the Senate Journal.

Iowa Family Farm Development Authority

Eric W. Dee, committee recommendation found on page 1011 of the Senate Journal.

George K. Schneidermann, committee recommendation found on page 1069 of the Senate Journal.

State Board of Public Instruction

Committee recommendations found on page 1012 of the Senate Journal:

Thomas M. Glenn
Francis N. Kenkel

Respiratory Care Advisory Committee

Committee recommendations found on page 1044 of the Senate Journal:

Earl L. Howard
Sara E. Sutton

State Board of Dietetic Examiners

Mary Jane Oakland, committee recommendation found on page 1044 of the Senate Journal.

State Foster Care Review Board

Committee recommendations found on page 1044 of the Senate Journal:

Harriet Vande Hoef
Kathryn M. Youberg

Senator Husak moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Palmer Small

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS
(Deferred April 4, 1986)

House File 2423

The Senate resumed consideration of House File 2423, a bill for an act relating to the monetary penalties for violation of the health care facilities' licensing law, and amendment S—5527 by the committee on Human Resources to pages 1 and 2 of the bill, offered and deferred on April 4, 1986.

Senator Colton took the chair at 10:00 a.m.

Senator Hannon offered amendment S—5642 filed by her on April 8, 1986, to amendment S—5527 and moved its adoption.

Amendment S—5642 was adopted by a voice vote.

Senator Hannon asked and received unanimous consent that action on amendment S—5527 as amended be deferred.

Senator Coleman offered amendment S—5564 filed by him on April 3, 1986, to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5564 be adopted?" (H.F. 2423) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Gratias	Hester	Holden
Holt	Horn	Husak	Jensen
Lind	Miller, A.V.	Miller, C.P.	Nystrom
Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Soorholtz	Vande Hoef
Waldstein			

Nays, 16:

Boswell	Brown	Bruner	Carr
Deluhery	Goodwin	Gronstal	Hall
Hannon	Mann	Murphy	Palmer
Riordan	Small	Taylor	Wells

Absent or not voting, 5:

Hultman	Hutchins	Kinley	Tieden
Welsh			

Amendment S—5564 was adopted.

With the adoption of amendment S—5564, the Chair ruled amendment S—5527 as amended to pages 1 and 2 of the bill, previously deferred, out of order.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2423) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hannon	Holden	Holt
Horn	Husak	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells		

Nays, 2:

Hester	Jensen
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Absent or not voting, 6:

Gronstal	Hultman	Hutchins	Kinley
Tieden	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 4, 1986)

House File 2443

The Senate resumed consideration of House File 2443, a bill for an act to establish the Iowa conservation corps and making an appropriation, deferred on April 4, 1986.

Senator Hannon offered amendment S—5483 filed by the committee on Natural Resources on March 27, 1986, to page 4 of the bill and moved its adoption.

Amendment S—5483 was adopted by a voice vote.

Senator Hannon offered amendment S—5638 filed by her on April 8, 1986, to page 5 of the bill and moved its adoption.

Amendment S—5638 was adopted by a voice vote.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2443) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Horn
Husak	Jensen	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rife
Riordan	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Wells	

Nays, 5:

Holden	Holt	Peterson	Ritsema
Waldstein			

Absent or not voting, 6:

Gronstal	Hultman	Hutchins	Kinley
Tieden	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 2167

Senator Jensen withdrew the motion to reconsider House File 2167, a bill for an act relating to the time allowed for persons to file additional objections to a school reorganization petition if the board continues the hearing on petition, filed by him on April 2, 1986, and found on page 994 of the Senate Journal.

HOUSE AMENDMENTS CONSIDERED

Senate File 444

Senator Mann called up for consideration Senate File 444, a bill for an act relating to the time in which a defendant may waive the defendant's right to a jury trial, amended by the House, and moved that the Senate concur in House amendment S—5498 filed April 1, 1986.

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. 444) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Jensen

Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Gronstal	Hultman	Hutchins	Kinley
Tieden	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2123

Senator Doyle called up for consideration Senate File 2123, a bill for an act relating to the judgeship formula for the apportionment of district judges, amended by the House, and moved that the Senate concur in House amendment S—5497 filed April 1, 1986.

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. 2123) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Jensen
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 7:

Gronstal	Hultman	Hutchins	Kinley
Small	Tieden	Welsh	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 245

Senator Deluhery called up for consideration Senate File 245, a bill for an act relating to jurors, jury commissions and juror selection and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—5557 filed April 3, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 245) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Jensen
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells

Nays, none.

Absent or not voting, 6:

Gronstal	Hultman	Hutchins	Kinley
Tieden	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 Hall for the remainder of the morning on request of Senator Husak.

HOUSE AMENDMENTS CONSIDERED

Senate File 477

Senator Mann called up for consideration Senate File 477, a bill for an act relating to the search of students or protected student areas, amended by the House in House amendment S—5558 filed April 3, 1986.

President pro tempore Wells took the chair at 11:12 a.m.

Senator Mann offered amendment S—5656 filed by him from the floor to House amendment S—5558 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5656 to amendment S—5558 be adopted?" (S.F. 477) the vote was:

Ayes, 25:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Hannon
Horn	Husak	Hutchins	Lind
Mann	Miller, C.P.	Murphy	Nystrom
Peterson	Readinger	Riordan	Small
Welsh			

Nays, 19:

Corning	Drake	Gettings	Goodwin
Gratias	Hester	Holden	Holt
Jensen	Miller, A.V.	Priebe	Rife
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	

Absent or not voting, 6:

Gronstal	Hall	Hultman	Kinley
Palmer	Waldstein		

Amendment S—5656 was adopted.

Senator Welsh took the chair at 11:31 a.m.

Senator Mann moved that the Senate concur in the House amendment as amended.

A non record roll call was requested.

The ayes were 27, nays 14.

The motion prevailed and the Senate concurred in the House amendment as amended.

Senator Mann 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. 477) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gronstal
Hannon	Horn	Husak	Hutchins
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Priebe	Readinger
Riordan	Small	Wells	Welsh

Nays, 20:

Corning	Drake	Gettings	Goodwin
Gratias	Hester	Holden	Holt
Hultman	Jensen	Nystrom	Peterson
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 2:

Hall	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.

Senate File 2100

Senator Mann called up for consideration of Senate File 2100, a bill for an act relating to public defenders, amended by the House, and moved that the Senate concur in House amendment S—5562 filed April 3, 1986.

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. 2100) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hall	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.

Senate File 2052

Senator Doyle called up for consideration Senate File 2052, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date, amended by the House in House amendment S—5587 filed April 4, 1986.

Senator Doyle offered amendment S—5631 filed by him from the floor on April 8, 1986, to House amendment S—5587 and moved its adoption.

Amendment S—5631 was adopted by a voice vote.

Senator Doyle moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator 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. 2052) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Tieden

Absent or not voting, 4:

Hall	Hultman	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.

MOTION OUT OF ORDER

With the withdrawal of Senator Jensen's motion to reconsider on House File 2167, the motion to reconsider the vote by which amendment S—5387 to House File 2167 was adopted by the Senate on April 2, 1986, filed by Senator Jensen on April 2, 1986, and found on page 995 of the Senate Journal, was out of order.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2473, a bill for an act relating to farm crisis relief, by providing for a legal assistance to farmers program, providing for the cure of a default, the appointment of a receiver, and the separate redemption of a homestead in relation to a foreclosure on agricultural land, providing a procedure for the waiver of homestead exemption, providing for the ownership of agricultural land by certain nonresident aliens, providing for a farm mediation program, designating a farm crisis program coordinator, and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 7, 1986, concurred in the Senate amendment as amended and passed the following bills in which the concurrence of the Senate is asked:

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 (S—5655 to H—5595).

House File 2380, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1985 and ending June 30, 1986 and making the Act effective upon publication (S—5654 to H—5554).

RECESS

On motion of Senator Husak, the Senate recessed at 11:55 a.m., until 2:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.F.	2471	Ways and Means
H.F.	2472	Ways and Means
H.F.	2473	Appropriations
H.F.	2475	Ways and Means
H.F.	2477	Ways and Means

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2423 passed the Senate on April 9, 1986.

BEVERLY A. HANNON

MR. PRESIDENT: I move to reconsider the vote by which House File 665 passed the Senate on April 8, 1986.

WALLY E. HORN

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5500 to House File 665 was adopted by the Senate on April 8, 1986.

WALLY E. HORN

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 7, 1986.

Had I been present, I would have voted “aye” on Senate Files 106, 2144, 2284 and House Files 717, 2060, 2280, 2349, 2354, 2390, 2402 and 2409.

I was also necessarily absent on April 8, 1986.

Had I been present, I would have voted “aye” on House Files 2032, 2330, 2344, 2348, 2363, 2405, 2452, amendment S—5576 to House File 2226 and final passage of House File 2226. I would have voted “nay” on House Files 392, 2164 and 2387.

I apologize for any inconvenience.

JIM LIND

PRESENTATION OF VISITORS

Forty-six fourth grade students from Menlo Elementary School, Menlo, Iowa, accompanied by Debra Stalter. Senator Riordan.

Twenty-one twelfth grade students from Murray Junior-Senior High School, Murray, Iowa, accompanied by Paul Skinner. Senator Boswell.

Sixty fifth grade students from Jefferson Elementary School, Creston, Iowa. Senator Boswell.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: April 7, 1986, 1:45 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Wells, Ritsema and Riordan.

Members Absent: Taylor.

Committee Business: Recommended confirmation of governor's appointees to the En Bloc Confirmation Calendar.

Adjourned: 1:49 p.m.

AMENDMENTS FILED

S-5644	H.F.	2393	Tom Mann, Jr.
S-5645	H.F.	2462	Ray Taylor
S-5646	H.F.	2462	Ray Taylor
S-5647	H.F.	2462	Joy Corning
S-5648	H.F.	2412	Arne Waldstein Lee Holt
S-5649	H.F.	2339	Julia B. Gentleman
S-5650	H.F.	2462	Beverly A. Hannon
S-5651	H.F.	2066	Joe J. Welsh
S-5652	H.F.	656	Leonard L. Boswell

S—5653	H.F.	2462	Ray Taylor
S—5654	H.F.	2380	House
S—5655	H.F.	732	House
S—5656	S.F.	477	Tom Mann, Jr.
S—5657	H.F.	2393	Julia B. Gentleman
S—5658	H.F.	2462	Ray Taylor
S—5659	H.F.	2462	Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 2:32 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 37 present, 13 absent and a quorum present.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2248, a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist (S—5660).

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the afternoon on request of Senator Jensen.

HOUSE AMENDMENTS CONSIDERED

Senate File 2108

Senator Mann called up for consideration Senate File 2108, a bill for an act relating to the reprieve, pardon, commutation of sentence, remission of fines and forfeitures, or restoration of the rights of citizenship of a person convicted of a criminal offense, amended by the House, and moved that the Senate concur in House amendment S—5589 filed April 4, 1986.

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. 2108) the vote was:

Ayes, 30:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Doyle
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Priebe
Riordan	Ritsema	Schwengels	Small
Soorholtz	Wells		

Nays, 10:

Dieleman	Gentleman	Hester	Miller, C.P.
Peterson	Rife	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 10:

Carr	Drake	Fraise	Gettings
Hultman	Hutchins	Nystrom	Palmer
Readinger	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2088

Senator Bruner called up for consideration Senate File 2088, a bill for an act relating to access to the results of energy audits, amended by the House, and moved that the Senate concur in House amendment S—5561 filed April 3, 1986.

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. 2088) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holt	Horn	Husak
Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Carr	Drake	Hester	Holden
Hultman	Hutchins	Miller, C.P.	Nystrom
Readinger			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2049

Senator Coleman called up for consideration Senate File 2049, a bill for an act relating to the purchases of American made products and purchases from American based businesses, amended by the House in House amendment S—5660 filed April 3, 1986.

Senator Coleman offered amendment S—5661 filed by him from the floor to House amendment S—5560 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5661 to House amendment S—5560 be adopted?" (S.F. 2049) the vote was:

Ayes, 29:

Boswell	Brown	Bruner	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gratias	Gronstal
Hall	Hannon	Horn	Husak
Kinley	Mann	Miller, A. V.	Miller, C.P.
Murphy	Peterson	Priebe	Readinger
Riordan	Small	Soorholtz	Wells
Welsh			

Nays, 14:

Corning	Gentleman	Goodwin	Hester
Holden	Jensen	Lind	Rife
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein		

Voting present, 1:

Holt

Absent or not voting, 6:

Carr	Drake	Hultman	Hutchins
Nystrom	Palmer		

Amendment S—5661 was adopted.

Senator Coleman moved that the Senate concur in the House amendment as amended.

A non record roll call was requested.

The ayes were 27, nays 15.

The motion prevailed and the Senate concurred in the House amendment as amended.

Senator Coleman 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. 2049) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Brown	Bruner	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Soorholtz	Wells	Welsh	

Nays, 17:

Corning	Gentleman	Goodwin	Gratias
Hester	Holden	Jensen	Lind
Readinger	Rife	Ritsema	Schwengels
Small	Taylor	Tieden	Vande Hoef
Waldstein			

Voting present, 1:

Holt

Absent or not voting, 5:

Carr	Drake	Hultman	Hutchins
Nystrom			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 8, 1986)

House File 2378

The Senate resumed consideration of House File 2378, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments, deferred on April 8, 1986.

Senator Dieleman withdrew the motion to reconsider the vote by which amendment S—5641 to House File 2378 was adopted by the Senate on April 8, 1986, filed by him on April 8, 1986, and found on page 1122 of the Senate Journal.

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. 2378) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Colton
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Husak
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 2:

Holden	Peterson
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Voting present, 1:

Coleman

Absent or not voting, 5:

Carr	Drake	Hultman	Hutchins
Nystrom			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 4, 1986)

House File 2459

The Senate resumed consideration of House File 2459, a bill for an act to establish an Iowa environmental improvement and energy resources authority, deferred on April 4, 1986.

Senator Holt took the chair at 3:28 p.m.

Senator Husak asked and received unanimous consent that action on **House File 2459** be **deferred**.

MOTION TO RECONSIDER ADOPTED

Senator Priebe called up the motion to reconsider House File 2407 filed by him on April 2, 1986, found on page 995 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2407) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Schwengels	Small	Soorholtz	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 4:

Gentleman	Ritsema	Taylor	Tieden
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Absent or not voting, 3:

Holden	Jensen	Nystrom
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The motion prevailed.

Senator Priebe moved to reconsider the vote by which House File 2407 went to its last reading, which motion prevailed by a voice vote.

House File 2407

On motion of Senator Wells, House File 2407, a bill for an act relating to the sale, lease, or disposal of property of a school corporation, was taken up for reconsideration.

Senator Priebe offered amendment S—5625 filed by him on April 7, 1986, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 37, nays 6.

Amendment S—5625 was adopted.

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. 2407) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Readinger	Rife	Riordan
Ritsema	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Drake	Hultman	Nystrom	Peterson
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 3, 1986)

House File 2339

The Senate resumed consideration of House File 2339, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical

test performed within two hours of an arrest indicates the alcohol concentration at the time of arrest, by providing that the period of revocation of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license, amendments S—5495 and S—5496 by the committee on Judiciary, and amendment S—5571 by Senator Gentleman to page 2 of amendment S—5496, deferred on April 3, 1986.

Senator Gentleman asked and received unanimous consent to take up amendment S—5649 to amendment S—5496 out of order.

Senator Gentleman offered amendment S—5649 filed by her from the floor to amendment S—5496.

Senator Doyle called for a division of amendment S—5649 to amendment S—5496: lines 3 through 8 as division S—5649A and lines 9 through 13 as division S—5649B.

Senator Gentleman moved the adoption of division S—5649A to amendment S—5496, which motion lost by a voice vote.

Senator Gentleman moved the adoption of division S—5649B to amendment S—5496.

A record roll call was requested.

On the question "Shall division S—5649B to amendment S—5496 be adopted?" (H.F. 2339) the vote was:

Ayes, 17:

Bruner	Corning	Dieleman	Gentleman
Goodwin	Hester	Holden	Holt
Jensen	Lind	Priebe	Ritsema
Schwengels	Taylor	Tieden	Vande Hoef
Waldstein			

Nays, 27:

Boswell	Brown	Carr	Coleman
Colton	Deluhery	Doyle	Fraise
Gettings	Gratias	Gronstal	Hall
Hannon	Horn	Husak	Kinley
Mann	Miller, A. V.	Murphy	Palmer
Peterson	Readinger	Rife	Riordan
Soorholtz	Wells	Welsh	

Absent or not voting, 6:

Drake	Hultman	Hutchins	Miller, C.P.
Nystrom	Small		

Division S—5649B lost.

The Chair ruled amendment S—5571 by Senator Gentleman to page 2 of amendment S—5496 deferred on April 3, 1986, out of order.

Senator Gentleman offered amendment S—5574 filed by her on April 3, 1986, to page 2 of amendment S—5496 and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 29.

Amendment S—5574 lost.

Senator Ritsema asked and received unanimous consent that action on amendment S—5569 filed by him on April 3, 1986, to page 4 of amendment S—5496 be deferred.

Senator Mann offered amendment S—5594 filed by him on April 4, 1986, to page 4 of amendment S—5496 and moved its adoption.

Amendment S—5594 was adopted by a voice vote.

With the adoption of amendment S—5594, the Chair ruled amendment S—5569 by Senator Ritsema to page 4 of amendment S—5496, previously deferred, and amendment S—5563 filed by Senator Mann on April 3, 1986, to page 4 of amendment S—5496, out of order.

Senator Drake offered amendment S—5512 filed by him on April 1, 1986, to page 4 of amendment S—5496.

Senator Ritsema asked and received unanimous consent that action on amendment S—5512 to amendment S—5496 be deferred.

Senator Ritsema offered amendment S—5518 filed by him on April 1, 1986, to page 4 of amendment S—5496.

Senator Husak asked and received unanimous consent that action on amendments S—5495, S—5496, S—5512 and S—5518 to S—5496 and **House File 2339** be **deferred**.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2459** be referred from the Unfinished Business Calendar to the committee on **State Government**.

MOTION TO RECONSIDER WITHDRAWN

House File 2423

Senator Hannon withdrew the motion to reconsider House File 2423, a bill for an act relating to the monetary penalties for violation of the health care facilities' licensing law, filed by her on April 9, 1986, and found on page 1144 of the Senate Journal.

APPENDIX

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2299, a bill for an act to increase snowmobile registration fees and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holt, Mann, Readinger and Riordan. Nays, 2: Husak and Holden. Absent or not voting, 3: Brown, Hester and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2407 passed the Senate on April 9, 1986.

ARTHUR L. GRATIAS

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5625 to House File 2407 was adopted by the Senate on April 9, 1986.

ARTHUR L. GRATIAS

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-six students from Notre Dame High School, Cresco, Iowa, accompanied by Jim Zajicek. Senator Gratias.

Fifty-three sixth grade students from Milford Junior High School, Milford, Iowa, accompanied by Mrs. Anderson and Mrs. Hagedorn. Senator Holt.

AMENDMENTS FILED

S—5660

S.F.

2248

House

S-5661	S. F.	2049	C. Joseph Coleman
S-5662	H. F.	2458	Douglas Ritsema
S-5663	H. F.	2066	Jim Lind
S-5664	S. F.	2179	William W. Dieleman Lee Holt
S-5664	H. F.	2060	Tom Mann, Jr.
S-5666	H. F.	2393	Tom Mann, Jr.
S-5667	H. F.	2462	Arne Waldstein Joe Brown
S-5668	H. F.	2393	Donald V. Doyle
S-5669	H. F.	2457	Charles Bruner

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:25 p.m., until 9:30 a.m., Thursday, April 10, 1986.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 10, 1986

The Senate met in regular session at 9:35 a.m., President Anderson presiding.

Prayer was offered by the Reverend Jack Hooten, pastor of the Sharon United Methodist Church, Cedar Rapids, Iowa.

The Journal of Wednesday, April 9, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins;
Senator Waldstein for the morning on request of Senator Holden.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2299** be referred from the Ways and Means Calendar to the committee on **Ways and Means**.

UNFINISHED BUSINESS (Deferred April 9, 1986)

House File 2339

The Senate resumed consideration of House File 2339, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical test performed within two hours of an arrest indicates the alcohol

concentration at the time of arrest, by providing that the period of revocation of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license, deferred on April 9, 1986 (and amendment S—5495, deferred on April 3, amendment S—5512 deferred on April 9, amendments S—5496 and S—5518 to S—5496, pending on April 9, 1986.)

Senator Mann asked and received unanimous consent that further action on amendment S—5518 by Senator Ritsema to page 4 of amendment S—5496 be deferred.

Senator Coleman offered amendment S—5566 filed by Senators Coleman and Tieden on April 3, 1986, to page 5 of amendment S—5496 and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 25.

Amendment S—5566 lost.

Senator Ritsema moved the adoption of amendment S—5518 to page 4 of amendment S—5496, previously deferred.

Amendment S—5518 was adopted by a voice vote.

With the adoption of amendment S—5518 to S—5496, the Chair ruled amendments S—5512 by Senator Drake to page 4 of amendment S—5496, deferred on April 9, 1986, and amendment S—5673 filed by Senator Mann from the floor to pages 4 and 5 of amendment S—5496, out of order.

Senator Doyle moved the adoption of amendment S—5496 as amended, which motion prevailed by a voice vote.

Senator Lind offered amendment S—5581 filed by him on April 3, 1986, to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 39, nays 6.

Amendment S—5581 was adopted.

Senator Brown took the chair at 10:12 a.m.

Senator Mann offered amendment S—5578 filed by Senators Mann, Coleman and Riordan on April 3, 1986, to page 20 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5578 be adopted?" (H.F. 2339) the vote was:

Ayes, 28:

Boswell	Brown	Carr	Coleman
Colton	Doyle	Fraise	Gettings
Hall	Hannon	Horn	Husak
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Small	Soorholtz	Wells	Welsh

Nays, 19:

Bruner	Corning	Deluhery	Dieleman
Drake	Gentleman	Goodwin	Gratias
Gronstal	Hester	Holden	Hultman
Jensen	Readinger	Ritsema	Schwengels
Taylor	Tieden	Vande Hoef	

Absent or not voting, 3:

Holt	Miller, C.P.	Waldstein
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Amendment S—5578 was adopted.

The Senate resumed consideration of S—5495 by the committee on Judiciary to pages 1, 6 through 9, 11, and 15 through 20 of the bill, deferred on April 3, 1986.

Senator Doyle called for a division of amendment S—5495: page 1, lines 3 through 41 and 45 through 50 and page 2 as division S—5495A; page 1, lines 42 through 44 as division S—5495B.

Senator Doyle asked and received unanimous consent to withdraw division S—5495B.

Senator Doyle moved the adoption of division S—5495A, which motion prevailed by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2339) the vote was:

Ayes, 31:

Boswell	Brown	Carr	Coleman
Colton	Dieleman	Doyle	Fraise
Gettings	Gratias	Hall	Hannon
Hester	Horn	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Small	Soorholtz
Taylor	Wells	Welsh	

Nays, 17:

Bruner	Corning	Deluhery	Drake
Gentleman	Goodwin	Gronstal	Holden
Holt	Hultman	Jensen	Readinger
Rife	Ritsema	Schwengels	Tieden
Vande Hoef			

Absent or not voting, 2:

Miller, C.P.	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 2181

The Senate resumed consideration of House File 2181, a bill for an act establishing the Iowa comprehensive health association, providing for a plan of operation, establishing financial procedures, providing eligible expenses, excluding certain

requirements, and relating to other provisions of health insurance coverage, deferred on April 4, 1986.

Senator Holden withdrew amendment S—5533 filed by him on April 2, 1986, to page 14 of the bill.

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. 2181) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, 1:

Ritsema

Absent or not voting, 1:

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 3, 1986)

House File 2300

The Senate resumed consideration of House File 2300, a bill for an act relating to the transfer of moneys in the temporary emergency surcharge fund to the unemployment compensation fund under certain circumstances, deferred on April 3, 1986.

Senator Mann withdrew amendment S—5672 filed by him from the floor to pages 1 and 2 of the bill.

Senator Wells offered amendment S—5242 filed by him on March 3, 1986, to page 1 of the bill and moved its adoption.

Amendment S—5242 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. 2300) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

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 8, 1986)

House File 2433

The Senate resumed consideration of House File 2433, a bill for an act relating to domestic abuse, and providing penalties,

and amendment S—5622 by Senator Hannon to page 3 and the title page of the bill, deferred on April 8, 1986.

Senator Coleman asked and received unanimous consent that action on amendment S—5633 filed by him on April 8, 1986, to amendment S—5622 be deferred.

Senator Riordan took the chair at 11:25 a.m.

Senator Hannon withdrew amendment S—5622.

The Chair ruled amendment S—5633 to amendment S—5622, previously deferred, out of order.

Senator Mann called up the motion to reconsider the vote by which amendment S—5554 to House File 2433 failed to be adopted on April 3, 1986, filed by him on April 3, 1986, found on page 1045 of the Senate Journal 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 26, nays 23.

The motion prevailed and amendment S—5554 by Senator Mann to page 1 of the bill, was taken up for reconsideration.

Senator Mann moved the adoption of amendment S—5554.

A non record roll call was requested.

The ayes were 25, nays 22.

Amendment S—5554 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?" (H.F. 2433) the vote was:

Ayes, 49:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise

Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Waldstein

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:48 a.m., until 2:00 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

House File 2459

STATE GOVERNMENT: Bruner, Chair; Mann and Corning

House File 2473

APPROPRIATIONS: Husak, Chair; Tieden and Gronstal

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 9, 1986, 1:50 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger and Riordan.

Members Absent: Soorholtz.

Committee Business: Recommended passage of House File 2299; approved Senate File 2179 and SSB 2165 and ordered redrafted as committee bills.

Adjourned: 2:27 p.m.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 9, 1986.

Had I been present, I would have voted "aye" on Senate Files 245, 444, 2088, 2108, 2123, amendment S—5661 to Senate File 2049 and final passage of Senate File 2049. I also would have voted "aye" on House Files 2378, 2443, amendment S—5564 to House File 2423 and final passage of House File 2423.

I would have voted "nay" on division S—5649B to House File 2339.

BILL HUTCHINS

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 9, 1986.

Had I been present, I would have voted "aye" on Senate Files 245, 2108 and 2123, amendment S-5564 to House File 2423 and final passage of House File 2423.

JOE J. WELSH

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 9, 1986, the governor approved and transmitted to the secretary of state the following bills:

SENATE FILE 108 — Relating to information regarding medicare supplement insurance coverage.

SENATE FILE 2003 — Relating to the establishment of a drainage subdistrict.

SENATE FILE 2029 — Relating to the sending, or causing to be sent, of a minor to a place of prostitution or to become a prostitute, and providing penalties.

SENATE FILE 2214 — Relating to fiduciary security transfers by increasing the duration of a certificate evidencing the appointment or incumbency of a fiduciary.

SENATE FILE 2221 — Allowing persons providing consent for the issuance of a motor vehicle license to a minor to withdraw the consent and require cancellation of the minor's license.

SENATE FILE 2222 — Relating to agencies authorized to receive information pertaining to arson investigations.

SENATE FILE 2232 — a bill for an act to legalize and validate the proceedings of the City council of the City of Ankeny, Iowa, authorizing and providing for the issuance, sale and delivery of General Obligation Bonds, providing for the levy of taxes for the payment of the bonds and declaring the bonds to be enforceable obligations of the City of Ankeny, Iowa.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Don Gibbs, Burlington, Iowa — Induction into the 1986 Coaches Hall of Fame. Senator C. Miller (April 8, 1986).

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-five sixth grade students from East Elementary School, Ankeny, Iowa, accompanied by Joyce Anderson. Senator Palmer.

Thirty twelfth grade students from Wilton High School, Wilton, Iowa, accompanied by Brenda Grunder. Senator Rife.

Twenty-five senior students from Rockwell-Swalesdale High School, Rockwell, Iowa, accompanied by Sandy Hitzehuzen and Bob Sinclair. Senator Gratias.

Twenty-five eighth grade students from Sully Christian School, Sully, Iowa, accompanied by Stanley Hoogeveen. Senator Soorholtz.

AMENDMENTS FILED

S—5670	H.F.	2462	Joe Brown
S—5671	H.F.	2066	Tom Mann, Jr.
S—5672	H.F.	2300	Tom Mann, Jr.
S—5673	H.F.	2339	Tom Mann, Jr.
S—5674	S.F.	505	James D. Wells

AFTERNOON SESSION

The Senate reconvened at 2:07 p.m., President Anderson presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 3, 1986)

House File 2458

The Senate resumed consideration of House File 2458, a bill for an act relating to victims and witnesses of criminal offenses, and providing penalties, deferred on April 3, 1986.

Senator Ritsema offered amendment S—5662 filed by him on April 9, 1986, to pages 2, 4 through 6, 8 and 9 of the bill and moved its adoption.

Amendment S—5662 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. 2458) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Carr

Drake

Holden

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 4, 1986)

House File 2066

The Senate resumed consideration of House File 2066, a bill for an act relating to Code corrections which adjust and correct earlier omissions and inaccuracies, remove inconsistencies, and reflect current practices, deferred on April 4, 1986, amendment S—5583 deferred on April 4, 1986 and amendment S—5584, offered and pending on April 4, 1986.

Senator Riordan took the chair at 2:36 p.m.

Senator Colton withdrew amendment S—5584 to page 5 of the bill.

The Chair ruled amendment S—5663 filed by Senator Lind on April 9, 1986, to amendment S—5584, out of order.

The Senate resumed consideration of amendment S—5583 by the committee on Judiciary to pages 1 and 4 through 6 of the bill, deferred on April 4, 1986.

Senator Mann offered amendment S—5607 filed by Senators Mann and Coleman on April 4, 1986, to amendment S—5583 and moved its adoption.

Amendment S—5607 was adopted by a voice vote.

Senator Doyle moved the adoption of amendment S—5583 as amended, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—5651 filed by him on April 9, 1986, to page 5 of the bill and moved its adoption.

Amendment S—5651 was adopted by a voice vote.

Senator Doyle offered amendment S—5620 filed by him on April 7, 1986, to page 5 of the bill and moved its adoption.

Amendment S—5620 was adopted by a voice vote.

Senator Coleman took the chair at 2:43 p.m.

Senator Small offered amendment S—5675 filed by him from the floor to pages 5, 7 and the title page of the bill and moved its adoption.

Amendment S—5675 was adopted by a voice vote.

Senator Mann withdrew amendment S—5671 filed by him from the floor to page 5 of the bill.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2066) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred April 4, 1986)

House File 2393

The Senate resumed consideration of House File 2393, a bill for an act authorizing cities and counties to establish civil penalties for violations of ordinances, deferred on April 4, 1986, and division S—5417A and S—5417B by the committee on Local Government, offered and pending on April 4, 1986.

Senator Mann offered amendment S—5644 filed by him on April 9, 1986, to division S—5417A.

Senator Gentleman called for a division of amendment S—5644 to division S—5417A: lines 5 through 9 as division S—5644A and lines 3 and 4 as division S—5644B.

Senator Mann moved the adoption of division S—5644A to division S—5417A.

A record roll call was requested.

On the question “Shall division S—5644A to division S—5417A be adopted?” (H.F. 2393) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 15:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Gentleman	Gronstal
Hannon	Mann	Miller, A.V.	Miller, C.P.
Murphy	Riordan	Waldstein	

Nays, 35:

Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Division S—5644A lost.

Senator Mann moved the adoption of division S—5644B to division S—5417A.

A record roll call was requested.

On the question “Shall division S—5644B to division S—5417A be adopted?” (H.F. 2393) the vote was:

Ayes, 17:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Gentleman	Gronstal
Hannon	Mann	Miller, A. V.	Miller, C.P.
Murphy	Riordan	Ritsema	Small
Waldstein			

Nays, 32:

Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Nystrom	Peterson	Priebe	Readinger
Rife	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Absent or not voting, 1:

Palmer

Division S—5644B lost.

Senator Gentleman offered amendment S—5657 filed by her on April 9, 1986, to amendment S—5417.

The Chair ruled amendment S—5666 filed by Senator Mann on April 9, 1986, to amendment S—5657 to amendment S—5417 out of order because it would constitute an amendment of the third degree.

Senator Hall raised the point of order that amendment S—5657 to amendment S—5417 was not germane.

The Chair ruled the point well taken and amendment S—5657 out of order.

Senator Doyle offered amendment S—5668 filed by him on April 9, 1986, to divisions S—5417A and S—5417B and called for a division of the amendment: lines 3 through 9 as division S—5668A and lines 10 through 16 as division S—5668B.

Senator Doyle moved the adoption of division S—5668A to division S—5417A, which motion prevailed by a voice vote.

Senator Miller of Cerro Gordo moved the adoption of division S—5417A as amended.

A record roll call was requested.

On the question “Shall division S—5417A as amended be adopted?” (H.F. 2393) the vote was:

Ayes, 32:

Coleman	Colton	Doyle	Fraise
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, 17:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Gentleman
Gronstal	Hannon	Mann	Miller, A.V.
Murphy	Riordan	Ritsema	Small
Waldstein			

Absent or not voting, 1:

Drake

Division S—5417A as amended was adopted.

Senator Doyle moved the adoption of division S—5668B to division S—5417B, which motion prevailed by a voice vote.

Senator Miller of Cerro Gordo moved the adoption of division S—5417B as amended, which motion prevailed by a voice vote.

Senator Holden offered amendment S—5492 filed by him on March 27, 1986, to pages 1 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 29.

Amendment S—5492 lost.

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. 2393) the vote was:

Ayes, 38:

Boswell	Brown	Coleman	Colton
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gratias
Hall	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 11:

Bruner	Carr	Corning	Gentleman
Gronstal	Hannon	Holden	Mann
Murphy	Ritsema	Waldstein	

Absent or not voting, 1:

Readeringer

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 Peterson for the remainder of the day and April 11, 1986, on request of Senator Hutchins.

UNFINISHED BUSINESS
(Deferred April 8, 1986)

House File 2303

The Senate resumed consideration of House File 2303, a bill for an act to require a one-time, extensive test for water contaminants in certain public water supplies, deferred on April 8, 1986.

Senator Colton took the chair at 4:32 p.m.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2303) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Husak	Hutchins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Riordan	Schwengels	Small
Tieden	Waldstein	Wells	Welsh

Nays, 9:

Dieleman	Holden	Hultman	Jensen
Rife	Ritsema	Soorholtz	Taylor
Vande Hoef			

Absent or not voting, 1:

Peterson

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred April 4, 1986)

House File 2462

The Senate resumed consideration of House File 2462, a bill for an act relating to educational cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts, deferred on April 4, 1986.

Senator Murphy offered amendment S—5506 filed by the committee on Education on April 1, 1986, to pages 1 through 6 and the title page of the bill.

Senator Brown withdrew amendment S—5623 filed by him on April 7, 1986, to pages 1, 2 and 6 of amendment S—5506.

Senator Taylor offered amendment S—5658 filed by him on April 9, 1986, to page 1 of amendment S—5506 and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 33.

Amendment S—5658 lost.

Senator Brown offered amendment S—5670 filed by him from the floor to pages 1, 2, 3 and 6 of amendment S—5506.

Senator Hultman raised the point of order that amendment S—5670 to amendment S—5506 was not germane.

The Chair ruled the point well taken and amendment S—5670 out of order.

Senator Horn offered amendment S—5556 filed by him on April 3, 1986, to page 1 of amendment S—5506 and moved its adoption.

Amendment S—5556 was adopted by a voice vote.

Senator Waldstein offered amendment S—5667 filed by Senators Waldstein and Brown on April 9, 1986, to pages 3 and 6 of amendment S—5506 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5667 to amendment S—5506 be adopted?” (H.F. 2462) the vote was:

Ayes, 16:

Brown	Carr	Dieleman	Gentleman
Holden	Holt	Lind	Miller, C.P.
Priebe	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Waldstein	Welsh

Nays, 33:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Doyle	Drake
Fraise	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Readinger
Riordan	Small	Tieden	Vande Hoef
Wells			

Absent or not voting, 1:

Peterson

Amendment S—5667 lost.

(House File 2462 and amendment S—5506 as amended, pending on adjournment.)

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 4, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2083, a bill for an act repealing the energy conservation improvement pilot programs and providing an effective date (S—5678).

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 2287

STATE GOVERNMENT: Welsh, Chair; Mann and Drake

House File 2404

APPROPRIATIONS: Horn, Chair; Schwengels and Murphy

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2454, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5677.

Final Vote: Ayes, 11: Welsh, Tieden, Colton, Deluhery, Dieleman, Horn, Husak, C. Miller, Murphy, Ritsema and Schwengels. Nays, 1: Gentleman. Absent or not voting, 6: Small, Gettings, Gronstal, Holt, Lind and Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 10, 1986, the governor approved and transmitted to the secretary of state the following bills:

SENATE FILE 2133 — Relating to gambling devices by permitting the manufacture of certain devices in the state and providing that the Iowa lottery agency shall give preference in contracts for lottery machines to persons who manufacture the machines in the state and in contracts for servicing machines to persons who have their principal place of business in the state.

SENATE FILE 2155 — Relating to the powers of the administrator of the Department of Credit Unions in taking over the management of credit unions.

SENATE FILE 2193 — To remove the notice requirements to the Department of Revenue relating to the discharge of a personal representative and making the act retroactive.

SENATE FILE 2213 — Relating to the criminal penalty for the fraudulent use of registration.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2393 passed the Senate on April 10, 1986.

JOE BROWN

MR. PRESIDENT: I move to reconsider the vote by which House File 2393 passed the Senate on April 10, 1986.

JAMES R. RIORDAN

MR. PRESIDENT: I move to reconsider the vote by which House File 2303 passed the Senate on April 10, 1986.

EMIL J. HUSAK

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-two sixth grade students from Gilmore City Elementary School, Gilmore City, Iowa, accompanied by Harold Troyer. Senator Priebe.

Thirty fifth grade students from Nodaway Elementary (Villisca Schools), Nodaway, Iowa, accompanied by Mrs. Guffey and Mrs. Jensen. Senator Boswell.

AMENDMENTS FILED

S—5675	H.F.	2066	Arthur A. Small, Jr.
S—5676	S.F.	505	Richard F. Drake
S—5677	H.F.	2454	Appropriations
S—5678	S.F.	2083	House
S—5679	H.F.	2412	Joe J. Welsh
			William W. Dieleman

S—5680	H.F.	2462	Larry Murphy Joe Brown Milo Colton Wally E. Horn James D. Wells James R. Riordan Joy Corning Beverly A. Hannon
S—5681	S.F.	508	Tom Mann, Jr.
S—5682	S.F.	461	Edgar H. Holden Dale L. Tieden Hurley W. Hall William W. Dieleman Douglas Ritsema

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Friday, April 11, 1986.

JOURNAL OF THE SENATE

EIGHTY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 11, 1986

The Senate met in regular session at 9:07 a.m., President Anderson presiding.

Prayer was offered by the Reverend Henry Riegel, pastor of the Maple Grove United Methodist Church, Waukee, Iowa.

The Journal of Thursday, April 10, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Murphy and Dieleman for the day on request of Senator Hutchins; Senators Schwengels and Hester for the day on request of Senator Hultman.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2242, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication (S—5683).

MOTIONS TO RECONSIDER WITHDRAWN

House File 2407

Senator Gratias withdrew his motion to reconsider on House File 2407, a bill for an act relating to the sale, lease, or disposal of property of a school corporation, filed by him on April 9, 1986, found on page 1158 of the Senate Journal.

The motion to reconsider the vote by which amendment S—5625 to House File 2407 was adopted by the Senate on April 9, 1986, filed by Senator Gratias on April 9, 1986, and found on page 1158 of the Senate Journal, was out of order.

House File 2128

Senator Priebe withdrew the motion to reconsider on House File 2128, a bill for an act relating to the residency of a township clerk, filed by him on April 1, 1986, and found on page 968 of the Senate Journal.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

MOTION TO RECONSIDER LOST

Senator Welsh called up the motion to reconsider the vote by which the Senate refused to concur in House amendment S—5254 to Senate File 447, filed by him on April 2, 1986, found on page 1012 of the Senate Journal and moved its adoption.

On the question “Shall the motion to reconsider be adopted?” (S.F. 447) the vote was:

Ayes, 3:

Gentleman

Ritsema

Taylor

Nays, 33:

Boswell	Brown	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Goodwin	Gratias
Hall	Hannon	Holden	Holt
Horn	Husak	Jensen	Lind
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Riordan	Small
Soorholtz	Tieden	Vande Hoef	Wells
Welsh			

Absent or not voting, 14:

Bruner	Carr	Drake	Gronstal
Hester	Hultman	Hutchins	Kinley
Mann	Murphy	Peterson	Rife
Schwengels	Waldstein		

The motion lost.

The motions to reconsider the vote by which the Senate refused to concur in House amendment S—5254 to Senate File 447, filed by Senator Riordan on April 2, 1986, and found on page 1012 of the Senate Journal and by Senator Coleman on April 2, 1986, and found on page 994 of the Senate Journal, were out of order.

HOUSE AMENDMENTS CONSIDERED

Senate File 2037

Senator Miller of Cerro Gordo called up for consideration Senate File 2037, a bill for an act relating to the labeling of fuel sold as kerosene, amended by the House, and moved that the Senate concur in House amendment S—5586 filed April 4, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Miller of Cerro Gordo moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2037) the vote was:

Ayes, 39:

Boswell	Brown	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Holden	Holt	Horn	Husak
Jensen	Kinley	Lind	Mann
Miller, A.V.	Nystrom	Palmer	Priebe
Readinger	Rife	Riordan	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 1:

Miller, C.P.

Absent or not voting, 10:

Bruner	Carr	Drake	Hester
Hultman	Hutchins	Murphy	Peterson
Schwengels	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2043

Senator Mann called up for consideration Senate File 2043, a bill for an act relating to qualification of nonprofit corporations as conservators, amended by the House, and moved that the Senate concur in House amendment S—5588 filed April 4, 1986.

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. 2043) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings

Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Riordan	Ritsema	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells			

Nays, none.

Absent or not voting, 9:

Carr	Drake	Hester	Hultman
Hutchins	Murphy	Peterson	Schwengels
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2165

Senator Bruner called up for consideration Senate File 2165, a bill for an act providing that the hazardous chemicals risk right to know Act does not apply to employers not regulated by the federal occupational safety and health administration's hazard communication regulation with respect to hazardous chemicals which are consumer products as defined in, labeled, and regulated pursuant to the federal Consumer Product Safety Act, amended by the House, and moved that the Senate concur in House amendment S—5590 filed April 4, 1986.

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. 2165) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluherly	Dieleman
Doyle	Fraise	Gentleman	Gettings

Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Riordan	Ritsema	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Carr	Drake	Hester	Hultman
Hutchins	Mann	Miller, A.V.	Murphy
Peterson	Rife	Schwengels	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2177

Senator Colton called up for consideration Senate File 2177, a bill for an act requiring specific criteria for the acquisition, selection, or approval of a site for a hazardous waste treatment, disposal, or storage facility, amended by the House, and moved that the Senate concur in House amendment S—5591 filed April 4, 1986.

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. 2177) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom

Palmer	Priebe	Readinger	Rife
Riordan	Ritsema	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Carr	Drake	Hester	Hultman
Hutchins	Murphy	Peterson	Schwengels
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2253

Senator Deluhery called up for consideration Senate File 2253, a bill for an act relating to municipally owned utilities, amended by the House, and moved that the Senate concur in House amendment S—5592 filed April 4, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Deluhery moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2253) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Riordan	Ritsema	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Carr	Drake	Hester	Hultman
Hutchins	Murphy	Peterson	Schwengels
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 549

Senator Small called up for consideration Senate File 549, a bill for an act providing for a raffle conducted by the Iowa development commission with proceeds of the raffle to be invested in the Iowa venture capital fund and the earnings on the proceeds prior to investment to be used as prizes, amended by the House, and moved that the Senate concur in House amendment S—5612 filed April 7, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Small moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 549) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Colton
Deluhery	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Holden	Holt
Horn	Husak	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Riordan	Small	Soorholtz	Taylor
Wells	Welsh		

Nays, 6:

Coleman	Corning	Dieleman	Jensen
Ritsema	Vande Hoef		

Absent or not voting, 10:

Carr	Drake	Hester	Hultman
Hutchins	Murphy	Peterson	Schwengels
Tieden	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gratias for the day on request of Senator Holden.

HOUSE AMENDMENTS CONSIDERED

Senate File 2207

Senator Vande Hoef called up for consideration Senate File 2207, a bill for an act excluding residential care facilities from certificate-of-need reviews for two fiscal years, amended by the House, and moved that the Senate concur in House amendment S—5611 filed April 7, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Vande Hoef moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2207) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Holden
Holt	Horn	Hultman	Husak
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Riordan	Ritsema

Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Carr	Drake	Gratias	Hannon
Hester	Hutchins	Murphy	Peterson
Rife	Schwengels	Small	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2234

Senator Corning called up for consideration Senate File 2234, a bill for an act relating to the percent of the proceeds from the sales of obligations of the Iowa finance authority that are required to be used for newly constructed housing units, amended by the House, and moved that the Senate concur in House amendment S—5610 filed April 7, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Corning moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2234) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Readinger	Rife
Riordan	Ritsema	Small	Soorholtz
Taylor	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Carr	Drake	Gratias	Hester
Hutchins	Murphy	Peterson	Schwengels
Tieden	Vande Hoef		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2255

Senator Priebe called up for consideration Senate File 2255, a bill for an act permitting the inclusion of charges for credit unemployment insurance in consumer credit transactions under the Iowa consumer credit code, amended by the House, and moved that the Senate concur in House amendment S—5609 filed April 7, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Priebe moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2255) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Riordan
Small	Soorholtz	Taylor	Waldstein
Wells	Welsh		

Nays, 2:

Gentleman	Ritsema
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Absent or not voting, 10:

Carr	Drake	Gratias	Hester
Hutchins	Murphy	Peterson	Schwengels
Tieden	Vande Hoef		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 2283

Senator Hultman called up for consideration Senate File 2283, a bill for an act relating to voluntary contributions by special zero-rated employers to meet the applicable percentage of excess requirement of the unemployment compensation contribution law and establishing a special unemployment compensation rate for certain expanding employers, and making the expanding employer rate retroactive and conditional, amended by the House in House amendment S—5593 filed April 4, 1986.

Senator Hultman offered amendment S—5614 filed by him on April 7, 1986, to House amendment S—5593.

Senator Mann called for a division of amendment S—5614 to House amendment S—5593: lines 3 through 5 as division S—5614A and line 6 as division S—5614B.

Senator Mann raised the point of order that division S—5614A to House amendment S—5593 was not germane.

The Chair ruled the point well taken and division S—5614A out of order.

Senator Hultman moved the adoption of division S—5614B to House amendment S—5593, which motion prevailed by a voice vote.

Senator Hultman moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator 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. 2283) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Husak	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Goodwin	Gratias	Hester	Hutchins
Murphy	Peterson	Schwengels	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Husak called up the following eligible appointees on the En Bloc Confirmation Calendar:

State Board of Public Instruction

Committee recommendations found on page 1122 of the Senate Journal:

Betty L. Dexter
Dianne L. Paca

Water, Air and Waste Management Commission

Committee recommendations found on page 1122 of the Senate Journal:

Nancylee A. Siebenmann
Catherine Dunn

Iowa Family Farm Development Authority

Lois A. Schnoor, committee recommendation found on page 1011 of the Senate Journal.

State Foster Care Review Board

Carol A. Worlan Young, committee recommendation found on page 1044 of the Senate Journal.

State Board of Barber Examiners

Mark A. Stansberry, committee recommendation found on page 1011 of the Senate Journal.

State Board of Social Work Examiners

Judith Kaye Rinehart, committee recommendation found on page 1044 of the Senate Journal.

Senator Husak moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Riordan	Ritsema
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Gratias	Hester	Murphy	Nystrom
Peterson	Schwengels	Tieden	

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 2050

Senator Miller of Cerro Gordo called up for consideration Senate File 2050, a bill for an act relating to the security interest in farm products and providing an effective date, amended by the House in House amendment S—5608 filed April 7, 1986.

Senator Miller of Cerro Gordo offered amendment S—5685 filed by Senators Priebe, et al., from the floor to pages 1 through 6 of House amendment S—5608 and moved its adoption.

Amendment S—5685 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Miller of Cerro Gordo 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. 2050) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley

Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Gentleman	Gratias	Hester	Hultman
Murphy	Peterson	Schwengels	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate Resolution 103.

Senate Resolution 103

On motion of Senator Priebe, Senate Resolution 103, a resolution regarding the state nursery, was taken up for consideration.

Senator Priebe moved the adoption of Senate Resolution 103, which motion prevailed by a voice vote.

Senate Concurrent Resolution 116

On motion of Senator Wells, Senate Concurrent Resolution 116, a resolution to designate July, 1986 as "Buy America" month, with report of committee recommending passage, was taken up for consideration.

Senator Wells moved the adoption of Senate Concurrent Resolution 116, which motion prevailed by a voice vote.

Senate Concurrent Resolution 117

On motion of Senator Riordan, Senate Concurrent Resolution 117, a resolution relating to the 1986 Farm Progress Show, with

report of committee recommending passage, was taken up for consideration.

Senator Riordan offered amendment S—5619 filed by Senator Hutchins on April 7, 1986, to page 1 of the resolution and moved its adoption.

Amendment S—5619 was adopted by a voice vote.

Senator Riordan moved the adoption of Senate Concurrent Resolution 117, as amended, which motion prevailed by a voice vote.

Senate Concurrent Resolution 118

On motion of Senator Lind, Senate Concurrent Resolution 118, a resolution extending support for the erection and dedication for the Black Hawk County Viet Nam Veterans Memorial, with report of committee recommending passage, was taken up for consideration.

Senator Lind moved the adoption of Senate Concurrent Resolution 118, which motion prevailed by a voice vote.

Senator Husak asked and received unanimous consent to take up out of order Senate Joint Resolution 2003.

Senate Joint Resolution 2003

On motion of Senator Waldstein, Senate Joint Resolution 2003, a resolution to nullify an administrative rule on required permit application for certain feedlots, with report of committee recommending passage, was taken up for consideration.

Senator Waldstein moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (S.J.R. 2003) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings

Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rife
Riordan	Ritsema	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 8:

Carr	Gratias	Hester	Murphy
Nystrom	Peterson	Schwengels	Tieden

The resolution having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House Concurrent Resolution 113

On motion of Senator Small, House Concurrent Resolution 113, a resolution endorsing "Iowa Homecoming '86", with report of committee recommending passage, was taken up for consideration.

Senator Small moved the adoption of House Concurrent Resolution 113, which motion prevailed by a voice vote.

HOUSE AMENDMENTS CONSIDERED

Senate File 508

Senator Drake called up for consideration Senate File 508, a bill for an act relating to the forcible entry or detention of real property, amended by the House in House amendment S—5598 filed April 4, 1986.

Senator Mann withdrew amendment S—5681 filed by him on April 10, 1986, to House amendment S—5598.

Senator Drake moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 508) the vote was:

Ayes, 41:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Mann

Absent or not voting, 8:

Gratias	Hester	Jensen	Murphy
Peterson	Schwengels	Small	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 505

Senator Drake called up for consideration Senate File 505, a bill for an act relating to the regulation of motor carriers and making penalties applicable, amended by the House in House amendment S—5559 filed April 3, 1986.

Senator Wells withdrew amendment S—5639 filed by him on April 8, 1986, to House amendment S—5559.

Senator Wells offered amendment S—5674 filed by him on April 10, 1986, to House amendment S—5559.

Senator Drake withdrew amendment S—5676 filed by him on April 10, 1986, to amendment S—5674 to House amendment S—5559.

Senator Ritsema raised the point of order that amendment S—5674 to House amendment S—5559 was not germane.

The Chair ruled the point well taken and amendment S—5674 out of order.

Senator Drake moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 505) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Riordan	Ritsema	Small
Soorholtz	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Gratias	Hester	Holden	Jensen
Murphy	Peterson	Schwengels	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED 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 9, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date (S—5684).

ALSO: That the House has on April 9, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2469, a bill for an act establishing an agricultural energy management fund, financing the fund, providing for its uses and establishing an advisory council.

This bill was read first time and **passed on file**.

APPENDIX

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 2116)

A conference committee report signed by the following Senate and House members was filed April 11, 1986, on **Senate File 2116**, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date:

On the Part of the Senate:

EMIL J. HUSAK, Chair
EUGENE FRAISE
ARTHUR L. GRATIAS
ALVIN V. MILLER
JOHN E. SOORHOLTZ

On the Part of the House:

DEO A. KOENIGS, Chair
LOUIS J. MUHLBAUER
WENDELL C. PELLETT
BOB SKOW

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 10, 1986, 11:52 a.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Horn, Husak, C. Miller, Murphy, Ritsema and Schwengels.

Members Absent: Small, Vice Chair; Gettings, Gronstal (excused), Holt, Lind and Readinger.

Committee Business: Recommended passage of House File 2454 as amended.

Adjourned: 12:12 p.m.

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 60, the committee on State Government assigned to investigate the appointment of Larry A. Huegeli as a member of the Iowa Beer and Liquor Control Council, completed its investigation on April 11, 1986, and recommended the appointee be confirmed.

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 11th day of April, 1986:

Senate Files 2093, 2104, 2143, 2150, 2151, 2212, 2227, 2247, 2262 and 2275.

K. MARIE THAYER
Secretary of the Senate

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2339 passed the Senate on April 10, 1986.

WILLIAM W. DIELEMAN

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 2287, a bill for an act to exempt employees of the judicial branch of state government from the statute authorizing a leave of absence to campaign for political office and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Nystrom, Mann, Bruner, Horn, Coleman, Rife, Gentleman, Corning and Welsh. Nays, none. Absent or not voting, 4: Dieleman, C. Miller, Drake and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

Senator Hutchins presented the Honorable Lawrence Smith, member of the Nebraska Senate, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Three students from Spencer Community Schools, Spencer, Iowa, accompanied by John and Marla Holt. Senator Holt.

Twenty-five seventh and eighth grade students from Ocheyedan Christian School, Ocheyedan, Iowa, accompanied by Duane Starkenburg. Senator Vande Hoef.

Twenty-five seventh through twelfth grade students from Greene High School, Greene, Iowa, accompanied by Mrs. Fuchs and Mrs. Dunlap. Senator Jensen.

Eight junior high students from Jefferson and Jones Junior High Schools, Dubuque, Iowa, accompanied by Barb Besch, Gary Kruse and Tom Beschen. Senator Carr.

AMENDMENTS FILED

S—5683	S.F.	2242	House
S—5684	S.F.	2265	House
S—5685	S.F.	2050	Berl E. Priebe Richard Vande Hoef Eugene Fraise Arne Waldstein Emil J. Husak John E. Soorholtz Leonard L. Boswell Alvin V. Miller

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:47 a.m., until 1:30 p.m., Monday, April 14, 1986.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 14, 1986

The Senate met in regular session at 1:38 p.m., President pro tempore Wells presiding.

Prayer was offered by the Honorable Larry Murphy, member of the Senate from Fayette County, Oelwein, Iowa.

The Journal of Friday, April 11, 1986, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1986, passed the following bills in which the concurrence of the House was asked:

Senate File 178, a bill for an act relating to the handling and preservation of assessment rolls and assessment information.

Senate File 557, a bill for an act relating to the filing of claims for the homestead credit.

ALSO: That the House has on April 10, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2288, a bill for an striking a special provision relating to the apportionment of net income of a farm corporation for purposes of the corporate income tax, striking provisions prohibiting a franchise tax refund or claim and a sales, services, and use tax refund or claim for taxes voluntarily paid based upon an alleged mistake of law, and providing effective dates.

This bill was read first time and **passed on file**.

House File 2476, a bill for an act relating to public financing of political campaigns and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 10, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2268, a bill for an act relating to the industrial loan thrift guaranty corporation of Iowa (S—5687).

ALSO: That the House has on April 10, 1986, 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 2044, a bill for an act relating to the admissibility of the reports and findings of the criminalistics laboratory in forfeiture proceedings.

ALSO: That the House has on April 10, 1986, refused to concur in the Senate amendment to the House amendment in the following bill in which the concurrence of the House was asked:

House File 2035, a bill for an act relating to the appointment of chiefs of the police department and chiefs of the fire department in cities under civil service.

ALSO: That the House has on April 10, 1986, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 2245, a bill for an act relating to the confidentiality of archaeological sites or resource information and subjecting violators to civil and criminal penalties.

ALSO: That the House has on April 10, 1986, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 166, a bill for an act requiring the Iowa development commission to collect information regarding farm tourism.

House File 497, a bill for an act relating to procedures for the establishment of priorities for property tax exemptions for wetlands, recreational lakes, forest covers, rivers and streams, river and stream banks, and open prairies.

House File 724, a bill for an act relating to the payment of property taxes and special assessments on property acquired by condemnation for public use or public purposes.

House File 2078, a bill for an act relating to navigation near a diving flag and subjecting violators to a penalty.

House File 2221, a bill for an act providing for modifications of the authority of the department of water, air and waste management over water pollution, flood plain construction, and water use.

House File 2301, a bill for an act relating to sanitary disposal projects.

House File 2370, a bill for an act relating to county officers by providing for the combining of county offices and removing salary restrictions for the combined offices under section 331.323, by amending the duties of certain elected county officers, and by making the Act effective upon publication.

House File 2376, a bill for an act establishing liability of persons responsible for hazardous conditions for reasonable costs incurred by the department of water, air and waste management in responding to the conditions, and providing for the credit of recoveries for the liabilities.

House File 2403, a bill for an act relating to the operation of city civil service commissions.

House File 2417, a bill for an act relating to the regulation of stairway chair lifts and wheelchair lifts, and making penalties applicable.

House File 2455, a bill for an act relating to tax sales and redemptions, by revising provisions governing notice and other procedures.

House File 2460, a bill for an act relating to the disposition of seizable and forfeitable property, and providing penalties.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Vande Hoef and Readinger for the afternoon on request of Senator Hultman.

CONFERENCE COMMITTEE REPORT CONSIDERED

Senate File 2116

Senator Husak called up the conference committee report on Senate File 2116, a bill for an act relating to grain dealers and warehouses by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date, filed April 11, 1986, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendation and amendments contained therein was adopted.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2116) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Rife	Riordan	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Brown	Deluhery	Gratias	Jensen
Priebe	Readinger	Small	Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred April 10, 1986)

House File 2462

The Senate resumed consideration of House File 2462, a bill for an act relating to educational cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts, deferred on April 10, 1986, and amendment S—5506 as amended by the committee on Education to pages 1 through 6 and the title page of the bill, pending on April 10, 1986.

Senator Waldstein withdrew amendment S—5605 filed by Senators Waldstein and Brown on April 4, 1986, to page 4 of amendment S—5506.

Senator Holden asked and received unanimous consent that action on amendment S—5506 as amended be deferred for preparation of an amendment.

Senator Hannon withdrew amendment S—5596 filed by her on April 4, 1986, to page 1 of the bill.

With the withdrawal of amendment S—5596, the Chair ruled amendment S—5646 filed by Senator Taylor on April 9, 1986, to amendment S—5596, out of order.

Senator Hannon offered amendment S—5650 filed by her on April 9, 1986, to page 1 of the bill.

Senator Taylor offered amendment S—5653 filed by him on April 9, 1986, to amendment S—5650 and moved its adoption.

Amendment S—5653 was adopted by a voice vote.

Senator Hannon moved the adoption of amendment S—5650 as amended.

A record roll call was requested.

On the question "Shall amendment S—5650 as amended be adopted?" (H.F. 2462) the vote was:

Ayes, 6:

Goodwin	Hannon	Holden	Holt
Taylor	Waldstein		

Nays, 35:

Boswell	Bruner	Carr	Colton
Corning	Dieleman	Doyle	Drake
Gentleman	Gettings	Gronstal	Hall
Hester	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rife
Riordan	Ritsema	Small	Soorholtz
Tieden	Wells	Welsh	

Absent or not voting, 9:

Brown	Coleman	Deluhery	Fraise
Gratias	Jensen	Readinger	Schwengels
Vande Hoef			

Amendment S—5650 as amended lost.

Senator Murphy offered amendment S—5659 filed by him on April 9, 1986, to page 3 of the bill.

Senator Murphy asked and received unanimous consent that action on amendment S—5659 be deferred.

MOTION TO RECONSIDER WITHDRAWN

House File 2393

Senator Riordan withdrew the motion to reconsider House File 2393, a bill for an act authorizing cities and counties to establish civil penalties for violations of ordinances, filed by him on April 10, 1986, and found on page 1183 of the Senate Journal.

BUSINESS PENDING**House File 2462**

The Senate resumed consideration of House File 2462.

Senator Corning withdrew amendment S—5647 filed by her on April 9, 1986, to page 3 of the bill.

Senator Taylor offered amendment S—5645 filed by him on April 9, 1986, to page 6 of the bill and moved its adoption.

Amendment S—5645 lost by a voice vote.

Senator Murphy offered amendment S—5680 filed by Senators Murphy, et al., on April 10, 1986, to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 13.

Amendment S—5680 was adopted.

The Senate resumed consideration of amendment S—5506 as amended, previously deferred.

Senator Holden offered amendment S—5690 filed by Senators Holden, et al., from the floor to pages 2 and 6 of amendment S—5506 and called for a division: lines 4 through 10 as division S—5690A and lines 11 through 33 as division S—5690B.

On motion of Senator Holden, divisions S—5690A and S—5690B to amendment S—5506 were adopted by a voice vote.

Senator Palmer offered amendment S—5691 filed by him from the floor to pages 2 through 4 of amendment S—5506 as amended and moved its adoption.

Amendment S—5691 was adopted by a voice vote.

Senator Corning withdrew the following motion to reconsider filed by her from the floor:

MR. PRESIDENT: I move to reconsider the vote by which division S—5690A to amendment S—5506 to House File 2462 was adopted by the Senate on April 14, 1986.

Senator Murphy called for a division of amendment S—5506 as amended: page 1, page 2, lines 1 through 26 and lines 29 through 50, and pages 3 through 7 as division S—5506A; page 2, lines 27 and 28 as division S—5506B.

Senator Murphy moved the adoption of division S—5506A, which motion prevailed by a voice vote.

Senator Taylor moved the adoption of division S—5506B.

A record roll call was requested.

On the question “Shall division S—5506B be adopted?” (H.F. 2462) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Boswell	Corning	Dieleman	Drake
Goodwin	Hannon	Hester	Holden
Holt	Hultman	Husak	Jensen
Miller, C.P.	Nystrom	Peterson	Priebe
Rife	Schwengels	Soorholtz	Taylor
Tieden	Waldstein		

Nays, 24:

Bruner	Carr	Coleman	Colton
Deluhery	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hall	Horn
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Palmer	Riordan
Ritsema	Small	Wells	Welsh

Absent or not voting, 4:

Brown	Gratias	Readinger	Vande Hoef
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Division S—5506B lost.

Senator Murphy moved the adoption of amendment S—5659 to page 3 of the bill, previously deferred, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that **House File 2462** be referred to the committee on **Appropriations**.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2289** be referred from the Regular Calendar to the committee on **State Government**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2116** be **immediately messaged** to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.F.	2288	Ways and Means
H.F.	2469	Ways and Means
H.F.	2476	Appropriations

SUBCOMMITTEE ASSIGNMENT

House File 2286

APPROPRIATIONS: Horn, Chair; Ritsema and Murphy.

STUDY BILL RECEIVED

SSB 2218 Ways and Means

Repealing the state sales, services, and use tax on certain services and making it retroactive.

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 2433, the following technical correction was made to amendment S—5493:

1. Page 1, lines 4 and 5, "~~reasonable~~ probable" was changed to "probable".

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORT

Final Bill Action: HOUSE FILE 2459, a bill for an act to establish an Iowa environmental improvement and energy resources authority.

Recommendation: AMEND WITH AMENDMENT S—5686 AND THE BILL WITHOUT RECOMMENDATION.

Final Vote: Ayes, 9: Carr, Nystrom, Mann, Bruner, Horn, Coleman, Rife, Corning and Welsh. Nays, 1: Gentleman. Absent or not voting, 4: Dieleman, C. Miller, Drake and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 14, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2093 — Extending the sunset provision for the Iowa Advisory Commission on Intergovernmental Relations.

SENATE FILE 2104 — Relating to coverage of proprietors, partners, and owner-operators of certain trucks under the workers' compensation law.

SENATE FILE 2143 — Relating to corrections; changing certain administrative provisions; limiting remedies in restitution matters; changing the applicability dates of certain provisions relating to inmate discipline and the availability of remedies; and providing penalties.

SENATE FILE 2150 — Relating to the assessment on porcine animals.

EXPLANATIONS OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 11, 1986.

Had I been present, I would have voted "aye" on Senate Files 2037, 2043, 2165, 2177, 2253, 2283, 2207, 2234, 2255, 549 and the motion to reconsider Senate File 447.

BILL HUTCHINS

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 11, 1986.

Had I been present, I would have voted "aye" on Senate Files 505, 508, 2037, 2043, 2050, 2165, 2177, 2207, 2234, 2253, 2255, 2283 and the governor's appointees on the En Bloc Confirmation Calendar. I would have voted "nay" on Senate File 549.

JOHN A. PETERSON

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 14th day of April, 1986:

Senate Files 249, 476, 2015, 2159, 2228, 2239 and 2276.

K. MARIE THAYER
Secretary of the Senate

PETITION

The following petition was presented and placed on file by:

Senator Hutchins from seventeen residents of the state of Iowa favoring legislation allowing debate on resolutions to stop the deployment of Iowa National Guard Troops to Honduras.

AMENDMENTS FILED

S—5686	H.F.	2459	State Government
S—5687	S.F.	2268	House
S—5688	H.F.	2454	Julia B. Gentleman
S—5689	H.F.	2454	Julia B. Gentleman
S—5690	H.F.	2462	Edgar H. Holden
			Dale L. Tieden
			Bob Carr
			Arne Waldstein
			Berl E. Priebe
S—5691	H.F.	2462	William D. Palmer
S—5692	H.F.	2462	Wally E. Horn
			Joy Corning

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:46 p.m., until 9:00 a.m., Tuesday, April 15, 1986.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 15, 1986

The Senate met in regular session at 9:18 a.m., President pro tempore Wells presiding.

Prayer was offered by the Reverend John Poe, pastor of the Calvary United Methodist Church, Arnolds Park, Iowa.

The Journal of Monday, April 14, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins.

SPECIAL GUESTS

Senator Hutchins appeared in the well of the Senate and presented Coach Tom McGrane and the Denison High School decathlon team, winners of the Iowa Academic Decathlon. The team participated in the national competition in California and received sixth place, only missing fifth by 400 out of a possible 60,000 points.

Coach McGrane stated that there were sixty-three secondary schools that participated in the Iowa decathlon this year and hundreds of hours were spent by the Denison students preparing for and participating in the decathlon in ten areas of studies.

Members of the Denison team were: Mark Boech, Eric Carlyle, Kwan Choi, Jim Penn, Crystal Winey and Rollie Woodward.

MOTION TO RECONSIDER WITHDRAWN

House File 2303

Senator Husak withdrew the motion to reconsider House File 2303, a bill for an act to require a one-time, extensive test for water contaminants in certain public water supplies, filed by him on April 10, 1986, and found on page 1183 of the Senate Journal.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

HOUSE AMENDMENTS CONSIDERED

Senate File 166

Senator Priebe called up for consideration Senate File 166, a bill for an act to authorize the setting of seasons for pigeons, amended by the House, and moved that the Senate concur in House amendment S—5628 filed April 8, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Priebe moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 166) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, 3:

Dieleman Riordan Welsh

Absent or not voting, 3:

Brown Miller, C.P. Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2242

Senator Drake called up for consideration Senate File 2242, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication, amended by the House in House amendment S—5683 filed April 11, 1986.

Senator Drake offered amendment S—5693 filed by Senators Drake and Carr from the floor to House amendment S—5683 and moved its adoption.

Amendment S—5693 was adopted by a voice vote.

Senator Drake moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Drake 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. 2242) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman

Husak	Hutchins	Jensen	Lind
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley	Mann	Miller, C.P.	Waldstein
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2380

Senator Welsh called up for consideration House File 2380, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1985 and ending June 30, 1986 and making the Act effective upon publication, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5654 to Senate amendment H—5554 filed April 9, 1986.

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. 2380) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gettings

Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Schwengels	Soorholtz	Tieden
Waldstein	Wells	Welsh	

Nays, 6:

Drake	Gentleman	Holden	Holt
Ritsema	Taylor		

Absent or not voting, 5:

Kinley	Mann	Miller, C.P.	Small
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 120, by Gronstal, a resolution relating to the Iowa General Assembly urging support of the Civil Rights Restoration Act of 1985.

Read first time and **passed on file**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 104, by Committee on Rules and Administration, a resolution deferring action on the confirmation of certain appointments submitted by the Governor.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:45 a.m., until 1:00 p.m.

APPENDIX

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 14, 1986.

Had I been present, I would have voted "nay" on Senate File 2116.

RICHARD VANDE HOEF

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 15th day of April, 1986:

Senate File 2277.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 104, a resolution deferring action on the confirmation of certain appointments submitted by the Governor.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Kinley, Gronstal and Jensen. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 122, a resolution requesting Governor Branstad to prevent the sending of Iowa National Guard units to Honduras.

Recommendation: DO PASS.

Final Vote: Ayes, 4: Hutchins, Gettings, Kinley and Gronstal. Nays, 2: Hultman and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred twenty American Government students from Johnston High School, Johnston, Iowa, accompanied by David Pitz and Cindy Johnston. Senator Palmer.

Fifty students, members of the Iowana Council of Camp Fire Girls, Cedar Rapids, Iowa, accompanied by Sue York, Kathy Casey, Patsy Evans, Barb Zimmerman and Pam Mott. Senators Hannon and Horn.

AFTERNOON SESSION

The Senate reconvened at 1:03 p.m., Senator Welsh presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Welsh presiding.

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.

MOTION TO RECONSIDER ADOPTED

Senator Mann called up the motion to reconsider House File 2060 filed by him on April 7, 1986, found on page 1091 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2060) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hall	Hannon	Hester
Horn	Husak	Hutchins	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Soorholtz	Wells
Welsh			

Nays, 11:

Drake	Gentleman	Goodwin	Gratias
Holt	Hultman	Jensen	Schwengels
Taylor	Vande Hoef	Waldstein	

Absent or not voting, 6:

Holden	Kinley	Miller, C.P.	Palmer
Small	Tieden		

The motion prevailed.

Senator Mann moved to reconsider the vote by which House File 2060 went to its last reading, which motion prevailed by a voice vote.

House File 2060

On motion of Senator Mann, House File 2060, a bill for an act relating to assignments of income in delinquent support cases and providing a penalty, was taken up for reconsideration.

Senator Mann called up the motion to reconsider the vote by which amendment S—5555 was adopted by the Senate on April 7, 1986, filed by him on April 7, 1986, found on page 1091 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5555 by Senator Mann to pages 1 and 2 of the bill, was taken up for reconsideration.

Senator Rife took the chair at 2:09 p.m.

Senator Mann offered amendment S—5665 filed by him on April 9, 1986, to amendment S—5555 and moved its adoption.

Amendment S—5665 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—5555 as amended, which motion prevailed 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. 2060) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer

Peterson	Priebe	Readerger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hannon	Kinley	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 732

Senator Mann called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5655 to Senate amendment H—5595 filed April 9, 1986.

The motion prevailed by a voice vote 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. 732) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak

Hutchins	Jensen	Lind	Mann
Miller, A. V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hultman	Kinley	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Coleman took the chair at 2:37 p.m.

CONSIDERATION OF BILL (Appropriations Calendar)

House File 2454

On motion of Senator Ritsema, House File 2454, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date, with report of committee on Appropriations recommending amendment and passage, was taken up for further consideration (and amendments S—5458 by the committee on Judiciary to pages 1, 2, 3 and 5 through 10 of the bill, offered and deferred on April 2, 1986, and S—5547 by Senators Gentleman and Mann to pages 1 and 4 of the bill, offered and deferred on April 7, 1986).

Senator Lind took the chair at 2:50 p.m.

Senator Welsh offered amendment S—5677 filed by the committee on Appropriations on April 10, 1986, to amendment S—5547 and moved its adoption.

A non record roll call was requested.

The ayes were 36, nays 10.

Amendment S—5677 was adopted.

Senator Gentleman asked and received unanimous consent to withdraw amendment S—5547 as amended.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Readinger for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

House File 2454

The Senate resumed consideration of House File 2454.

Senator Hutchins asked and received unanimous consent that action on **House File 2454** be **deferred** (amendment S—5458 pending.)

HOUSE AMENDMENT CONSIDERED

Senate File 2101

Senator Coleman called up for consideration Senate File 2101, a bill for an act providing Veterans Day as a paid state holiday and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5630 filed April 8, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Coleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2101) the vote was:

Ayes, 48:

Boswell
Coleman

Brown
Colton

Bruner
Corning

Carr
Deluhery

Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hultman Readinger

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Miller of Cerro Gordo took the chair at 3:47 p.m.

BUSINESS PENDING

House File 2454

The Senate resumed consideration of House File 2454, previously deferred.

Senator Gentleman offered amendment S—5542 filed by Senators Gentleman and Mann on April 2, 1986, to pages 1 and 5 of the bill.

Senator Welsh offered amendment S—5696 filed by him from the floor to amendment S—5542.

Senator Gentleman raised the point of order that amendment S—5696 to amendment S—5542 was out of order because the same subject matter had previously been considered by the Senate.

The Chair ruled the point not well taken amendment S—5696 in order.

Senator Welsh moved the adoption of amendment S—5696 to amendment S—5542.

A record roll call was requested.

On the question "Shall amendment S—5696 to amendment S—5542 be adopted?" (H.F. 2454) the vote was:

Ayes, 39:

Boswell	Brown	Carr	Corning
Deluhery	Dieleman	Drake	Fraise
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 10:

Bruner	Coleman	Colton	Doyle
Gentleman	Gronstal	Hannon	Mann
Peterson	Vande Hoef		

Absent or not voting, 1:

Readinger

Amendment S—5696 was adopted.

With the adoption of amendment S—5696 to amendment S—5542, the Chair ruled amendment S—5634 filed by Senator Mann on April 8, 1986, to amendment S—5542, out of order.

Senator Mann asked unanimous consent to withdraw amendment S—5542 as amended.

Senator Mann withdrew his request.

Senator Gentleman moved the adoption of amendment S—5542 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5542 as amended, the Chair ruled amendment S—5688 filed by Senator Gentleman on April 14, 1986, to pages 1, 3, 4 and 5 of the bill, out of order.

Senator Ritsema offered amendment S—5535 filed by him on April 2, 1986, to page 8 of the bill and moved its adoption.

Amendment S—5535 was adopted by a voice vote.

The Senate resumed consideration of amendment S—5458 to pages 1, 2, 3 and 5 through 10 of the bill, deferred on April 2, 1986.

Senator Ritsema called for a division of amendment S—5458: Page 1, lines 3 through 30, line 50, and page 2 as division S—5458A; page 1, lines 31 through 49 as division S—5458B.

With the adoption of amendment S—5542 as amended, the Chair ruled division S—5458B out of order.

Senator Taylor took the chair at 4:36 p.m.

Senator Gentleman offered amendment S—5689 filed by her on April 14, 1986, to division S—5458A and moved its adoption.

Amendment S—5689 lost by a voice vote.

Senator Hannon offered amendment S—5695 filed by Senators Hannon, et al., from the floor to division S—5458A.

Senator Ritsema raised the point of order that amendment S—5695 to division S—5458A was not germane.

The Chair ruled the point not well taken and amendment S—5695 in order.

Senator Hannon moved the adoption of amendment S—5695 to division S—5458A.

A record roll call was requested.

On the question “Shall amendment S—5695 to division S—5458A be adopted?” (H.F. 2454) the vote was:

Ayes, 17:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Gentleman	Gronstal
Horn	Husak	Hutchins	Miller, A.V.
Murphy	Peterson	Riordan	Small
Wells			

Nays, 31:

Coleman	Colton	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Hall	Hannon	Hester
Holden	Holt	Hultman	Jensen
Kinley	Lind	Mann	Miller, C.P.
Nystrom	Priebe	Rife	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Absent or not voting, 2:

Palmer Readinger

Amendment S—5695 lost.

Senator Ritsema moved the adoption of division S—5458A, which motion prevailed by a voice vote.

Senator Hannon 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—5458A to House File 2454 was adopted by the Senate on April 15, 1986.

The motion prevailed by a voice vote and division S—5458A was taken up for reconsideration.

Senator Hannon 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—5695 to division S—5458A to House File 2454 failed to be adopted by the Senate on April 15, 1986.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (H.F. 2454) 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
Corning	Deluhery	Dieleman	Fraise
Gentleman	Gettings	Gronstal	Hannon

Horn	Hutchins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Riordan	Small	Soorholtz
Wells			

Nays, 23:

Coleman	Colton	Doyle	Drake
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Jensen
Kinley	Nystrom	Priebe	Rife
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Absent or not voting, 2:

Husak	Readinger
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The motion prevailed and amendment S—5695 by Senators Hannon, et al., to division S—5458A, was taken up for reconsideration.

Senator Hannon moved the adoption of amendment S—5695 to division S—5458A.

A record roll call was requested.

On the question “Shall amendment S—5695 to division S—5458A be adopted?” (H.F. 2454) the vote was:

Ayes, 23:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Fraise
Gentleman	Gettings	Gronstal	Hannon
Horn	Hutchins	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Riordan	Small	Wells	

Nays, 26:

Coleman	Colton	Doyle	Drake
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Husak
Jensen	Kinley	Lind	Nystrom
Priebe	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Welsh		

Absent or not voting, 1:

Readeringer

Amendment S—5695 lost.

Senator Ritsema moved the adoption of division S—5458A, which motion prevailed by a voice vote.

Senator Coleman took the chair at 5:13 p.m.

Senator Ritsema moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2454) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Miller, C.P.	Palmer	Priebe	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 4:

Gentleman	Mann	Murphy	Peterson
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Absent or not voting, 3:

Drake	Nystrom	Readeringer
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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 **House File 2454** be **immediately messaged** to the House.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolution 104.

Senate Resolution 104

On motion of Senator Hutchins, Senate Resolution 104, a resolution deferring action on the confirmations of Donna R. Robinson and Mary E. Robinson, appointments submitted by the governor, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Resolution 104, which motion prevailed by a voice vote.

**CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(En Bloc Confirmation Calendar)**

In accordance with Senate Rule 60, Senator Hutchins called up the following appointees on the En Bloc Confirmation Calendar:

Iowa Beer and Liquor Control Council

Larry A. Huegli, committee recommendation found on page 1206 of the Senate Journal.

Commission for the Blind

John C. Wellman, committee recommendation found on page 903 of the Senate Journal.

Criminal and Juvenile Justice Advisory Council

Willa Mae Williams, committee recommendation found on page 952 of the Senate Journal.

Committee recommendations found on page 1069 of the Senate Journal:

Lorna Mae Burnside
Alan L. Pearson
Russell H. White

State Board of Engineering and Land Surveying Examiners

Cheryl J. Richardson, committee recommendation found on page 841 of the Senate Journal.

Board of Landscape Architectural Examiners

Dorothy B. Sheil, committee recommendation found on page 841 of the Senate Journal.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Brown	Carr	Nystrom	Peterson
Readinger	Soorholtz		

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown for the remainder of the afternoon on request of Senator Hutchins.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Jensen called up the appointment of Melba L. Scaglione as a member of the State Board of Pharmacy Examiners, placed on the Individual Confirmation Calendar on April 8, 1986, and found on page 1121 of the Senate Journal.

Senator Jensen moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Murphy	Palmer	Priebe	Riordan
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Brown	Drake	Holden	Miller, C.P.
Nystrom	Peterson	Readinger	Rife
Soorholtz			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Carr called up the appointment of Edward J. Stanek as Commissioner of the Lottery, placed on the Individual Confirmation Calendar on February 7, 1986, and found on page 276 of the Senate Journal.

Senator Carr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Palmer	Priebe	Riordan	Ritsema
Small	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 1:

Dieleman

Absent or not voting, 10:

Brown	Fraise	Holden	Miller, C.P.
Nystrom	Peterson	Readinger	Rife
Schwengels	Soorholtz		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Schwengels called up the appointment of Jack J. Paschall as a member of the Board of Corrections, placed on the Individual Confirmation Calendar on March 26, 1986, and found on page 903 of the Senate Journal.

Senator Schwengels moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins

Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Palmer	Priebe
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, 1:

Carr

Absent or not voting, 8:

Brown	Miller, C.P.	Nystrom	Peterson
Readinger	Rife	Soorholtz	Vande Hoef

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

INTRODUCTION OF BILL

Senate File 2290, by Hutchins and Hultman, a bill for an act relating to financial transactions.

Read first time and referred to the committee on **Commerce**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 121, by Priebe, a resolution seeking a joint meeting regarding the recent decline in beef cattle prices.

Read first time and **passed on file**.

APPENDIX

SUBCOMMITTEE ASSIGNMENT

House File 2476

APPROPRIATIONS: Welsh, Chair; Tieden and Dieleman

RESOLUTIONS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following resolutions to committee:

S. C. R.	120	Rules & Administration
S. C. R.	121	Rules & Administration

STUDY BILLS RECEIVED

SSB 2212A Ways and Means

Relating to the state individual and corporate income tax by limiting, modifying, eliminating, and changing certain deductions and credits in computing the tax liability, and providing an effective date.

SSB 2219 Ways and Means

Relating to a minimum annual salary for county sheriffs.

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 15, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2151 — Providing that the small claims court has concurrent jurisdiction of an action of replevin if the value of the property claimed is two thousand dollars or less.

SENATE FILE 2212 — Relating to the use of trust assets received under the Federal Bankhead-Jones Farm Tenant Act for guaranteeing operating loans for farmers.

SENATE FILE 2227 — Authorizing direct payment of county auditors, transfer fees to county treasurers by county recorders.

SENATE FILE 2247 — Relating to the disclosure of mental health information and providing an effective date.

SENATE FILE 2262 — Relating to the approval of legal descriptions of parcels of land.

SENATE FILE 2275 — Requiring lenders or secured parties to provide debtors with copies of documents relating to the debt.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

One hundred thirteen eighth grade students from Winterset Middle School, Winterset, Iowa, accompanied by Mr. Messer and Mr. Christensen. Senator Riordan.

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifteen eighth grade students from St. Augustin School, Des Moines, Iowa, accompanied by Gail Soesby. Senator Gentleman.

AMENDMENTS FILED

S—5693	S. F.	2242	Richard F. Drake Bob Carr
S—5694	H. F.	2473	Donald V. Doyle
S—5695	H. F.	2454	Beverly A. Hannon Larry Murphy Charles Bruner Julia Gentleman Joy Corning
S—5696	H. F.	2454	Joe Welsh
S—5697	H. F.	2462	Wally E. Horn Joy Corning
S—5698	H. F.	2476	Edgar H. Holden

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:28 p.m., until 10:00 a.m., Wednesday, April 16, 1986.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 16, 1986

The Senate met in regular session at 10:15 a.m., President pro tempore Wells presiding.

Prayer was offered by the Honorable Leonard Boswell, member of the Senate from Decatur County, Davis City, Iowa.

The Journal of Tuesday, April 15, 1986, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1986, passed the following bill in which the concurrence of the House was asked:

Senate File 2246, a bill for an act relating to suspensions or restrictions on water use under the state priority allocation plan.

ALSO: That the House has on April 14, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2478, a bill for an act relating to the exemption from the use tax of transactions subject to the sales tax.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 14, 1986, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 115, a resolution urging the Congress to address the adverse effects of the federal Social Security program which discriminates against certain persons due to their birth dates.

This resolution was read first time and **passed on file**.

ALSO: That the House has on April 14, 1986, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the Senate is asked;

House File 2178, a bill for an act to establish a consignment relationship between artists and art dealers for the sale of the artist's works (S—5699).

ALSO: That the House has on April 14, 1986, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2164, a bill for an act to provide for a public policy research foundation.

House File 2280, a bill for an act relating to violations of child custody orders and making penalties applicable.

House File 2348, a bill for an act relating to water sold in sealed containers for human consumption and making penalties applicable.

House File 2387, a bill for an act relating to energy management by school districts and merged area schools, requiring periodic energy audits, providing financial and technical assistance for energy conservation for school districts and merged area schools.

House File 2397, a bill for an act relating to sanitary landfills.

House File 2401, a bill for an act establishing a state management training program and a management training revolving fund.

House File 2452, a bill for an act relating to the health data commission by adding the executive director of the commission on the aging to the membership of the health data commission, providing for the collections of certain billing information, and permitting the health data commission to collect long-term care data.

House File 2463, a bill for an act relating to commercial fishing and providing penalties.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 122, by Dieleman, a resolution urging the creation of an interim study committee relating to the evidentiary standard for the granting of a dissolution of marriage.

Read first time and **passed on file**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown for the day on request of Senator Hutchins.

Senator Coleman took the chair at 10:30 a.m.

MOTIONS TO RECONSIDER ADOPTED

Senator Mann called up the motion to reconsider House File 2457 filed by him on April 2, 1986, found on page 1012 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2457) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Riordan	Ritsema	Small
Wells	Welsh		

Nays, 16:

Corning	Drake	Goodwin	Gratias
Hester	Holden	Holt	Jensen
Lind	Rife	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 4:

Brown	Hultman	Nystrom	Peterson
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The motion prevailed.

Senator Mann moved the reconsider the vote by which House File 2457 went to its last reading, which motion prevailed by a voice vote.

House File 2457

On motion of Senator Bruner, House File 2457, a bill for an act relating to elections, was taken up for reconsideration.

Senator Bruner offered amendment S—5602 filed by Senators Bruner and Mann on April 4, 1986, to page 5 of the bill and moved its adoption.

Amendment S—5602 was adopted by a voice vote.

Senator Bruner offered amendment S—5669 filed by him on April 9, 1986, to pages 6 and 19 of the bill and moved its adoption.

Amendment S—5669 was adopted by a voice vote.

With the adoption of amendment S—5669, the Chair ruled amendment S—5597 filed by Senator Jensen on April 4, 1986, to page 6 of the bill, out of order.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2457) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Kinley
Lind	Mann	Miller, A. V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Taylor	Vande Hoef	Wells	Welsh

Nays, 10:

Goodwin	Gratias	Hester	Holden
Holt	Hultman	Schwengels	Soorholtz
Tieden	Waldstein		

Absent or not voting, 4:

Brown	Jensen	Nystrom	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gronstal called up the motion to reconsider House File 2354 filed by him on April 8, 1986, found on page 1113 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2354) the vote was:

Ayes, 27:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Doyle	Fraise
Gentleman	Gettings	Gronstal	Hall
Hannon	Holt	Horn	Husak
Hutchins	Kinley	Mann	Miller, A.V.
Murphy	Palmer	Priebe	Readinger
Riordan	Wells	Welsh	

Nays, 16:

Corning	Drake	Goodwin	Gratias
Hester	Holden	Hultman	Miller, C.P.
Rife	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 7:

Brown	Dieleman	Jensen	Lind
Nystrom	Peterson	Small	

The motion prevailed.

Senator Gronstal moved the vote by which House File 2354 went to its last reading, which motion prevailed by a voice vote.

House File 2354

On motion of Senator Gronstal, House File 2354, a bill for an act relating to the Iowa insurance guaranty association, was taken up for reconsideration.

Senator Gronstal offered amendment S—5637 filed by him on April 8, 1986, to pages 1 and 4 of the bill and moved its adoption.

Amendment S—5637 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. 2354) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Mann
Miller, A. V.	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Brown	Jensen	Miller, C.P.	Murphy
Nystrom	Ritsema	Small	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTIONS TO RECONSIDER WITHDRAWN

House File 2219

Senators Holden, Dieleman and Gronstal withdrew the motions to reconsider House File 2219, a bill for an act providing for

optional payment by corporations subject to chapters 509, 514, and 514B for services performed by chiropractors, making corporations organized by chiropractors for establishing, maintaining, and operating a health care service plan subject to chapter 514 and requiring chapter 514 corporations and physician providers to establish utilization review programs for purposes of health care cost control, filed by them on April 2, 1986, and found on page 1012 of the Senate Journal.

SENATE INSISTS

House File 2245

Senator Doyle called up for consideration House File 2245, a bill for an act relating to the confidentiality of archaeological sites or resource information and subjecting violators to civil and criminal penalties, 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.

HOUSE AMENDMENTS CONSIDERED

Senate File 2069

Senator Dieleman called up for consideration Senate File 2069, a bill for an act relating to the issuance of temporary certificates for chiropractors, amended by the House, and moved that the Senate concur in House amendment S—5629 filed April 8, 1986.

The motion prevailed by a voice vote 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. 2069) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Mann	Miller, A. V.	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, 3:

Corning	Gentleman	Ritsema
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Absent or not voting, 7:

Brown	Drake	Jensen	Miller, C.P.
Murphy	Nystrom	Waldstein	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2248

Senator Bruner called up for consideration Senate File 2248, a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist, amended by the House, and moved that the Senate concur in House amendment S—5660 filed April 9, 1986.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

Senate File 2083

Senator Kinley called up for consideration Senate File 2083, a bill for an act repealing the energy conservation improvement pilot programs and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5678 filed April 10, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Kinley moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2083) the vote was:

Ayes, 45:

Boswell	Carr	Coleman	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Bruner	Gronstal
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Absent or not voting, 3:

Brown	Nystrom	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Colton took the chair at 11:30 a.m.

Senate File 2268

Senator Priebe called up for consideration Senate File 2268, a bill for an act relating to the industrial loan thrift guaranty corporation of Iowa, amended by the House, and moved that the Senate concur in House amendment S—5687 filed April 14, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Priebe moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2268) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Brown	Hannon	Nystrom	Rife
Small			

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 11:36 a.m., until 1:00 p.m.

AFTERNOON SESSION

The Senate reconvened at 1:02 p.m., President pro tempore Wells presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 123, by Carr, a resolution requesting an interim study committee to study the sunset of the conservancy districts.

Read first time and **passed on file**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Wells presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the remainder of the week on request of Senator Hultman.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

SENATE RECEDES

House File 2035

Senator Waldstein called up for consideration House File 2035, a bill for an act relating to the appointment of chiefs of the police department and chiefs of the fire department of cities under civil service, amended by the Senate and moved that the Senate recedes from its amendment.

The motion prevailed by a voice vote and the Senate receded from its amendment.

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. 2035) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 1:

Holden

Absent or not voting, 6:

Brown	Hannon	Miller, C.P.	Nystrom
Soorholtz	Welsh		

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 461

Senator Murphy called up for consideration 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, amended by the House in House amendment S—4023 filed April 26, 1985.

Senator Holden asked and received unanimous consent that action on amendment S—5682 filed by Senators Holden, et al., on April 10, 1986, to House amendment S—4023 be deferred.

Senator Bruner offered amendment S—5522 filed by Senators Bruner, et al., on April 2, 1986, to House amendment S—4023.

Senator Holden raised the point of order that amendment S—5522 to House amendment S—4023 was not germane.

Senator Coleman took the chair at 2:34 p.m.

The Chair ruled the point well taken and amendment S—5522 out of order.

Senator Holden asked and received unanimous consent to withdraw amendment S—5682 to House amendment S—4023, previously deferred.

Senator Murphy moved that the Senate concur in the House amendment.

A record roll call was requested.

On the question “Shall the motion to concur be adopted?” (S.F. 461) the vote was:

Ayes, 27:

Bruner	Corning	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hultman
Husak	Jensen	Lind	Palmer
Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 21:

Boswell	Carr	Coleman	Colton
Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Riordan	Small	Wells
Welsh			

Absent or not voting, 2:

Brown	Nystrom
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The motion prevailed and the Senate concurred in the House amendment.

Senator Hutchins asked and received unanimous consent that action on **Senate File 461** be **deferred**.

INTRODUCTION OF BILL

Senate File 2291, by Committee on Appropriations, a bill for an act creating an Iowa economic development bond bank program within the Iowa finance authority to provide financing for economic development and making an appropriation.

Read first time and **placed on the Appropriations calendar**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Husak presiding.

INTRODUCTION OF BILLS

Senate File 2292, by Committee on Ways and Means, a bill for an act relating to certain nonprofit corporations providing service to disabled persons and adult day care by exempting them from the state sales, services, and use tax and providing for a refund for state sales, services, and use tax paid by the contractors for goods and services used in the fulfillment of a written contract with them, and by providing a retroactive date.

Read first time and **placed on the Ways and Means calendar**.

Senate File 2293, by Committee on Ways and Means, a bill for an act relating to the levying of property taxes for school purposes, providing for a capital projects and equipment levy, a liability levy, and for additional allowable growth for school districts, for the execution and continuation of loan agreements for anticipating the collection of certain levies, and providing an effective date.

Read first time and **placed on the Ways and Means calendar**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 120

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

Senate Concurrent Resolution 121

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

Senate File 2289

STATE GOVERNMENT: Mann, Chair; Coleman and Drake

House File 2471

WAYS AND MEANS: Bruner, Chair; Boswell and Holden

House File 2472

WAYS AND MEANS: Bruner, Chair; Boswell and Holden

House File 2475

WAYS AND MEANS: Dieleman, Chair; Riordan and Readinger

House File 2477

WAYS AND MEANS: Holt, Chair; Husak and Brown

SSB 2218

WAYS AND MEANS: Gronstal, Chair; Bruner and Hester

SSB 2219

WAYS AND MEANS: Gronstal, Chair; Bruner and Soorholtz

SSB 2220

WAYS AND MEANS: Mann, Chair; Gronstal and Holt

SSB 2221

WAYS AND MEANS: Holden, Chair; Palmer and Riordan

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. C. R.	122	Rules & Administration
S. C. R.	123	Rules & Administration
H. C. R.	115	Rules & Administration
H. F.	2478	Ways & Means

STUDY BILLS RECEIVED

SSB 2220 Ways and Means

Pertaining to aircraft registration fees for aircraft owned and operated by nonprofit hospitals.

SSB 2221 Ways and Means

Relating to an exemption for the state sales, services, and use tax of the gross receipts from sales or services provided by the Iowa state fair board in its management.

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate:

IOWA DEPARTMENT OF JOB SERVICE

A copy of the 1985 Actuarial Report and status report on the Unemployment Compensation Trust Fund, prepared by the Iowa Department of Job Service pursuant to Sec. 96.35, Code of Iowa.

REPORT OF COMMITTEE MEETING

RULES AND ADMINISTRATION

Convened: April 15, 1986, 9:35 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Gronstal, Kinley and Jensen.

Members Absent: none.

Committee Business: Recommended passage of House Concurrent Resolution 122; approved proposed Senate resolution relating to deferral of confirmation of certain governor's appointees.

Adjourned: 9:39 a.m.

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—5660 to Senate File 2248 on April 16, 1986.

CALVIN O. HULTMAN

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2268 passed the Senate on April 16, 1986.

JULIA B. GENTLEMAN

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—5687 to Senate File 2268 on April 16, 1986.

JULIA GENTLEMAN

MR. PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—4023 to Senate File 461 on April 16, 1986.

CHARLES BRUNER

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 16, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 476 — To prohibit the relinquishment of prior seniority rights as a condition of employment.

SENATE FILE 2015 — Relating to court costs and attorney fees in actions brought under provisions on new motor vehicle warranties.

SENATE FILE 2228 — Relating to the responsibilities of county recorders to make reports concerning ownership, assessed values, and transfers of real estate, and certificates of limited partnerships.

SENATE FILE 2239 — To legalize the purchase of certain property by the Hardin County Conservation Board.

SENATE FILE 2276 — To legalize proceedings taken by the Board of Directors of the Iowa City Community School District relating to the sale of certain property.

SENATE FILE 2277 — To clarify the intended effective date of portions of chapter 239, 1985 Iowa Acts, relating to the imposition of a tax on payments received by a nonprofit health service corporation for subscriber contracts and providing an effective date.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2291, a bill for an act creating an Iowa Economic Development bond bank program within the Iowa Finance Authority to provide financing for economic development and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Lind, C. Miller, Murphy and Schwengels. Nays, 1: Ritsema. Absent or not voting, 2: Husak and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2462, a bill for an act relating to educational cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Welsh, Small, Colton, Deluhery, Dieleman, Gettings, Gronstal, Horn, Lind, C. Miller and Murphy. Nays, 5: Tieden, Gentleman, Holt, Ritsema and Schwengels. Absent or not voting, 2: Husak and Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2292, a bill for an act relating to certain nonprofit corporations providing service to disabled persons and adult day care by exempting them from the state sales, services, and use tax and providing for a refund for state sales, service and use tax paid by the contractors for goods and services used in the fulfillment of a written contract with them, and by providing a retroactive date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Hester, Boswell, Bruner, Gratias, Gronstal, Holden, Holt, Mann, Riordan and Soorholtz. Nays, none. Absent or not voting, 3: Brown, Dieleman and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2293, a bill for an act relating to the levying of property taxes for school purposes, providing for a capital projects and equipment levy, a liability levy, and for additional allowable growth for school districts, for the execution and continuation of loan agreements for anticipating the collection of certain levies, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Gratias, Gronstal, Holden, Holt, Mann, Riordan and Soorholtz. Nays, none. Absent or not voting, 3: Brown, Dieleman and Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-seven senior students from Stuart-Menlo High School, Stuart, Iowa, accompanied by Dave Fry. Senator Riordan.

Twenty-three students from Lenox High School, Lenox, Iowa, accompanied by Carl Peterson and Kevin Johnson. Senator Boswell.

Forty fifth grade students from Beaman-Conrad-Liscomb Elementary School, Conrad, Iowa, accompanied by John Ehn and Mary Pieper. Senators Husak and Jensen.

Fifty students from Guthrie Center High School, Guthrie Center, Iowa, accompanied by Connie Skow. Senator Riordan.

Seventy-five seventh and eighth grade students from Sumner Junior High School, Sumner, Iowa, accompanied by Berle Smothers. Senator Jensen.

Forty senior students from Nora Springs-Rock Falls High School, Nora Springs, Iowa, accompanied by Frank Altman and Bob Axdahl. Senator Gratias.

Twelfth grade students from Central Webster Schools, Burnside, Iowa, accompanied by Jim Ainslie. Senator Coleman.

Eleven eighth grade students from Riverside United Methodist Church confirmation class, Sioux City, Iowa, accompanied by Bob Lemermann. Senator Colton.

Students from Burlington Middle Schools, Burlington, Iowa, accompanied by John Rutenbeck, Judy Johnson and Wayne Heibner. Senator Miller of Des Moines.

AMENDMENTS FILED

S—5699	H.F.	2178	House
S—5700	H.C.R.	122	Don E. Gettings
S—5701	H.F.	2462	Ray Taylor
S—5702	S.F.	2291	Douglas Ritsema

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:15 p.m., until 10:00 a.m., Thursday, April 17, 1986.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 17, 1986

The Senate met in regular session at 10:11 a.m., President Anderson presiding.

Prayer was offered by the Reverend Allen Ricks, pastor of the United Methodist Church of Hudson, Hudson, Iowa.

The Journal of Wednesday, April 16, 1986, 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 April 15, 1986, adopted the conference committee report and passed Senate File 2116, a bill for an act relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, and providing an effective date.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Coleman, Small and Miller of Des Moines for the morning on request of Senator Hutchins; Senator Soorholtz for the morning on request of Senator Hultman.

UNFINISHED BUSINESS (Deferred April 2, 1986)

House File 2386

The Senate resumed consideration of House File 2386, a bill for an act relating to peer review and licensing board information by providing for the confidentiality of peer review proceedings and records, by providing access to the board of medical examiners

to hospital disciplinary information concerning physicians, and by providing for the exchange of confidential investigative information between licensing agencies in this state, deferred on April 2, 1986.

Senator Bruner asked and received unanimous consent that action on **House File 2386** be **deferred**.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2462.

House File 2462

On motion of Senator Horn, House File 2462, a bill for an act relating to educational cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts, pending on April 14, 1986, with report of committee on Appropriations recommending passage on April 16, 1986, was taken up for further consideration.

Senator Horn asked and received unanimous consent that action on **House File 2462** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2459.

House File 2459

On motion of Senator Bruner, House File 2459, a bill for an act to establish an Iowa environmental improvement and energy resources authority, deferred on April 9, 1986, and with the report of committee on State Government on April 14, 1986,

recommending amendment and the bill without recommendation, was taken up for further consideration.

Senator Bruner offered amendment S—5686 filed by the committee on State Government on April 14, 1986, to page 6 of the bill and moved its adoption.

Amendment S—5686 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. 2459) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Boswell	Carr	Colton	Deluhery
Dieleman	Doyle	Fraise	Gronstal
Horn	Husak	Hutchins	Mann
Miller, A.V.	Murphy	Palmer	Riordan
Schwengels	Wells	Welsh	

Nays, 24:

Bruner	Corning	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Hultman
Jensen	Kinley	Lind	Peterson
Priebe	Readinger	Rife	Ritsema
Taylor	Tieden	Vande Hoef	Waldstein

Absent or not voting, 7:

Brown	Coleman	Hannon	Miller, C.P.
Nystrom	Small	Soorholtz	

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

PRESENTATION OF PELLA TULIP QUEEN

Senator Dieleman appeared at the rostrum and presented Le Ann Vander Hart, Queen of the Fifty-first Annual Tulip Time

Festival, who in turn introduced the members of her court: Christy Blom, Jodi Den Adel, Kim Duven and Kendra Van Dalen.

Queen Le Ann presented Senator Dieleman with a Dutch Letter pastry and 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 8, 9 and 10, 1986.

The Queen, her attendants and their parents distributed the famous Dutch cookies to the Senators and staff.

BUSINESS PENDING

House File 2462

The Senate resumed consideration of House File 2462, previously deferred.

Senator Horn offered amendment S—5704 filed by Senators Horn and Corning from the floor to page 2 of the bill.

Senator Ritsema raised the point of order that amendment S—5704 was out of order because the subject matter had previously been considered by the Senate.

The Chair ruled the point not well taken and amendment S—5704 in order.

Senator Horn moved the adoption of amendment S—5704, which motion prevailed by a voice vote.

Senator Taylor asked and received unanimous consent that action on amendment S—5701 filed by him on April 16, 1986, to page 3 of the bill, be deferred.

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—5506A to House File 2462 was adopted by the Senate on April 14, 1986.

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.

The motion prevailed and division S—5506A by the committee on Education to pages 1 through 6 and the title page of the bill, was taken up for reconsideration.

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—5690B to division S—5506A to House File 2462 was adopted by the Senate on April 14, 1986.

A non record roll call was requested.

The ayes were 14, nays 28.

The motion lost.

The Chair ruled amendments S—5692 filed by Senators Horn and Corning on April 14, 1986, and S—5697 filed by Senators Horn and Corning on April 15, 1986, to division S—5506A, out of order.

Senator Horn moved the adoption of division S—5506A, which motion prevailed by a voice vote.

Senator Taylor filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5659 to House File 2462 was adopted by the Senate on April 14, 1986.

A non record roll call was requested.

The ayes were 24, nays 19.

The motion prevailed and amendment S—5659 by Senator Murphy to page 3 of the bill, was taken up for reconsideration.

Senator Hutchins asked and received unanimous consent that action on **House File 2462** be **deferred** (amendments S—5659 and S—5701 pending.)

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 124, by Carr, a resolution requesting an interim study committee to study the continued existence of the Iowa State Fair as a state entity.

Read first time and **passed on file**.

MOTION TO RECONSIDER WITHDRAWN

House File 2339

Senator Dieleman withdrew the motion to reconsider House File 2339, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical test performed within two hours of an arrest indicates the alcohol concentration at the time of arrest, by providing that the period of revocation of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license, filed by him on April 11, 1986, and found on page 1207 of the Senate Journal.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:05 p.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 15, 1986, 1:12 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Husak, Lind, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: Horn and C. Miller.

Committee Business: Approved LSB 8402 SF and ordered redrafted for final approval as a committee bill; discussed House File 2462.

Recessed: 1:32 p.m.

Reconvened: April 16, 1986, 11:42 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Lind, C. Miller, Murphy, Ritsema and Schwengels.

Members Absent: Husak and Readinger.

Committee Business: Recommended passage of House File 2462; final approval of LSB 8402 SF as a committee bill.

Adjourned: 11:53 a.m.

WAYS AND MEANS

Convened: April 16, 1986, 1:11 p.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Riordan and Soorholtz.

Members Absent: Brown.

Committee Business: Approved LSB 8406 (formally S.F. 2179), LSB 8178 (formally SSB 2165) and SSB 2212A as committee bills; approved House Files 2299 and 2211 and ordered redrafted for final approval as committee bills.

Adjourned: 1:46 p.m.

COMMUNICATION

The following communication was received in the office of the Secretary of the Senate:

April 15, 1986

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

There are transmitted herewith claims against the State of Iowa to be filed with the Claims Committee of the Senate.

These include 5 claims of a general nature. This supplements our filing of January 6, 1986.

Index is attached showing number of claim, name and address of claimant, amount of claim, and action taken.

Very truly yours,
Richard D. Johnson
Chairman
STATE APPEAL BOARD

Receipt of the above is hereby acknowledged.

K. MARIE THAYER
Secretary of the Senate

Pursuant to Chapter 24A, General Claims denied by the State Appeal Board were received and filed with the Claims Subcommittee of the Senate Appropriations Committee.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparation of the Senate amendment to House File 2339, the following technical corrections were made to amendment S—5496:

1. Page 1, line 30, "321J.22" was changed to "321J.23".
2. Page 3, line 25, "321J.22" was changed to "321J.23".

K. MARIE THAYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-four fifth grade students from Manilla Community School, Manilla, Iowa, accompanied by their teacher and home room parents. Senator Hutchins.

Twenty-five sixth grade students from Allison Elementary School, Allison, Iowa, accompanied by Mark Randall. Senator Jensen.

Fifty fifth grade students from Grant Elementary School, Oskaloosa, Iowa, accompanied by Margaret Mattix. Senator Schwengels.

Forty eighth grade students from West Harrison High School, Mondamin, Iowa, accompanied by Darlene Hime. Senator Hester.

Twenty-two twelfth grade students from Urbana Community School, Urbana, Iowa, accompanied by Sharyl Stulken and Harlan Bell. Senator Husak.

Fifty senior students from Belle Plaine Community High School, Belle Plaine, Iowa, accompanied by Charmaine Wickwire. Senator Husak.

AMENDMENTS FILED

S—5703	S. F.	2287	Bob Carr
S—5704	H. F.	2462	Wally E. Horn Joy Corning

AFTERNOON SESSION

The Senate reconvened at 2:31 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

BUSINESS PENDING

House File 2462

The Senate resumed consideration of House File 2462, previously deferred (amendments S—5659 and S—5701 pending.)

Senator Taylor asked and received unanimous consent that action on amendment S—5659 by Senator Murphy to page 3 of the bill, be deferred.

Senator Hall filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which division S—5506B to House File 2462 failed to be adopted by the Senate on April 14, 1986.

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 23.

The motion prevailed and division S—5506B by the committee on Education, was taken up for reconsideration.

Senator Taylor moved the adoption of division S—5506B.

A non record roll call was requested.

The ayes were 25, nays 24.

Division S—5506B was adopted.

With the adoption of division S—5506B, the Chair ruled amendment S—5659 by Senator Murphy to page 3 of the bill, previously deferred, out of order.

Senator Taylor withdrew amendment S—5701 to page 3 of the bill, previously deferred.

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. 2462) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 3:

Brown	Hannon	Hultman
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Absent or not voting, 2:

Nystrom	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 2412

The Senate resumed consideration of House File 2412, a bill for an act relating to the allocation of lottery funds and programs

for which the funds may be used and providing an effective date, deferred on April 4, 1986.

Senator Small offered amendment S—5582 filed by the committee on Appropriations on April 3, 1986, to strike everything after the enacting clause of the bill.

Senator Small offered amendment S—5705 filed by him from the floor to pages 1, 2, 4, 5, 6 and 9 of amendment S—5582 and moved its adoption.

Amendment S—5705 was adopted by a voice vote.

Senator Waldstein asked and received unanimous consent to withdraw amendment S—5643 filed by Senators Waldstein and Holt on April 8, 1986, to page 1 of amendment S—5582.

Senator Waldstein offered amendment S—5648 filed by Senators Waldstein and Holt on April 9, 1986, to page 1 of amendment S—5582 and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 26.

Amendment S—5648 lost.

Senator Bruner withdrew amendment S—5706 filed by him from the floor to page 8 of amendment S—5582.

Senator Welsh offered amendment S—5679 filed by Senators Welsh and Dieleman on April 10, 1986, to page 8 of amendment S—5582 and moved its adoption.

Amendment S—5679 was adopted by a voice vote.

Senator Small moved the adoption of amendment S—5582 as amended, which motion prevailed by a voice vote.

Senator Small moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2412) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Boswell	Brown	Bruner	Carr
Coleman	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Horn
Husak	Hutchins	Mann	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Riordan	Tieden	Wells	Welsh

Nays, 25:

Colton	Corning	Drake	Gentleman
Goodwin	Gratias	Hall	Hannon
Hester	Holden	Holt	Hultman
Jensen	Kinley	Lind	Miller, A. V.
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Vande Hoef
Waldstein			

Absent or not voting, 1:

Nystrom

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

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 44 present, 6 absent and a quorum present.

MOTION TO RECONSIDER ADOPTED

Senator Small called up the following motion to reconsider filed by him from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House File 2412 failed to pass the Senate on April 17, 1986.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2412) the vote was:

Ayes, 28:

Boswell	Brown	Bruner	Carr
Coleman	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Riordan	Small	Wells	Welsh

Nays, 21:

Colton	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 prevailed.

Senator Small moved to reconsider the vote by which House File 2412 went to its last reading, which motion prevailed by a voice vote.

House File 2412

On motion of Senator Small, House File 2412, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used and providing an effective date, was taken up for reconsideration.

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. 2412) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Brown	Bruner	Carr
Coleman	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Riordan	Small
Tieden	Wells	Welsh	

Nays, 22:

Colton	Corning	Drake	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Jensen
Kinley	Lind	Readinger	Rife
Ritsema	Schwengels	Soorholtz	Taylor
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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2412 and 2462** be **immediately messaged** to the House.

APPENDIX**RESOLUTION ASSIGNED TO COMMITTEE**

President Anderson announced the assignment of the following resolution to committee:

S. C. R. 124 Rules & Administration

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 2459 failed to pass the Senate on April 17, 1986.

CHARLES BRUNER

GOVERNOR'S VETO MESSAGE

April 17, 1986

The Honorable Robert T. Anderson
President of the Senate
State Capitol Building
L O C A L

Dear Governor Anderson:

Senate File 249, an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state, is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

Senate File 249 would extend coverage of the Iowa Workers' Compensation Act to Iowa residents even though they work for an employer outside the territorial limits of the state. It should be made clear that this Act does not address the eligibility of workers for workers' compensation benefits, but rather seeks to provide certain classes of workers with the ability to choose between the coverage of the state in which they work, and the state in which they live.

Our present state's workers' compensation statutes are uncompetitive. For example, our maximum benefit of 200 percent of the average weekly wage is the highest in the contiguous United States. The current system is costing Iowa jobs.

This bill would make matters worse for job seeking Iowans. Indeed, this bill would reduce the likelihood of further business location or expansion in Iowa, and would also lead to the curtailment of the hiring of Iowans in other states.

Last spring, I established a bi-partisan task force to review the competitiveness of Iowa's workers' compensation law with similar laws in other states. The primary objective of this review was to aid in the improvement of Iowa's business climate by identifying and making recommendations to modify provisions in the Iowa Workers' Compensation Law that discourage existing Iowa businesses from increasing employment and new business from locating in our state.

This task force gathered testimony from dozens of individuals, held public hearings across the state, and transmitted comprehensive recommendations in early November. Despite these efforts and the increasing complaints and litigation over increases in the workers' compensation rates for Iowa employers, this General Assembly has failed to take meaningful action to reduce employer costs and improve the competitiveness of our state's workers' compensation law. I continue to urge positive action during this General Assembly to help attract and retain Iowa jobs.

This bill would add another impediment to our state's job creation and economic development efforts. This legislation would unnecessarily increase state costs and result in expensive and time-consuming litigation.

Therefore, for the above reasons, I hereby respectfully disapprove of Senate File 249.

Sincerely,
TERRY E. BRANSTAD
Governor

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 17, 1986, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2159 — Relating to the reduction of recommended salary increases by the board of supervisors.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Thirty-seven students from Denver Baptist Bible College, Denver, Colorado. Senators Taylor and Jensen.

The Chair welcomed the following visitors who were present in the Senate gallery:

Nine students from United Methodist Church Confirmation Class, Aurelia, Iowa, accompanied by Ron Kitterman and Joleen Bruce. Senator Vande Hoef.

Fifth and sixth grade students from St. Paul's Lutheran School, Waverly, Iowa, accompanied by Mrs. Ott. Senator Jensen.

Seven students, Secondary Special Education's Work Experience, North Fayette Community School, West Union, Iowa, accompanied by Bonnie Schmalle and Virgil Lansing. Senator Murphy.

Forty-five eleventh and twelfth grade students from North High School, Sioux City, Iowa, accompanied by Larry Twait. Senators Colton and Doyle.

CONFERENCE COMMITTEE REPORT RECEIVED
(Senate File 2175)

A conference committee report signed by the following Senate and House members was filed April 17, 1985, on Senate File 2175, a bill for an act relating to the organization and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure:

On the Part of the Senate:

BOB CARR, Chair
CHARLES BRUNER
WILLIAM W. DIELEMAN
RICHARD F. DRAKE

On the Part of the House:

JEAN LLOYD-JONES, Chair
JOHNIE HAMMOND
ROD HALVORSON
DARRELL R. HANSON
GEORGE SWEARINGEN

AMENDMENTS FILED

S—5705	H.F.	2412	Arthur A. Small, Jr.
S—5706	H.F.	2412	Charles Bruner

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:22 p.m., until 9:00 a.m., Friday, April 18, 1986.

JOURNAL OF THE SENATE

NINETY-SIXTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 18, 1986

The Senate met in regular session at 9:22 a.m., President Anderson presiding.

Prayer was offered by Reverend John Davis, pastor of the St. John Lutheran Church of Melcher and St. Paul Lutheran Church of Lacona, Iowa.

The Journal of Thursday, April 17, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Readinger, Soorholtz and Gratius 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 11, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2479, a bill for an act relating to the state individual income tax by altering the tax rates, increasing the standard deduction, eliminating the deduction for federal income taxes paid, except under certain circumstances, and making other coordinating amendments and making provisions retroactive.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 16, 1986, 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 477, a bill for an act relating to the search of students or protected student areas.

ALSO: That the House has on April 16, 1986 concurred in the Senate amendment as amended and passed the following bills in which the concurrence of the Senate is asked:

House File 2344, a bill for an act relating to the toxic cleanup days pilot program and providing an effective date (S—5711).

House File 2405, a bill for an act relating to the administration of the local police and fire retirement systems (S—5710.)

House File 2407, a bill for an act relating to the sale, lease, or disposal of property of a school corporation (S—5709).

ALSO: That the House has on April 16, 1986, refused to concur in the Senate amendment to the following bills in which the concurrence of the House was asked:

House File 2378, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments.

House File 2414, a bill for an act relating to hunting and fishing.

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.

MOTION TO RECONSIDER ADOPTED

Senator Boswell called up the motion to reconsider House File 656 filed by him on February 17, 1986, found on page 336 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 656) the vote was:

Ayes, 26:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Hester	Horn	Husak

Hutchins	Mann	Miller, C.P.	Murphy
Palmer	Priebe	Riordan	Vande Hoef
Wells	Welsh		

Nays, 17:

Corning	Drake	Gentleman	Goodwin
Holden	Holt	Hultman	Jensen
Lind	Peterson	Rife	Ritsema
Schwengels	Small	Taylor	Tieden
Waldstein			

Absent or not voting, 7:

Gratias	Hall	Kinley	Miller, A. V.
Nystrom	Readinger	Soorholtz	

The motion prevailed.

Senator Boswell moved to reconsider the vote by which House File 656 went to its last reading, which motion prevailed by a voice vote.

House File 656

On motion of Senator Boswell, House File 656, a bill for an act relating to the labeling of foods, by requiring certain foods to be labeled with information concerning the country of original production, was taken up for reconsideration.

Senator Boswell 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—5019 to House File 656 was adopted by the Senate on February 14, 1986.

The motion prevailed by a voice vote and amendment S—5019 by Senator Wells to page 1 of the bill, was taken up for reconsideration.

Senator Boswell asked and received unanimous consent that action on amendment S—5019 be deferred.

Senator Boswell offered amendment S—5652 filed by him on April 9, 1986, to strike everything after the enacting clause of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 16.

Amendment S—5652 was adopted.

With the adoption of amendment S—5652, the Chair ruled amendment S—5019 by Senator Wells to page 1 of the bill, previously deferred, out of order.

Senator Hultman asked and received unanimous consent that action on **House File 656** be **deferred**.

MOTION TO RECONSIDER WITHDRAWN

House File 665

Senator Horn withdrew the motion to reconsider House File 665, a bill for an act relating to the operation of motorboats, filed by him on April 9, 1986, and found on page 1144 of the Senate Journal.

The motion to reconsider the vote by which amendment S—5500 to House File 665 was adopted by the Senate on April 8, 1986, filed by Senator Horn on April 9, 1986 and found on page 1144 of the Senate Journal, was out of order.

CONSIDERATION OF BILL (Appropriations Calendar)

Senate File 2291

On motion of Senator Welsh, Senate File 2291, a bill for an act creating an Iowa economic development bond bank program within the Iowa finance authority to provide financing for economic development and making an appropriation, was taken up for consideration.

Senator Ritsema offered amendment S—5702 filed by him on April 16, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5702 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. 2291) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Hutchins	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Rife	Riordan
Schwengels	Small	Tieden	Wells
Welsh			

Nays, 12:

Corning	Drake	Gentleman	Goodwin
Hester	Holden	Holt	Jensen
Ritsema	Taylor	Vande Hoef	Waldstein

Absent or not voting, 5:

Gratias	Kinley	Nystrom	Readinger
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on House File 2245 on the part of the Senate: Senators Doyle, Chair; Peterson, Hannon, Gratias and Schwengels.

MOTIONS TO RECONSIDER WITHDRAWN

House File 2393

Senator Brown withdrew the motion to reconsider House File 2393, a bill for an act authorizing cities and counties to establish civil penalties for violations of ordinances, filed by him on April 10, 1986, and found on page 1183 of the Senate Journal.

House File 2422

Senator Coleman withdrew the motion to reconsider House File 2422, a bill for an act relating to the department of human services' authority to investigate certain child sexual abuse cases and control access to certain information in child abuse cases, filed by him on April 2, 1986, and found on page 1012 of the Senate Journal.

Amendment S—5577 filed by Senator Coleman on April 3, 1986, to page 1 of House File 2422, was out of order.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Anderson presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Brown 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 16, 1986, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 392, a bill for an act related to the establishment of a business license center, an economic policy for small business and a data base of vendors to state agencies.

House File 2330, a bill for an act to allow the registration of trailers and semitrailers for a period of six registration years.

House File 2350, a bill for an act relating to the publication of official public notices by defining a newspaper and by establishing fees for the publication of official notices.

House File 2388, a bill for an act relating to statutory requirements for corporations and limited partnerships by revising provisions governing filings, fees, reports, service of process, and publication of notice.

House File 2443, a bill for an act to establish the Iowa conservation corps and making an appropriation.

INTRODUCTION OF BILLS

Senate Joint Resolution 2005, by Hutchins and Hultman, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

Read first time and **passed on file**.

Senate File 2294, by Committee on Ways and Means, a bill for an act relating to the state individual and corporate income tax by limiting, modifying, eliminating, and changing certain deductions and credits in computing the tax liability, and providing an effective date.

Read first time and **placed on Ways and Means calendar**

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 122

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

Senate Concurrent Resolution 123

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

House Concurrent Resolution 115

RULES AND ADMINISTRATION: Gettings, Chair; Jensen and Gronstal

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. J. R.	2005	State Government
H. F.	2479	Ways and Means

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 2294, a bill for an act relating to the state individual and corporate income tax by limiting, modifying, eliminating, and changing certain deductions and credits in computing the tax liability, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holt, Mann, Readinger, Riordan and Soorholtz. Nays, 1: Holden. Absent or not voting, 1: Brown.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2291 passed the Senate on April 18, 1986.

JACK RIFE

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 18th day of April, 1986:

Senate Files 178, 245, 444, 557, 2088, 2100 and 2108.

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 eighth grade students from St. Patrick School, Cedar Falls, Iowa, accompanied by Julie Rakes. Senator Corning.

The following visitors were present in the Senate gallery:

Fifteen students from Fredericksburg Elementary School, Fredericksburg, Iowa. Senator Murphy.

Thirteen eighth grade students from Sacred Heart School, Boone, Iowa, accompanied by Marilyn O'Brien. Senator Nystrom.

Forty eighth grade students from Pella Christian Grade School, Pella, Iowa, accompanied by Jim De Boef. Senator Dieleman.

AMENDMENTS FILED

S—5707

H.F.

2476

Larry Murphy
Charles Bruner

S-5708	H.F.	2473	Arne Waldstein
S-5709	H.F.	2407	House
S-5710	H.F.	2405	House
S-5711	H.F.	2344	House
S-5712	S.F.	2293	William W. Dieleman Lee W. Holt Jack W. Hester
S-5713	S.F.	2265	William D. Palmer Arthur A. Small, Jr. Donald V. Doyle Tom Mann, Jr.
S-5714	S.F.	2294	Joe Welsh
S-5715	S.F.	2289	Berl E. Priebe

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:07 p.m., until 9:00 a.m., Monday, April 21, 1986.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 21, 1986

The Senate met in regular session at 9:11 a.m., President Anderson presiding.

Prayer was offered by the Honorable Beverly Hannon, member of the Senate from Jones County, Anamosa, Iowa.

The Journal of Friday, April 18, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Holden and Vande Hoef for the day on request of Senator Hultman and Senator Priebe for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1986, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2216, a bill for an act relating to the inclusion or exclusion of certain entities under tort claims acts.

House File 2300, a bill for an act relating to the transfer of moneys in the temporary emergency surcharge fund to the unemployment compensation fund under certain circumstances.

House File 2363, a bill for an act amending the juvenile justice code.

House File 2423, a bill for an act relating to the monetary penalties for violation of the health care facilities licensing law.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Colton took the chair at 9:23 a.m.

Senator Husak took the chair at 9:28 a.m.

Senator Colton took the chair at 9:33 a.m.

The vote revealed 36 present, 14 absent and a quorum present.

HOUSE AMENDMENTS TO SENATE AMENDMENTS CONSIDERED

House File 2178

Senator Gentleman called up for consideration House File 2178, a bill for an act to establish a consignment relationship between artists and art dealers for the sale of the artist's works, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5699 to Senate amendment H—5592 filed April 16, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Gentleman 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. 2178) the vote was:

Ayes, 35:

Boswell	Bruner	Coleman	Colton
Corning	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Jensen	Lind	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson

Riordan	Ritsema	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 15:

Brown	Carr	Deluhery	Holden
Hultman	Kinley	Mann	Palmer
Priebe	Readinger	Rife	Schwengels
Small	Soorholtz	Vande Hoef	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2344

Senator Gronstal called up for consideration House File 2344, a bill for an act relating to the toxic cleanup days pilot program and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5711 to Senate amendment H—5789 filed April 18, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Gronstal 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. 2344) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Jensen	Lind
Miller, A. V.	Murphy	Nystrom	Peterson
Rife	Riordan	Ritsema	Small
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 13:

Brown	Deluhery	Holden	Hultman
Kinley	Mann	Miller, C.P.	Palmer
Priebe	Readinger	Schwengels	Soorholtz
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 2405

Senator Wells called up for consideration House File 2405, a bill for an act relating to the administration of the local police and fire retirement systems, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5710 to Senate amendment H—5795 filed April 18, 1986.

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. 2405) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Horn	Husak
Hutchins	Jensen	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Rife	Riordan	Ritsema
Small	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Brown	Deluhery	Holden	Holt
Hultman	Kinley	Palmer	Priebe
Readinger	Schwengels	Soorholtz	Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2407

Senator Wells called up for consideration House File 2407, a bill for an act relating to the sale, lease, or disposal of property of a school corporation, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5709 to Senate amendment H—5813 filed April 18, 1986.

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. 2407) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Jensen	Lind
Mann	Miller, A. V.	Miller, C. P.	Murphy
Nystrom	Peterson	Rife	Riordan
Ritsema	Small	Taylor	Tieden
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Brown	Deluhery	Holden	Hutchins
Kinley	Palmer	Priebe	Readinger
Schwengels	Soorholtz	Vande Hoef	Waldstein

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2292.

Senate File 2292

On motion of Senator Gronstal, Senate File 2292, a bill for an act relating to certain nonprofit corporations providing service to disabled persons and adult day care by exempting them from the state sales, services, and use tax and providing for a refund for state sales, services, and use tax paid by the contractors for goods and services used in the fulfillment of a written contract with them, and by providing a retroactive date, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2292) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Doyle
Fraise	Gettings	Goodwin	Gratias
Gronstal	Hall	Hester	Holt
Horn	Hultman	Husak	Hutchins
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Rife
Riordan	Ritsema	Small	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, 3:

Drake	Gentleman	Jensen
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Absent or not voting, 11:

Brown	Deluhery	Hannon	Holden
Kinley	Mann	Priebe	Readinger
Schwengels	Soorholtz	Vande Hoef	

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 2424

Senator Bruner withdrew the motion to reconsider House File 2424, a bill for an act relating to the computation of the average daily patient costs at the state mental health institutes and hospital-schools, filed by him on April 4, 1986, and found on page 1068 of the Senate Journal.

SENATE INSISTS

House File 2414

Senator Peterson called up for consideration House File 2414, a bill for an act relating to hunting and fishing, amended by the Senate and moved that the Senate insists on its amendment.

A non record roll call was requested.

The ayes were 38, nays 4.

The motion prevailed and the Senate **insisted** on its amendment.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 60, Senator Hutchins called up the following appointees on the En Bloc Confirmation Calendar (deferred by Senate Resolution 104 on April 15, 1986):

Board of Examiners for Nursing Home Administrators

Donna R. Robinson, committee recommendation found on page 842 of the Senate Journal.

State Board of Public Instruction

Mary E. Robinson, committee recommendation found on page 1122 of the Senate Journal.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Rife	Riordan	Ritsema	Schwengels
Small	Taylor	Tieden	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Brown	Hannon	Holden	Kinley
Priebe	Readinger	Soorholtz	Vande Hoef
Waldstein			

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

SENATE INSISTS

House File 2378

Senator Miller of Cerro Gordo called up for consideration House File 2378, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments, amended by the Senate, and moved that the Senate insists on its amendment.

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 21.

The motion prevailed and the Senate **insisted on** its amendment.

Senator Coleman took the chair at 10:36 a.m.

MOTION TO OVERRIDE GOVERNOR'S VETO
(Senate File 249)

MR. PRESIDENT: I move that the Senate, on reconsideration, agree to pass Senate File 249, the objections of the Governor to the contrary notwithstanding.

MILO COLTON

MOTION TO OVERRIDE GOVERNOR'S VETO LOST

Senator Colton called up for consideration the motion to reconsider filed by him on April 21, 1986, on Senate File 249, a bill for an act relating to workers' compensation benefits for persons domiciled in this state but injured outside the state, as vetoed by the Governor on April 17, 1986.

Senator Colton moved that the Senate, on reconsideration, agree to pass Senate File 249, the objections of the Governor to the contrary notwithstanding.

On the question "Shall the Senate, on reconsideration, pass the bill, the objections of the Governor to the contrary notwithstanding?" (S.F. 249) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Kinley	Mann	Miller, A. V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Riordan	Small	Wells	Welsh

Nays, 18:

Corning	Drake	Gentleman	Goodwin
Gratias	Hester	Holt	Hultman
Jensen	Lind	Nystrom	Rife
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Waldstein		

Absent or not voting, 4:

Brown	Holden	Readerger	Vande Hoef
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The motion having **failed to receive** a two-thirds majority was declared to have lost and the Governor's veto was sustained.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 2158

The Senate resumed consideration of House File 2158, a bill for an act to make the birthday of Dr. Martin Luther King, Jr. a legal public holiday, deferred on April 4, 1986.

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. 2158) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Mann	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readerger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Waldstein	Wells	Welsh

Nays, 1:

Jensen

Absent or not voting, 5:

Brown Holden Miller, A. V. Tieden
Vande Hoef

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 Husak presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2414** on the part of the Senate: Senators Hall, Chair; Peterson, Hannon, Hester and Tieden.

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 17, 1986, 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 2049, a bill for an act relating to the purchases of American made products and purchases from American based businesses.

Senate File 2050, a bill for an act relating to the security interest in farm products and providing an effective date.

Senate File 2283, a bill for an act relating to voluntary contributions by special zero-rated employers to meet the applicable percentage of excess requirement of the unemployment compensation contribution law and establishing a special unemployment compensation rate for certain expanding employers, and making the expanding employer rate retroactive and conditional.

Also: That the members of the **conference committee**, appointed April 18, 1986, on House File 2245, a bill for an act relating to the confidentiality of archaeological sites or resource information and subjecting violators to civil and criminal penalties, on the part of the House, are: The Representative from Jasper, Mr. Black, chair;

the Representative from Dickinson, Mrs. Gruhn, the Representative from Winneshiek, Mr. Johnson, the Representative from Black Hawk, Mr. Diemer and the Representative from Plymouth, Mr. Paulin.

Also: That the House has on April 21, 1986, refused to concur in the Senate amendment to the following bills in which the concurrence of the House was asked:

House File 665, a bill for an act relating to the operation of motorboats.

House File 2412, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used and providing an effective date.

INTRODUCTION OF BILLS

Senate File 2295, by Committee on Ways and Means, a bill for an act to increase snowmobile registration fees and providing an effective date.

Read first time and **placed on the Ways and Means calendar.**

Senate File 2296, by Committee on Ways and Means, a bill for an act relating to the movement of vehicles of excessive size and weight.

Read first time and **placed on the Ways and Means calendar.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:45 a.m., until 1:30 p.m.

APPENDIX

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 2295 (LSB 8414), a bill for an act to increase snowmobile registration fees and providing an effective date

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Riordan and Soorholtz. Nays, none. Absent or not voting, 1: Brown.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2296 (LSB 8415), a bill for an act relating to the movement of vehicles of excessive size and weight.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Husak, Hester, Boswell, Gronstal, Mann, Readinger and Soorholtz. Nays, 5: Dieleman, Gratias, Holden, Holt and Riordan. Absent or not voting, 1: Brown.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PETITIONS

The following petitions were presented and placed on file by:

Senator Hutchins from fourteen residents of the state of Iowa favoring legislation allowing debate on resolutions to stop the deployment of Iowa National Guard troops to Honduras.

Senator Husak from thirty-six residents of Tama County opposing legislation increasing the gas tax by seven cents.

Senator Drake from thirty-one residents of Muscatine County supporting the Iowa Clean Indoor Act, limiting smoking in public places and public meetings.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty fifth grade students from Cambridge Elementary School, Cambridge, Iowa, accompanied by Joanne Larson. Senator Bruner.

AFTERNOON SESSION

The Senate reconvened at 1:33 p.m., President pro tempore Wells presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

HOUSE AMENDMENT CONSIDERED

Senate File 2265

Senator Mann called up for consideration Senate File 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date, amended by the House in House amendment S—5684 filed April 11, 1986.

President Anderson took the chair at 1:48 p.m.

Senator Mann offered amendment S—5713 filed by Senators Palmer, et al., on April 18, 1986, to House amendment S—5684.

Senator Ritsema raised the point of order that amendment S—5713 to House amendment S—5684 was not germane.

Senator Ritsema withdrew his point of order.

Senator Ritsema called for a division of amendment S—5713 to House amendment S—5684: page 1, lines 4 through 50, page 2, line 1 and lines 5 through 50, and page 3 as division S—5713B; page 2, lines 2 through 4 as division S—5713A.

President pro tempore Wells took the chair at 2:54 p.m.

President Anderson took the chair at 3:08 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Brown for the remainder of the day and April 22 and 23 on request of Senator Hutchins.

BUSINESS PENDING

Senate File 2265

The Senate resumed consideration of Senate File 2265.

Senator Mann moved the adoption of division S—5713A to House amendment S—5684.

A record roll call was requested.

On the question “Shall division S—5713A to House amendment S—5684 be adopted?” (S.F. 2265) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 18:

Boswell	Bruner	Carr	Coleman
Colton	Doyle	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Mann	Murphy	Palmer
Wells	Welsh		

Nays, 29:

Corning	Deluhery	Dieleman	Drake
Fraise	Gentleman	Goodwin	Gratias
Hall	Hester	Holt	Hultman
Jensen	Lind	Miller, A.V.	Miller, C.P.

Nystrom	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Waldstein			

Absent or not voting, 3:

Brown	Holden	Vande Hoef
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Division S—5713A lost.

Senator Hultman called for a further division of amendment S—5713 to House amendment S—5684: page 1, lines 6 through 29 and page 3, lines 17 through 21 as division S—5713C.

Senator Gentleman called for a further division of amendment S—5713 to House amendment S—5684: page 2, lines 20 through 50 and page 3, lines 1 through 16 as division S—5713D.

Senator Mann moved the adoption of division S—5713B to House amendment S—5684.

A non record roll call was requested.

The ayes were 26, nays 19.

Division S—5713B was adopted.

Senator Hultman raised the point of order that division S—5713C to House amendment S—5684 was not germane.

Senator Hultman withdrew his point of order.

Senator Mann called for a further division of amendment S—5713 to House amendment S—5684: page 3, lines 17 through 21 as division S—5713E.

Senator Hultman raised the point of order that division S—5713C to House amendment S—5684 was not germane.

The Chair ruled the point not well taken and division S—5713C in order.

Senator Mann moved the adoption of division S—5713C to House amendment S—5684.

A non record roll call was requested.

The ayes were 35, nays 12.

Division S—5713C was adopted.

President pro tempore Wells took the chair at 4:01 p.m.

Senator Mann moved the adoption of division S—5713D to House amendment S—5684.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 25, nays 22.

Division S—5713D was adopted.

Senator Hultman raised the point of order that division S—5713E to House amendment S—5684 was not germane.

President Anderson took the chair at 4:16 p.m.

The Chair ruled the point well taken and division S—5713E out of order.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2265** be **deferred** (House amendment S—5684 as amended pending).

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2378** and **2414** be **immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Deluhery presiding.

INTRODUCTION OF BILL

Senate File 2297, by Committee on Appropriations, a bill for an act relating to the coordination of telecommunications used by certain school corporations and making an appropriation.

Read first time and **placed on the Appropriations calendar.**

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Hultman.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 124

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

House File 2479

WAYS AND MEANS: Palmer, Chair; Bruner and Hester

STUDY BILLS RECEIVED

SSB 2219A Ways and Means

Relating to county law enforcement by providing a minimum annual salary for county sheriffs by increasing fees for permits to carry weapons, by providing a fee for a permit to acquire a weapon, and by providing a fee for the inspection of repaired or rebuilt vehicles.

SSB 2222 Ways and Means

Relating to state revenues for education by limiting the amount of federal taxes deductible for individual income tax and by using the increase in revenue to lower the school foundation property tax levy and to provide appropriations to a salary adjustment fund for use for education purposes only.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2297 (LSB 8396 SF), a bill for an act relating to the coordination of telecommunications used by certain school corporations and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 18: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2404, a bill for relating to sales by the state historical department.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5716.

Final Vote: Ayes, 18: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2476, a bill for an act relating to public financing of political campaigns and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Welsh, Small, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind and Murphy. Nays, 5: Tieden, C. Miller, Readinger, Ritsema and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file by:

Senator Dieleman from one thousand eight hundred sixty-six residents of Johnson County favoring legislation for severe laws pertaining to drunk driving offenders.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty third grade students from Semco Elementary School, Laurel, Iowa, accompanied by Jill Brockman. Senators Soorholtz and Husak.

AMENDMENTS FILED

S—5716	H.F.	2404	Appropriations
S—5717	S.F.	2265	Julia Gentleman
S—5718	S.F.	2293	William W. Dieleman
S—5719	S.F.	2265	Richard F. Drake
S—5720	S.F.	2265	Michael E. Gronstal
S—5721	S.F.	2265	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Tuesday, April 22, 1986.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 22, 1986

The Senate met in regular session at 9:07 a.m., President Anderson presiding.

Prayer was offered by Father Ernest Engler, pastor of the St. Patrick Catholic Church, Tama, Iowa.

The Journal of Monday, April 21, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the day on request of Senator Hultman and Senators Riordan and Miller of Des Moines for the morning on request of Senator Hutchins.

SENATE INSISTS

House File 665

Senator Schwengels called up for consideration House File 665, a bill for an act relating to the operation of motorboats, amended by the Senate, and moved that the Senate insists on its amendment.

A non record roll call was requested.

The ayes were 24, nays 12.

The motion prevailed and the Senate **insisted on** its amendment.

House File 2412

Senator Small called up for consideration House File 2412, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used and providing an effective date, 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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 665 and 2412** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:20 a.m., until 10:30 a.m.

RECONVENED

The Senate reconvened at 10:43 a.m., President Anderson presiding.

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **House File 2412** on the part of the Senate: Senators Small, Chair; Welsh, Bruner, Tieden and Ritsema.

The Chair announced the following conference committee on **House File 2378** on the part of the Senate: Senators Miller of Cerro Gordo, Chair; Palmer, Coleman, Soorholtz and Waldstein.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 18, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 293, a bill for an act creating a fire service institute (S—5722).

ALSO: That the House has on April 18, 1986, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 110, a resolution regarding the federal government's policy of requiring a minimum interest rate of nine percent on farm contract sales.

ALSO: That the House has on April 18, 1986, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 127, a resolution urging the Congress not to reduce federal funding of the Job Training Partnership Act.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 18, 1986, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 2060, a bill for an act relating to assignments of income in delinquent support cases and providing a penalty.

House File 2219, a bill for an act providing for optional payment by corporations subject to chapters 509, 514, and 514B for services performed by chiropractors, making corporations organized by chiropractors for establishing, maintaining, and operating a health care service plan subject to chapter 514 and requiring chapter 514 corporations and physician providers to establish utilization review programs for purposes of health care cost control.

House File 2303, a bill for an act relating to the contamination of public water supply systems by providing for a testing program, authorizing the use of ground water funds for grants to eliminate or abate contamination, and dedicating part of the ground water fund to such grants.

House File 2400, a bill for an act relating to the Iowa community development loan program.

House File 2433, a bill for an act relating to domestic abuse, and providing penalties.

House File 2458, a bill for an act relating to victims and witnesses of criminal offenses, and providing penalties.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Gronstal presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:06 p.m., until 1:30 p.m.

APPENDIX**SUBCOMMITTEE ASSIGNMENT****Senate File 2290**

COMMERCE: Kinley, Chair; Deluhery and Holden

RESOLUTION ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following resolution to committee:

H.C.R. 127 Rules and Administration

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: April 17, 1986, 1:25 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Ritsema and Schwengels.

Members Absent: Readinger.

Committee Business: LSB 8396 SF approved for final drafting as a committee bill and discussed House File 2476.

Recessed: 2:07 p.m.

Reconvened: April 21, 1986, 10:58 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: none.

Committee Business: Recommended passage of House File 2404 as amended; recommended passage of House File 2476; final approval of LSB 8396 SF as a committee bill.

Adjourned: 11:35 a.m.

COMMERCE

Convened: April 21, 1986, 4:31 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Gronstal, Nystrom, Palmer, Peterson, Priebe and Tieden.

Members Absent: Holden, Ranking Member and Jensen.

Committee Business: Discussed Senate File 2290.

Adjourned: 4:35 p.m.

STATE GOVERNMENT

Convened: April 21, 1986, 5:06 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Horn, Welsh, C. Miller, Coleman, Mann, Drake, Gentleman, Corning, Schwengels, Rife and Bruner.

Members Absent: none.

Committee Business: Recommended passage of Senate Joint Resolution 2005 and Senate File 2289.

Adjourned: 5:17 p.m.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE JOINT RESOLUTION 2005, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the offices of the governor and the lieutenant governor.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Carr, Dieleman, Horn, Drake, Mann, Corning, Schwengels, Rife, Bruner, C. Miller and Coleman. Nays, 2: Gentleman and Nystrom. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2289, a bill for an act relating to the Code editor, the deputy Code editor, and the office of the Code editor, also known as the Iowa Code office; relating to the duties, powers, and organization of the position and office of the Code editor; relating to the structuring of the legislative service bureau in relation to the position and office of the Code editor; and relating to the publication of the Iowa Code, the Iowa administrative code, and related documents.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Coleman, C. Miller, Drake, Gentleman, Corning, Rife, Schwengels, Horn, Mann, Bruner and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty fifth and sixth grade students from C and M Elementary School, Cumberland, Iowa, accompanied by Mrs. Struthers and Mr. Koots. Senators Boswell and Hester.

Seventeen eighth grade students from Lutheran Interparish School, Williamsburg, Iowa, accompanied by Duane Miller. Senator Brown.

COMMUNICATION

The following communication was received and placed on file in the office of the Secretary of the Senate:

COMMISSION ON PROFESSIONAL AND OCCUPATIONAL REGULATION

A copy of the annual report for 1985 prepared by the Commission on Professional and Occupational Regulation pursuant to Sec. 2B.3, Code of Iowa.

AMENDMENT FILED

AFTERNOON SESSION

The Senate reconvened at 1:33 p.m., Senator Fraise 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.

President Anderson took the chair at 1:42 p.m.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House Concurrent Resolution 122.

House Concurrent Resolution 122

On motion of Senator Riordan, House Concurrent Resolution 122, a resolution requesting Governor Branstad to prevent the sending of Iowa National Guard units to Honduras, with report of committee recommending passage, was taken up for consideration.

Senator Gettings withdrew amendment S—5700 filed by him on April 16, 1986, to page 2 of the resolution.

Senator Husak asked and received unanimous consent that action on **House Concurrent Resolution 122** be deferred.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Welsh presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Anderson presiding.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 665** on the part of the Senate: Senators Priebe, Chair; Husak, Riordan, Schwengels and Gentleman.

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 21, 1986, refused to concur in the Senate amendment in the following bill in which the concurrence of the House was asked:

House File 2339, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical test performed within two hours of an arrest indicates the alcohol concentration at the time of arrest, by providing that the period of revocation of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license.

BUSINESS PENDING

House Concurrent Resolution 122

The Senate resumed consideration of House Concurrent Resolution 122, previously deferred.

Senator Gettings offered amendment S—5723 filed by him from the floor to pages 1 and 2 of the resolution and moved its adoption.

Amendment S—5723 was adopted by a voice vote.

Senator Jensen asked unanimous consent that action on House Concurrent Resolution 122 be deferred.

Senator Jensen withdrew his request.

Senator Riordan moved the adoption of House Concurrent Resolution 122 as amended.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 27, nays 21.

The motion prevailed and the resolution as amended was adopted.

HOUSE AMENDMENT CONSIDERED (Deferred April 21, 1986)

Senate File 2265

The Senate resumed consideration of Senate File 2265, a bill for an act relating to civil liability by exempting claims based upon regulatory functions or license action from coverage under the state tort claims Act, modifying statutory language relating to the civil liability for sale of alcohol, requiring the qualification and certification of expert witnesses in certain actions, limiting the liability of nonmanufacturers for claims based upon strict liability in tort or breach of implied warranty, providing sanctions for the filing or commencing of frivolous actions, limiting the conditions under which punitive or exemplary damages may be awarded, providing for the payment of judgments or awards by structured, periodic, or other nonlump-sum payment methods, creating a liability and liability insurance study commission, providing penalties, and providing an effective date and House amendment S—5684 as amended, deferred on April 21, 1986.

Senator Gronstal offered amendment S—5720 filed by him on April 21, 1986, to pages 13 and 14 of House amendment S—5684 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5720 to House amendment S—5684 be adopted?” (S.F. 2265) the vote was:

Ayes, 17:

Bruner	Coleman	Colton	Doyle
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Mann
Miller, C.P.	Murphy	Palmer	Riordan
Welsh			

Nays, 31:

Boswell	Carr	Corning	Deluhery
Dieleman	Drake	Fraise	Gentleman
Goodwin	Gratias	Hall	Hester
Holden	Holt	Hultman	Jensen
Miller, A.V.	Nystrom	Peterson	Priebe
Readinger	Rife	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Absent or not voting, 2:

Brown	Lind
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Amendment S—5720 lost.

Senator Drake offered amendment S—5719 filed by him on April 21, 1986, to pages 20 and 21 of House amendment S—5684.

Senator Drake asked and received unanimous consent that action on amendment S—5719 to House amendment S—5684 be deferred.

Senator Colton took the chair at 4:39 p.m.

Senator Drake offered amendment S—5725 filed by him from the floor to page 21 of House amendment S—5684.

Senator Gratias called for a division of amendment S—5725 to House amendment S—5684: lines 4 through 6 as division S—5725A and lines 7 and 8 as division S—5725B.

Senator Drake moved the adoption of division S—5725A to House amendment S—5684, which motion prevailed by a voice vote.

Senator Drake moved the adoption of division S—5725B to House amendment S—5684.

A non record roll call was requested.

The ayes were 19, nays 25.

Division S—5725B lost.

With the adoption of division S—5725A to House amendment S—5684, the Chair ruled amendment S—5719 by Senator Drake to pages 20 and 21 of House amendment S—5684, previously deferred, out of order.

President Anderson took the chair at 4:50 p.m.

Senator Gentleman offered amendment S—5717 filed by her on April 21, 1986, to page 22 of House amendment S—5684 and moved its adoption.

Amendment S—5717 was adopted by a voice vote.

Senator Mann offered amendment S—5724 filed by him from the floor to page 22 of House amendment S—5684.

Senator Hultman raised the point of order that amendment S—5724 to House amendment S—5684 was not germane.

The Chair ruled the point well taken and amendment S—5724 out of order.

Senator Mann offered amendment S—5721 filed by him on April 21, 1986, to page 24 of House amendment S—5684.

Senator Hultman raised the point of order that amendment S—5721 to House amendment S—5684 was not germane.

The Chair ruled the point not well taken and amendment S—5721 in order.

Senator Mann moved the adoption of amendment S—5721 to House amendment S—5684.

A non record roll call was requested.

The ayes were 25, nays 23.

Amendment S—5721 was adopted.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2265** be **deferred** (House amendment S—5684 as amended pending).

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2294.

Senate File 2294

On motion of Senator Bruner, Senate File 2294, a bill for an act relating to the state individual and corporate income tax by limiting, modifying, eliminating, and changing certain deductions and credits in computing the tax liability, and providing an effective date, was taken up for consideration.

President pro tempore Wells took the chair at 5:18 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Corning for the remainder of the day on request of Senator Tieden.

BUSINESS PENDING

Senate File 2294

The Senate resumed consideration of Senate File 2294.

Senator Welsh offered amendment S—5714 filed by him on April 18, 1986, to pages 5 and 6 of the bill and moved its adoption.

Amendment S—5714 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. 2294) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Colton
Deluhery	Dieleman	Doyle	Drake
Fraise	Goodwin	Gratias	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Jensen	Kinley	Mann
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Small	Soorholtz	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 10:

Gentleman	Gettings	Hall	Holden
Holt	Hultman	Miller, C.P.	Nystrom
Schwengels	Vande Hoef		

Voting present, 1:

Coleman

Absent or not voting, 4:

Brown	Corning	Lind	Miller, A. V.
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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 2294** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 2265

The Senate resumed consideration of Senate File 2265 and House amendment S—5684, previously deferred.

Senator Small withdrew amendment S—5726 filed by him from the floor to pages 13 and 14 of House amendment S—5684.

President Anderson took the chair at 6:10 p.m.

Senator Mann moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Mann 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. 2265) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Colton	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gratias	Hall	Hester	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Mann	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Schwengels	Small	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 6:

Gentleman	Gronstal	Hannon	Holden
Jensen	Ritsema		

Absent or not voting, 3:

Brown	Corning	Lind
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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 **Senate File 2265 be immediately messaged** to the House.

SENATE INSISTS

House File 2339

Senator Doyle called up for consideration House File 2339, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating

into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical test performed within two hours of an arrest indicates the alcohol concentration at the time of arrest, by providing that the period of revocation of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license, 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.**

Senator Hutchins asked and received unanimous consent that **House File 2339** be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

House Concurrent Resolution 122

Senator Riordan filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which House Concurrent Resolution 122 as amended was adopted by the Senate on April 22, 1986.

A non record roll call was requested.

The ayes were 20, nays 24.

The motion lost.

The following motion to reconsider filed from the floor was out of order:

MR. PRESIDENT: I move to reconsider the vote by which House Concurrent Resolution 122 as amended was adopted by the Senate on April 22, 1986.

JOHN W. JENSEN

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolution 122** be **immediately messaged** to the House.

APPENDIX

SUBCOMMITTEE ASSIGNMENT

SSB 2221

WAYS AND MEANS: Holden, Chair; Palmer and Riordan

**CONFERENCE COMMITTEE REPORT RECEIVED
(House File 2245)**

A conference committee report signed by the following Senate and House members was filed April 22, 1986, on House File 2245, a bill for an act relating to the confidentiality of archaeological sites and resource information and subjecting violators to civil and criminal penalties:

On the Part of the Senate:

- DONALD V. DOYLE, Chair
- ARTHUR L. GRATIAS
- BEVERLY A. HANNON
- JOHN A. PETERSON
- FORREST V. SCHWENGELS

On the Part of the House:

- DENNIS H. BLACK, Chair
- JOSEPHINE GRUHN
- PAUL W. JOHNSON
- MARVIN E. DIEMER
- DONALD J. PAULIN

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 21, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 178 — Relating to the handling and preservation of assessment rolls and assessment information.

SENATE FILE 245 — Relating to jurors, jury commissions and juror selection and providing penalties.

SENATE FILE 557 — Relating to the filing of claims for the homestead credit.

SENATE FILE 2088 — Relating to access to the results of energy audits.

SENATE FILE 2100 — Relating to public defenders.

Also:

That on April 22, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 444 — Relating to the time in which a defendant may waive the defendant's right to a jury trial.

SENATE FILE 2108 — Relating to the reprieve, pardon, commutation of sentence, remission of fines and forfeitures, or restoration of the rights of citizenship of a person convicted of a criminal offense.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifteen eighth grade students from St. Augustin School, Des Moines, Iowa. Senator Gentleman.

AMENDMENTS FILED

S—5723	H. C. R.	122	Don Gettings
S—5724	S. F.	2265	Tom Mann, Jr.
S—5725	S. F.	2265	Richard F. Drake
S—5726	S. F.	2265	Arthur A. Small
S—5727	S. F.	2293	Ray Taylor

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:32 p.m., until 9:00 a.m., Wednesday, April 23, 1986.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 23, 1986

The Senate met in regular session at 9:07 a.m., President Anderson presiding.

Prayer was offered by Father John Hemann, pastor of the St. Patrick Catholic Church, Cedar Rapids, Iowa.

The Journal of Tuesday, April 22, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kinley for the day on request of Senator Hutchins; Senators Waldstein for the day and Soorholtz, Readinger and Lind for the morning on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 1986, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 2354, a bill for an act relating to the Iowa insurance guaranty association.

ALSO: That the House has on April 21, 1986, refused to concur in the Senate amendment to the House amendment in the following bill in which the concurrence of the House was asked:

Senate File 2242, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment

incentives and to provide that the Act takes effect upon its publication.

ALSO: That the House has on April 21, 1986, amended and passed the following bill in which the concurrence of the Senate is asked;

Senate File 2097, a bill for an act relating to agricultural economic diversification by making an appropriation (S—5728).

ALSO: That the House has on April 21, 1986, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 129, a resolution relating to recognition of medical clerks and medical secretaries.

This resolution was read first time and **passed on file**.

ALSO: That the House has on April 21, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2480, a bill for an act relating to membership sales, by exempting cooperatives organized under chapter 499 and certain mutual or cooperative telephone companies organized under chapter 491.

This bill was read first time and **passed on file**.

ALSO: That the members of the **conference committee**, appointed April 22, 1986, on **House File 665**, a bill for an act relating to the operation of motorboats, on the part of the House, are: The Representative from Jasper, Mr. Black, chair; the Representative from Polk, Mr. Haverland, the Representative from Johnson, Mr. Varn, the Representative from Black Hawk, Mr. Diemer, and the Representative from Plymouth, Mr. Paulin.

ALSO: That the members of the **conference committee**, appointed April 22, 1986, on **House File 2378**, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments, on the part of the House, are: The Representative from Henry, Mr. Carter, chair; the Representative from Webster, Mr. Cochran, the Representative from Crawford, Mr. Muhlbauer, the Representative from Cass, Mr. Pellett, and the Representative from Clinton, Mr. Stueland.

ALSO: That the members of the **conference committee**, appointed April 22, 1986, on **House File 2412**, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used, on the part of the House are: The Representative from Dubuque, Mr. Connolly, chair; the Representative from Cerro Gordo, Mr. Groninga, the Representative from Jasper, Mr. Parker, the Representative from Winnebago, Mr. Branstad, and the Representative from Buchanan, Mr. Kremer.

Also: That the members of the **conference committee**, appointed April 2, 1986, on **House File 2414**, a bill for an act relating to hunting and fishing, on the part of the House are: The Representative from Jasper, Mr. Black, chair; the Representative from Winneshiek, Mr. Johnson, the Representative from Van Buren, Mr. Sullivan, the Representative from Black Hawk, Mr. Diemer, and the Representative from Sioux, Mr. Rensink.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2289.

Senate File 2289

On motion of Senator Priebe, Senate File 2289, a bill for an act relating to the Code editor, the deputy Code editor, and the office of the Code editor, also known as the Iowa Code office; relating to the duties, powers, and organization of the position and office of the Code editor; relating to the structuring of the legislative service bureau in relation to the position and office of the Code editor; and relating to the publication of the Iowa Code, the Iowa administrative code, and related documents, with report of committee on State Government recommending passage, was taken up for consideration.

Senator Priebe offered amendment S—5715 filed by him on April 18, 1986, to page 5 of the bill and moved its adoption.

Amendment S—5715 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. 2289) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Miller, A.V.	Murphy

Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Taylor
Vande Hoef	Wells	Welsh	

Nays, 1:

Tieden

Absent or not voting, 10:

Brown	Kinley	Lind	Mann
Miller, C.P.	Readinger	Schwengels	Small
Soorholtz	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2295.

Senate File 2295

On motion of Senator Riordan, Senate File 2295, a bill for an act to increase snowmobile registration fees and providing an effective date, was taken up for consideration.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2295) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Horn	Hutchins	Jensen	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Rife	Riordan
Schwengels	Taylor	Tieden	Welsh

Nays, 11:

Coleman	Drake	Fraise	Holden
Holt	Hultman	Husak	Peterson
Ritsema	Vande Hoef	Wells	

Absent or not voting, 7:

Brown	Kinley	Lind	Readinger
Small	Soorholtz	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, Senator Coleman presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:15 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE AND TRANSPORTATION

Convened: April 22, 1986, 9:27 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Reviewed proposed budget recommendations.

Adjourned: 10:49 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: April 22, 1986, 9:32 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Committee Business: Reviewed proposed budget recommendations.

Recessed: 10:50 a.m.

Reconvened: April 23, 1986, 8:00 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Committee Business: Reviewed proposed budget recommendations.

Adjourned: 9:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON STATE GOVERNMENT

Convened: April 22, 1986, 9:30 a.m.

Members Present: Dieleman, Chair; Wells, Vice Chair; Schwengels, Ranking Member; Corning and Mann.

Members Absent: none.

Committee Business: Reviewed proposed budget recommendations.

Adjourned: 10:20 a.m.

COMMERCE

Convened: April 22, 1986, 2:35 p.m.

Members Present: Kinley, Chair; Deluhery, Vice Chair; Holden, Ranking Member; Gronstal, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden.

Members Absent: none.

Committee Business: Senate File 2290 failed recommendation for passage.

Adjourned: 3:07 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to House Concurrent Resolution 122, the following technical correction was made to amendment S—5723:

1. Page 1, line 16, the word "making" was changed to "make".

K. MARIE THAYER
Secretary of the Senate

COMMUNICATION FROM THE SECRETARY OF STATE

April 21, 1986

Ms. K. Marie Thayer
Secretary of the Senate
Senate Chamber
LOCAL

Dear Ms. Thayer:

I hereby certify that Senate File 199 was published in the Iowa City Press-Citizen, Iowa City, on March 26, 1986, and in The Daily Nonpareil, Council Bluffs, Iowa, on March 27, 1986.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 22, 1986, when the final votes were taken on Senate Files 2265 and 2294.

Had I been present, I would have voted "aye" on these bills.

JOY CORNING

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 22nd day of April, 1986:

Senate File 2116.

K. MARIE THAYER
Secretary of the Senate

AMENDMENTS FILED

S—5728	S.F.	2097	House
S—5729	H.F.	2476	Douglas Ritsema
S—5730	H.F.	102	Arthur A. Small, Jr.

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., Senator Husak presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

MOTION TO RECONSIDER WITHDRAWN

Senate File 2268

Senator Gentleman withdrew the motion to reconsider Senate File 2268, a bill for an act relating to the industrial loan thrift guaranty corporation of Iowa, filed by her on April 16, 1986, and found on page 1263 of the Senate Journal.

The motion to reconsider the vote by which the Senate concurred in House amendment S—5687 on April 16, 1986, filed by Senator Gentleman on April 16, 1986 and found on page 1263 of the Senate Journal, was out of order.

UNFINISHED BUSINESS (Deferred April 4, 1986)

House File 102

The Senate resumed consideration of House File 102, a bill for an act relating to smoking in public places and public meetings and applying penalties, deferred on April 4, 1986.

President Anderson took the chair at 1:48 p.m.

Senator Welsh offered amendment S—5449 filed by the committee on State Government on March 25, 1986, to page 1 of the bill.

Senator Carr called for a division of amendment S—5449: lines 3 through 7 as division S—5449A and lines 8 through 19 as division S—5449B.

Senator Gentleman offered amendment S—5603 filed by Senator Lind on April 4, 1986, to division S—5449A.

Senator Welsh asked and received unanimous consent that action on divisions S—5449A and S—5449B, amendment S—5603 to division S—5449A and **House File 102** be **deferred**.

HOUSE AMENDMENT CONSIDERED

Senate File 293

Senator Welsh called up for consideration Senate File 293, a bill for an act creating a fire service institute, amended by the House, and moved that the Senate concur in House amendment S—5722 filed April 22, 1986.

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. 293) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Gratias	Gronstal	Hall	Hannon
Horn	Hultman	Hutchins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Schwengels	Small
Soorholtz	Tieden	Wells	Welsh

Nays, 9:

Gentleman	Goodwin	Hester	Holden
Holt	Jensen	Ritsema	Taylor
Vande Hoef			

Absent or not voting, 5:

Brown
Waldstein

Husak

Kinley

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2297.

Senate File 2297

On motion of Senator Riordan, Senate File 2297, a bill for an act relating to the coordination of telecommunications used by certain school corporations and making an appropriation, was taken up for consideration.

Senator Riordan asked and received unanimous consent that action on **Senate File 2297** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2476.

House File 2476

On motion of Senator Welsh, House File 2476, a bill for an act relating to public financing of political campaigns and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5698 filed by him on April 15, 1986, to pages 2, 3, 5 and 6 of the bill and called for a division:

Division S—5698A: lines 3 through 10 and lines 28 through 32.

Division S—5698B: lines 11 through 16.

Division S—5698C: lines 17 and 18 and lines 21 through 27.

Division S—5698D: lines 19 and 20 and lines 33 through 38.

Senator Holden moved the adoption of division S—5698A, which motion prevailed by a voice vote.

Senator Drake asked and received unanimous consent that **House File 2476** be referred to the committee on **State Government**.

BUSINESS PENDING

House File 102

The Senate resumed consideration of House File 102, divisions S—5449A and S—5449B and amendment S—5603 to division S—5449A, previously deferred.

Senator Gentleman moved the adoption of amendment S—5603 by Senator Lind to division S—5449A.

A record roll call was requested.

On the question “Shall amendment S—5603 to division S—5449A be adopted?” (H.F. 102) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Coleman	Colton	Deluhery	Doyle
Drake	Fraise	Gentleman	Goodwin
Gratias	Holden	Holt	Horn
Hultman	Husak	Hutchins	Nystrom
Palmer	Readinger	Rife	Ritsema
Schwengels	Small	Soorholtz	Tieden
Welsh			

Nays, 20:

Boswell	Bruner	Carr	Corning
Dieleman	Gettings	Gronstal	Hall
Hannon	Hester	Jensen	Mann
Miller, A.V.	Murphy	Peterson	Priebe
Riordan	Taylor	Vande Hoef	Wells

Absent or not voting, 5:

Brown
Waldstein

Kinley

Lind

Miller, C.P.

Amendment S—5603 was adopted.

Senator Welsh moved the adoption of division S—5449A as amended, which motion prevailed by a voice vote.

Senator Welsh moved the adoption of division S—5449B.

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 23.

Division S—5449B lost.

With the adoption of division S—5449A as amended, the Chair ruled amendment S—5028 filed by Senator Holden on January 30, 1986, to pages 1 through 4 of the bill and amendment S—5734 filed by Senator Coleman from the floor to page 1 of the bill, out of order.

Senator Hannon offered amendment S—5062 filed by the committee on Human Resources on February 13, 1986, to pages 2, 3, 4 and the title page of the bill and moved its adoption.

Amendment S—5062 was adopted by a voice vote.

Senator Ritsema offered amendment S—5731 filed by him from the floor to pages 1 and 2 of the bill and called for a division: lines 3 through 7 as division S—5731A; lines 8 and 9 as division S—5731B; lines 10 and 11 as division S—5731C and lines 12 through 14 as division S—5731D.

On motions by Senator Ritsema, divisions S—5731A, S—5731B, S—5731C and S—5731D were adopted by voice votes.

Senator Small offered amendment S—5730 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 26.

Amendment S—5730 lost.

Senator Rife offered amendment S—5732 filed by him from the floor 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 24, nays 22.

Amendment S—5732 was adopted.

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—5730 to House File 102 failed to be adopted by the Senate on April 23, 1986.

The motion prevailed by a voice vote and amendment S—5730 was taken up for reconsideration.

Senator Small moved the adoption of amendment S—5730.

A non record roll call was requested.

The ayes were 28, nays 15.

Amendment S—5730 was adopted.

The Chair ruled amendment S—5738 filed by Senator Coleman from the floor to division S—5449A, out of order.

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. 102) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Dieleman	Drake
Fraise	Gettings	Gronstal	Hall
Hannon	Hester	Holt	Horn

Jensen	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Schwengels	Small
Soorholtz	Taylor	Vande Hoef	Wells

Nays, 13:

Deluhery	Gentleman	Goodwin	Gratias
Holden	Hultman	Husak	Hutchins
Readinger	Rife	Ritsema	Tieden
Welsh			

Voting present, 1:

Doyle

Absent or not voting, 4:

Brown	Kinley	Lind	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.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2339** on the part of the Senate: Senators Doyle, Chair; Mann, Welsh, Ritsema and Drake.

INTRODUCTION OF BILLS

Senate File 2298, by Committee on Ways and Means, a bill for an act relating to state revenues for education by limiting the amount of federal taxes deductible for individual income tax and by using the increase in revenue to lower the school foundation property tax levy and to provide appropriations to a salary adjustment fund for use for education purposes only.

Read first time and placed on the **Ways and Means calendar**.

Senate File 2299, by Committee on Ways and Means, a bill for an act pertaining to aircraft registration fees for aircraft owned and operated by nonprofit hospitals.

Read first time and placed on the **Ways and Means calendar**.

Senate File 2300, by Committee on Ways and Means, a bill for an act relating to the exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities to be used in agricultural production for market.

Read first time and **placed on the Ways and Means calendar**.

Senate File 2301, by Committee on Ways and Means, a bill for an act relating to an exemption for the state sales, services, and use tax of the gross receipts from sales by the Iowa state fair board of admissions to the state fair.

Read first time and **placed on the Ways and Means calendar**.

Senate File 2302, by Committee on Ways and Means, a bill for an act relating to the local option sales and services tax and the local option earnings tax and providing effective dates.

Read first time and **placed on the Ways and Means calendar**.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked unanimous consent to take up for consideration Senate Joint Resolution 2005.

Senator Gentleman raised the point of order that Senate Joint Resolution 2005 was ineligible for consideration by the Senate under Sec. 159 of Mason's Manual of Legislative Procedure.

The Chair ruled the point not well taken and their being no objections, Senate Joint Resolution 2005, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5735 filed by him from the floor to page 1 and the title page of the resolution and moved its adoption.

President pro tempore Wells took the chair at 4:32 p.m.

A non record roll call was requested.

The ayes were 13, nays 30.

Amendment S—5735 lost.

Senator Hall offered amendment S—5733 filed by him from the floor to pages 1 and 3 of the resolution and moved its adoption.

Amendment S—5733 lost by a voice vote.

Senator Hutchins moved that the resolution be read the last time now, which motion prevailed, and the resolution was read the last time.

Senate Joint Resolution 2005, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

1. Section 2 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 2. The governor and the lieutenant governor shall be elected by the qualified electors at the time and place of voting for members of the general assembly. Each of them shall hold office for four years from the time of installation in office and until a successor is elected and qualifies.

2. Section 3 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 3. The electors shall designate their selections for governor and lieutenant governor as if these two offices were one and the same. The names of nominees for the governor and the lieutenant governor shall be grouped together in a set on the ballot according to which nominee for governor is seeking office with which nominee for lieutenant governor, as prescribed by law. An elector shall cast only one vote for both a nominee for governor and a nominee for lieutenant governor. The returns of every election for governor and lieutenant governor shall be sealed and transmitted to the

seat of government of the state, and directed to the speaker of the house of representatives who shall open and publish them in the presence of both houses of the general assembly.

3. Section 4 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1952, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 4. The nominees for governor and lieutenant governor jointly having the highest number of votes cast for them shall be declared duly elected. If two or more sets of nominees for governor and lieutenant governor have an equal and the highest number of votes for the offices jointly, the general assembly shall by joint vote proceed, as soon as is possible, to elect one set of nominees for governor and lieutenant governor. If, upon the completion by the general assembly of the canvass of votes for governor and lieutenant governor, it appears that the nominee for governor in the set of nominees for governor and lieutenant governor receiving the highest number of votes has since died or resigned, is unable to qualify, fails to qualify, or is for any other reason unable to assume the duties of the office of governor for the ensuing term, the powers and duties shall devolve to the nominee for lieutenant governor of the same set of nominees for governor and lieutenant governor, who shall assume the powers and duties of governor upon inauguration and until the disability is removed. If both nominees for governor and lieutenant governor are unable to assume the duties of the office of governor, the person next in succession shall act as governor.

4. Section 5 of Article IV of the Constitution of the State of Iowa is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 5. Contested elections for the offices of governor and lieutenant governor shall be determined by the general assembly as prescribed by law.

5. Section 15 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the second Monday in January, 1991 and the following adopted in lieu thereof:

SEC. 15. The official terms of the governor and lieutenant governor shall commence on the Tuesday after the second Monday of January next after their election and shall continue until their successors are elected and qualify. The governor and lieutenant governor shall be paid compensation and expenses as provided

by law. The lieutenant governor, while acting as governor, shall be paid the compensation and expenses prescribed for the governor.

6. Section 18 of Article IV of the Constitution of the State of Iowa is repealed beginning with the second Monday in January, 1991 and the following adopted in lieu thereof:

SEC. 18. The lieutenant governor shall have the duties provided by law and those duties of the governor assigned to the lieutenant governor by the governor.

7. Section 19 of Article IV of the Constitution of the State of Iowa as amended by amendment number 2 of the amendments of 1952 is repealed beginning with the second Monday in January, 1991 and the following adopted in lieu thereof:

SEC. 19. If there be a vacancy in the office of the governor and the lieutenant governor shall by reason of death, impeachment, resignation, removal from office, or other disability become incapable of performing the duties pertaining to the office of governor, the president of the senate shall act as governor until the vacancy is filled or the disability removed; and if the president of the senate, for any of the above causes, shall be incapable of performing the duties pertaining to the office of governor the same shall devolve upon the speaker of the house of representatives; and if the speaker of the house of representatives, for any of the above causes, shall be incapable of performing the duties of the office of governor, the justices of the supreme court shall convene the general assembly by proclamation and the general assembly shall organize by the election of a president by the senate and a speaker by the house of representatives. The general assembly shall thereupon immediately proceed to the election of a governor and lieutenant governor in joint convention.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly and the secretary of state is directed to cause them to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (S.J.R. 2005) the vote was:

Yeas, 36:

Boswell
Colton

Bruner
Corning

Carr
Deluhery

Coleman
Dieleman

Doyle	Drake	Fraise	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Wells	Welsh

Nays, 9:

Gentleman	Gettings	Holden	Jensen
Peterson	Priebe	Taylor	Tieden
Vande Hoef			

Absent or not voting, 5:

Brown	Kinley	Lind	Nystrom
Waldstein			

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2297

The Senate resumed consideration of Senate File 2297, previously deferred.

Senator Riordan offered amendment S—5737 filed by Senators Riordan, Murphy and Welsh from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5737 was adopted by a voice vote.

Senator Riordan moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2297) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman

Gettings	Goodwin	Gratias	Gronstal
Hannon	Hester	Holden	Horn
Husak	Hutchins	Jensen	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Small	Soorholtz	Taylor
Tieden	Wells	Welsh	

Nays, 5:

Hall	Hultman	Ritsema	Schwengels
Vande Hoef			

Absent or not voting, 6:

Brown	Holt	Kinley	Lind
Nystrom	Waldstein		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2297 and 2289** and **Senate Joint Resolution 2005** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 125, by Husak, Schwengels, Drake, Boswell, Doyle, Hutchins, Soorholtz, Vande Hoef and Gratias, a resolution honoring and congratulating Jennifer J. Demmon, an Iowan who won the 1986 American Legion National Oratorical Contest.

Read first time and **passed on file**.

APPENDIX

SUBCOMMITTEE ASSIGNMENT

SSB 2222

WAYS AND MEANS: Palmer, Chair; Bruner and Soorholtz

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

H.C.R.	129	Rules and Administration
H.F.	2480	Commerce

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 2298 (SSB 2222), a bill for an act relating to state revenues for education by limiting the amount of federal taxes deductible for individual income tax and by using the increase in revenue to lower the school foundation property tax levy and to provide appropriations to a salary adjustment fund for use for education purposes only.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Palmer, Husak, Boswell, Bruner, Dieleman, Gronstal, Mann and Riordan. Nays, 4: Hester, Gratias, Holden and Holt. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2299 (SSB 2220), a bill for an act pertaining to aircraft registration fees for aircraft owned and operated by nonprofit hospitals.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann and Riordan. Nays, none. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2300 (SSB 2103), a bill for an act relating to the exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities to be used in agricultural production for market.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann and Riordan. Nays, none. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2301 (LSB 4627-14.1), a bill for an act relating to an exemption for the state sales, services, and use tax of the gross receipts from sales by the Iowa state fair board of admissions to the state fair.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann and Riordan. Nays, none. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2302 (LSB 8418), a bill for an act relating to the local option sales and services tax and the local option earnings tax and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann and Riordan. Nays, none. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2288, a bill for an act striking a special provision relating to the apportionment of net income of a farm corporation for purposes of the corporate income tax, striking provisions prohibiting a franchise tax refund or claim and a sales, services, and use tax refund or claim for taxes voluntarily paid based upon an alleged mistake of law, and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Grattias, Gronstal, Holden, Holt, Mann and Riordan. Nays, none. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2471, a bill for an act relating to taxation, by amending administrative requirements of taxpayers' representatives, and public and taxing authorities, including nonsubstantive and technical corrections and making certain provisions of the Act retroactive.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Grattias, Gronstal, Holden, Holt, Mann and Riordan. Nays, none. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2472, a bill for an act relating to taxation by updating references to the Internal Revenue Code, eliminating one of the net operating loss deductions in computing the state minimum tax, removing the requirement that members of an affiliated group of corporations consent in writing to the filing of a consolidated corporation income tax return, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Bruner, Dieleman, Grattias, Gronstal, Holden, Holt, Mann and Riordan. Nays, none. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2475, a bill for an act exempting certain nonresidents engaged in feature film, television, and educational production from the state income tax withholding provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Husak, Boswell, Bruner, Dieleman, Gratias, Gronstal, Holt, Mann and Riordan. Nays, 2: Hester and Holden. Absent or not voting, 3: Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2477, a bill for an act relating to the payment of installments of special assessments.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Husak, Hester, Boswell, Bruner, Gratias, Gronstal, Holden, Holt, Mann and Riordan. Nays, none. Absent or not voting, 4: Dieleman, Brown, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONFERENCE COMMITTEE REPORT RECEIVED (House File 2378)

A conference committee report signed by the following Senate and House members was filed April 23, 1986, on House File 2378, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments:

On the Part of the Senate:

ALVIN V. MILLER, Chair
C. JOSEPH COLEMAN
WILLIAM D. PALMER
JOHN E. SOORHOLTZ

On the Part of the House:

BRIAN CARTER, Chair
DALE M. COCHRAN
LOUIS J. MUHLBAUER
WENDELL C. PELLETT
VICTOR STUELAND

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which House File 102 passed the Senate on April 23, 1986.

C. JOSEPH COLEMAN

MR. PRESIDENT: I move to reconsider the vote by which House File 102 passed the Senate on April 23, 1986.

BEVERLY A. HANNON

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five ninth grade students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Bruce Willemsen and Mitch Murphy. Senator Murphy.

Forty twelfth grade students from Charter Oak-Ute High School, Charter Oak, Iowa, accompanied by Wally Welander and Rollie Wiehers. Senators Hutchins and Doyle.

Twenty-five fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Mrs. Schick. Senator Gettings.

AMENDMENTS FILED

S—5731	H.F.	102	Douglas Ritsema
S—5732	H.F.	102	Jack Rife
S—5733	S. J. R.	2005	Hurley Hall
S—5734	H.F.	102	C. Joseph Coleman
S—5735	S. J. R.	2005	Edgar H. Holden
S—5736	S. F.	2296	Edgar H. Holden James Riordan Lee W. Holt Hurley W. Hall William W. Dieleman Jack W. Hester
S—5737	S. F.	2297	James Riordan Larry Murphy Joe Welsh
S—5738	H.F.	102	C. Joseph Coleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:17 p.m., until 9:00 a.m., Thursday, April 24, 1986.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 24, 1986

The Senate met in regular session at 9:01 a.m., President pro tempore Wells presiding.

Prayer was offered by the Reverend Paul Walters, pastor of the Church of God, Ida Grove, Iowa.

The Journal of Wednesday, April 23, 1986, was approved. •

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 22, 1986, adopted the following resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 118, a resolution extending support for the erection and dedication for the Black Hawk County Viet Nam Veterans Memorial.

ALSO: That the House has on April 22, 1986, adopted the following resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 130, a resolution relating to refugees of the civil war in El Salvador.

This resolution was read first time and **passed on file**.

ALSO: That the members of the **conference committee**, appointed April 23, 1986, on **House File 2339**, a bill for an act relating to the offense of operating a motor vehicle while under the influence of alcohol or a drug by consolidating into a single chapter the provisions in the Code dealing with the offense of operating a motor vehicle while under the influence of alcohol or a drug, by lowering the per se level of alcohol concentration to .10, by providing a presumption that a chemical test performed within two hours of an arrest indicates the alcohol concentration at the time of arrest, by providing that the period of revocation

of a person's privilege to drive upon conviction for the offense of operating a motor vehicle while under the influence of alcohol or a drug conforms to the period of revocation which would have occurred under the administrative process for a test result or implied consent revocation, by providing a six-year limitation on counting previous offenses to determine the degree of the offense under the administrative revocation process, by unifying the provisions of the Code dealing with the issuance of a temporary restricted license, and by providing new criteria for the issuance of a temporary restricted license, on the part of the House, are: The Representative from Appanoose, Mr. Jay, chair; the Representative from Polk, Mr. Renaud, the Representative from Polk, Mr. Woods, the Representative from Black Hawk, Mr. McIntee, and the Representative from Jones, Mr. McKean.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:08 a.m., until 10:30 p.m.

RECONVENED

The Senate reconvened at 10:34 a.m., President pro tempore Wells presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Wells presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins.

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 2175

Senator Carr called up the conference committee report on Senate File 2175, a bill for an act relating to the organization

and structure of state government, including the areas of education, personnel, management, natural resources, agriculture, cultural affairs, public services, corrections, public defense, public safety, general services, commerce, audits and appeals, economic development, labor, and transportation; altering the duties and powers of certain executive branch agencies and positions; establishing, altering, and repealing agencies in the legislative and judicial branches; making specified coordinating amendments to the Code; subjecting certain violators to certain penalties; abolishing and creating certain state agencies and repealing and modifying provisions of law relating to such agencies; and providing transition principles, directions, and procedures related to state government organization and structure, filed April 17, 1986.

Senator Coleman took the chair at 11:25 a.m.

Senator Carr moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendation and amendments contained therein was adopted.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2175) the vote was:

Ayes, 39:

Boswell	Brown	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Goodwin
Gratias	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Priebe	Ritsema	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, 9:

Bruner	Colton	Gettings	Hannon
Palmer	Peterson	Rife	Riordan
Schwengels			

Absent or not voting, 2:

Miller, C.P. Readinger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2298** be referred from the Ways and Means Calendar to the committee on **Education** and returned to the Senate Calendar by 11:00 a.m., Friday, April 25, 1986.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:05 p.m., until 2:00 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. C. R.	125	Rules and Administration
H. C. R.	130	Rules and Administration

SUBCOMMITTEE REPORT

House File 2476

STATE GOVERNMENT: Bruner, Chair; Dieleman and Drake

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 23, 1986, 9:50 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann and Riordan.

Members Absent: Brown, Readinger and Soorholtz.

Committee Business: Recommended passage of House Files 2477, 2288, 2471, 2472 and 2475; approved SSBs 2103, 2220 and 2222 as committee bills; approved LSB 8418 as a committee bill; substituted LSB 4627-14.1 for SSB 2221 and approved as a committee bill; deferred action on SSB 2161; Senate File 372 failed recommendation for passage.

Adjourned: 11:07 a.m.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 125, a concurrent resolution honoring and congratulating Jennifer J. Demmon, an Iowan who won the 1986 American Legion National Oratorical Contest.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Gronstal, Kinley and Jensen.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 115, a concurrent resolution urging the Congress to address the adverse effects of the federal Social Security program which discriminates against certain persons due to their birth dates.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Gettings, Hultman, Kinley, Gronstal and Jensen.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 129, a concurrent resolution relating to recognition of medical clerks and medical secretaries.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Hutchins, Hultman, Gettings, Gronstal, Kinley and Jensen.
Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2175 passed the Senate on April 24, 1986.

BILL HUTCHINS

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-four twelfth grade students from Nesco Junior Senior High School, Zearing, Iowa, accompanied by Jack Roberts. Senator Nystrom.

Seventeen students from Glenwood Elementary School, Glenwood, Iowa, accompanied by Mrs. Crum. Senator Hultman.

Fifty-three fifth grade students from Kreft Elementary School, Council Bluffs, Iowa, accompanied by Glen McBurney. Senator Gronstal.

Twenty-three seniors from Olin Consolidated High School, Olin, Iowa, accompanied by Pete Rortvedt. Senator Hannon.

Fifty fifth grade students from Lincoln Elementary School, Mechanicsville, Iowa, accompanied by Ruth Miller. Senators Hannon and Rife.

AMENDMENTS FILED

S—5739	H.F.	2476	Arne Waldstein
S—5740	S. F.	2301	Edgar H. Holden
S—5741	H.F.	2471	Edgar H. Holden
S—5742	H.F.	2471	Edgar H. Holden

AFTERNOON SESSION

The Senate reconvened at 2:06 p.m., Senator Brown presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

SPECIAL GUEST

Senator Husak appeared in the well of the Senate and presented Jennifer J. Demmon, an eighteen year old senior from Marshalltown High School who is the National Champion of the 1986 American Legion National Oratorical Contest. Senator Husak commented this is the first time Iowa has received this honor in the forty-nine year old contest.

Jennifer, who was accompanied by her mother, Charlotte and speech coach, Jan Mitchell, addressed the Senate briefly commenting on her travels across the United States for the contest and the support she had received from her home state Iowans.

ADOPTION OF RESOLUTION

Senator Husak asked and received unanimous consent to take up for immediate consideration the following resolution:

- 1 SENATE CONCURRENT RESOLUTION 125
- 2 BY HUSAK, SCHWENGELS, DRAKE, BOSWELL, DOYLE,
- 3 HUTCHINS, SOORHOLTZ, VANDE HOEF and GRATIAS
- 4 A Senate Concurrent Resolution honoring and congratulating
- 5 Jennifer J. Demmon, an Iowan who won the 1986 American
- 6 Legion National Oratorical Contest.
- 7 WHEREAS, the American Legion for forty-nine
- 8 consecutive years has sponsored a National High School
- 9 Oratorical Contest; and
- 10 WHEREAS, this contest requires high school students
- 11 to write and give an oration of eight to ten minutes
- 12 in length based on the United States Constitution; and
- 13 WHEREAS, the American Legion Oratorical Contest
- 14 provides an opportunity for high school students to
- 15 improve their speech and speaking abilities, as well

16 as learn of the importance of this form of government
 17 by studying the United States Constitution; and
 18 WHEREAS, nearly thirty thousand high school
 19 students from across the United States enter this
 20 contest annually; and
 21 WHEREAS, Jennifer J. Demmon, an eighteen year old
 22 senior from Marshalltown High School is the National
 23 Champion and was awarded a scholarship for her
 24 efforts; and
 25 WHEREAS, Jennifer has been involved at the
 26 Marshalltown High School in the National Thespian
 27 Society, the National Forensic League, the National
 28 Honor Society, the Debate Team, and various other high
 29 school activities; NOW THEREFORE,
 30 BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING,

Page 2

- 1 That the Iowa General Assembly honor and congratulate
- 2 Jennifer J. Demmon as the American Legion National
- 3 High School Oratorical Contest winner.

Senator Husak moved the adoption of Senate Concurrent Resolution 125, which motion prevailed by a voice vote and the resolution was adopted.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Small for the afternoon on request of Senator Hutchins.

MOTION TO RECONSIDER ADOPTED

Senator Boswell called up the motion to reconsider Senate File 2078 filed by him on March 17, 1986, found on page 748 of the Senate Journal and moved its adoption.

Senator Coleman took the chair at 2:16 p.m.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2078) the vote was:

Ayes, 40:

- | | | | |
|---------|--------|---------|----------|
| Boswell | Brown | Bruner | Carr |
| Coleman | Colton | Corning | Deluhery |

Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Tieden

Absent or not voting, 9:

Gentleman	Holden	Hultman	Husak
Murphy	Readinger	Schwengels	Small
Soorholtz			

The motion prevailed.

Senator Boswell moved to reconsider the vote by which Senate File 2078 went to its last reading, which motion prevailed by a voice vote.

Senate File 2078

On motion of Senator Boswell, Senate File 2078, a bill for an act relating to cooperative associations, was taken up for reconsideration.

The motion to reconsider Senate File 2078 filed by Senator Husak on March 11, 1986, and found on page 741 of the Senate Journal, was out of order.

Senator Boswell called up the motion to reconsider the vote by which amendment S—5316 as amended to Senate File 2078 was adopted by the Senate on March 17, 1986, filed by him on April 1, 1986, found on page 953 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5316 by Senator Boswell to pages 1, 2, 4, 5 and 6 of the bill, was taken up for reconsideration.

Senator Boswell offered amendment S—5499 filed by him on April 1, 1986, to amendment S—5316 and moved its adoption.

Amendment S—5499 was adopted by a voice vote.

Senator Boswell moved the adoption of amendment S—5316 as amended, which motion prevailed by a voice vote.

Senator Boswell withdrew amendment S—5494 filed by him on March 28, 1986, to page 7 of the bill.

Senator Boswell asked and received unanimous consent that **House File 2448** be substituted for **Senate File 2078** as amended.

House File 2448

On motion of Senator Boswell, House File 2448, a bill for an act relating to cooperative associations, was taken up for consideration.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2448) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Husak	Palmer	Small	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 Boswell asked and received unanimous consent that **Senate File 2078** be **withdrawn** from further consideration of the Senate.

HOUSE AMENDMENT CONSIDERED

Senate File 2097

Senator Riordan called up for consideration Senate File 2097, a bill for an act relating to agricultural economic diversification by making an appropriation, amended by the House, and moved that the Senate concur in House amendment S—5728 filed April 22, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Riordan 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. 2097) the vote was:

Ayes, 36:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Holt	Horn	Hutchins	Jensen
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Riordan	Ritsema	Schwengels	Taylor
Vande Hoef	Waldstein	Wells	Welsh

Nays, 4:

Drake	Holden	Lind	Rife
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Absent or not voting, 10:

Hall	Hannon	Hester	Hultman
Husak	Mann	Peterson	Small
Soorholtz	Tieden		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

SENATE INSISTS

Senate File 2242

Senator Drake called up for consideration Senate File 2242, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication, amended by House, further amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted on** its amendment.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 2082

On motion of Senator Priebe, Senate File 2082, a bill for an act relating to the sales, services, and use tax exemption for and the refund of sales, services, and use taxes paid on the purchase or rental of replacement parts for certain machinery, equipment, and computers, with report of committee recommending passage, was taken up for consideration.

Senator Hultman withdrew amendment S—5349 filed by him on March 13, 1986, to page 1 and the title page of the bill.

Senator Hultman asked and received unanimous consent that action on **Senate File 2082** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2242** 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 Senate File 2296.

Senate File 2296

On motion of Senator Readinger, Senate File 2296, a bill for an act relating to the movement of vehicles of excessive size and weight, was taken up for consideration.

Senator Holden offered amendment S—5736 filed by Senators Holden, et al., on April 23, 1986, to pages 2 and 3 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5736 be adopted?” (S.F. 2296) the vote was:

Ayes, 26:

Brown	Bruner	Carr	Deluhery
Dieleman	Fraise	Gentleman	Gettings
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Lind
Murphy	Nystrom	Palmer	Peterson
Rife	Riordan	Ritsema	Schwengels
Tieden	Waldstein		

Nays, 22:

Boswell	Coleman	Colton	Corning
Doyle	Drake	Goodwin	Horn
Hultman	Husak	Hutchins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Priebe
Readinger	Soorholtz	Taylor	Vande Hoef
Wells	Welsh		

Absent or not voting, 2:

Jensen	Small
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Amendment S—5736 was adopted.

President Anderson took the chair at 3:18 p.m.

Senator Holt took the chair at 3:30 p.m.

Senator Readinger moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2296) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Coleman
Colton	Corning	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Carr	Deluhery	Murphy
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Absent or not voting, 1:

Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

Senate File 2082

The Senate resumed consideration of Senate File 2082, previously deferred.

Senator Hultman withdrew amendment S—5350 filed by him on March 13, 1986, to pages 1, 2 and the title page of the bill.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2082) the vote was:

Ayes, 28:

Boswell	Colton	Dieleman	Doyle
Drake	Fraise	Goodwin	Gratias
Hall	Hester	Holt	Hultman
Husak	Hutchins	Jensen	Miller, A.V.
Murphy	Priebe	Readinger	Rife
Riordan	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, 20:

Brown	Bruner	Carr	Coleman
Corning	Deluhery	Gentleman	Gettings
Gronstal	Hannon	Holden	Horn
Kinley	Lind	Mann	Miller, C.P.
Nystrom	Palmer	Peterson	Welsh

Absent or not voting, 2:

Schwengels	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2299.

Senate File 2299

On motion of Senator Wells, Senate File 2299, a bill for an act pertaining to aircraft registration fees for aircraft owned and operated by nonprofit hospitals, was taken up for consideration.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2299) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 1:

Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Wells presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2242** on the part of the Senate: Senators Carr, Chair; Bruner, Horn, Drake and Nystrom.

CONSIDERATION OF BILLS
(Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2300.

Senate File 2300

On motion of Senator Gronstal, Senate File 2300, a bill for an act relating to the exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities to be used in agricultural production for market, was taken up for consideration.

Senator Carr asked and received unanimous consent that action on **Senate File 2300** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2301.

Senate File 2301

On motion of Senator Holden, Senate File 2301, a bill for an act relating to an exemption for the state sales, services, and use tax of the gross receipts from sales by the Iowa state fair board of admissions to the state fair, was taken up for consideration.

Senator Holden offered amendment S—5740 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5740 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. 2301) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Holden

Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 1:

Lind

Absent or not voting, 4:

Gronstal	Nystrom	Readinger	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2302.

Senate File 2302

On motion of Senator Gronstal, Senate File 2302, a bill for an act relating to the local option sales and services tax and the local option earnings tax and providing effective dates, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2302) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema

Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 3:

Nystrom	Small	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.

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2288.

House File 2288

On motion of Senator Holden, House File 2288, a bill for an act striking a special provision relating to the apportionment of net income of a farm corporation for purposes of the corporate income tax, striking provisions prohibiting a franchise tax refund or claim and a sales, services, and use tax refund or claim for taxes voluntarily paid based upon an alleged mistake of law, and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2288) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Nystrom Small

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2471

On motion of Senator Bruner, House File 2471, a bill for an act relating to taxation, by amending administrative requirements of taxpayers' representatives, and public and taxing authorities, including nonsubstantive and technical corrections and making certain provisions of the Act retroactive, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5741 filed by him from the floor to page 15 of the bill.

Senator Bruner offered amendment S—5744 filed by Senators Bruner and Holden from the floor to amendment S—5741 and moved its adoption.

Amendment S—5744 was adopted by a voice vote.

Senator Holden moved the adoption of amendment S—5741 as amended, which motion prevailed by a voice vote.

Senator Holden offered amendment S—5742 filed by him from the floor to page 16 of the bill and moved its adoption.

Amendment S—5742 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. 2471) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias

Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, none.

Absent or not voting, 3:

Nystrom	Small	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.

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2472.

House File 2472

On motion of Senator Bruner, House File 2472, a bill for an act relating to taxation by updating references to the Internal Revenue Code, eliminating one of the net operating loss deductions in computing the state minimum tax, removing the requirement that members of an affiliated group of corporations consent in writing to the filing of a consolidated corporation income tax return, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Mann offered amendment S—5745 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—5745 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. 2472) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery

Dieleman	Doyle	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Murphy	Palmer	Peterson	Priebe
Readinger	Riordan	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 5:

Drake	Gentleman	Lind	Rife
Ritsema			

Absent or not voting, 3:

Miller, C.P.	Nystrom	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.

APPENDIX

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2296 passed the Senate on April 24, 1986.

DAVID M. READINGER

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2296 passed the Senate on April 24, 1986.

JAMES RIORDAN

EXPLANATION OF VOTES

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 22, 1986.

Had I been present, I would have voted "aye" on Senate Files 2294 and 2265. I would have voted "nay" on amendment S—5720 to Senate File 2265.

I was also necessarily absent from the Senate chamber on April 23, 1986.

Had I been present, I would have voted "aye" on Senate Files 293, 2289, 2295 and 2297, amendment S—5603 to House File 102 and final passage of House File 102. I would have voted "nay" on Senate Joint Resolution 2005.

I apologize for any inconvenience.

JIM LIND

SUBCOMMITTEE ASSIGNMENTS

House Concurrent Resolution 127

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

House Concurrent Resolution 130

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

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 24th day of April, 1986:

Senate Files 2037, 2044, 2123, 2177, 2207 and 2255.

K. MARIE THAYER
Secretary of the Senate

CONFERENCE COMMITTEE REPORT RECEIVED
(House File 2414)

A conference committee report signed by the following Senate and House members was filed April 24, 1986, on House File 2414, a bill for an act relating to hunting and fishing:

On the Part of the Senate:

On the Part of the House:

HURLEY W. HALL, Chair
BEVERLY A. HANNON
JACK W. HESTER
JOHN PETERSON
DALE L. TIEDEN

DENNIS BLACK, Chair
PAUL JOHNSON
WILLIAM SULLIVAN
MARVIN DIEMER
WILMER RENSINK

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventh and eighth grade students from St. John's School, Independence, Iowa, accompanied by Joseph Streit, Kathy Hoeger, Becky Sweeney and Wilma Preibe. Senator Murphy.

Twenty students from Boone Valley Junior-Senior High School, Renwick, Iowa. Senator Priebe.

AMENDMENTS FILED

S-5743	H.F.	2475	Edgar H. Holden
S-5744	H.F.	2471	Charles Bruner
			Edgar H. Holden
S-5745	H.F.	2472	Tom Mann, Jr.

S—5746

S. F.

2298

Charles Bruner

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:55 p.m., until 9:00 a.m., Friday, April 25, 1986.

JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 25, 1986

The Senate met in regular session at 9:03 a.m., President Anderson presiding.

Prayer was offered by the Honorable Eugene Fraise, member of the Senate from Lee County, Fort Madison, Iowa.

The Journal of Thursday, April 24, 1986, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1986, passed the following bill in which the concurrence of the House was asked:

Senate File 2284, a bill for an act exempting trailers and semitrailers registered under chapter 326 and ships, barges, and waterborne vessels used primarily for transporting property or cargo for hire from the state use tax.

ALSO: That the House has on April 24, 1986, refused to concur in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

Senate File 2052, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date.

ALSO: That the members of the **conference committee** appointed April 24, 1986, on **Senate File 2242**, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication, on the part of the House, are: The Representative from Henry, Mr. Carter, chair; the Representative from Greene, Mr. Blanshan, the Representative from Marshall, Mr. Swartz, the Representative from Polk, Mrs. Carpenter, and the Representative from Clinton, Mr. Stueland.

ALSO: That the House has on April 24, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2484, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive.

This bill was read first time and assigned to the committee on **Appropriations**.

INTRODUCTION OF BILLS

Senate File 2303, by Committee on Appropriations, a bill for an act relating to restoring provisions of legislation relating to appropriations which had been removed from the comprehensive legislation on the subject of state government reorganization.

Read first time and **placed on the Appropriations calendar**.

Senate File 2304, by Committee on Appropriations, 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.

Read first time and **placed on the Appropriations calendar**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 126, by Committee on Appropriations, a Senate Concurrent Resolution relating to the board of regents' ten-year building program, providing for Gilman hall remodeling and biotechnology and microelectronics

equipment at Iowa state university of science and technology, and chemistry-botany remodeling and laser science/engineering and biotechnology equipment at the state university of Iowa.

Read first time and **placed on the Appropriations calendar.**

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that the following bills be immediately messaged to the House:

Senate Files 2082, 2097, 2299 and 2301; Senate Concurrent Resolution 125 and House Files 2288, 2448, 2471 and 2472.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2434** be referred from the Unfinished Business Calendar to the committee on **Energy and Environment.**

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2475.

House File 2475

On motion of Senator Dieleman, House File 2475, a bill for an act exempting certain nonresidents engaged in feature film, television, and educational production from the state income tax withholding provisions, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **House File 2475** be **deferred.**

House File 2477

On motion of Senator Holt, House File 2477, a bill for an act relating to the payment of installments of special assessments, with report of committee recommending passage, was taken up for consideration.

Senator Holt moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2477) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Mann	Miller, A. V.
Nystrom	Palmer	Peterson	Priebe
Riordan	Ritsema	Schwengels	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, none.

Absent or not voting, 10:

Drake	Holden	Kinley	Miller, C.P.
Murphy	Readinger	Rife	Small
Soorholtz	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2477** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 115.

House Concurrent Resolution 115

On motion of Senator Gettings, House Concurrent Resolution 115, a resolution urging the Congress to address the adverse effects of the federal Social Security program which discriminates against certain persons due to their birth dates, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved the adoption of House Concurrent Resolution 115, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 129.

House Concurrent Resolution 129

On motion of Senator Gronstal, House Concurrent Resolution 129, a resolution relating to recognition of medical clerks and medical secretaries, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 129, which motion prevailed by a voice vote.

SENATE INSISTS

Senate File 2052

Senator Dieleman called up for consideration Senate File 2052, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date, amended by the House, further 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 COMMITTEE

The Chair announced the following conference committee on **Senate File 2052** on the part of the Senate: Senators Dieleman, Chair; Mann, Doyle, Nystrom and Schwengels.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2052** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2154** be referred from the Unfinished Business Calendar to the committee on **Natural Resources**.

MOTION TO RECONSIDER LOST

Senate File 2291

Senator Small called up the motion to reconsider Senate File 2291, a bill for an act creating an Iowa economic development bond bank program within the Iowa finance authority to provide financing for economic development and making an appropriation, filed by Senator Rife on April 18, 1986, found on page 1294 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2291) the vote was:

Ayes, 7:

Boswell	Corning	Gentleman	Jensen
Rife	Ritsema	Waldstein	

Nays, 34:

Brown	Bruner	Carr	Colton
Deluhery	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hester	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Readinger	Riordan
Schwengels	Small	Taylor	Tieden
Vande Hoef	Wells		

Voting present, 1:

Coleman

Absent or not voting, 8:

Drake	Hall	Hannon	Holden
Miller, C.P.	Nystrom	Soorholtz	Welsh

The motion lost.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2291 and 2302** be **immediately messaged** to the House.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 187** be referred from the Unfinished Business Calendar to the committee on **Labor and Industrial Relations**.

MOTION TO RECONSIDER LOST

Senate File 2248

Senator Hultman called up the motion to reconsider the vote by which the Senate refused to concur in House amendment S—5660 to Senate File 2248, a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist, filed by him on April 16, 1986, found on page 1263 of the Senate Journal and moved its adoption.

The motion lost by a voice vote.

Senator Hutchins asked and received unanimous consent to send an immediate message on **Senate File 2248** to the House.

BUSINESS PENDING

House File 2475

The Senate resumed consideration of House File 2475, previously deferred.

Senator Holden offered amendment S—5743 filed by him on April 24, 1986, to page 1 and the title page of the bill.

Senator Dieleman raised the point of order that amendment S—5743 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5743 out of order.

Senator Brown took the chair at 9:52 a.m.

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. 2475) the vote was:

Ayes, 38:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Priebe
Readinger	Riordan	Small	Soorholtz
Taylor	Wells		

Nays, 8:

Drake	Holden	Peterson	Rife
Ritsema	Schwengels	Tieden	Vande Hoef

Absent or not voting, 4:

Goodwin	Miller, C.P.	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.

Senator Hutchins asked and received unanimous consent that **House File 2475** be **immediately messaged** to the House.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 126 (LSB 6552S), a Senate Concurrent Resolution relating to the board of regents' ten-year building program, providing for Gilman hall remodeling and biotechnology and microelectronics equipment at Iowa state university of science and technology, and chemistry-botany remodeling and laser science/engineering and biotechnology equipment at the state university of Iowa.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Welsh, Tieden, Deluhery, Dieleman, Gettings, Gronstal, Horn, Husak, C. Miller, Murphy and Readinger. Nays, 6: Colton, Gentleman, Holt, Lind, Ritsema and Schwengels. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2303 (LSB 8425 SF), a bill for an act relating to restoring provisions of legislation relating to appropriations which had been removed from the comprehensive legislation on the subject of state government reorganization.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels. Nays, none. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 2304 (LSB 7591 SF), 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.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels. Nays, none. Absent or not voting, 1: Small.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2303.

Senate File 2303

On motion of Senator Carr, Senate File 2303, a bill for an act relating to restoring provisions of legislation relating to appropriations which had been removed from the comprehensive legislation on the subject of state government reorganization, was taken up for consideration.

Senator Lind offered amendment S—5747 filed by him from the floor to page 21 of the bill and moved its adoption.

Amendment S—5747 lost by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2303) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A. V.
Miller, C. P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Soorholtz	Taylor	Tieden	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Hannon	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2304.

Senate File 2304

On motion of Senator Gronstal, Senate File 2304, 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, was taken up for consideration.

Senator Colton offered amendment S—5748 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—5748 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2304) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Vande Hoef
Waldstein	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Rife	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 Hutchins asked and received unanimous consent that **Senate File 2304** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 126.

Senate Concurrent Resolution 126

On motion of Senator Welsh, Senate Concurrent Resolution 126, a Senate Concurrent Resolution relating to the board of regents' ten-year building program, providing for Gilman hall remodeling and biotechnology and microelectronics equipment at Iowa state university of science and technology, and chemistry-botany remodeling and laser science/engineering and biotechnology equipment at the state university of Iowa, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **Senate Concurrent Resolution 126** 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 24, 1986, amended and passed the following resolution in which the concurrence of the Senate is asked;

Senate Joint Resolution 2002, a resolution proposing an amendment to the Constitution of the State of Iowa regarding the political affiliation of members of judicial nominating commissions (S—5754).

ALSO: That the House has on April 24, 1986, concurred in the Senate amendment as amended and passed the following bills in which the concurrence of the Senate is asked:

House File 2349, a bill for an act relating to games of skill, games of chance and raffles (S—5753 to H—5732).

House File 2457, a bill for an act relating to elections (S—5755 to H—5855).

MOTION TO RECONSIDER ADOPTED

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 Senate File 2303 passed the Senate on April 25, 1986.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2303) the vote was:

Ayes, 45:

Brown	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Ritsema	Schwengels	Small	Soorholtz
Taylor	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 3:

Gentleman	Rife	Tieden
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Absent or not voting, 2:

Boswell	Riordan
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The motion prevailed.

Senator Carr moved to reconsider the vote by which Senate File 2303 went to its last reading, which motion prevailed by a voice vote.

Senate File 2303

On motion of Senator Carr, Senate File 2303, a bill for an act relating to restoring provisions of legislation relating to appropriations which had been removed from the comprehensive legislation on the subject of state government reorganization, was taken up for reconsideration.

Senator Carr offered amendment S—5752 filed by him from the floor to pages 26, 27 and 38 of the bill and moved its adoption.

Amendment S—5752 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2303) the vote was:

Ayes, 50:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2303** be **immediately messaged** to the House.

Senator Coleman took the chair at 11:10 a.m.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2457

Senator Bruner called up for consideration House File 2457, a bill for an act relating to elections, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5755 to Senate amendment H—5855 filed on April 25, 1986.

The motion prevailed by a voice vote and the Senate concurred in House amendment to the Senate amendment.

Senator Bruner 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. 2457) the vote was:

Ayes, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Horn	Husak	Hutchins
Kinley	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Schwengels	Small	Tieden
Vande Hoef	Wells	Welsh	

Nays, 14:

Corning	Drake	Gentleman	Holt
Hultman	Jensen	Lind	Mann
Miller, C.P.	Rife	Ritsema	Soorholtz
Taylor	Waldstein		

Absent or not voting, 1:

Holden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 601** be referred from the Unfinished Business Calendar to the committee on **Labor and Industrial Relations**.

Senator Hutchins asked and received unanimous consent that **House File 2404** be referred from the Appropriations Calendar to the committee on **State Government**.

HOUSE AMENDMENT CONSIDERED

Senate Joint Resolution 2002

Senator Carr called up for consideration Senate Joint Resolution 2002, a resolution proposing an amendment to the Constitution of the State of Iowa regarding the political affiliation of members of judicial nominating commissions, amended by the House, and moved that the Senate concur in House amendment S—5754 filed April 25, 1986.

A non record roll call was requested.

The ayes were 37, nays 11.

The motion prevailed and the Senate concurred in the House amendment.

Senator Carr moved that the resolution as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

Senate Joint Resolution 2002, a joint resolution proposing an amendment to the Constitution of the State of Iowa regarding the political affiliation and gender of members of judicial nominating commission.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

Unnumbered paragraph 3, section 16, Article V of the Constitution of the State of Iowa, as adopted by the amendment of 1962 is amended by striking the paragraph and adopting in lieu thereof the following:

Due consideration shall be given to area and gender representation in the appointment and election of Judicial Nominating Commission members. Appointive and elective members of Judicial Nominating Commissions shall serve for six-year terms, are ineligible for a second six-year term on the same commission, shall hold no office of profit of the United States or of the state during their terms, and shall have other qualifications

as prescribed by law. As near as may be, the terms of one third of the members shall expire every two years.

Sec. 2. The foregoing proposed amendment to the Constitution of the State of Iowa is referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state is directed to cause it to be published for three consecutive months before the date of that election as provided by law.

On the question "Shall the resolution be adopted?" (S.J.R. 2002) the vote was:

Yeas, 37:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Rife	Riordan	Ritsema
Small	Soorholtz	Waldstein	Wells
Welsh			

Nays, 12:

Deluhery	Gratias	Holden	Hultman
Jensen	Mann	Nystrom	Peterson
Schwengels	Taylor	Tieden	Vande Hoef

Absent or not voting, 1:

Readerger

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title as amended was agreed to.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2349

Senator Welsh called up for consideration House File 2349, a bill for an act relating to games of skill, games of chance, and

raffles, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5753 to Senate amendment H—5732 filed on April 25, 1986.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2349 and 2457** be **immediately messaged** to the House.

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 2298, a bill for an act relating to state revenues for education by limiting the amount of federal taxes deductible for individual income tax and by using the increase in revenue to lower the school foundation property tax levy and to provide appropriations to a salary adjustment fund for use for educational purposes only.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5749.

Final Vote: Ayes, 6: Murphy, Horn, Colton, Hannon, Riordan and Wells. Nays, 3: Gratiias, Corning and Taylor. Absent or not voting, 1: Ritsema.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2298** be referred from the Ways and Means Calendar to the committee on **Appropriations** and returned to the Senate calendar by 1:30 p.m., Monday, April 28, 1986.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Riordan 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, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2084, a bill for an act prohibiting price discrimination in the sale or lease of motor vehicles by motor vehicle manufacturers, distributors, or wholesalers and providing for enforcement and penalties (S—5757).

ALSO: That the House has, on April 25, 1986, **insisted on** its amendment to **Senate Joint Resolution 1**, a resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, and the members of the **conference committee**, on the part of the House, are: The Representative from Johnson, Mrs. Lloyd-Jones, chair; the Representative from Webster, Mr. Halvorson, the Representative from Lee, Mr. Spear, the Representative from Taylor, Mr. Daggett, and the Representative from Woodbury, Mr. Shoning.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate Joint Resolution 1** on the part of the Senate: Senators Hutchins, Chair; Carr, Gronstal, Hultman and Jensen.

MOTIONS TO RECONSIDER WITHDRAWN

Senator Brown withdrew the following motions to reconsider from the floor:

MR. PRESIDENT: I move to reconsider the vote by which Senate File 2296 passed the Senate on April 24, 1986.

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5736 to Senate File 2296 was adopted by the Senate on April 24, 1986.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Riordan 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, 1986, concurred in the Senate amendment as amended and passed the following bills in which the concurrence of the Senate is asked:

House File 123, a bill for an act relating to the issuance of handicapped identification devices, making penalties applicable (S—5758 to H—5749).

House File 2167, a bill for an act relating to the time allowed for persons to file additional objections to a school reorganization petition if the board continues the hearing on the petition (S—5759 to H—5767).

House File 2462, a bill for an act relating to educational cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts (S—5760 to H—5860).

ALSO: That the House has on April 25, 1986, passed the following bill in which the concurrence of the House was asked:

Senate File 106, a bill for an act to provide a specific exemption to the sales and use tax relating to gross receipts from the sale of automotive fluids and providing retroactive effect.

ALSO: That the House has on April 25, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2481, a bill for an act relating to the size of a board of review for property tax assessments.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 25, 1986, adopted the conference committee report and passed **House File 2378**, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments.

ALSO: That the House has on April 25, 1986, adopted the conference committee report and passed **House File 2414**, a bill for an act relating to hunting and fishing.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 128, by Committee on State Government, a resolution requesting interim study committees to study the continued existence of the Iowa State Fair as a state entity and the sunset of the watershed planning districts, relating to the reorganization efforts of the General Assembly.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 129, by Committee on State Government, a resolution relating to the creation of an interim study committee to review the observance of rights of inmates of the Iowa correctional facilities.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 130, by Committee on State Government, a resolution requesting the Department of Management to conduct a study of the feasibility of creating a department of higher education and to conduct a study of the feasibility of creating a department of professional and occupational licensing, relating to the reorganization efforts of the General Assembly.

Read first time and **placed on calendar**.

APPENDIX**SUBCOMMITTEE ASSIGNMENT****House File 2478**

WAYS AND MEANS: Bruner, Chair; Husak and Holden

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 2002 passed the Senate on April 25, 1986.

WALLY E. HORN

MR. PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 2002 passed the Senate on April 25, 1986.

ARNE WALDSTEIN

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE AND TRANSPORTATION**

Convened: April 24, 1986, 9:19 a.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Committee Business: Presentations by: Allan Thoms, Director of the Iowa Development Commission; James Shevy, College Aid Commission; John Hartung, Tuition grants; and Dennis Till, Director of Administration for the D.O.T.

Adjourned: 10:32 a.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: April 24, 1986, 9:30 a.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Committee Business: Reviewed proposed budget recommendations; subcommittee proposed amendments and submitted recommendations to the full Appropriations committee.

Adjourned: 10:00 a.m.

APPROPRIATIONS

Convened: April 24, 1986, 4:20 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: Small, Vice Chair (excused).

Committee Business: Approved LSB 8425 SF, LSB 7591 SF and LSB 6552 S as committee bills.

Adjourned: 4:57 p.m.

EDUCATION

Convened: April 24, 1986, 1:25 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Riordan, Ritsema and Wells.

Members Absent: Taylor.

Committee Business: Recommended passage of Senate File 2298 as amended.

Adjourned: 2:05 p.m.

RULES AND ADMINISTRATION

Convened: April 24, 1986, 9:41 a.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Kinley, Gronstal and Jensen.

Members Absent: none.

Committee Business: Recommended passage of Senate Concurrent Resolution 125 and House Concurrent Resolutions 115 and 129; assigned House Concurrent Resolutions 127 and 130 to subcommittees.

Adjourned: 9:50 a.m.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on April 24, 1986, when the final vote was taken on Senate File 2175.

Had I been present, I would have voted "aye" on this bill.

DAVID M. READINGER

REPORTS OF THE SECRETARY OF THE SENATE

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 508, the following correction was made to the House amendment S—5598:

1. Page 1, line 45-47, the language "Claim for rent or recovery as provided in sections 562A.24, 562A.32, 562B.22, or 562B.25," was underlined as it was new language.

Pursuant to Senate Rule 21, I report that in enrolling Senate File 2043, the following technical corrections were made to the House amendment S—5588:

1. Page 1, line 4, the comma before "where" should not be there and it was removed.

2. Page 1, line 12, "a" is no longer appropriate and it was removed.

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 25th day of April, 1986:

Senate Files 166, 477, 508, 549, 2043, 2049, 2050, 2069, 2083, 2165, 2234 and 2246.

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 128, a resolution requesting interim study committees to study the continued existence of the Iowa State Fair as a state entity and the sunset of the watershed planning districts, relating to the reorganization efforts of the General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Carr, Dieleman, Bruner, Drake, Horn, Gentleman, Corning, Schwengels, Welsh, Mann, C. Miller and Coleman. Nays, 1: Rife. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 129, a resolution relating to the creation of an interim study committee to review the observance of rights of inmates of the Iowa correctional facilities.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Carr, Dieleman, Drake, Rife, Gentleman, Coleman, Corning, Mann, Horn, Bruner, C. Miller, Schwengels and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 130, a resolution requesting the Department of Management to conduct a study of the feasibility of creating a department of higher education and to conduct a study of the feasibility of creating a department of professional and occupational licensing, relating to the reorganization efforts of the General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Carr, Dieleman, Drake, Rife, Gentleman, Horn, Mann, C. Miller, Bruner, Schwengels, Corning, Welsh and Coleman. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2476, a bill for an act relating to public financing of political campaigns and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, Dieleman, Welsh, Horn, Mann, C. Miller, Coleman and Bruner. Nays, 5: Drake, Gentleman, Schwengels, Corning and Rife. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five students from Floyd Valley Junior High School, Hospers, Iowa. Senator Ritsema.

Fifty-five eighth grade students from St. Edward School, Waterloo, Iowa, accompanied by Don Sullivan and Joan McCann. Senators Lind and Corning.

Twenty-five twelfth grade students from Monticello High School, Monticello, Iowa, accompanied by Mr. Amsler. Senator Hannon.

Five eighth grade students from Kanawha Christian School, Kanawha, Iowa. Senator Taylor.

Eighty students from H-L-V Middle School, Victor, Iowa. Senator Brown.

Twenty-two fifth grade students from Colo Elementary School, Colo, Iowa, accompanied by Liz Robinson. Senator Bruner.

AMENDMENTS FILED

S—5747	S. F.	2303	Jim Lind
S—5748	S. F.	2304	Milo Colton
S—5749	S. F.	2298	Education
S—5750	S. F.	2298	Arthur L. Gratias
S—5751	S. F.	2293	Berl E. Priebe
			Emil J. Husak
			Calvin O. Hultman
			Dale L. Tieden
			Eugene Fraise

			John Soorholtz
			Edgar H. Holden
S-5752	S.F.	2303	Bob Carr
S-5753	H.F.	2349	House
S-5754	S.J.R.	2002	House
S-5755	H.F.	2457	House
S-5756	H.F.	2476	Richard F. Drake
S-5757	S.F.	2084	House
S-5758	H.F.	123	House
S-5759	H.F.	2167	House
S-5760	H.F.	2462	House

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 1:30 p.m., until 10:00 a.m., Monday, April 28, 1986.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 28, 1986

The Senate met in regular session at 10:06 a.m., President pro tempore Wells presiding.

Prayer was offered by the Honorable Jack W. Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa.

The Journal of Friday, April 25, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Soorholtz and Readinger for the day on request of Senator Hultman and Senator Kinley for the morning on request of Senator Palmer.

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, 1986, adopted the conference committee report and passed House File 2245, a bill for an act relating to the confidentiality of archaeological sites or resource information and subjecting violators to civil and criminal penalties.

Senator Colton took the chair at 10:10 a.m.

CONFERENCE COMMITTEE REPORTS ADOPTED

House File 2378

Senator Miller of Cerro Gordo called up the conference committee report on House File 2378, a bill for an act providing for referendums to terminate the collection of the beef and soybean assessments, filed April 23, 1986, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendation and amendments contained therein was adopted.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2378) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Small	Taylor
Tieden	Waldstein	Wells	Welsh

Nays, 1:

Holden

Voting present, 1:

Coleman

Absent or not voting, 8:

Brown	Hultman	Jensen	Kinley
Miller, C.P.	Readinger	Soorholtz	Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 2414

Senator Hall called up the conference committee report on House File 2414, a bill for an act relating to hunting and fishing, filed April 24, 1986, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendation and amendments contained therein was adopted.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2414) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Mann
Miller, A. V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Schwengels	Small	Taylor	Tieden
Waldstein	Wells	Welsh	

Nays, 2:

Gentleman	Ritsema
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Absent or not voting, 5:

Kinley	Miller, C.P.	Readinger	Soorholtz
Vande Hoef			

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 10:26 a.m.

House File 2245

Senator Doyle called up the conference committee report on House File 2245, a bill for an act relating to the confidentiality of archaeological sites or resource information and subjecting violators to civil and criminal penalties, filed April 22, 1986, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendation and amendments contained therein was adopted.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2245) the vote was:

Ayes, 45:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Waldstein	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Kinley	Miller, C.P.	Readinger	Soorholtz
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENTS TO SENATE AMENDMENTS CONSIDERED

House File 123

Senator Nystrom called up for consideration House File 123, a bill for an act relating to the issuance of handicapped identification devices, making penalties applicable, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5758 to Senate amendment H—5749 filed April 25, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Nystrom 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. 123) the vote was:

Ayes, 43:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rife
Ritsema	Schwengels	Small	Taylor
Tieden	Wells	Welsh	

Nays, 2:

Mann	Riordan
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Absent or not voting, 5:

Kinley	Readerger	Soorholtz	Vande Hoef
Waldstein			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 2167

Senator Wells called up for consideration House File 2167, a bill for an act relating to the time allowed for persons to file additional objections to a school reorganization petition if the board continues the hearing on the petition, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5759 to Senate amendment H—5767 filed April 25, 1986.

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. 2167) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Schwengels
Small	Taylor	Tieden	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley	Readinger	Soorholtz	Vande Hoef
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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.

The Senate stood at ease until the fall of the gavel for party caucuses.

The Senate resumed session, President pro tempore Wells presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Husak presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:02 p.m., until 1:45 p.m.

APPENDIX

BILL ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bill to committee:

H.F. 2481 Ways and Means

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 28th day of April, 1986.

Senate Files 505, 2101 and 2253.

K. MARIE THAYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 25, 1986, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2116 — Relating to grain dealers and warehouses, by providing licensing requirements, establishing a grain depositors and sellers indemnity fund, providing a penalty, and providing an effective date.

Also:

That on April 28, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2037 — Relating to the labeling of fuel sold as kerosene.

SENATE FILE 2044 — Relating to the admissibility of the reports and findings of the criminalistics laboratory in administrative hearings and forfeiture proceedings.

SENATE FILE 2123 — Relating to the judgeship formula for the apportionment of district judges.

SENATE FILE 2177 — Requiring specific criteria for the acquisition, selection, or approval of a site for a hazardous waste treatment, disposal, or storage facility.

SENATE FILE 2207 — Excluding residential care facilities from certificate-of-need reviews for two fiscal years.

SENATE FILE 2255 — Relating to credit unemployment insurance in consumer transactions, by providing requirements for the rates for involuntary credit unemployment insurance sold in connection with consumer credit transactions, and permitting the inclusion of charges for credit unemployment insurance in consumer credit transactions under the Iowa consumer credit code.

REPORT OF COMMITTEE MEETING

EDUCATION

Convened: April 25, 1986, 8:20 a.m..

Members Present: Murphy, Chair; Horn, Vice Chair; Gratias, Ranking Member; Colton, Corning, Hannon, Gratias, Riordan, Taylor and Wells.

Members Absent: Ritsema.

Committee Business: Recommended passage of Senate File 2298 as amended.

Adjourned: 9:00 a.m.

PETITION

The following petition was presented and placed on file by:

Senator Hutchins from three residents of Black Hawk County favoring legislation to allow debate on resolutions to stop the deployment of Iowa National Guard troops to Honduras.

AMENDMENTS FILED

S—5761	S. F.	2084	William D. Palmer
S—5762	S. F.	2084	Milo Colton
S—5763	S. F.	2298	Ray Taylor

AFTERNOON SESSION

The Senate reconvened at 2:00 p.m., Senator Colton 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 **first conference committee on House File 665** was ruled out of order under Joint Rule 13 and a **second conference committee appointed**: The second conference committee, appointed April 28, 1986, on House File 665, a bill for an act relating to the operation of motorboats, on the part of the House, are: The Representative from Jasper, Mr. Black, chair; the Representative from Polk, Mr. Haverland, the Representative from Johnson, Mr. Varn, the Representative from Black Hawk, Mr. Diemer, and the Representative from Plymouth, Mr. Paulin.

APPOINTMENT OF SECOND CONFERENCE COMMITTEE

The Chair announced the following second conference committee on **House File 665** on the part of the Senate: Senators Priebe, Chair; Husak, Riordan, Schwengels and Gentleman.

The Senate stood at ease until 2:45 p.m.

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President pro tempore Wells 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 28, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2210, a bill for an act requiring insurance companies to lower automobile liability insurance premiums to reflect the reduction in annual losses occasioned by the enactment of the mandatory seat belt bill (S—5769).

ALSO: That the members of the **conference committee**, appointed April 28, 1986, on **Senate File 2052**, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date, on the part of the House, are: The Representative from Greene, Mr. Blanshan, chair; the Representative from Johnson, Mrs. Doderer, the Representative from Story, Mrs. Hammond, the Representative from Grundy, Mr. Renken, and the Representative from Keokuk, Mr. Swearingen.

ALSO: That the House has on April 28, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2485, a bill for an act to legalize the proceedings of the city council of Bloomfield, Iowa, to transfer certain moneys to the general fund of the city.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 28, 1986, adopted the following resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 133, a resolution relating to the board of regents' ten-year building program and providing for the purchase of equipment.

This resolution was read first time and **passed on file**.

House Concurrent Resolution 134, a resolution relating to the board of regents' ten-year building program and providing for Gilman hall remodeling, phase II, at Iowa state university of science and technology.

This resolution was read first time and **passed on file**.

House Concurrent Resolution 135, a resolution relating to the board of regents' ten-year building program and providing for the construction and equipping of a classroom/office building at the university of northern Iowa.

This resolution was read first time and **passed on file**.

House Concurrent Resolution 136, a resolution relating to the board of regents' ten-year building program and providing for the chemistry-botany remodeling, phase II at the university of Iowa.

This resolution was read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 127, by Boswell, Hannon, Mann, Priebe, Riordan, Gronstal, Husak, Fraise, Dieleman, Ritsema, Vande Hoef, Horn, Murphy, Hutchins and Taylor, a resolution relating to refugees of the civil war in El Salvador.

Read first time and **passed on file**.

Senate Concurrent Resolution 131, by Doyle, a resolution relating to establishment of a Code publication subcommittee.

Read first time and **passed on file**.

APPENDIX**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued certificates of recognition as follows:

Herman Faber, Dumont, Iowa; Harvey J. Poppe, Clarksville, Iowa and Vopal Gowman Youngberg, New Hartford, Iowa — Induction into the 1985 Butler County Hall of Fame. Senator Jensen (April 23, 1986).

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. C. R.	127	Rules and Administration
S. C. R.	131	Rules and Administration

COMMUNICATION FROM THE SECRETARY OF STATE

April 25, 1986

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

I hereby certify that Senate File 2277 was published in The Cedar Rapids Gazette, Cedar Rapids, Iowa, on April 22, 1986, and in The Nevada Evening Journal, Nevada, Iowa, on April 22, 1986.

I further certify that Senate File 2212 was published in the Audubon News-Advocate, Audubon, Iowa, on April 24, 1986, and in the Lake Mills Graphic, Lake Mills, Iowa, on April 24, 1986.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 28, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 166 — To authorize the setting of seasons for pigeons.

SENATE FILE 477 — Relating to the search of students or protected student areas.

SENATE FILE 508 — Relating to the forcible entry or detention of real property.

SENATE FILE 549 — Providing for a raffle conducted by the Iowa Lottery Agency with the proceeds of the raffle to be invested by the Iowa Development Commission in certain types of venture capital funds and the earnings on the proceeds prior to investment to be used as prizes.

SENATE FILE 2043 — Relating to qualification of nonprofit corporations as conservators.

SENATE FILE 2049 — Relating to the purchases of American made products and purchases from American based businesses.

SENATE FILE 2050 — Relating to the security interest in farm products, prohibiting certain acts, providing for penalties, and providing an effective date.

SENATE FILE 2069 — Relating to the issuance of temporary certificates for chiropractors.

SENATE FILE 2083 — Repealing the energy conservation improvement pilot programs and providing an effective date.

SENATE FILE 2165 — Relating to the applicability of the hazardous chemicals risk right to know act.

SENATE FILE 2234 — Relating to the percent of the proceeds from the sales of obligations of the Iowa Finance Authority that are required to be used for newly constructed housing units.

SENATE FILE 2246 — Relating to suspensions or restrictions on water use under the state priority allocation plan.

BILL RETURNED TO CALENDAR

Pursuant to unanimous consent received by Senator Hutchins on April 25, 1986, on Senate Journal page 1406, **Senate File 2298** was returned to the Ways and Means Calendar from the committee on **Appropriations** at 1:30 p.m., April 28, 1986.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 2242)

A conference committee report signed by the following Senate and House members was filed April 28, 1986, on Senate File 2242, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payments incentives and to provide that the Act take effect upon its publication:

On the Part of the Senate:

BOB CARR, Chair
CHARLES BRUNER
RICHARD DRAKE
WALLY HORN
JOHN NYSTROM

On the Part of the House:

BRIAN CARTER, Chair
GENE BLANSHAN
VIC STUELAND
TOM SWARTZ

AMENDMENTS FILED

S-5764	H.F.	2484	Tom Mann, Jr.
S-5765	H.F.	2476	Ray Taylor
S-5766	H.F.	2476	Julia Gentleman
S-5767	S.F.	2300	Berl E. Priebe
S-5768	H.F.	2484	Ray Taylor
S-5769	S.F.	2210	House

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:50 p.m., until 9:00 a.m., Tuesday, April 29, 1986.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 29, 1986

The Senate met in regular session at 9:10 a.m., President pro tempore Wells presiding.

Prayer was offered by the Honorable William W. Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Monday, April 28, 1986, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Hutchins and Senator Soorholtz for the morning on request of Senator Hultman.

Senator Coleman took the chair at 9:17 a.m.

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 2242

Senator Carr called up the conference committee report on Senate File 2242; a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the Act takes effect upon its publication, filed April 28, 1986, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendation and amendments contained therein was adopted.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2242) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P. Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husak took the chair at 9:42 a.m.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2462

Senator Murphy called up for consideration House File 2462, a bill for an act relating to educational cost efficiencies including the reduction of administrative costs of area education agencies and school districts, providing for multimember director districts of school districts, providing for attendance of pupils in classes in other school districts, reducing the uniform levy in reorganized school districts, providing for supplementary weighting for shared administrators, providing a time limitation on supplementary weighting, and continuing supplementary weighting for reorganized school districts, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5760 to Senate amendment H—5860 filed April 25, 1986.

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. 2462) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Gratias	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rife	Riordan
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 2:

Brown	Peterson
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Absent or not voting, 3:

Goodwin	Miller, C.P.	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 2084

Senator Coleman called up for consideration Senate File 2084, a bill for an act prohibiting price discrimination in the sale or lease of motor vehicles by motor vehicle manufacturers, distributors, or wholesalers and providing for enforcement and

penalties, amended by the House in House amendment S—5757 filed April 25, 1986.

Senator Gronstal offered amendment S—5773 filed by Senators Gronstal, et al., from the floor to House amendment S—5757 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5773 to House amendment S—5757 be adopted?” (S.F. 2084) 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	Coleman
Colton	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hannon
Horn	Husak	Kinley	Lind
Mann	Palmer	Peterson	Readinger
Riordan	Ritsema	Soorholtz	Vande Hoef
Waldstein	Wells		

Nays, 23:

Carr	Corning	Deluhery	Dieleman
Doyle	Drake	Hall	Hester
Holden	Holt	Hultman	Hutchins
Jensen	Miller, A.V.	Murphy	Nystrom
Priebe	Rife	Schwengels	Small
Taylor	Tieden	Welsh	

Absent or not voting, 1:

Miller, C.P.

Amendment S—5773 was adopted.

With the adoption of amendment S—5773 to House amendment S—5757, the Chair ruled amendment S—5761 filed by Senator Palmer on April 28, 1986, to House amendment S—5757, out of order.

Senator Colton offered amendment S—5762 filed by him on April 28, 1986, to House amendment S—5757.

Senator Dieleman raised the point of order that amendment S—5762 to House amendment S—5757 was not germane.

The Chair ruled the point well taken and amendment S—5762 out of order.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2084** be **deferred** (House amendment S—5757 pending).

RESOLUTIONS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolutions 128, 129 and 130** be referred from the Regular Calendar to the committee on **Rules and Administration**.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 2296

Senators Readinger and Riordan withdrew the motions to reconsider Senate File 2296, a bill for an act relating to the movement of vehicles of excessive size and weight, filed by them on April 24, 1986, and found on page 1386 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2296** be **immediately messaged** to the House.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 132, by Hutchins, a resolution to provide for a study of present procedures for the preparation and appeal of equalization orders and real property assessments to the state board of tax review and the appeal procedures for the appeal of valuation and assessment of real property to local boards of review.

Read first time and **passed on file**.

Senate Concurrent Resolution 133, by Mann, a resolution relating to the establishment of an interim committee on the rights of privacy.

Read first time and **passed on file**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Brown presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:50 a.m., until 1:30 p.m.

APPENDIX**CONFERENCE COMMITTEE REPORT RECEIVED
(House File 2412)**

A conference committee report signed by the following Senate and House members was filed April 29, 1986, on House File 2412, a bill for an act relating to the allocation of lottery funds and programs for which the funds may be used and providing an effective date:

On the Part of the Senate:

ARTHUR A. SMALL, JR., Chair
JOE WELSH
CHARLES BRUNER
DALE TIEDEN
DOUGLAS RITSEMA

On the Part of the House:

MIKE CONNOLLY, Chair
JOHN GRONINGA
EDWARD G. PARKER
CLIFFORD O. BRANSTAD
JOSEPH M. KREMER

REPORTS OF COMMITTEE MEETING**APPROPRIATIONS SUBCOMMITTEE ON BUSINESS, TRADE &
TRANSPORTATION**

Convened: April 28, 1986, 2:29 p.m.

Members Present: Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Holden and Priebe.

Members Absent: none.

Committee Business: Reviewed House File 2484.

Adjourned: 3:26 p.m.

APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES

Convened: April 28, 1986, 2:37 p.m.

Members Present: Husak, Chair; Murphy, Vice Chair; Hester, Ranking Member; Hall and Tieden.

Members Absent: none.

Committee Business: Reviewed proposed budget recommendations; subcommittee proposed amendments and submitted recommendations to the full Appropriations Committee.

Adjourned: 3:10 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 127

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

Senate Concurrent Resolution 131

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

House File 601

WAYS AND MEANS: Bruner, Chair; Brown and Hester

House File 2481

WAYS AND MEANS: Holt, Chair; Husak and Dieleman

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5773 to House amendment S—5757 to Senate File 2084 was adopted by the Senate on April 29, 1986.

C. JOSEPH COLEMAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-two fourth grade students from East Elementary School, Ankeny, Iowa, accompanied by Pat McCollaugh. Senator Palmer.

AMENDMENTS FILED

S-5770	H.F.	2484	Leonard Boswell
S-5771	H.F.	2484	John Jensen
S-5772	H.F.	2484	John Jensen John A. Peterson Jack W. Hester Joy Corning
S-5773	S.F.	2084	Michael E. Gronstal Arne Waldstein George R. Kinley Richard Vande Hoef
S-5774	H.F.	2484	Thomas Mann, Jr.
S-5775	H.F.	2484	Richard Vande Hoef
S-5776	S.F.	97	House

AFTERNOON SESSION

The Senate reconvened at 3:54 p.m., Senator Coleman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 28, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 97, a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years (S—5776).

ALSO: That the House has on April 29, 1986, receded from its amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 2248, a bill for an act relating to the acquisition costs between a drug prescribed by a physician, dentist, podiatrist, or veterinarian and the drug substituted by a pharmacist.

ALSO: That the House has on April 29, 1986, concurred in the Senate amendment as amended and passed the following bills in which the concurrence of the Senate is asked:

House File 2454, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date (S—5782 to H—5838).

House File 2471, a bill for an act relating to taxation, by amending administrative requirements of taxpayers, taxpayers' representatives, and public and taxing authorities, including nonsubstantive and technical corrections and making certain provisions of the act retroactive (S—5777 to H—6033).

ALSO: That the House has on April 29, 1986, refused to concur in the Senate amendment in the following bill in which the concurrence of the House was asked:

House File 2472, a bill for an act relating to taxation by updating references to the Internal Revenue Code, eliminating one of the net operating loss deductions in computing the state minimum tax, removing the requirement that members of an affiliated group of corporations consent in writing to the filing of a consolidated corporation income tax return, and providing an effective date.

ALSO: That the House has on April 29, 1986, **insisted on** its amendment to the Senate amendment to **House File 2349**, a bill for an act relating to games of skill, games of chance, and raffles, and the members of the conference committee, on the part of the House, are: The Representative from Pottawattamie, Mr. Pavich, Chair; the Representative from Webster, Mr. Halvorson, the Representative from Warren, Mrs. Beatty, the Representative from Pottawattamie, Mr. Siegrist, and the Representative from Mahaska, Mr. Van Maanen.

ALSO: That the House has on April 29, 1986, passed the following bills in which the concurrence of the Senate is asked:

House File 2488, a bill for an act relating to agricultural grain marketing, by adopting the interstate compact on agricultural grain marketing, and providing an effective date.

This bill was read first time and **passed on file**.

House File 2490, a bill for an act to appropriate moneys to the department of justice for farm mediation services and the judicial department to fund a tort liability litigation study for the fiscal year beginning July 1, 1985 and ending June 30, 1986.

This bill was read first time and **passed on file**.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2349** on the part of the Senate: Senators Welsh, Chair; Carr, Horn, Lind and Nystrom.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2242** be **immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

SENATE RECEDES

House File 2472

Senator Bruner called up for consideration House File 2472, a bill for an act relating to taxation by updating references to the Internal Revenue Code, eliminating one of the net operating loss deductions in computing the state minimum tax, removing the requirement that members of an affiliated group of corporations consent in writing to the filing of a consolidated corporation income tax return, and providing an effective date, amended by the Senate and moved that the Senate recedes from its amendment.

The motion prevailed by a voice vote and the Senate **receded from** its amendment.

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. 2472) the vote was:

Ayes, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Schwengels	Small	Soorholtz
Taylor	Tiedert	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 3:

Gentleman

Rife

Ritsema

Absent or not voting, 1:

Holden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENTS TO SENATE AMENDMENTS CONSIDERED

House File 2454

Senator Ritsema called up for consideration House File 2454, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5782 to Senate amendment H—5838 filed April 29, 1986.

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 27.

The motion lost and the Senate **refused to concur** in the House amendment to the Senate amendment.

Senator Hutchins asked and received unanimous consent that **House File 2454** be **immediately messaged** to the House.

House File 2471

Senator Bruner called up for consideration House File 2471, a bill for an act relating to taxation, by amending administrative requirements of taxpayers, taxpayers' representatives, and public and taxing authorities, including nonsubstantive and technical corrections and making certain provisions of the Act retroactive,

amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5777 to Senate amendment H—6033 filed April 29, 1986.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Bruner 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. 2471) the vote was:

Ayes, 48:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester	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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2471 and 2472** be **immediately messaged** to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 97

Senator Doyle called up for consideration Senate File 97, a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years, amended by the House in House amendment S—5776 filed April 29, 1986.

Senator Mann offered amendment S—5786 filed by him from the floor to House amendment S—5776.

Senator Ritsema raised the point of order that amendment S—5786 to House amendment S—5776 was not germane.

The Chair ruled the point well taken and amendment S—5786 out of order.

Senator Mann asked and received unanimous consent that action on **Senate File 97** be **deferred** (House amendment S—5776 pending).

Senate File 2210

Senator Doyle called up for consideration Senate File 2210, a bill for an act requiring insurance companies to lower automobile liability insurance premiums to reflect the reduction in annual losses occasioned by the enactment of the mandatory seat belt bill, amended by the House, and moved that the Senate concur in House amendment S—5769 filed April 28, 1986.

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. 2210) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Fraise	Gettings

Goodwin	Gratias	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Schwengels	Small	Soorholtz	Taylor
Wells	Welsh		

Nays, 7:

Corning	Gentleman	Lind	Ritsema
Tieden	Vande Hoef	Waldstein	

Absent or not voting, 1:

Hester

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE 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 29, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2489, a bill for an act relating to the issuance of bonds by the state conservation commission for the acquisition of real property for the development and enhancement of wildlife lands and habitat areas.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 2305, by Committee on Appropriations, a bill for an act relating to the use and appropriation of oil overcharge funds and the establishment of an energy conservation trust fund and an agricultural energy management fund.

Read first time and **placed on the Appropriations calendar**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

BILLS ASSIGNED TO COMMITTEE

President Anderson announced the assignment of the following bills to committee:

S. C. R.	132	Rules and Administration
S. C. R.	133	Rules and Administration
H. C. R.	133	Appropriations
H. C. R.	134	Appropriations
H. C. R.	135	Appropriations
H. C. R.	136	Appropriations
H. F.	2485	Judiciary
H. F.	2488	Appropriations
H. F.	2489	Appropriations
H. F.	2490	Appropriations

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2488, a bill for an act relating to agricultural grain marketing, by adopting the interstate compact on agricultural grain marketing and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Welsh, Tieden, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Ritsema and Schwengels. Nays, 1: Readinger. Absent or not voting, 2: Small and Colton.

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 2488.

House File 2488

On motion of Senator Husak, House File 2488, a bill for an act relating to agricultural grain marketing, by adopting the interstate compact on agricultural grain marketing, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2488) the vote was:

Ayes, 44:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Wells	Welsh

Nays, 4:

Readerger	Rife	Vande Hoef	Waldstein
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Absent or not voting, 2:

Hester	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2488** be **immediately messaged** to the House.

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 134, a resolution relating to interim studies.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Hutchins, Gettings, Hultman, Gronstal and Jensen. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 127, a resolution urging the Congress not to reduce federal funding of the Job Training Partnership Act.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Hutchins, Gettings, Hultman, Gronstal and Jensen. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 134, by Committee on Rules and Administration, a resolution relating to interim studies.

Read first time and placed on calendar.

CONSIDERATION OF RESOLUTION

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 134.

Senate Concurrent Resolution 134

On motion of Senator Hultman, Senate Concurrent Resolution 134, a resolution relating to interim studies, was taken up for consideration.

Senator Hultman moved the adoption of Senate Concurrent Resolution 134, which motion prevailed by a voice vote.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Husak presiding.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 134** be **immediately messaged** to the House.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2484, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5791.

Final Vote: Ayes, 12: Welsh, Small, Tieden, Colton, Deluhery, Gettings, Gronstal, Horn, Husak, C. Miller, Murphy and Readinger. Nays, 5: Gentleman, Holt, Lind, Ritsema and Schwengels. Voting present, 1: Dieleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

Senator Coleman took the chair at 6:03 p.m.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2484.

House File 2484

On motion of Senator Welsh, House File 2484, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive, with report of committee

committee recommending amendment and passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that action on **House File 2484** be deferred.

BUSINESS PENDING

Senate File 97

The Senate resumed consideration of Senate File 97 and House amendment S—5776, previously deferred.

Senator Mann offered amendment S—5794 filed by him from the floor to House amendment S—5776.

Senator Brown raised the point of order that amendment S—5794 to House amendment S—5776 was not germane.

The Chair ruled the point not well taken and amendment S—5794 in order.

Senator Mann moved the adoption of amendment S—5794 to House amendment S—5776.

A record roll call was requested.

On the question “Shall amendment S—5794 to House amendment S—5776 be adopted?” (S.F. 97) the vote was:

Ayes, 30:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Readinger
Rife	Small	Soorholtz	Tieden
Wells	Welsh		

Nays, 14:

Corning	Dieleman	Drake	Goodwin
Gratias	Holden	Holt	Jensen
Priebe	Ritsema	Schwengels	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 6:

Hall	Hester	Hultman	Kinley
Nystrom	Riordan		

Amendment S—5794 was adopted.

Senator Hutchins asked and received unanimous consent that action on **Senate File 97** be **deferred** (House amendment S—5776 as amended pending).

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 2305, a bill for an act relating to the use and appropriation of oil overcharge funds and the establishment of an energy conservation trust fund and an agricultural energy management fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, Murphy, Readinger, Ritsema and Schwengels. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2478, a bill for an act relating to the exemption from the use tax of transactions subject to the sales tax.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Riordan and Soorholtz. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 132

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

Senate Concurrent Resolution 133

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

House File 2485

JUDICIARY: Dieleman, Chair; Coleman and Taylor

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-five eighth grade students from Prairie Junior-Senior High School, Gowrie, Iowa, accompanied by Darrell Ziemer. Senator Coleman.

AMENDMENTS FILED

S—5777	H.F.	2471	House
S—5778	H.F.	2484	Milo Colton David Readinger
S—5779	H.F.	2484	Milo Colton
S—5780	H.F.	2484	Tom Mann, Jr.
S—5781	H.F.	2065	Charles Bruner
S—5782	H.F.	2454	House
S—5783	H.F.	2484	Michael E. Gronstal
S—5784	H.F.	2484	Arthur L. Gratias
S—5785	H.F.	2484	Arne Waldstein
S—5786	S.F.	97	Tom Mann, Jr.
S—5787	H.F.	2484	Michael E. Gronstal
S—5788	H.F.	2484	Michael E. Gronstal
S—5789	H.F.	2484	Michael E. Gronstal
S—5790	S.F.	2305	Charles Bruner
S—5791	H.F.	2484	Appropriations
S—5792	H.F.	2484	Wally Horn
S—5793	H.F.	2473	Douglas Ritsema
S—5794	S.F.	97	Tom Mann, Jr.
S—5795	H.F.	2459	Richard F. Drake Calvin O. Hultman
S—5796	S.F.	2305	Charles Bruner
S—5797	H.F.	2484	Ray Taylor Larry Murphy Arthur L. Gratias Joe Brown

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:45 p.m., until 8:00 a.m., Wednesday, April 30, 1986.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SEVENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 30, 1986

The Senate met in regular session at 8:15 a.m., President pro tempore Wells presiding.

Prayer was offered by the Honorable Leonard Boswell, member of the Senate from Decatur County, Davis City, Iowa.

The Journal of Tuesday, April 29, 1986, was approved.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Brown took the chair at 8:40 a.m.

The vote revealed 43 present, 7 absent and a quorum present.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 127.

House Concurrent Resolution 127

On motion of Senator Gronstal, House Concurrent Resolution 127, a resolution urging the Congress not to reduce federal funding of the Job Training Partnership Act, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 127, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2478.

House File 2478

On motion of Senator Bruner, House File 2478, a bill for an act relating to the exemption from the use tax of transactions subject to the sales tax, with report of committee recommending passage, was taken up for consideration.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2478) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Corning	Deluhery	Dieleman
Drake	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Murphy	Nystrom
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Small	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Colton	Doyle	Fraise	Kinley
Mann	Miller, C.P.	Palmer	Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

The Senate stood at ease until the fall of the gavel for party caucuses.

The Senate resumed session, Senator Coleman presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

UNFINISHED BUSINESS

(Deferred April 29, 1986)

House File 2484

The Senate resumed consideration of House File 2484, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive, deferred on April 29, 1986.

Senator Welsh offered amendment S—5791 filed by the committee on Appropriations on April 29, 1986, to pages 1-19, 21, 24, 26, 28, 29, 31, 37-41, 45-47, 49, 53-56, 64-66, 69, 71, 80, 82-86, 88, 94, 96-98, 103, 105, 107, 110-113, 117-120, 122, 125-136, 140, 143, 145, 148-150 and 170-178 of the bill.

Senator Tieden offered amendment S—5809 filed by him from the floor to page 1 of amendment S—5791 and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 25.

Amendment S—5809 lost.

Senator Lind withdrew amendment S—5814 filed by him from the floor to page 3 of amendment S—5791.

Senator Holden offered amendment S—5808 filed by him from the floor to page 3 of amendment S—5791 and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 23.

Amendment S—5808 lost.

Senator Lind offered amendment S—5815 filed by him from the floor to page 4 of amendment S—5791 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5815 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Ayes, 12:

Gentleman	Goodwin	Hester	Holden
Holt	Hultman	Jensen	Lind
Rife	Soorholtz	Taylor	Vande Hoef

Nays, 31:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Drake	Fraise	Gettings	Gratias
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Riordan	Ritsema	Tieden
Waldstein	Wells	Welsh	

Absent or not voting, 7:

Dieleman	Doyle	Kinley	Mann
Priebe	Schwengels	Small	

Amendment S—5815 lost.

Senator Ritsema offered amendment S—5801 filed by him from the floor to page 4 of amendment S—5791 and moved its adoption.

Amendment S—5801 was adopted by a voice vote.

Senator Lind offered amendment S—5817 filed by him from the floor to page 4 of amendment S—5791 and moved its adoption.

Amendment S—5817 lost by a voice vote.

Senator Lind asked and received unanimous consent that action on amendment S—5816 filed by him from the floor to page 6 of amendment S—5791 be deferred.

Senator Jensen offered amendment S—5810 filed by Senators Jensen and Lind from the floor to pages 18 and 19 of amendment S—5791.

Senator Carr asked and received unanimous consent that action on amendment S—5810 to amendment S—5791 be deferred.

Senator Lind offered amendment S—5813 filed by Senators Lind, Gentleman and Holden from the floor to page 20 of amendment S—5791.

Senator Husak took the chair at 11:16 a.m.

Senator Coleman took the chair at 11:22 a.m.

Senator Lind moved the adoption of amendment S—5813 to amendment S—5791.

Amendment S—5813 lost by a voice vote.

Senator Gronstal offered amendment S—5811 filed by him from the floor to page 22 of amendment S—5791 and moved its adoption.

Amendment S—5811 was adopted by a voice vote.

Senator Drake offered amendment S—5820 filed by him from the floor to page 23 of amendment S—5791.

Senator Dieleman asked and received unanimous consent that action on amendment S—5820 to amendment S—5791 be deferred.

Senator Drake offered amendment S—5821 filed by him from the floor to page 23 of amendment S—5791.

Senator Drake asked and received unanimous consent that action on amendment S—5821 to amendment S—5791 be deferred.

Senator Dieleman offered amendment S—5832 filed by him from the floor to page 23 of amendment S—5791 and moved its adoption.

Amendment S—5832 was adopted by a voice vote.

With the adoption of amendment S—5832, the Chair ruled amendments S—5820 and S—5821 by Senator Drake to page 23 of amendment S—5791, previously deferred, out of order.

Senator Lind offered amendment S—5823 filed by Senators Lind and Ritsema from the floor to page 2 of amendment S—5791.

President Anderson took the chair at 11:43 a.m.

Senator Ritsema asked and received unanimous consent that action on amendment S—5823 to amendment S—5791 be deferred.

Senator Priebe offered amendment S—5826 filed by Senators Priebe, et al., from the floor to pages 2 and 3 of amendment S—5791 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5826 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Coleman	Dieleman	Drake	Gentleman
Gettings	Goodwin	Gratias	Hall
Hester	Holden	Holt	Nystrom
Palmer	Peterson	Rife	Riordan
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 24:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Fraise
Gronstal	Hannon	Horn	Husak
Hutchins	Jensen	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Priebe
Ritsema	Schwengels	Wells	Welsh

Absent or not voting, 6:

Doyle	Hultman	Kinley	Readeringer
Small	Soorholtz		

Amendment S—5826 lost.

(House File 2484 and amendment S—5791 as amended, pending on recess).

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on April 29, 1986, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 2270, a bill for an act relating to real estate, by providing for the payment of property tax installments, the eligibility of certain types of real estate for a foreclosure continuance, time limits for applying for a foreclosure continuance and the term of a foreclosure continuance, the distribution of income and a phase-in of required interest under a foreclosure continuance, the separate sale of a homestead under a foreclosure on agricultural land, foreclosure continuance eligibility to real estate used for small business, an extension of time under the current declaration of economic emergency, and an effective date (S—5806).

ALSO: That the House has on April 29, 1986, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the House was asked:

House File 2393, a bill for an act authorizing cities and counties to establish civil penalties for violations of ordinances (S—5805 to H—5857).

ALSO: That the House has on April 29, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2483, a bill for an act relating to administration and benefits for public retirement systems in this state and making an appropriation.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:11 p.m., until 1:15 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 28, 1986, 11:42 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Ritsema and Schwengels.

Members Absent: Readinger.

Committee Business: Discussed Senate File 2298.

Recessed: 11:57 a.m.

Reconvened: April 29, 1986, 11:55 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller (arrived 1:40 p.m.), Murphy, Readinger, Ritsema and Schwengels.

Members Absent: none.

Committee Business: Approved Senate File 2305 as a committee bill; recommended passage of House File 2484 as amended.

Adjourned: 3:42 p.m.

APPROPRIATIONS

Convened: April 29, 1986, 5:24 p.m.

Members Present: Welsh, Chair; Tieden, Ranking Member; Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, C. Miller, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: Small, Vice Chair and Colton.

Committee Business: Recommended passage of House File 2488.

Adjourned: 5:30 p.m.

RULES AND ADMINISTRATION

Convened: April 29, 1986, 4:07 p.m.

Members Present: Hutchins, Chair; Gettings, Vice Chair; Hultman, Ranking Member; Gronstal and Jensen.

Members Absent: Kinley.

Committee Business: Recommended passage of House Concurrent Resolution 127; approved concurrent resolution relating to interim studies as a committee resolution; approved proposed senate resolution.

Adjourned: 4:15 p.m.

WAYS AND MEANS

Convened: April 29, 1986, 11:10 a.m.

Members Present: Palmer, Chair; Husak, Vice Chair; Hester, Ranking Member; Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Readinger, Riordan and Soorholtz.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; deferred action on SSB 2219A; recommended passage of House File 2478; SSB 2213 reconsidered, amended and deferred.

Adjourned: 11:45 a.m.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5794 to House amendment S—5776 to Senate File 97 was adopted by the Senate on April 29, 1986.

BILL HUTCHINS

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MR. PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 30th day of April, 1986:

Senate Files 2268 and 2283.

K. MARIE THAYER
Secretary of the Senate

CONFERENCE COMMITTEE REPORT RECEIVED
(House File 2349)

A conference committee report signed by the following Senate and House members was filed April 30, 1986, on House File 2349, a bill for an act relating to games of skill, games of chance, and raffles:

On the Part of the Senate:

BOB CARR, Chair
WALLY E. HORN
JIM LIND
JOHN N. NYSTROM
JOE J. WELSH

On the Part of the House:

EMIL S. PAVICH, Chair
LINDA L. BEATTY
ROD HALVORSON
J. BRENT SIEGRIST

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fourth grade students from Webster Elementary School, Perry, Iowa, accompanied by Jackie Landon and Susan Leslie. Senator Riordan.

Twenty-three National Honor Society students from Rockwell City, Iowa, accompanied by Ed Haag. Senator Waldstein.

AMENDMENTS FILED

S-5798	H.F.	2484	Edgar H. Holden
S-5799	H.F.	2484	Edgar H. Holden
S-5800	H.F.	2484	Joe Welsh
S-5801	H.F.	2484	Douglas Ritsema
S-5802	H.F.	2484	Douglas Ritsema
S-5803	H.F.	2484	Wally Horn
S-5804	S.F.	2305	Charles Bruner Richard F. Drake

S—5805	H.F.	2393	House
S—5806	S.F.	2270	House
S—5807	H.F.	2484	Dale L. Tieden
S—5808	H.F.	2484	Edgar H. Holden
S—5809	H.F.	2484	Dale L. Tieden
S—5810	H.F.	2484	John Jensen Jim Lind
S—5811	H.F.	2484	Michael E. Gronstal
S—5812	H.F.	2484	Bob Carr Dale Tieden Don E. Gettings John E. Soorholtz Michael E. Gronstal Calvin O. Hultman
S—5813	H.F.	2484	Jim Lind Julia Gentleman Edgar Holden
S—5814	H.F.	2484	Jim Lind
S—5815	H.F.	2484	Jim Lind
S—5816	H.F.	2484	Jim Lind
S—5817	H.F.	2484	Jim Lind
S—5818	H.F.	2484	Douglas Ritsema
S—5819	H.F.	2484	Richard F. Drake
S—5820	H.F.	2484	Richard F. Drake
S—5821	H.F.	2484	Richard F. Drake
S—5822	H.F.	2484	Don Gettings
S—5823	H.F.	2484	Jim Lind Doug Ritsema
S—5824	H.F.	2484	Jim Lind Julia Gentleman Edgar Holden
S—5825	H.F.	2484	Larry Murphy
S—5826	H.F.	2484	Berl E. Priebe Dale Tieden Edgar Holden John Peterson
S—5827	H.F.	2484	Jack Hester Dale L. Tieden Emil J. Husak
S—5828	H.F.	2484	Ray Taylor Arthur Gratias

			Larry Murphy
			Julia Gentleman
S-5829	H.F.	2484	Julia Gentleman
S-5830	H.F.	2484	Wally Horn
			Eugene Fraise
S-5831	H.F.	2484	William W. Dieleman
			Charles Bruner
S-5832	H.F.	2484	William W. Dieleman
S-5833	H.F.	2484	Donald E. Gettings
S-5834	H.F.	2484	Jack Rife
S-5835	H.F.	2484	Charles Bruner
S-5836	H.F.	2484	William Palmer
S-5837	H.F.	2484	Julia Gentleman
S-5838	H.F.	2484	Beverly A. Hannon
S-5839	H.F.	2484	Joe Welsh
S-5840	H.F.	2484	Edgar Holden
S-5841	H.F.	2484	Edgar Holden
S-5842	S.F.	2305	Jim Lind
S-5843	H.F.	2484	Larry Murphy
S-5844	H.F.	2484	Dale Tieden
S-5845	H.F.	2484	Arne Waldstein
S-5846	H.F.	2484	Jim Riordan
S-5847	H.F.	2484	Wally Horn
			Joe Brown
			Arthur A. Small, Jr.
			Larry Murphy
			Milo Colton
			Beverly A. Hannon
			James Riordan
			James Wells
S-5848	H.F.	2484	Calvin O. Hultman
S-5849	H.F.	2484	Charles Bruner
S-5850	H.F.	2484	Charles Bruner
S-5851	H.F.	2484	Larry Murphy
S-5852	H.F.	2484	Berl E. Priebe
S-5853	H.F.	2484	Larry Murphy
			Edgar H. Holden
S-5854	H.F.	2484	Joe Welsh
S-5855	H.F.	2484	Joe Welsh

AFTERNOON SESSION

The Senate reconvened at 1:18 p.m., Senator Fraise presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 42 present, 8 absent and a quorum present.

BUSINESS PENDING

House File 2484

The Senate resumed consideration of House File 2484 and amendment S—5791 as amended, pending on recess.

Senator Husak took the chair at 1:30 p.m.

Senator Drake offered amendment S—5819 filed by him from the floor to pages 3 and 6 of amendment S—5791.

Senator Drake asked and received unanimous consent that action on amendment S—5819 to amendment S—5791 be deferred.

Senator Horn offered amendment S—5830 filed by Senators Horn and Fraise from the floor to page 4 of amendment S—5791 and moved its adoption.

Amendment S—5830 was adopted by a voice vote.

Senator Taylor offered amendment S—5828 filed by Senator Taylor, et al., from the floor to pages 5 through 7 of amendment S—5791 and moved its adoption.

President Anderson took the chair at 1:40 p.m.

A record roll call was requested.

On the question “Shall amendment S—5828 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Brown	Corning	Deluhery	Dieleman
Gentleman	Goodwin	Gratias	Hannon
Hester	Holden	Holt	Hultman
Jensen	Lind	Murphy	Nystrom
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 23:

Boswell	Bruner	Carr	Coleman
Colton	Doyle	Drake	Fraise
Gettings	Gronstal	Hall	Horn
Husak	Hutchins	Mann	Miller, A.V.
Miller, C.P.	Palmer	Peterson	Priebe
Rife	Wells	Welsh	

Absent or not voting, 3:

Kinley	Readinger	Soorholtz
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Amendment S—5828 was adopted.

Senator Gentleman offered amendment S—5829 filed by her from the floor to pages 5 and 6 of amendment S—5791 and moved its adoption.

Senator Colton took the chair at 2:05 p.m.

A record roll call was requested.

On the question “Shall amendment S—5829 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Ayes, 17:

Bruner	Colton	Doyle	Drake
Gentleman	Goodwin	Gronstal	Hannon
Hester	Holden	Holt	Kinley
Mann	Riordan	Ritsema	Taylor
Vande Hoef			

Nays, 31:

Boswell	Brown	Carr	Coleman
Corning	Deluhery	Dieleman	Fraise
Gettings	Gratias	Hall	Horn
Hultman	Husak	Hutchins	Jensen

Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Schwengels	Small	Tieden
Waldstein	Wells	Welsh	

Absent or not voting, 2:

Readinger Soorholtz

Amendment S—5829 lost.

Senator Bruner offered amendment S—5849 filed by him from the floor to pages 5 and 6 of amendment S—5791 and moved its adoption.

Amendment S—5849 was adopted by a voice vote.

Senator Bruner offered amendment S—5850 filed by him from the floor to pages 5 and 10 of amendment S—5791 and called for a division: lines 4 and 5 as division S—5850A and lines 6 through 15 as division S—5850B.

Senator Bruner withdrew division S—5850A to amendment S—5791.

Senator Bruner moved the adoption of division S—5850B to amendment S—5791, which motion prevailed by a voice vote.

Senator Hannon offered amendment S—5838 filed by her from the floor to page 6 of amendment S—5791 and moved its adoption.

Amendment S—5838 was adopted by a voice vote.

With the adoption of amendment S—5838 to amendment S—5791, the chair ruled amendment S—5846 filed by Senator Riordan from the floor to page 6 of amendment S—5791, out of order.

Senator Bruner offered amendment S—5835 filed by him from the floor to page 6 of amendment S—5791 and moved its adoption.

Amendment S—5835 was adopted by a voice vote.

Senator Tieden offered amendment S—5866 filed by Senators Tieden and Welsh from the floor to page 6 of amendment S—5791 and moved its adoption.

Amendment S—5866 was adopted by a voice vote.

Senator Rife offered amendment S—5834 filed by him from the floor to page 6 of amendment S—5791 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5834 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Ayes, 13:

Deluhery	Drake	Goodwin	Hester
Holden	Holt	Jensen	Lind
Peterson	Priebe	Rife	Riordan
Waldstein			

Nays, 35:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Dieleman
Doyle	Fraise	Gentleman	Gettings
Gratias	Gronstal	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Absent or not voting, 2:

Readinger	Soorholtz
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Amendment S—5834 lost.

Senator Lind moved the adoption of amendment S—5816 filed by him from the floor to page 6 of amendment S—5791, previously deferred.

A non record roll call was requested.

The ayes were 9, nays 36.

Amendment S—5816 lost.

Senator Horn offered amendment S—5857 filed by Senators Horn and Welsh from the floor to pages 6 and 7 of amendment S—5791 and moved its adoption.

Senator Brown took the chair at 2:58 p.m.

Amendment S—5857 was adopted by a voice vote.

Senator Gentleman offered amendment S—5837 filed by her from the floor to pages 7 through 9 of amendment S—5791 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5837 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Ayes, 5:

Gentleman	Kinley	Riordan	Soorholtz
Vande Hoef			

Nays, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Ritsema	Schwengels
Small	Taylor	Tieden	Waldstein
Wells	Welsh		

Absent or not voting, 3:

Holden	Palmer	Rife
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Amendment S—5837 lost.

Senator Murphy offered amendment S—5825 filed by him from the floor to pages 8, 9 and 13 of amendment S—5791 and moved its adoption.

Amendment S—5825 was adopted by a voice vote.

Senator Jensen moved the adoption of amendment S—5810 by Senators Jensen and Lind to pages 18 and 19 of amendment S—5791, previously deferred.

A record roll call was requested.

On the question "Shall amendment S—5810 to amendment S—5791 be adopted?" (H.F. 2484) the vote was:

Ayes, 19:

Corning	Drake	Goodwin	Gratias
Hester	Holt	Hultman	Jensen
Lind	Nystrom	Readinger	Rife
Ritsema	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 29:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gentleman	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Riordan	Small	Wells
Welsh			

Absent or not voting, 2:

Holden	Hutchins
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Amendment S—5810 lost.

Senator Hultman offered amendment S—5875 filed by him from the floor to pages 18 and 19 of amendment S—5791.

President Anderson took the chair at 3:48 p.m.

Senator Hultman asked and received unanimous consent that action on amendment S—5875 to amendment S—5791 be deferred.

Senator Tieden asked and received unanimous consent that action on amendment S—5852 filed by Senator Priebe from the floor to page 21 of amendment S—5791 be deferred.

Senator Lind offered amendment S—5861 filed by him from the floor to page 21 of amendment S—5791 and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 26.

Amendment S—5861 lost.

Senator Lind offered amendment S—5877 filed by him from the floor to page 21 of amendment S—5791.

Senator Dieleman raised the point of order that amendment S—5877 to amendment S—5791 was out of order because the same subject matter had previously been considered by the Senate.

The Chair ruled the point not well taken and amendment S—5877 in order.

Senator Lind moved the adoption of amendment S—5877 to amendment S—5791.

A non record roll call was requested.

The ayes were 12, nays 28.

Amendment S—5877 lost.

Senator Welsh offered amendment S—5864 filed by him from the floor to page 24 of amendment S—5791 and moved its adoption.

Amendment S—5864 was adopted by a voice vote.

Senator Welsh offered amendment S—5839 filed by him from the floor to pages 24 and 25 of amendment S—5791.

Senator Welsh asked and received unanimous consent that action on amendment S—5839 to amendment S—5791 be 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—5864 to amendment S—5791 to House File 2484 was adopted by the Senate on April 30, 1986.

The motion prevailed by a voice vote and amendment S—5864 to page 24 of amendment S—5791 was taken up for reconsideration.

Senator Welsh asked and received unanimous consent that action on amendment S—5864 to amendment S—5791 be deferred.

Senator Welsh moved the adoption of amendment S—5839 to pages 24 and 25 of amendment S—5791.

Amendment S—5839 was adopted by a voice vote.

With the adoption of amendment S—5839 to amendment S—5791, the Chair ruled amendment S—5864 by Senator Welsh to page 24 of amendment S—5791, previously deferred, out of order.

BILL ASSIGNED TO COMMITTEE

President Anderson announced that **House File 2483** was assigned to the committee on **State Government**.

BUSINESS PENDING

House File 2484

The Senate resumed consideration of House File 2484 and amendment S—5791 as amended.

Senator Gronstal asked and received unanimous consent that action on amendment S—5869 filed by Senators Gronstal, Welsh and Drake from the floor to page 25 of amendment S—5791 be deferred.

Senator Palmer offered amendment S—5881 filed by him from the floor to page 25 of amendment S—5791 and moved its adoption.

President pro tempore Wells took the chair at 4:42 p.m.

A record roll call was requested.

On the question “Shall amendment S—5881 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Brown	Carr	Colton	Deluhery
Gentleman	Hall	Holt	Horn
Kinley	Lind	Mann	Miller, A.V.
Murphy	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Small	Soorholtz	Waldstein	Wells

Nays, 25:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gratias	Gronstal
Hannon	Holden	Hultman	Husak
Hutchins	Jensen	Miller, C.P.	Nystrom
Schwengels	Taylor	Tieden	Vande Hoef
Welsh			

Absent or not voting, 1:

Hester

Amendment S—5881 lost.

Senator Rife offered amendment S—5862 filed by him from the floor to page 25 of amendment S—5791 and moved its adoption.

President Anderson took the chair at 5:00 p.m.

A record roll call was requested.

On the question “Shall amendment S—5862 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Ayes, 3:

Peterson	Rife	Soorholtz
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Nays, 46:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Absent or not voting, 1:

Miller, C.P.

Amendment S—5862 lost.

Senator Lind moved the adoption of amendment S—5823 by Senators Lind and Ritsema to page 2 of amendment S—5791, previously deferred.

A record roll call was requested.

On the question “Shall amendment S—5823 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Brown	Carr	Corning	Drake
Gentleman	Goodwin	Gratias	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Peterson	Ritsema
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Waldstein		

Nays, 27:

Boswell	Bruner	Coleman	Colton
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Priebe	Readinger	Riordan
Schwengels	Wells	Welsh	

Absent or not voting, 1:

Rife

Amendment S—5823 lost.

Senator Mann withdrew amendment S—5871 filed by him from the floor to pages 2 and 7 of amendment S—5791.

Senator Drake moved the adoption of amendment S—5819 to pages 3 and 6 of amendment S—5791, previously deferred, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—5879 filed by him from the floor to page 6 of amendment S—5791 and moved its adoption.

Amendment S—5879 was adopted by a voice vote.

With the adoption of amendment S—5879 to amendment S—5791, the Chair ruled amendment S—5876 filed by Senator Horn from the floor to pages 6 and 7 of amendment S—5791, out of order.

Senator Welsh offered amendment S—5855 filed by him from the floor to pages 8 and 9 of amendment S—5791 and moved its adoption.

Amendment S—5855 to amendment S—5791 was adopted by a voice vote.

Senator Hultman moved the adoption of amendment S—5875 to pages 18 and 19 of amendment S—5791, previously deferred.

Amendment S—5875 was adopted by a voice vote.

Senator Priebe withdrew amendment S—5852 to page 21 of amendment S—5791, previously deferred.

Senator Hutchins asked and received unanimous consent that action on amendment S—5887 filed by Senator Gronstal from the floor to page 21 of amendment S—5791 be deferred.

Senator Hultman asked and received unanimous consent that action on amendment S—5886 filed by Senator Dieleman from the floor to page 25 of amendment S—5791 be deferred.

Senator Priebe filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5826 to pages 2 and 3 of amendment S—5791 to House File 2484 failed to be adopted by the Senate on April 30, 1986.

On the question “Shall the motion to reconsider be adopted?” (H.F. 2484) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Coleman
Hester

Gentleman
Holden

Gettings
Holt

Hall
Hultman

Jensen	Kinley	Lind	Nyström
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Soorholtz	Taylor
Vande Hoef	Waldstein		

Nays, 23:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Fraise
Goodwin	Gratias	Gronstal	Hannon
Horn	Husak	Hutchins	Mann
Miller, A.V.	Murphy	Ritsema	Schwengels
Small	Wells	Welsh	

Voting present, 1:

Doyle

Absent or not voting, 4:

Dieleman	Drake	Miller, C.P.	Tieden
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The motion lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

House File 2484

The Senate resumed consideration of House File 2484 and amendment S—5791.

Senator Gronstal withdrew amendment S—5887 to page 21 of amendment S—5791, previously deferred.

The Senate resumed consideration of amendment S—5886 by Senator Dieleman to page 25 of amendment S—5791, previously deferred.

Senator Gronstal raised the point of order that amendment S—5886 to amendment S—5791 was not germane.

The Chair ruled the point well taken and amendment S—5886 out of order.

Senator Hutchins asked and received unanimous consent that action on **House File 2484** and amendment S—5791 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 30, 1986, adopted the conference committee report and passed House File 2349, a bill for an act relating to games of skill, games of chance, and raffles.

ALSO: That the House has on April 30, 1986, passed the following bills in which the concurrence of the House was asked:

Senate File 2294, a bill for an act relating to the state individual and corporate income tax by limiting, modifying, eliminating, and changing certain deductions and credits in computing the tax liability, and providing an effective date.

Senate File 2295, a bill for an act to increase snowmobile registration fees and providing an effective date.

ALSO: That the House has on April 30, 1986, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2289, a bill for an act relating to the Code editor, the deputy Code editor, and the office of the Code editor, also known as the Iowa Code office; relating to the duties, powers, and organization of the position and office of the Code editor; relating to the structuring of the legislative service bureau in relation to the position and office of the Code editor; and relating to the publication of the Iowa Code, the Iowa administrative code, and related documents (S—5885).

• **Senate File 2302**, a bill for an act relating to the local option sales and services tax and the local option earnings tax and providing effective dates (S—5888).

**CONSIDERATION OF BILL
(Appropriations Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2305.

Senate File 2305

On motion of Senator Drake, Senate File 2305, a bill for an act relating to the use and appropriation of oil overcharge funds and the establishment of an energy conservation trust fund and an agricultural energy management fund, was taken up for consideration.

Senator Colton took the chair at 6:05 p.m.

Senator Bruner offered amendment S—5790 filed by him on April 29, 1986, to page 3 of the bill and moved its adoption.

Amendment S—5790 was adopted by a voice vote.

Senator Bruner offered amendment S—5804 filed by Senators Bruner and Drake from the floor to page 4 of the bill and moved its adoption.

Amendment S—5804 was adopted by a voice vote.

Senator Lind offered amendment S—5842 filed by him from the floor to pages 7 and 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 9, nays 31.

Amendment S—5842 lost.

Senator Bruner offered amendment S—5796 filed by him on April 29, 1986, to page 8 of the bill and moved its adoption.

Amendment S—5796 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2305) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Dieleman
Doyle	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Gronstal
Hall	Hester	Holden	Holt
Hultman	Husak	Hutchins	Jensen
Lind	Mann	Miller, A. V.	Murphy
Nystrom	Priebe	Readinger	Rife
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Brown	Hannon	Horn	Kinley
Miller, C.P.	Palmer	Peterson	Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2305** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED (Deferred April 29, 1986)

Senate File 97

The Senate resumed consideration of Senate File 97, a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years, and House amendment S—5776 as amended, deferred on April 29, 1986.

Senator Hutchins withdrew the motion to reconsider the vote by which amendment S—5794 to House amendment S—5776 to Senate File 97 was adopted by the Senate on April 29, 1986, filed by him on April 30, 1986, and found on page 1462 of the Senate Journal.

President Anderson took the chair at 6:25 p.m.

Senator Taylor asked and received unanimous consent that action on House amendment S—5776 as amended and **Senate File 97** be deferred.

BUSINESS PENDING

House File 2484

The Senate resumed consideration of House File 2484 and amendment S—5791 as amended, previously deferred.

Senator Carr offered amendment S—5891 filed by Senators Carr and Schwengels from the floor to page 20 of amendment S—5791 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5891 to amendment S—5791 be adopted?” (H.F. 2484) the vote was:

Ayes, 25:

Brown	Bruner	Carr	Colton
Corning	Deluhery	Doyle	Drake
Fraise	Gettings	Goodwin	Gratias
Holt	Horn	Jensen	Mann
Palmer	Priebe	Riordan	Ritsema
Schwengels	Small	Vande Hoef	Waldstein
Wells			

Nays, 21:

Boswell	Dieleman	Gentleman	Gronstal
Hall	Hannon	Hester	Holden
Hultman	Husak	Hutchins	Lind
Murphy	Nystrom	Peterson	Readinger
Rife	Soorholtz	Taylor	Tieden
Welsh			

Absent or not voting, 4:

Coleman	Kinley	Miller, A.V.	Miller, C.P.
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Amendment S—5891 was adopted.

Senator Riordan offered amendment S—5893 filed by Senators Riordan and Carr from the floor to page 24 of amendment S—5791.

Senator Welsh raised the point of order that amendment S—5893 to amendment S—5791 was out of order.

The Chair ruled the point well taken and amendment S—5893 out of order,

Senator Gronstal withdrew amendment S—5869 to page 25 of amendment S—5791, previously deferred.

Senator Gronstal offered amendment S—5894 filed by him from the floor to page 25 of amendment S—5791.

A non record roll call was requested.

The ayes were 39, nays 6.

Amendment S—5894 was adopted.

Senator Gronstal withdrew amendment S—5897 filed by him from the floor to page 25 of amendment S—5791.

With the adoption of amendment S—5894, the Chair ruled amendment S—5898 filed by Senators Kinley, et al., from the floor to page 25 of amendment S—5791, out of order.

Senator Murphy offered amendment S—5895 filed by him from the floor to page 25 of amendment S—5791 and moved its adoption.

A non record roll call was requested.

The ayes were 7, nays 38.

Amendment S—5895 lost.

Senator Priebe asked unanimous consent that action on amendment S—5791 be deferred.

Senator Priebe withdrew his request.

Senator Rife asked and received unanimous consent that action on amendment S—5791 be deferred.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Wells presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Coleman took the chair at 7:53 p.m.

The vote revealed 49 present, 1 absent and a quorum present.

BUSINESS PENDING

House File 2484

The Senate resumed consideration of House File 2484 and amendment S—5791 as amended.

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—5894 to amendment S—5791 to House File 2484 was adopted by the Senate on April 30, 1986.

The motion prevailed by a voice vote and amendment S—5894 by Senator Gronstal to page 25 of amendment S—5791, was taken up for reconsideration.

Senator Gronstal asked and received unanimous consent that action on amendment S—5894 to amendment S—5791 be deferred.

With the adoption of the motion to reconsider amendment S—5894 to amendment S—5791, amendment S—5898 by Senators Kinley, et al., to amendment S—5791, previously ruled out of order, was eligible for consideration by the Senate.

Senator Rife offered amendment S—5898 filed by Senators Kinley, et al., from the floor to page 25 of amendment S—5791 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5898 to amendment S—5791 be adopted?" (H.F. 2484) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Bruner	Coleman	Dieleman	Doyle
Drake	Gentleman	Gettings	Gratias
Hall	Hannon	Holden	Horn
Jensen	Kinley	Palmer	Rife
Schwengels	Soorholtz	Taylor	Vande Hoef
Waldstein			

Nays, 28:

Boswell	Brown	Carr	Colton
Corning	Deluhery	Fraise	Goodwin
Gronstal	Hester	Holt	Hultman
Husak	Hutchins	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Readinger	Riordan	Ritsema
Small	Tieden	Wells	Welsh

Absent or not voting, 1:

Miller, C.P.

Amendment S—5898 lost.

The Chair ruled amendment S—5901 filed by Senators Kinley, et al., from the floor to page 25 of amendment S—5791, out of order because the subject matter had previously been considered by the Senate.

Senator Gronstal moved the adoption of amendment S—5894 to page 25 of amendment S—5791, previously deferred, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—5904 filed by him from the floor to pages 21 and 25 of amendment S—5791 and moved its adoption.

Amendment S—5904 was adopted by a voice vote.

Senator Waldstein offered amendment S—5905 filed by Senators Waldstein, et. al., from the floor to page 25 of amendment S—5791 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5905 to amendment S—5791 be adopted?" (H.F. 2484) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Brown	Coleman	Corning	Doyle
Drake	Gentleman	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Priebe	Rife	Ritsema	Schwengels
Soorholtz	Taylor	Vande Hoef	Waldstein

Nays, 24:

Boswell	Bruner	Carr	Colton
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Readinger	Riordan
Small	Tieden	Wells	Welsh

Absent or not voting, 2:

Kinley Miller, C.P.

Amendment S—5905 lost.

Senator Welsh moved the adoption of amendment S—5791 as amended, which motion prevailed by a voice vote.

The Chair ruled amendment S—5867 filed by Senator Mann from the floor to pages 2 and 7 of the bill, out of order.

Senator Tieden offered amendment S—5807 filed by him from the floor to page 1 of the bill and moved its adoption.

Senator Colton took the chair at 9:30 p.m.

A non record roll call was requested.

The ayes were 37, nays 9.

Amendment S—5807 was adopted.

With the adoption of amendment S—5807, the Chair ruled amendment S—5836 filed by Senator Palmer from the floor to page 1 of the bill, out of order.

Senator Jensen withdrew amendment S—5772 filed by Senators Jensen, et al., on April 29, 1986, to pages 3 and 31 of the bill.

Senator Mann offered amendment S—5780 filed by him on April 29, 1986, to pages 5 and 67 of the bill and called for a division: lines 3 through 7 as division S—5780A and lines 8 through 11 as division S—5780B.

With the adoption of amendment S—5791 as amended, the Chair ruled division S—5780A, out of order.

Senator Welsh asked and received unanimous consent that action on division S—5780B be deferred.

Senator Coleman took the chair at 9:41 p.m.

Senator Ritsema offered amendment S—5856 filed by him from the floor to pages 9, 15 and 24 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5856 be adopted?” (H.F. 2484) the vote was:

Ayes, 20:

Drake	Gentleman	Goodwin	Gratias
Hall	Hester	Holden	Holt
Hultman	Jensen	Lind	Priebe
Readinger	Rife	Ritsema	Soorholtz
Taylor	Tieden	Vande Hoef	Waldstein

Nays, 27:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Hutchins
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Riordan	Schwengels
Small	Wells	Welsh	

Absent or not voting, 3:

Husak

Kinley

Miller, C.P.

Amendment S—5856 lost.

Senator Murphy offered amendment S—5853 filed by Senators Murphy and Holden from the floor to page 10 of the bill and moved its adoption.

Amendment S—5853 lost by a voice vote.

Senator Gratias offered amendment S—5784 filed by him on April 29, 1986, to page 12 of the bill and moved its adoption.

Amendment S—5784 was adopted by a voice vote.

Senator Gettings offered amendment S—5833 filed by him from the floor to page 12 of the bill and moved its adoption.

Amendment S—5833 was adopted by a voice vote.

Senator Holden offered amendment S—5799 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—5799 lost by a voice vote.

Senator Gettings offered amendment S—5822 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—5822 was adopted by a voice vote.

Senator Welsh withdrew amendment S—5858 filed by him from the floor to page 15 of the bill.

Senator Welsh withdrew amendment S—5880 filed by him from the floor to page 15 of the bill.

Senator Welsh offered amendment S—5909 filed by him from the floor to page 15 of the bill.

Senator Priebe raised the point of order that amendment S—5909 was not germane to the bill.

Senator Priebe withdrew his point of order.

Senator Ritsema raised the point of order that amendment S—5909 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5909 in order.

Senator Murphy asked and received unanimous consent that action on amendment S—5909 be deferred.

Senator Dieleman filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5799 to House File 2484 failed to be adopted by the Senate on April 30, 1986.

The motion prevailed by a voice vote and amendment S—5799 by Senator Holden to page 15 of the bill, was taken up for reconsideration.

Senator Holden moved the adoption of amendment S—5799, which motion prevailed by a voice vote.

Senator Dieleman offered amendment S—5859 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—5859 was adopted by a voice vote.

Senator Dieleman offered amendment S—5860 filed by him from the floor to page 15 of the bill and moved its adoption.

Amendment S—5860 was adopted by a voice vote.

Senator Horn offered amendment S—5884 filed by him from the floor to pages 24, 48, 49, 56, 57, 58, 60 and 61 of the bill and called for a division: lines 6 through 11 and lines 15 through 17 as division S—5884A and lines 3 through 5, 12 through 14 and 18 through 45 as division S—5884B.

Senator Horn withdrew division S—5884A.

Senator Horn moved the adoption of division S—5884B, which motion prevailed by a voice vote.

Senator Taylor offered amendment S—5797 filed by Senators Taylor, et al., on April 29, 1986, to page 26 of the bill and moved its adoption.

Amendment S—5797 lost by a voice vote.

Senator Horn offered amendment S—5792 filed by him on April 29, 1986, to pages 32 and 33 of the bill and moved its adoption.

Amendment S—5792 was adopted by a voice vote.

President Anderson took the chair at 10:28 p.m.

Senator Colton offered amendment S—5779 filed by him on April 29, 1986, to page 35 of the bill and moved its adoption.

Amendment S—5779 was adopted by a voice vote.

Senator Horn withdrew amendment S—5803 filed by him from the floor to page 36 of the bill.

Senator Jensen offered amendment S—5771 filed by him on April 29, 1986, to page 37 and 38 of the bill and moved its adoption.

Amendment S—5771 lost by a voice vote.

Senator Horn offered amendment S—5847 filed by Senators Horn, et al., from the floor to page 38 of the bill.

Senator Ritsema asked and received unanimous consent that action on amendment S—5847 be deferred.

Senator Holden offered amendment S—5798 filed by him from the floor to pages 40, 69, 117, 118, 120, 145 and 152 of the bill and called for a division:

Division S—5798A: page 1, lines 3 through 6.

Division S—5798B: page 1, line 7.

Division S—5798C: page 1, lines 8 and 9.

Division S—5798D: page 1, lines 10 through 20.

Division S—5798E: page 1, lines 21 through 50 and page 2.

The Chair ruled divisions S—5798A and S—5798C out of order because the same subject matter was previously considered by the Senate.

Senator Holden moved the adoption of division S—5798B.

A record roll call was requested.

On the question "Shall division S—5798B be adopted?" (H.F. 2484) the vote was:

Ayes, 15:

Corning	Drake	Gentleman	Gratias
Hester	Holden	Holt	Lind
Rife	Ritsema	Soorholtz	Taylor
Tieden	Vande Hoef	Waldstein	

Nays, 31:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Jensen	Mann
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Readinger	Riordan	Schwengels
Small	Wells	Welsh	

Absent or not voting, 4:

Hultman	Kinley	Miller, C.P.	Palmer
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Division S—5798B lost.

Senator Colton took the chair at 10:55 p.m.

Senator Holden moved the adoption of division S—5798D.

A record roll call was requested.

On the question "Shall division S—5798D be adopted?" (H.F. 2484) the vote was:

Ayes, 17:

Brown	Bruner	Carr	Gentleman
Goodwin	Gratias	Gronstal	Hannon
Holden	Holt	Lind	Readinger
Riordan	Ritsema	Small	Taylor
Welsh			

Nays, 29:

Boswell	Coleman	Colton	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Hall	Hester

Horn	Husak	Hutchins	Jensen
Mann	Miller, A.V.	Murphy	Nystrom
Peterson	Priebe	Rife	Schwengels
Soorholtz	Tieden	Vande Hoef	Waldstein
Wells			

Absent or not voting, 4:

Hultman	Kinley	Miller, C.P.	Palmer
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Division S—5798D lost.

Senator Holden offered amendment S—5841 filed by him from the floor to division S—5798E and moved its adoption.

Amendment S—5841 was adopted by a voice vote.

Senator Holden offered amendment S—5840 filed by him from the floor to division S—5798E and moved its adoption.

Amendment S—5840 was adopted by a voice vote.

Senator Holden moved the adoption of division S—5798E as amended, which motion prevailed by a voice vote.

Senator Brown offered amendment S—5868 filed by him from the floor to page 67 of the bill.

Senator Hultman raised the point of order that amendment S—5868 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5868 in order.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Welsh presiding.

Senator Hutchins raised the point of order that amendment S—5868 was not germane to the bill.

President Anderson took the chair at 11:30 p.m.

Senator Hutchins withdrew his point of order.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Anderson presiding.

Senator Hutchins asked and received unanimous consent that action on **House File 2484** be **deferred** (amendment S—5868 pending).

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, 1986, adopted the conference committee report and passed Senate File 2242, a bill for an act to establish incentives to encourage certain state employees to retire or terminate employment by receiving monetary and insurance payment incentives and to provide that the act takes effect upon its publication.

ALSO: That the House has on April 29, 1986, 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 2265, a bill for an act relating to civil liability by modifying statutory language relating to civil liability.

APPENDIX

SUBCOMMITTEE ASSIGNMENT

House File 2480

COMMERCE: Priebe, Chair; Tieden and Jensen

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE CONCURRENT RESOLUTION 133, a resolution relating to the board of regent's ten-year building program and providing for the purchase of equipment.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, Murphy, Readinger and Schwengels. Nays, 2: Gentleman and Ritsema. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 134, a resolution relating to the board of regents' ten-year building program and providing for Gilman hall remodeling, phase II, at Iowa State university of science and technology.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, Murphy, Readinger and Schwengels. Nays, 2: Gentleman and Ritsema. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 135, a resolution relating to the board of regents' ten-year building program and providing for the construction and equipping of a classroom/office building at the university of northern Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 15: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, Murphy, Readinger and Schwengels. Nays, 2: Gentleman and Ritsema. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 136, a resolution relating to the board of regents' ten-year building program and providing for the chemistry-botany remodeling, phase II at the university of Iowa.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Welsh, Small, Colton, Deluhery, Dieleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, Murphy, Readinger and Schwengels. Nays, 3: Tieden, Gentleman and Ritsema. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5856	H.F.	2484	Douglas Ritsema
S—5857	H.F.	2484	Wally Horn Joe Welsh
S—5858	H.F.	2484	Joe Welsh
S—5859	H.F.	2484	William W. Dieleman
S—5860	H.F.	2484	William W. Dieleman
S—5861	H.F.	2484	Jim Lind
S—5862	H.F.	2484	Jack Rife
S—5863	H.F.	2484	Michael E. Gronstal Joe Welsh
S—5864	H.F.	2484	Joe Welsh
S—5865	H.F.	2484	William W. Dieleman Charles Bruner
S—5866	H.F.	2484	Dale Tieden Joe Welsh
S—5867	H.F.	2484	Tom Mann, Jr.
S—5868	H.F.	2484	Joe Brown
S—5869	H.F.	2484	Michael E. Gronstal Joe Welsh Richard F. Drake
S—5870	H.F.	2484	Joe Welsh
S—5871	H.F.	2484	Tom Mann, Jr.

S—5872	H.F.	2484	Joe Welsh
S—5873	H.F.	2484	Joe Brown
S—5874	H.F.	2484	Charles Bruner Julia Gentleman
S—5875	H.F.	2484	Calvin O. Hultman
S—5876	H.F.	2484	Wally Horn
S—5877	H.F.	2484	Jim Lind
S—5878	S.F.	2270	Leonard L. Boswell
S—5879	H.F.	2484	Joe Welsh
S—5880	H.F.	2484	Joe Welsh
S—5881	H.F.	2484	William D. Palmer
S—5882	H.F.	2484	Joe Welsh
S—5883	S.F.	2298	Larry Murphy Wally Horn Milo Colton Beverly Hannon James Riordan James Wells
S—5884	H.F.	2484	Wally Horn
S—5885	S.F.	2289	House
S—5886	H.F.	2484	William W. Dieleman
S—5887	H.F.	2484	Michael E. Gronstal
S—5888	S.F.	2302	House
S—5889	H.F.	2484	Joe Welsh
S—5890	H.F.	2484	Joe Brown
S—5891	H.F.	2484	Bob Carr Forrest V. Schwengels
S—5892	H.F.	2484	William W. Dieleman
S—5893	H.F.	2484	James Riordan Bob Carr
S—5894	H.F.	2484	Michael E. Gronstal
S—5895	H.F.	2484	Larry Murphy
S—5896	S.F.	97	Douglas Ritsema
S—5897	H.F.	2484	Michael E. Gronstal
S—5898	H.F.	2484	George Kinley Jack Rife William D. Palmer John Soorholtz
S—5899	H.F.	2483	Edgar H. Holden
S—5900	H.F.	2484	Joe Brown
S—5901	H.F.	2484	George Kinley Jack Rife

			John Soorholtz
			William D. Palmer
			Hurley W. Hall
S—5902	H.F.	2484	Arne Waldstein
			Hurley Hall
			John Jensen
			Berl E. Priebe
S—5903	H.F.	2484	David M. Readinger
S—5904	H.F.	2484	Joe Welsh
S—5905	H.F.	2484	Arne Waldstein
			Hurley Hall
			Berl E. Priebe
			John W. Jensen
S—5906	H.F.	2484	Larry Murphy
			Jim Lind
S—5907	H.F.	2484	William W. Dieleman
S—5908	H.F.	2484	Ray Taylor
			Joe Welsh
S—5909	H.F.	2484	Joe Welsh
S—5910	H.F.	2484	Jim Lind
S—5911	H.F.	2484	Dale L. Tieden
			Berl E. Priebe
S—5912	S.F.	2270	Emil J. Husak
S—5913	S.F.	2298	Joy Corning
S—5914	H.F.	2483	William W. Dieleman
S—5915	H.F.	2484	Wally E. Horn
S—5916	H.F.	2484	Bill Hutchins
S—5917	H.F.	2484	Joe Welsh

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:01 a.m., until 8:00 a.m., Thursday, May 1, 1986.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SEVENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, May 1, 1986

The Senate met in regular session at 8:01 a.m., President pro tempore Wells presiding.

Prayer was offered by the Honorable William Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Wednesday, April 30, 1986, was approved.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 32 present, 18 absent and a quorum present.

HOUSE AMENDMENTS CONSIDERED

Senate File 2302

Senator Gronstal called up for consideration Senate File 2302, a bill for an act relating to the local option sales and services tax and the local option earnings tax and providing effective dates, amended by the House, and moved that the Senate concur in House amendment S—5888 filed April 30, 1986.

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 15.

The motion prevailed and the Senate concurred in the House amendment.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2302** be **deferred**.

Senate File 2270

Senator Husak called up for consideration Senate File 2270, a bill for an act relating to real estate, by providing for the payment of property tax installments, the eligibility of certain types of real estate for a foreclosure continuance, time limits for applying for a foreclosure continuance and the term of a foreclosure continuance, the distribution of income and a phase-in of required interest under a foreclosure continuance, the separate sale of a homestead under a foreclosure on agricultural land, foreclosure continuance eligibility to real estate used for small business, an extension of time under the current declaration of economic emergency, and an effective date, amended by the House in House amendment S—5806 filed April 30, 1986.

Senator Tieden asked and received unanimous consent that action on House amendment S—5806 and **Senate File 2270** be **deferred**.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 2393

Senator Miller of Cerro Gordo called up for consideration House File 2393, a bill for an act authorizing cities and counties to establish civil penalties for violations of ordinances, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5805 to Senate amendment H—5857 filed April 30, 1986.

Senator Colton took the chair at 8:35 a.m.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 2393) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Boswell	Bruner	Carr	Corning
Dieleman	Fraise	Gentleman	Goodwin
Gratias	Gronstal	Hannon	Holden
Holt	Hutchins	Mann	Miller, A.V.
Murphy	Priebe	Riordan	Ritsema
Small	Waldstein		

Nays, 18:

Coleman	Colton	Doyle	Drake
Gettings	Hall	Hester	Horn
Hultman	Husak	Lind	Nystrom
Peterson	Rife	Taylor	Vande Hoef
Wells	Welsh		

Absent or not voting, 10:

Brown	Deluhery	Jensen	Kinley
Miller, C.P.	Palmer	Readinger	Schwengels
Soorholtz	Tieden		

The motion prevailed and the Senate concurred in the House amendment.

Senator Miller of Cerro Gordo 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. 2393) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Carr
Colton	Corning	Dieleman	Drake
Fraise	Gentleman	Gettings	Goodwin
Gratias	Gronstal	Hannon	Hultman
Husak	Hutchins	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Priebe
Riordan	Ritsema	Small	Tieden
Waldstein	Wells	Welsh	

Nays, 10:

Coleman	Doyle	Hall	Hester
Holden	Holt	Horn	Peterson
Rife	Taylor		

Absent or not voting, 9:

Deluhery	Jensen	Kinley	Miller, C.P.
Palmer	Readinger	Schwengels	Soorholtz
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONFERENCE COMMITTEE REPORT ADOPTED

House File 2349

Senator Carr called up the conference committee report on House File 2349, a bill for an act relating to games of skill, games of chance, and raffles, filed April 30, 1986, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator 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. 2349) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Colton	Corning	Deluhery	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gratias	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Ritsema
Schwengels	Small	Tieden	Waldstein
Wells	Welsh		

Nays, 4:

Dieleman	Holden	Taylor	Vande Hoef
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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

House File 2393

Senator Miller of Cerro Gordo withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which House File 2393 passed the Senate on May 1, 1986.

Senator Hutchins asked and received unanimous consent that **House File 2393** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

(Deferred April 30, 1986)

Senate File 97

The Senate resumed consideration of Senate File 97, a bill for an act establishing the legal age for the purpose of laws relating to beer and alcoholic beverages at twenty-one years, and House amendment S—5776 as amended, deferred on April 30, 1986.

Senator Ritsema offered amendment S—5896 filed by him on April 30, 1986, to page 1 of House amendment S—5776 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5896 to House amendment S—5776 be adopted?" (S.F. 97) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Corning	Deluhery	Dieleman
Drake	Gentleman	Goodwin	Gratias
Hester	Holden	Holt	Hultman
Jensen	Kinley	Mann	Nystrom
Peterson	Priebe	Ritsema	Schwengels

Small
Vande Hoef

Soorholtz
Waldstein

Taylor

Tieden

Nays, 22:

Brown
Colton
Gronstal
Husak
Murphy
Wells

Bruner
Doyle
Hall
Hutchins
Palmer
Welsh

Carr
Fraise
Hannon
Lind
Rife

Coleman
Gettings
Horn
Miller, A.V.
Riordan

Absent or not voting, 2:

Miller, C.P.

Readinger

Amendment S—5896 was adopted.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Husak and Senator Readinger for the remainder of the morning on request of Senator Hultman.

President Anderson took the chair at 9:50 a.m.

BUSINESS PENDING

Senate File 97

The Senate resumed consideration of Senate File 97 and House amendment S—5776 as amended.

Senator Mann asked and received unanimous consent that action on House amendment S—5776 as amended and **Senate File 97** be **deferred**.

MOTION TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5896 to House amendment S—5776 to Senate File 97 was adopted by the Senate on May 1, 1986.

TOM MANN, JR.

COMMITTEE REPORT

COMMERCE

Final Bill Action: HOUSE FILE 2480, a bill for an act relating to membership sales, by exempting cooperatives organized under chapter 499 and certain mutual or cooperative telephone companies organized under chapter 491.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Kinley, Deluhery, Gronstal, Holden, Jensen, Nystrom, Palmer, Peterson, Priebe and Tieden. Nays, none.

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 House File 2480.

House File 2480

On motion of Senator Boswell, House File 2480, a bill for an act relating to membership sales, by exempting cooperatives organized under chapter 499 and certain mutual or cooperative telephone companies organized under chapter 491, with report of committee recommending passage, was taken up for consideration.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2480) the vote was:

Ayes, 47:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy

Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Ritsema	Schwengels
Small	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Miller, C.P.	Readerger	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.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Carr presiding.

QUORUM CALL

Senator Gronstal requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, Senator Husak presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Anderson took the chair at 11:21 a.m.

The vote revealed 47 present, 3 absent and a quorum present.

UNFINISHED BUSINESS
(Deferred April 30, 1986)

House File 2484

The Senate resumed consideration of House File 2484, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive, deferred on April 30, 1986 and amendment S—5868 by Senator Brown pending on adjournment.

Senator Bruner asked and received unanimous consent to withdraw amendment S—5874 filed by Senators Bruner and Gentleman on April 30, 1986, to page 98 of the bill.

Senator Murphy withdrew amendment S—5843 filed by him on April 30, 1986, to page 170 of the bill.

Senator Murphy withdrew amendment S—5851 filed by him on April 30, 1986, to page 170 of the bill.

Senator Murphy asked and received unanimous consent to withdraw amendment S—5906 filed by Senators Murphy and Lind on April 30, 1986, to page 163 of the bill.

Senator Gronstal asked and received unanimous consent to withdraw amendment S—5863 filed by Senators Gronstal and Welsh on April 30, 1986, to pages 163 and 169 of the bill.

Senator Gronstal withdrew amendment S—5787 filed by him on April 29, 1986, to pages 168 and 169 of the bill.

Senator Gronstal withdrew amendment S—5788 filed by him on April 29, 1986, to page 171 of the bill.

Senator Gronstal withdrew amendment S—5789 filed by him on April 29, 1986, to pages 170 and 171 of the bill.

Senator Gronstal withdrew amendment S—5783 filed by him on April 29, 1986, to pages 155 through 163, 168 and 171 of the bill.

Senator Dieleman withdrew amendment S—5907 filed by him on April 30, 1986, to pages 168 and 178 of the bill.

Senator Dieleman withdrew amendment S—5892 filed by him on April 30, 1986, to page 168 of the bill.

Senator Mann withdrew amendment S—5774 filed by him on April 29, 1986, to page 67 of the bill.

Senator Mann withdrew division S—5780B to page 67 of the bill, deferred on April 30, 1986.

Senator Boswell withdrew amendment S—5770 filed by him on April 29, 1986, to page 125 of the bill.

Senator Welsh withdrew amendment S—5889 filed by him on April 30, 1986, to page 121 of the bill.

Senator Welsh withdrew amendment S—5854 filed by him on April 30, 1986, to page 121 of the bill.

Senator Welsh withdrew amendment S—5872 filed by him on April 30, 1986, to page 130 of the bill.

Senator Carr asked and received unanimous consent to withdraw amendment S—5812 filed by Senators Carr, et al., on April 30, 1986, to page 165 of the bill.

Senator Horn asked and received unanimous consent to withdraw amendment S—5847 filed by Senators Horn, et al., to page 38 of the bill, deferred on April 30, 1986.

Amendment S—5915 filed by Senator Horn on April 30, 1986, to amendment S—5847, was out of order.

Senator Brown asked unanimous consent that action on amendment S—5868 by him to page 67 of the bill, offered and pending on April 30, 1986, be deferred.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Anderson presiding.

Senator Brown withdrew amendment S—5868 by him to page 67 of the bill.

The following amendments filed by Senator Brown on April 30, 1986, to amendment S—5868 were out of order:

S—5873 to page 16; S—5890 to page 4 and S—5900 to pages 4 and 39.

Senator Dieleman asked and received unanimous consent to withdraw amendment S—5831 filed by Senators Dieleman and Bruner to pages 170 and 178 of the bill.

Senator Hutchins withdrew amendment S—5916 filed by him to page 67 of the bill.

Senator Welsh withdrew amendment S—5882 filed by him on April 30, 1986, to page 113 of the bill.

Senator Welsh withdrew amendment S—5800 filed by him on April 30, 1986, to page 148 of the bill.

Senator Tieden withdrew amendment S—5844 filed by him on April 30, 1986, to page 119 of the bill.

Senator Tieden asked and received unanimous consent to withdraw amendment S—5911 filed by Senators Tieden and Priebe on April 30, 1986, to page 125 of the bill.

Senator Taylor withdrew amendment S—5768 filed by him on April 28, 1986, to page 107 of the bill.

Senator Taylor asked and received unanimous consent to withdraw amendment S—5908 filed by Senators Taylor and Welsh on April 30, 1986, to page 152 of the bill.

Senator Vande Hoef withdrew amendment S—5775 filed by him on April 29, 1986, to pages 88 and 98 of the bill.

Senator Hester asked and received unanimous consent to withdraw amendment S—5827 filed by Senators Hester, Tieden and Husak on April 30, 1986, to page 124 of the bill.

Senator Waldstein withdrew amendment S—5845 filed by him on April 30, 1986, to page 113 of the bill.

Senator Waldstein withdrew amendment S—5785 filed by him on April 29, 1986, to page 121 of the bill.

Senator Waldstein asked and received unanimous consent to withdraw amendment S—5902 filed by Senators Waldstein, et al., on April 30, 1986, to pages 154 through 171 of the bill.

Senator Ritsema withdrew amendment S—5818 filed by him on April 30, 1986, to page 107 of the bill.

Senator Ritsema withdrew amendment S—5802 filed by him on April 30, 1986, to page 69 of the bill.

Senator Lind withdrew amendment S—5910 filed by him on April 30, 1986, to page 169 of the bill.

Senator Lind asked and received unanimous consent to withdraw amendment S—5824 filed by Senators Lind, Gentleman and Holden on April 30, 1986, to pages 117 and 118 of the bill.

Senator Hultman withdrew amendment S—5848 filed by him on April 30, 1986, to page 178 of the bill.

Senator Colton offered amendment S—5778 filed by Senators Colton and Readinger on April 29, 1986, to page 68 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 10.

Amendment S—5778 was adopted.

Senator Welsh withdrew amendment S—5870 filed by him on April 30, 1986, to page 120 of the bill.

Senator Hultman asked and received unanimous consent to withdraw amendment S—5903 filed by Senator Readinger on April 30, 1986, to page 127 of the bill.

Senator Mann offered amendment S—5764 filed by him on April 28, 1986, to page 142 of the bill and moved its adoption.

Amendment S—5764 was adopted by a voice vote.

Senator Dieleman offered amendment S—5865 filed by Senators Dieleman and Bruner on April 30, 1986, to pages 170 and 178 of the bill and moved its adoption.

Amendment S—5865 was adopted by a voice vote.

Senator Welsh withdrew amendment S—5909 by him to page 15 of the bill, deferred on April 30, 1986.

Senator Welsh withdrew amendment S—5917 filed by him on April 30, 1986, to page 15 of the bill.

The Chair ruled amendment S—5921 filed by Senator Miller of Cerro Gordo from the floor to amendment S—5917, out of order.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2484) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Colton
Corning	Deluhery	Fraise	Gettings
Goodwin	Gratias	Gronstal	Hannon
Horn	Hultman	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Riordan	Tieden	Wells	Welsh

Nays, 18:

Coleman	Dieleman	Doyle	Drake
Gentleman	Hall	Hester	Holden
Jensen	Lind	Nystrom	Rife
Ritsema	Schwengels	Soorholtz	Taylor
Vande Hoef	Waldstein		

Absent or not voting, 4:

Brown	Holt	Readinger	Small
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:11 p.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 30, 1986, 7:32 p.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, Murphy, Readinger, Ritsema and Schwengels.

Members Absent: C. Miller (excused).

Committee Business: Recommended passage of House Concurrent Resolutions 133, 134, 135 and 136.

Adjourned: 7:55 p.m.

APPROPRIATIONS

Convened: May 1, 1986, 10:05 a.m.

Members Present: Welsh, Chair; Small, Vice Chair; Tieden, Ranking Member; Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, Murphy, Ritsema and Schwengels.

Members Absent: C. Miller and Readinger (both excused).

Committee Business: Recommended passage of House File 2473 as amended.

Adjourned: 10:17 a.m.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 2473, a bill for an act relating to farm crisis relief, by providing for a legal assistance to farmers program, providing for the cure of a default, the appointment of a receiver, and the separate redemption of a homestead in relation to a foreclosure on agricultural land, providing a procedure for the waiver of homestead exemption, providing for the ownership of agricultural land by certain nonresident aliens, providing for a farm mediation program, designating a farm crisis program coordinator, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5920.

Final Vote: Ayes, 16: Welsh, Small, Tieden, Colton, Deluhery, Dieleman, Gentleman, Gettings, Gronstal, Holt, Horn, Husak, Lind, Murphy, Ritsema and Schwengels. Nays, none. Absent or not voting, 2: C. Miller and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: HOUSE FILE 2481, a bill for an act relating to the size of a board of review for property tax assessment.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratias, Gronstal, Holden, Holt, Mann, Riordan and Soorholtz. Nays, none. Absent or not voting, 1: Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-two senior citizens from Storm Lake, Newell and surrounding towns. Senator Waldstein.

PETITION

The following petition was presented and placed on file by:

Senator Riordan from one thousand eight hundred ninety residents of Johnson County favoring legislation to strengthen drunk driving laws.

AMENDMENTS FILED

S—5918	S.F.	97	Tom Mann, Jr.
S—5919	S.F.	2270	Leonard Boswell
			James Riordan
S—5920	H.F.	2473	Appropriations

S—5921	H.F.	2484	Alvin V. Miller
S—5922	H.F.	2473	Berl E. Priebe
S—5923	S.F.	2298	Joe Brown

AFTERNOON SESSION

The Senate reconvened at 1:43 p.m., Senator Carr presiding.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2484** be **immediately messaged** to the House.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

President Anderson took the chair at 1:54 p.m.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2298.

Senate File 2298

On motion of Senator Palmer, Senate File 2298, a bill for an act relating to state revenues for education by limiting the amount of federal taxes deductible for individual income tax and by using the increase in revenue to lower the school foundation property tax levy and to provide appropriations to a salary adjustment fund for use for education purposes only, with report of committee on Education recommending amendment and passage, was taken up for consideration.

Senator Brown offered amendment S—5923 filed by him from the floor to strike everything after the enacting clause of the bill.

Senator Hultman raised the point of order that amendment S—5923 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5923 in order.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Anderson presiding.

President pro tempore Wells took the chair at 2:48 p.m.

Senator Colton took the chair at 3:00 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 2298

The Senate resumed consideration of Senate File 2298 and amendment S—5923.

Senator Brown moved the adoption of amendment S—5923.

A record roll call was requested.

On the question “Shall amendment S—5923 be adopted?” (S.F. 2298) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 18:

Boswell	Brown	Coleman	Colton
Dieleman	Doyle	Gettings	Gratias
Hannon	Horn	Kinley	Mann
Miller, C.P.	Palmer	Riordan	Small
Soorholtz	Wells		

Nays, 31:

Bruner	Carr	Corning	Deluhery
Drake	Fraise	Gentleman	Goodwin
Gronstal	Hall	Hester	Holden
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Murphy	Nystrom

Peterson	Priebe	Readinger	Rife
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein	Welsh	

Absent or not voting, 1:

Holt

Amendment S—5923 lost.

Senator Murphy offered amendment S—5749 filed by the committee on Education on April 25, 1986, to page 3 of the bill.

Senator Murphy offered amendment S—5883 filed by Senators Murphy, et al., on April 30, 1986, to pages 1 through 37 of amendment S—5749 and the title page of the bill.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Husak presiding.

Senator Murphy moved the adoption of amendment S—5883 to amendment S—5749.

A record roll call was requested.

On the question "Shall amendment S—5883 to amendment S—5749 be adopted?" (S.F. 2298) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Drake	Gettings	Gratias
Gronstal	Hall	Hannon	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A. V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Ritsema	Schwengels	Small	Taylor
Tieden	Wells	Welsh	

Nays, 7:

Corning	Gentleman	Goodwin	Hester
Holden	Vande Hoef	Waldstein	

Absent or not voting, 4:

Fraise Holt Rife Soorholtz

Amendment S—5883 was adopted.

Senator Murphy moved the adoption of amendment S—5749 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5883 to amendment S—5749 as amended, the Chair ruled amendment S—5763 filed by Senator Taylor on April 28, 1986, to pages 7, 13, 17, 22, 23, 31 and 33 through 35 of amendment S—5749, out of order.

With the adoption of amendment S—5749 as amended, the Chair ruled amendment S—5926 filed by Senators Murphy, et al., from the floor to pages 7, 13, 17, 22, 23 and 32 through 35 of the bill and amendment S—5750 filed by Senator Gratias on April 25, 1986, to pages 1, 2, 3 and the title page of the bill, out of order.

Senator Bruner offered amendment S—5746 filed by him on April 24, 1986, to pages 1 and 2 of the bill and called for a division: page 1, lines 2 through 49 as division S—5746A; page 1, line 50 and page 2 as division S—5746B.

Senator Bruner withdrew division S—5746B.

Senator Bruner moved the adoption of division S—5746A.

A record roll call was requested.

On the question “Shall division S—5746A be adopted?” (S.F. 2298) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Carr
Colton	Corning	Deluhery	Dieleman
Doyle	Gratias	Gronstal	Hannon
Holden	Horn	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Murphy	Palmer	Peterson	Readinger
Riordan	Ritsema	Small	Taylor
Tieden	Wells	Welsh	

Nays, 15:

Coleman	Drake	Gentleman	Goodwin
Hall	Hester	Hultman	Jensen
Nystrom	Priebe	Rife	Schwengels
Soorholtz	Vande Hoef	Waldstein	

Absent or not voting, 4:

Fraise	Gettings	Holt	Miller, C.P.
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Division S—5746A was adopted.

Senator Brown took the chair at 4:16 p.m.

With the adoption of amendment S—5749 as amended, the Chair ruled amendment S—5913 filed by Senator Corning on April 30, 1986, to pages 1, 2 and 3 of the bill, out of order.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2298) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Boswell	Brown	Bruner	Carr
Colton	Deluhery	Doyle	Fraise
Gettings	Gronstal	Hannon	Husak
Hutchins	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Riordan	Small
Soorholtz	Wells	Welsh	

Nays, 26:

Coleman	Corning	Dieleman	Drake
Gentleman	Goodwin	Gratias	Hall
Hester	Holden	Horn	Hultman
Jensen	Kinley	Lind	Miller, C.P.
Nystrom	Priebe	Readinger	Rife
Ritsema	Schwengels	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 1:

Holt

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2473.

House File 2473

On motion of Senator Husak, House File 2473, a bill for an act relating to farm crisis relief, by providing for a legal assistance to farmers program, providing for the cure of a default, the appointment of a receiver, and the separate redemption of a homestead in relation to a foreclosure on agricultural land, providing a procedure for the waiver of homestead exemption, providing for the ownership of agricultural land by certain nonresident aliens, providing for a farm mediation program, designating a farm crisis program coordinator, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

President Anderson took the chair at 5:33 p.m.

Senator Husak offered amendment S—5920 filed by the committee on Appropriations from the floor to pages 4, 8 and the title page of the bill.

Senator Priebe offered amendment S—5925 filed by him from the floor to amendment S—5920 and moved its adoption.

Amendment S—5925 was adopted by a voice vote.

Senator Husak moved the adoption of amendment S—5920 as amended, which motion prevailed by a voice vote.

Senator Ritsema offered amendment S—5793 filed by him on April 29, 1986, to pages 1 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 28.

Amendment S—5793 lost.

Senator Doyle offered amendment S—5694 filed by him on April 15, 1986, to page 2 of the bill and moved its adoption.

Amendment S—5694 was adopted by a voice vote.

Senator Waldstein offered amendment S—5708 filed by him on April 18, 1986, to page 3 and the title page of the bill.

Senator Husak raised the point of order that amendment S—5708 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5708 out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Readinger for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

House File 2473

The Senate resumed consideration of House File 2473.

Senator Boswell offered amendment S—5932 filed by him from the floor to page 3 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5932 be adopted?” (H.F. 2473) the vote was:

Ayes, 33:

Boswell	Brown	Bruner	Coleman
Colton	Deluhery	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Hester	Horn	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe

Riordan	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells
Welsh			

Nays, 12:

Corning	Dieleman	Drake	Gentleman
Goodwin	Gratias	Holden	Hultman
Jensen	Lind	Rife	Ritsema

Absent or not voting, 5:

Carr	Holt	Miller, C.P.	Readinger
Soorholtz			

Amendment S—5932 was adopted.

Senator Tieden offered amendment S—5930 filed by him from the floor to pages 3, 7 and 9 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 19.

Amendment S—5930 was adopted.

Senator Priebe asked and received unanimous consent that action on **House File 2473** be **deferred**.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Soorholtz for the remainder of the day on request of Senator Hultman.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 2052)

A conference committee report signed by the following Senate and House members was filed May 1, 1986, on Senate File 2052, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date:

On the Part of the Senate:

WILLIAM W. DIELEMAN, Chair
JOHN N. NYSTROM
FORREST SCHWENGELS

On the Part of the House:

GENE BLANSHAN, Chair
MINNETTE DODERER
JOHNNIE HAMMOND
BOB RENKEN
GEORGE R. SWEARINGEN

President pro tempore Wells took the chair at 6:24 p.m.

CONFERENCE COMMITTEE REPORT ADOPTED

Senate File 2052

Senator Dieleman called up the conference committee report on Senate File 2052, a bill for an act relating to contributions by judges to the judicial retirement fund, and providing an effective date, filed from the floor and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and recommendation 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. 2052) the vote was:

Ayes, 31:

Boswell	Brown	Bruner	Carr
Corning	Deluhery	Dieleman	Drake
Fraise	Gentleman	Gettings	Goodwin
Gratias	Hall	Hannon	Hester
Holden	Hultman	Husak	Hutchins
Jensen	Lind	Miller, A.V.	Murphy
Nystrom	Schwengels	Small	Taylor
Waldstein	Wells	Welsh	

Nays, 14:

Coleman	Colton	Doyle	Horn
Kinley	Mann	Palmer	Peterson
Priebe	Rife	Riordan	Ritsema
Tieden	Vande Hoef		

Absent or not voting, 5:

Gronstal
Soorholtz

Holt

Miller, C.P.

Readinger

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 May 1, 1986, passed the following bill in which the concurrence of the Senate is asked:

House File 2491, a bill for an act relating to limiting the amount of taxes owed and excluding under certain conditions income or loss from certain transactions for purposes of determining the state individual income tax and providing a retroactive effective date.

This bill was read first time and referred to the committee on **Ways and Means**.

ALSO: That the House has on May 1, 1986, **insisted on** its amendment to the Senate amendment to **House File 2454**, a bill for an act relating to a child in need of services, volunteer guardians ad litem, detention of juveniles for simple misdemeanors, detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date, and the members of the **conference committee**, on the part of the House, are: The Representative from Woodbury, Mr. Sturgeon, chair; the Representative from Scott, Mr. Fey, the Representative from Story, Mr. Rosenberg, the Representative from Kossuth, Mr. Mullins, and the Representative from Woodbury, Mr. Shoning.

INTRODUCTION OF BILL

Senate File 2306, by Committee on Ways and Means, a bill for an act relating to the time period for entering into agreements under the agricultural loan assistance program and providing an effective date.

Read first time and **placed on the Ways and Means Calendar**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 135, by Taylor, a Senate Concurrent Resolution relating to an interim study regarding private instruction and instruction in nonpublic schools not approved by the department of public instruction.

Read first time and referred to the committee on **Rules and Administration**.

Senate Concurrent Resolution 136, by Husak and Drake, a Senate Concurrent Resolution directing an interim study of the role of the state in providing telecommunications for state agencies.

Read first time and referred to the committee on **Rules and Administration**.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate File 2052** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTIONS
(Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 133.

House Concurrent Resolution 133

On motion of Senator Small, House Concurrent Resolution 133, a resolution relating to the board of regents' ten-year building program and providing for the purchase of equipment, with report of committee recommending passage, was taken up for consideration.

Senator Small moved the adoption of House Concurrent Resolution 133.

On the question "Shall the resolution be adopted?" (H.C.R. 133) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Fraise	Gettings
Goodwin	Gratias	Gronstal	Horn
Hultman	Husak	Hutchins	Lind
Mann	Miller, A.V.	Murphy	Palmer
Rife	Riordan	Schwengels	Small
Wells	Welsh		

Nays, 18:

Brown	Coleman	Colton	Doyle
Drake	Gentleman	Hall	Hannon
Hester	Jensen	Kinley	Peterson
Priebe	Ritsema	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 6:

Holden	Holt	Miller, C.P.	Nystrom
Readinger	Soorholtz		

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Coleman took the chair at 6:46 p.m.

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 134.

House Concurrent Resolution 134

On motion of Senator Small, House Concurrent Resolution 134, a resolution relating to the board of regents ten-year building program and providing for Gilman hall remodeling, phase II, at Iowa state university of science and technology, with report of committee recommending passage, was taken up for consideration.

Senator Small moved the adoption of House Concurrent Resolution 134.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (H.C.R. 134) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Fraise	Gettings
Goodwin	Gratias	Gronstal	Horn
Husak	Hutchins	Jensen	Lind
Mann	Miller, A.V.	Murphy	Palmer
Rife	Riordan	Schwengels	Small
Wells	Welsh		

Nays, 17:

Brown	Coleman	Colton	Doyle
Drake	Gentleman	Hall	Hannon
Hester	Holden	Hultman	Kinley
Priebe	Ritsema	Taylor	Vande Hoef
Waldstein			

Voting present, 1:

Peterson

Absent or not voting, 6:

Holt	Miller, C.P.	Nystrom	Readerger
Soorholtz	Tieden		

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Holden for the remainder of the session on request of Senator Hultman and Senator Miller of Des Moines for the remainder of the day on request on Senator Hutchins.

CONSIDERATION OF RESOLUTIONS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 136.

House Concurrent Resolution 136

On motion of Senator Small, House Concurrent Resolution 136, a resolution relating to the board of regents' ten-year building program and providing for the chemistry-botany remodeling, phase II at the university of Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Small moved the adoption of House Concurrent Resolution 136.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (H.C.R. 136) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Fraise	Gettings
Goodwin	Gratias	Gronstal	Horn
Husak	Hutchins	Lind	Mann
Miller, A.V.	Murphy	Palmer	Priebe
Rife	Riordan	Schwengels	Small
Wells	Welsh		

Nays, 18:

Brown	Coleman	Colton	Doyle
Drake	Gentleman	Hall	Hannon
Hester	Hultman	Jensen	Kinley
Peterson	Ritsema	Taylor	Tieden
Vande Hoef	Waldstein		

Absent or not voting, 6:

Holden	Holt	Miller, C.P.	Nystrom
Readinger	Soorholtz		

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 135.

House Concurrent Resolution 135

On motion of Senator Small, House Concurrent Resolution 135, a resolution relating to the board of regents' ten-year building program and providing for the construction and equipping of a classroom/office building at the university of northern Iowa, with report of committee recommending passage, was taken up for consideration.

Senator Small moved the adoption of House Concurrent Resolution 135.

A record roll call was requested.

On the question "Shall the resolution be adopted?" (H.C.R. 135) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Fraise	Gettings
Goodwin	Gratias	Gronstal	Horn
Husak	Hutchins	Jensen	Lind
Mann	Miller, A.V.	Murphy	Palmer
Priebe	Rife	Riordan	Schwengels
Small	Wells	Welsh	

Nays, 17:

Brown	Coleman	Colton	Doyle
Drake	Gentleman	Hall	Hannon
Hester	Hultman	Kinley	Peterson
Ritsema	Taylor	Tieden	Vande Hoef
Waldstein			

Absent or not voting, 6:

Holden	Holt	Miller, C.P.	Nystrom
Readinger	Soorholtz		

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

BUSINESS PENDING**House File 2473**

The Senate resumed consideration of House File 2473, previously deferred.

Senator Hutchins filed the following motion to reconsider from the floor and moved its adoption:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5930 to House File 2473 was adopted by the Senate on May 1, 1986.

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 21.

The motion prevailed and amendment S—5930 by Senator Tieden to pages 3, 7 and 9 of the bill, was taken up for reconsideration.

Senator Tieden moved the adoption of amendment S—5930.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 23.

Amendment S—5930 lost.

Senator Riordan offered amendment S—5931 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5931 was adopted by a voice vote.

Senator Priebe offered amendment S—5922 filed by him from the floor to pages 10 and 11 of the bill and moved its adoption.

Amendment S—5922 was adopted by a voice vote.

Senator Husak offered amendment S—5928 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—5928 was adopted by a voice vote.

Senator Waldstein withdrew the following motion to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which amendment S—5931 to House File 2473 was adopted by the Senate on May 1, 1986.

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. 2473) the vote was:

Ayes, 34:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Hester	Horn
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A. V.	Murphy	Nystrom
Palmer	Priebe	Riordan	Schwengels
Small	Taylor	Vande Hoef	Waldstein
Wells	Welsh		

Nays, 11:

Corning	Drake	Gentleman	Goodwin
Gratias	Hultman	Lind	Peterson
Rife	Ritsema	Tieden	

Absent or not voting, 5:

Holden	Holt	Miller, C.P.	Readinger
Soorholtz			

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 2473** be **immediately messaged** to the House.

MOTIONS TO RECONSIDER WITHDRAWN

Senator Lind withdrew the following motions to reconsider filed by him from the floor:

MR. PRESIDENT: I move to reconsider the vote by which House Concurrent Resolution 133 was adopted by the Senate on May 1, 1986.

MR. PRESIDENT: I move to reconsider the vote by which House Concurrent Resolution 134 was adopted by the Senate on May 1, 1986.

MR. PRESIDENT: I move to reconsider the vote by which House Concurrent Resolution 136 was adopted by the Senate on May 1, 1986.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolutions 133, 134, 135 and 136** be **immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Wells presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

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, 1986, **insisted on** its amendment to **Senate File 447**, a bill for an act to license operators of radiation emitting equipment, and the members of the **conference committee**, on the part of the House are: The Representative from Greene, Mr. Blanshan, chair; the Representative from Webster, Mr. Cochran, the Representative from Black Hawk, Mrs. Teaford, the Representative from Delaware, Mr. Hanson, and the Representative from Grundy, Mr. Renken.

ALSO: That the House has on May 1, 1986, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 2291, a bill for an act creating an Iowa economic development bond bank program within the Iowa finance authority to provide financing for economic development and making an appropriation (S—5934).

Senate File 2303, a bill for an act relating to restoring provisions of legislation relating to appropriations which had been removed from the comprehensive legislation on the subject of state government reorganization (S—5935).

Senate File 2305, a bill for an act relating to the use and appropriation of oil overcharge funds and the establishment of an energy conservation trust fund and an agricultural energy management fund (S—5936).

ALSO: That the House has on May 1, 1986, concurred in the Senate amendment as amended and passed the following bill in which the concurrence of the Senate is asked:

House File 2066, a bill for an act relating to Code corrections which adjust and correct earlier omissions and inaccuracies, remove inconsistencies, and reflect current practices (S—5937 to H—5822).

APPOINTMENT OF CONFERENCE COMMITTEES

The Chair announced the following conference committee on **House File 2454** on the part of the Senate: Senators Welsh, Chair; Dieleman, Wells, Schwengels and Gentleman.

The Chair announced the following conference committee on **Senate File 447** on the part of the Senate: Senators Carr, Chair; Horn, Dieleman, Ritsema and Schwengels.

BUSINESS PENDING

Senate File 2270

The Senate resumed consideration of Senate File 2270 and House amendment S—5806, previously deferred.

Senator Boswell withdrew amendment S—5878 filed by him on April 30, 1986, to pages 1, 5 and 6 of House amendment S—5806.

Senator Husak withdrew amendment S—5912 filed by him on April 30, 1986, to pages 1, 2 and 6 of House amendment S—5806.

Senator Husak offered amendment S—5929 filed by him from the floor to pages 1, 2, 5 and 6 of House amendment S—5806 and called for a division: page 1, lines 4 through 27 and lines 32 through 50 and page 2, line 1 as division S—5929A; page 1, lines 28 through 31 and page 2, lines 2 and 3 as division S—5929B.

Senator Husak moved the adoption of division S—5929A, which motion prevailed by a voice vote.

Senator Husak asked and received unanimous consent that action on division S—5929B be deferred.

Senator Boswell asked and received unanimous consent to withdraw amendment S—5919 filed by Senators Boswell and Riordan from the floor to page 1 of House amendment S—5806.

Senator Waldstein offered amendment S—5924 filed by him from the floor to pages 1, 2, 3, 5 and 6 of House amendment S—5806 and moved its adoption.

A non record roll call was requested.

The ayes were 6, nays 33.

Amendment S—5924 lost.

Senator Husak offered amendment S—5933 filed by him from the floor to pages 5 and 6 of House amendment S—5806 and moved its adoption.

Amendment S—5933 was adopted by a voice vote.

Senator Husak moved the adoption of division S—5929B to House amendment S—5806, previously deferred, which motion prevailed by a voice vote.

Senator Husak moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Husak 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. 2270) the vote was:

Ayes, 42:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Gronstal	Hall	Hannon	Hester
Horn	Husak	Hutchins	Jensen
Lind	Mann	Miller, A. V.	Murphy
Nystrom	Peterson	Priebe	Rife
Riordan	Ritsema	Schwengels	Small
Taylor	Tieden	Vande Hoef	Waldstein
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Holden	Holt	Hultman	Kinley
Miller, C.P.	Palmer	Readinger	Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2270** be immediately messaged to the House.

HOUSE AMENDMENTS CONSIDERED

Senate File 2303

Senator Carr called up for consideration Senate File 2303, a bill for an act relating to restoring provisions of legislation relating to appropriations which had been removed from the comprehensive legislation on the subject of state government reorganization, amended by the House, and moved that the Senate concur in House amendment S—5935 filed May 1, 1986.

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. 2303) the vote was:

Ayes, 39:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Drake	Fraise	Gentleman
Gettings	Goodwin	Gratias	Hall
Hannon	Hester	Horn	Husak
Hutchins	Jensen	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Rife	Riordan	Ritsema
Schwengels	Small	Taylor	Tieden
Vande Hoef	Waldstein	Wells	

Nays, 1:

Doyle

Absent or not voting, 10:

Gronstal	Holden	Holt	Hultman
Kinley	Miller, C.P.	Palmer	Readinger
Soorholtz	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 2305

Senator Drake called up for consideration Senate File 2305, a bill for an act relating to the use and appropriation of oil overcharge funds and the establishment of an energy conservation trust fund and an agricultural energy management fund, amended by the House in House amendment S—5936 filed May 1, 1986.

Senator Drake offered amendment S—5940 filed by Senators Drake, Bruner and Welsh from the floor to page 1 of House amendment S—5936.

Senator Lind called for a division of amendment S—5940 to House amendment S—5936: lines 4 through 8 as division S—5940A and line 9 as division S—5940B.

Senator Drake moved the adoption of division S—5940A to House amendment S—5936, which motion prevailed by a voice vote.

Senator Drake moved the adoption of division S—5940B to House amendment S—5936.

A non record roll call was requested.

The ayes were 33, nays 7.

Division S—5940B was adopted.

Senator Drake moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Drake 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. 2305) the vote was:

Ayes, 40:

Boswell	Brown	Bruner	Carr
Coleman	Colton	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gratias
Hall	Hannon	Hester	Horn
Husak	Hutchins	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Ritsema	Schwengels	Small	Taylor
Tieden	Vande Hoef	Waldstein	Wells

Nays, none.

Voting present, 1:

Kinley

Absent or not voting, 9:

Gronstal
Jensen
Welsh

Holden
Miller, C.P.

Holt
Readinger

Hultman
Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to send an immediate message on **Senate Files 2302 and 2303**.

Senator Hutchins asked and received unanimous consent to immediately message **Senate File 2305** and **House File 2480** to the House.

APPENDIX**COMMUNICATION FROM THE SECRETARY OF STATE**

April 30, 1989

Ms. K. Marie Thayer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Ms. Thayer:

I hereby certify that Senate File 2232 was published in the Diamond Trail News, Sully, Iowa, on April 16, 1986, and in The Altoona Herald-Mitchellville Index, Altoona, Iowa, on April 17, 1986.

I further certify that Senate File 2193 was published in the Diamond Trail News, Sully, Iowa, on April 16, 1986, and in the Moulton Weekly Tribune, Moulton, Iowa, on April 16, 1986.

I further certify that Senate File 2247 was published in the Quad-City Times, Davenport, Iowa, on April 21, 1986, and in The Anamosa Journal-Eureka, Anamosa, Iowa, on April 23, 1986.

I further certify that Senate File 2152 was published in The Red Oak Express, Red Oak, Iowa, on April 22, 1986, and in The Hamburg Reporter, Hamburg, Iowa, on April 24, 1986.

Respectfully submitted,
MARY JANE ODELL
Secretary of State

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on May 1, 1986, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 505 — Relating to the regulation of motor carriers and making penalties applicable.

SENATE FILE 2101 — Relating to Martin Luther King, Jr.'s birthday and Veterans Day as paid state holidays and providing an effective date.

SENATE FILE 2253 — Relating to municipally owned utilities.

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 2484, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government and making certain provisions retroactive, the following technical corrections were made:

Amendment S—5884:

1. Page 1, lines 12 through 14 should have been part of division A and out of order.

Amendment S—5894:

1. Page 1, line 6, "11 and 12" were changed to "12 and 13".

ALSO:

MR. PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to the House amendment to Senate File 2270, the following technical correction was made to amendment S—5933:

1. Page 1, line 40, "emergency" was changed to "emergency,".

K. MARIE THAYER
Secretary of the Senate

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 2483, a bill for an act relating to administration and benefits for public retirement systems in this state and making an appropriation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5939.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Mann, Bruner, Horn, Drake, Rife, Gentleman, Corning, Schwengels and Welsh. Nays, none. Absent or not voting, 2: C. Miller and Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 2306 (LSB 8429), a bill for an act relating to the time period for entering into agreements under the agricultural loan assistance program and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratiias, Gronstal, Holden, Mann, Readinger, Riordan and Soorholtz. Nays, none. Absent or not voting, 1: Holt.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 2491, a bill for an act relating to limiting the amount of taxes owed and excluding under certain conditions income or loss from certain transactions for purposes of determining the state individual income tax and providing a retroactive effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Husak, Hester, Boswell, Brown, Bruner, Dieleman, Gratiias, Gronstal, Holden, Mann and Riordan. Nays, none. Absent or not voting, 3: Holt, Readinger and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—5924	S. F.	2270	Arne Waldstein
S—5925	H. F.	2473	Berl E. Priebe
S—5926	S. F.	2298	Larry Murphy
			Wally Horn
			Milo Colton
			Beverly Hannon
			James Riordan
			James Wells
S—5927	H. F.	2489	Jack Hester
			Dale L. Tieden
			Emil J. Husak
S—5928	H. F.	2473	Emil Husak

S—5929	S. F.	2270	Emil Husak
S—5930	H. F.	2473	Dale Tieden
S—5931	H. F.	2473	James Riordan
S—5932	H. F.	2473	Leonard Boswell
S—5933	S. F.	2270	Emil J. Husak
S—5934	S. F.	2291	House
S—5935	S. F.	2303	House
S—5936	S. F.	2305	House
S—5937	H. F.	2066	House
S—5938	H. F.	2491	William W. Dieleman
S—5939	H. F.	2483	State Government
S—5940	S. F.	2305	Richard F. Drake Charles Bruner Joe Welsh
S—5941	H. F.	2483	John N. Nystrom

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 9:35 p.m., until 8:00 a.m., Friday, May 2, 1986.