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SEVENTY-SECOND
GENERAL ASSEMBLY**

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**JO ANN ZIMMERMAN, President of the Senate
DONALD D. AVENSON, Speaker of the House**

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STATE OF IOWA
Des Moines

SEVENTY-SECOND GENERAL ASSEMBLY

1987 Regular Session

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DINO MASOLINI, <i>Postmaster</i>	Des Moines
JAMES M. SULLIVAN, <i>Porter</i>	Des Moines

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

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ELECTIVE STATE OFFICERS

Official Address, Des Moines, Iowa

TERRY E. BRANSTAD, <i>Governor</i>	Lake Mills
JO ANN ZIMMERMAN, <i>Lieutenant Governor</i>	Waukee
ELAINE BAXTER, <i>Secretary of State</i>	Burlington
RICHARD D. JOHNSON, <i>Auditor of State</i>	Sheldahl
MICHAEL L. FITZGERALD, <i>Treasurer of State</i>	Des Moines
DALE COCHRAN, <i>Secretary of Agriculture</i>	Eagle Grove
TOM MILLER, <i>Attorney General</i>	McGregor

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W.W. REYNOLDSON, <i>Chief Justice</i>	Osceola
JAMES H. CARTER, <i>Justice</i>	Cedar Rapids
K. DAVID HARRIS, <i>Justice</i>	Jefferson
J.L. LARSON, <i>Justice</i>	Harlan
LOUIS A. LAVORATO, <i>Justice</i>	Des Moines
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LINDA NEUMAN, <i>Justice</i>	Davenport
LOUIS SCHULTZ, <i>Justice</i>	Iowa City
CHARLES WOLLE, <i>Justice</i>	Des Moines

IOWA COURT OF APPEALS JUDGES

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

MEMBERS OF THE SENATE
SEVENTY-SECOND GENERAL ASSEMBLY
1987 REGULAR SESSION

LEONARD L. BOSWELL

Address Davis City
Age 53
Occupation Farmer/Small Businessman
Senatorial District 46—Decatur, Adair, Adams, Cass, Clarke, Ringgold, Taylor, Union
Former Legislative Service 71

CHARLES H. BRUNER

Address Ames
Age 38
Senatorial District 37—Story
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

BOB CARR

Address Dubuque
Age 49
Occupation Securities Broker
Senatorial District 18—Dubuque
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

C. JOSEPH COLEMAN

Address Clare
Age 63
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

JOY CORNING

Address Cedar Falls
Age 54
Occupation Homemaker
Senatorial District 12—Black Hawk
Former Legislative Service 71

PAT DELUHERY

Address Davenport
Age 44
Occupation College Teacher
Senatorial District 21—Scott
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

WM. W. (BILL) DIELEMAN

Address Pella
Age 55
Occupation Life Insurance Underwriter
Senatorial District 35—Marion, Jasper, Polk, Warren
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY
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DONALD V. DOYLE

Address Sioux City
Age 61
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

RICHARD F. DRAKE

Address Muscatine
Age 59
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

EUGENE S. FRAISE

Address Fort Madison
Age 54
Occupation Farmer
Senatorial District 31—Lee, Des Moines, Van Buren
Former Legislative Service 71 (2nd)

LINN FUHRMAN

Address Aurelia
Age 42
Occupation Farmer
Senatorial District 5—Buena Vista, Calhoun, Pocahontas, Sac, Webster
Former Legislative Service none

JULIA GENTLEMAN

Address Des Moines
Age 55
Occupation Housewife
Senatorial District 41—Polk
Former Legislative Service 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

DONALD E. GETTINGS

Address Ottumwa
Age 63
Occupation Retired—Deere & Co.
Senatorial District 33—Wapello, Appanoose, Davis
Former Legislative Service 67 (2nd), 67X, 68, 69, 69X, 69XX, 70, 71

NORMAN J. GOODWIN

Address DeWitt
Age 74
Occupation Retired County Extension Director
Senatorial District 19—Clinton, Cedar
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

viii MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY
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MICHAEL E. GRONSTAL

Address Council Bluffs
Age 36
Senatorial District 50—Pottawattamie
Former Legislative Service 70, 71

HURLEY W. HALL

Address Marion
Age 51
Occupation Retired Telephone Engineer/Farmer
Senatorial District 24—Linn, Buchanan, Delaware
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

BEVERLY A. HANNON

Address Anamosa
Age 54
Occupation Homemaker/Student
Senatorial District 22—Jones, Cedar, Linn
Former Legislative Service 71

JACK W. HESTER

Address Honey Creek
Age 57
Occupation Farmer
Senatorial District 49—Pottawattamie, Cass, Harrison, Shelby
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

EDGAR H. HOLDEN

Address Davenport
Age 72
Occupation Entrepreneur
Senatorial District 20—Scott
Former Legislative Service 62, 63, 64, 65, 67 (2nd), 68, 69, 69X, 69XX, 70, 71

LEE W. HOLT

Address Spencer
Age 77
Occupation Automobile Dealer
Senatorial District 6—Clay, Dickinson, Emmett, Palo Alto
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

WALLY E. HORN

Address Cedar Rapids
Age 53
Occupation Teacher
Senatorial District 25—Linn
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY
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CALVIN O. HULTMAN

Address Red Oak
Age 45
Occupation Businessman
Senatorial District 47—Montgomery, Fremont, Mills, Page, Pottawattamie
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

EMIL J. HUSAK

Address Toledo
Age 56
Occupation Farmer
Senatorial District 38—Tama, Benton, Black Hawk, Marshall
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

BILL HUTCHINS

Address Audubon
Age 55
Occupation Businessman
Senatorial District 48—Audubon, Carroll, Crawford, Shelby
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

JOHN W. JENSEN

Address Plainfield
Age 60
Occupation Farmer
Senatorial District 11—Bremer, Black Hawk, Butler, Grundy
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

GEORGE R. KINLEY

Address Des Moines
Age 49
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

JIM LIND

Address Waterloo
Age 31
Occupation Service Station Owner/Operator
Senatorial District 13—Black Hawk
Former Legislature Service 71 (2nd)

JEAN LLOYD-JONES

Address Iowa City
Age 57
Occupation Legislator
Senatorial District 23—Johnson
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

x MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY
1987 REGULAR SESSION—Continued

TOM MANN, JR.

Address Des Moines
Age 37
Occupation Attorney
Senatorial District 43—Polk
Former Legislative Service 70, 71

ALVIN V. MILLER

Address Ventura
Age 65
Occupation Insurance Agency
Senatorial District 10—Cerro Gordo, Winnebago, Worth
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

CHARLES P. MILLER

Address Burlington
Age 68
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

LARRY MURPHY

Address Oelwein
Age 34
Occupation Printing Broker/Writer
Senatorial District 14—Fayette, Black Hawk, Buchanan, Chickasaw
Former Legislative Service 71

JACK NYSTROM

Address Boone
Age 53
Occupation Legislator
Senatorial District 44—Boone, Carroll, Greene, Story
Former Legislative Service 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

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

JOHN A. PETERSON

Address Albia
Age 52
Occupation Livestock-Market Owner
Senatorial District 34—Monroe, Clark, Lucas, Warren, Wayne
Former Legislation Service 71 (2nd)

BERL E. PRIEBE

Address Algona
 Age 68
 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

DAVID M. READINGER

Address Des Moines
 Age 51
 Occupation Sales
 Senatorial District 42—Polk
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

WILMER RENSINK

Address Sioux Center
 Age 53
 Occupation Farmer
 Senatorial District 6—Sioux, Plymouth, Woodbury
 Former Legislative Service 70, 71

JACK RIFE

Address Moscow
 Age 43
 Occupation Farmer
 Senatorial District 29—Muscatine, Scott
 Former Legislative Service 70, 71

JAMES R. RIORDAN

Address Waukee
 Age 37
 Occupation Nursery Owner
 Senatorial District 45—Dallas, Adair, Guthrie, Madison
 Former Legislative Service 71 (2nd)

FORREST V. SCHWENGELS

Address Fairfield
 Age 71
 Occupation Legislator, Public Service Consultant
 Senatorial District 32—Jefferson, Keokuk, Mahaska, Wapello
 Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

KENNETH D. SCOTT

Address Clear Lake
 Age 66
 Occupation Realtor, Farmer, Auctioneer
 Senatorial District 15—Cerro Gordo, Chickasaw, Floyd, Howard, Mitchell
 Former Legislative Service 64, 65, 66

xii MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY
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JOHN SOORHOLTZ

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

AL STURGEON

Address Sioux City
Age 30
Occupation Legislator
Senatorial District 1—Woodbury
Former Legislative Service 69, 70, 71

RAY TAYLOR

Address Steamboat Rock
Age 63
Occupation Farmer, Business
Senatorial District 9—Hardin, Franklin, Hamilton, Hancock, Wright
Former Legislative Service 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

DALE L. TIEDEN

Address Elkader
Age 64
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

RICHARD VANDE HOEF

Address Harris
Age 61
Occupation Farmer
Senatorial District 4—Oceola, Cherokee, Clay, Lyon, O'Brien, Sioux
Former Legislative Service 69, 69X, 69XX, 70, 71

RICHARD VARN

Address Solon
Age 28
Occupation Law Student
Senatorial District 54—Johnson, Iowa, Poweshiek
Former Legislative Service 70, 71

JAMES D. WELLS

Address Cedar Rapids
Age 58
Occupation Cereal Company Employee
Senatorial District 26—Linn
Former Legislative Service 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71

MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY xiii
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JOE J. WELSH

Address Dubuque
Age 31
Occupation Businessman—Private Investigator
Senatorial District 17—Dubuque, Jackson, Jones
Former Legislative Service 68, 69, 69X, 69XX, 70, 71

JOURNAL OF THE SENATE

FIRST CALENDAR DAY
FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 12, 1987

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1987 Regular Session of the Seventy-second General Assembly convened at 10:05 a.m., and the Senate was called to order by Lieutenant Governor Robert T. Anderson.

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

OPENING REMARKS BY THE LIEUTENANT GOVERNOR

I am honored to gavel in the opening session of the Seventy-second General Assembly of the Iowa Legislature. Although events have set my personal course in a slightly different direction, I continue to cherish our friendship and shared commitment to the people of Iowa.

Iowans spoke clearly in the November election. They gave Governor Branstad and a Democratic Legislature above average marks for effort and initiative. And once again they endorsed a system that requires the two branches of government and the two political parties to cooperate. Finally, I believe Iowans indicated that simple solutions to complex problems won't work and they expressed confidence that the last four years have been a valuable teacher for both Governor Branstad and the Legislature.

But public confidence did not come because things have suddenly gotten better. Nineteen eighty-six was a very difficult year for Iowans including many of us. Thousands experienced loss of jobs, loss of wealth and in some cases loss of homes and heritage. These are challenging times and much remains to be done. I believe that public confidence will grow because Iowans have learned to act and not wait for Washington or government at any level. As individuals we remain the biggest determiners of our own future. I am excited about what nineteen eighty-seven will bring for you, for me and for Iowa because of our actions.

We have a challenging year ahead and as you set your agenda I ask that you contain some of the initiatives that I have begun.

1. The 1985 Conference on Iowa's Future brought together three hundred Iowans representing business, government and education. Such conferences provide valuable insights into the nature of change and the roles that we have in affecting the future. With minimal investment the wisdom of Iowans can be shared on a regular basis.

2. Place greater emphasis on rural development. To survive, rural communities need business and small industries as well as agriculture. We must be more creative to provide both the short term band aids and the long term resources for rural Iowa. I am proud of my efforts in creating the Farmer Creditor Mediation Program and the Food Crops Research Center. Both require bipartisan support to begin. Both have provided national leadership and both have earned continued investment.

3. Remember that education is our most important investment. There has been much rhetoric and now Iowans are ready for results. We can improve educational quality and provide national leadership by creating a teacher internship program that leads to a master's degree. Such a program provides more career options for teachers, improves the quality of teaching and increases communication between teacher educators and teachers.

4. Continue Iowa's global perspective. The initiatives in world trade and international development are beginning to show promise. I have spent much of the last six months working to create the Iowa Peace Institute. This public/private partnership will be the nation's first truly statewide program through a consortium of Iowa colleges and universities. We will be putting Iowa's creative energies together to promote conflict resolution, international trade and development and global education.

5. Finally on a much more personal level, I hope you share with Lt. Governor-elect Zimmerman the individual respect and friendship that you have given to me. While disagreements and partisan differences are always part of the inefficient way we govern in a democracy, our system works.

I leave with a sense of accomplishment, personal growth and twelve years of special memories. I am excited about my new opportunities in the private sector and leave with no regrets. I thank you for all of your help and ask that God's blessings be with you and your families during this legislative session.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

REMARKS BY THE MAJORITY LEADER

Senator Hutchins addressed the Senate as follows:

Mr. President, Senators, staff, and friends. Welcome! One year ago, you gave me the opportunity to serve as your Majority Leader as we embarked on a difficult session. I appreciated that honor, tried my best to meet the challenges, and learned greatly from the experience. As I stand before you today, chosen again as Majority Leader, I can honestly say it is an even more satisfying honor. To my colleagues in the Democratic caucus I say "thank you again". I look forward to working together this year, and I appreciate your continued support. This year, working with the strong leadership team of Senators Kinley, Husak, Gronstal, Horn, and Lt. Governor Zimmerman, will be very rewarding.

I also want to acknowledge my friend and colleague, Senator Cal Hultman, and the Republican members of this body. To each of you, sincere thanks for your support--though not always agreement, which is to be expected. I look forward to working with you, for you continue to demonstrate that there is a difference between responsible minority opposition and obstructionism. It is a pleasure to work with you, even when we disagree. To everyone here--of both parties--I say again this year that my door continues to be open to you all--and I will try to the best of my ability to serve you well.

I sincerely believe the upcoming session can be one of great progress on a number of issues. I'd like to take a minute to tell you why I feel that way. With election season behind us for now, I sense a great willingness by members of this body to work together and make reasonable compromises, rather than "divide up" into opposite camps and not move from predetermined positions. This kind of attitude is important if a legislative body of so many diverse people is to truly work out solutions to the issues we face. I believe the same kind of open-minded spirit exists across the hall in the other body. And, I must note that there appears to be the possibility that the governor will be somewhat more open-minded this year, too. While my position as leader of a different branch of government and the opposite political party makes it natural for the Governor and I to disagree at times, I do appreciate the fact that the last half of 1986 gave some signs he will be more willing to pursue necessary compromises this session. "Reserving my right" to disagree on occasion and allowing him the same right, I stand ready to work with him on needed policy initiatives this year, whenever we can do so.

Another key element needed for success this year as I see it is agreement on common goals--and I believe we have that in the 1987 Senate as well. Tax Reform, Needed Education Enhancements--in both K-12 and higher education, Water Quality and Hazardous Waste protection, Jobs and Economic Development initiatives, and Governmental reforms of several kinds, appear to be the basic needs and concerns most all of us share. With the common agreements we have on the importance of these issues, I can't help but feel that working together we will make substantial progress on them all--and many other areas besides. The best idea in the world is not a contribution if it winds up in the waste basket because of Pride of Authorship.

Last, but not least, I want to acknowledge the new Senators, well Senators-elect to be precise, among us. We are fortunate to have six very experienced and capable people in the Senate Class of '86, and I know they will begin making substantial contributions right away. Please join me in a round of applause and

welcome to Senators-elect Lloyd-Jones, Rensink, Scott, Sturgeon, Varn, and Fuhrman. We are glad to have you working with us this year.

Ladies and gentleman of the Senate, TOGETHER we can make this a year of real progress for Iowa. Let's get started. Thank you.

REMARKS BY THE MINORITY LEADER

Senator Hultman addressed the Senate as follows:

Thank you, Mr. President.

I would agree with Senator Hutchins that we have an interesting and intriguing year ahead of us. I would agree on the issues he has talked about. I think we are in a unique position in Iowa history this year. As we go through the year, we can really make a difference.

The federal tax reform is coming down to us and we can look at that and determine if we want to couple, uncouple, partially couple, or partially uncouple. We can look at what we want to do with capital gains, IRAs and others.

The proposition coming across from the other side on sales tax is probably alive and well and we must decide what we want to do with it. Then we get into education and we read in the morning paper everybody wants to enhance it. That's kind of like the Methodists and Catholics. We all want to get to heaven, but we have a little different method of getting there. You know, how much do we put in education, where does it come from, how do we do it so that its right? What happens, for example, to the matrix of the school systems now when you go in and put in a minimum salary. I'm not sure how that works and what it would cost. What happens to collective bargaining if we put a minimum salary in when the districts have already negotiated for the year? I think these are the questions that will need answering when we get into this education thing and we'll have to take a strong, hard look at them.

Without saying, appropriations are going to be a strong, long and hard issue this year. At what level do we spend? Is the Adjustment Board going to get on line and make evaluations? And for once, maybe if I start talking about it the first day, we can start looking at the COLAs, the automatic cost of living adjustment. To my mind, there is no reason we should come in here and already spend \$140,000,000.00.

And then our one last thing, but certainly not the least, economic development. I think what the Regents' Universities are proposing is very exciting. We really need to take a look at that to see how it can be a reality.

I think the age old problems of Workers' Comp and unemployment must be looked at to see if there is any way we can get something worked out on these as part of an economic package.

Let me say in closing that each of these four issues cannot stand alone. What we do on taxes depends on what we do in education, appropriations and economic development. What we do in economic development will call for a change in taxes and in appropriations. What we do in education will call for appropriations, and education, believe it or not, I am finding out as I travel in the state and nation, is a very key element to economic development. We have to look at these and not have any one of them free-standing. We have to look at this in a very systematic manner, and I'm not talking about packaging bills, but I'm talking about packaging ideas and packaging dollars so that we get the best bang for our buck. I think we can do this if we cooperate, work together, look at the questions and thoroughly go through it.

I look forward to working with all of you in the Senate and our staff, and I welcome all of you new members here today.

Thank you.

TEMPORARY SECRETARY

Senator Hutchins moved that John F. Dwyer be appointed as temporary Secretary of the Senate.

The motion prevailed by a voice vote and Mr. Dwyer appeared before the rostrum and was duly sworn to the oath of office.

ADOPTION OF TEMPORARY RULES

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

The motion prevailed by a voice vote.

COMMITTEE ON CREDENTIALS

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Murphy, Chair; Boswell, Carr, Taylor and Corning.

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

The Senate resumed session, President Anderson presiding.

REPORT OF THE COMMITTEE ON CREDENTIALS

MR. PRESIDENT: We, your committee on credentials, respectfully report that we find the persons named in the attached copy of the certification of the Secretary of State duly elected to and entitled to seats in the Senate of the Seventy-second General Assembly.

LARRY MURPHY, Chair
LEONARD L. BOSWELL
BOB CARR
RAY TAYLOR
JOY CORNING

CERTIFICATION—STATE OF IOWA
OFFICE OF THE SECRETARY OF STATE

To the Honorable, Secretary of the Senate:

I, ELAINE BAXTER, Secretary of State of the State of Iowa, custodian of the files and records pertaining to elections in the state, do hereby certify that the State Canvassing Board has declared that at the General Election held on November 4, 1986, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1987:

DISTRICTS

First	Al Sturgeon
Third	Wilmer Rensink
Fifth	Linn Fuhrman
Seventh	C. Joseph Coleman
Ninth	Ray Taylor
Eleventh	John W. Jensen
Thirteenth	Jim Lind
Fifteenth	Kenneth D. Scott
Seventeenth	Joe J. Welsh
Nineteenth	Norman J. Goodwin
Twenty-first	Pat Deluhery
Twenty-third	Jean Lloyd-Jones
Twenty-fifth	Wally E. Horn
Twenty-seventh	Richard J. Varn
Twenty-ninth	Jack Rife
Thirty-first	Eugene Fraise
Thirty-third	Don E. Gettings
Thirty-fifth	Bill Dieleman
Thirty-seventh	Charles Bruner
Thirty-ninth	William D. Palmer
Forty-first	Julia B. Gentleman

Forty-third Tom Mann
 Forty-fifth James R. Riordan
 Forty-seventh Calvin O. Hultman
 Forty-ninth Jack W. Hester

I FURTHER CERTIFY that the State Canvassing Board has declared that at the General Election held on November 6, 1984, each of the following named persons was duly elected to the office of State Senator for the term of four years beginning on the second day of January, 1985:

DISTRICTS

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

I further certify that the State Canvassing Board has declared that at a Special Election held on December 17, 1985, John A. Peterson was elected to the office of State Senator for the Thirty-fourth District to fill a vacancy in a four-year term which began in January, 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 5th Day of January, 1987.

ELAINE BAXTER, Secretary of State

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

COMMITTEE TO NOTIFY THE GOVERNOR

Senator 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 announced the appointment of Senators Coleman, Chair; Peterson and Goodwin.

COMMITTEE TO NOTIFY THE HOUSE

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Hall, Chair; Hannon and Schwengels.

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, Jane Norman
- 52 THE ASSOCIATED PRESS, Mike Glover
- 53 WOI-TV, Jo Ann Merrigan
- 54 WHO-TV/WHO RADIO, Alison Gregory
- 55 UNITED PRESS INTERNATIONAL, Cornell Fowler
- 56 IOWA LEGISLATIVE NEWS SERVICE, Jo Von Stein
- 57 KRNT/Q-102 RADIO, Robin Shepard
- 58 CEDAR RAPIDS GAZETTE, Ken Sullivan
- 59 QUAD-CITY TIMES, Tom Davidson
- 60 IOWA NEWSPAPER ASSOCIATION, Harrison Weber
- 61 KWWL-TV, Craig Hotvedt
- 62 WATERLOO COURIER, Eric Woolson

- 63 DUBUQUE TELEGRAPH HERALD, Patt Johnson
- 64 KCCI-TV, Steve Oswalt

GENERAL ASSIGNMENT

AFSCME PRIDE NEWS: Larry Scarpino
 THE ASSOCIATED PRESS: Tom Seery, Mark Mittelstadt
 CEDAR RAPIDS GAZETTE: Judy Daubenmier
 CHICAGO TRIBUNE: John Gilardi
 THE DES MOINES REGISTER: Tom Fogarty, David Yepsen
 IOWA LEGISLATIVE NEWS SERVICE: Gwynne Skinner, Nan Hagen
 IOWA RADIO NETWORK: Brian Weber, C. Ross Martin, Sam Zelden
 KASI RADIO: Rich Fellingham, Kara Fuhnlander
 KCCI-TV: Anne Hawkins, Michael Ericson, Craig Parsons, Lon Johnson, David Warner, Todd Magel, John Houghton, Michelle Parker, Kent Peterson, Mike Day
 KDSM-TV 17: Michelle Schwartz, Roger MacGregor, Mark Perkins
 KIOA-KDWZ: Todd Kimm and Eileen Wixted
 KRNT/Q-102 RADIO: Deb Ryan, Robin Shepard, Roger Summitt, Dale Woolery, Dana Gannon, Kristi Van Ekeren, Janet Whitters, Kevin Waetke
 KWWL-TV: Julie A. Kraft
 LEE NEWSPAPERS: Lindsey Borg
 UNITED PRESS INTERNATIONAL: Scott Sonner, Dennis Garrels
 TELEGRAPH HERALD: Patt Johnson
 WATERLOO COURIER: Eric Woolson
 WHO-AM: Kevin Teale, Chris Riedel, Kim Dlouhy, Bob Quinn
 WHO-TV: Diane Roberts, Jim Strickland, Ralph Robinson, Jon Stone, Kelly Eckerman
 WOI-AM: Jim Wishner
 WOI-TV: Rick Fuller, Jeff Nowakowski, Jessica Szemler, Clyde Rail, Bruce Reeves

APPOINTMENT OF PERMANENT OFFICERS AND EMPLOYEES

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

MR. PRESIDENT: Your committee on rules and administration begs leave to submit the names of the following personnel for appointment as permanent officers and employees of the Senate for the Seventy-second General Assembly:

Secretary of the Senate John F. Dwyer

Administrative

Executive Secretary to the Secretary Lori Bristol
 Finance Officer Mary Ann Abbott
 Recording Clerk Kelly Finley
 Records and Supply Clerk Mary Buban
 Secretary to the Secretary Jeanine Mark

Indexing

Chief Indexer Caryll Wilbur
 Assistant Indexer Nancy Gibson

Journal

Journal Editor C.J. Kelly
 Assistant Journal Editor Julie Elder
 Assistant Journal Editor/
 Assistant Finance Officer Nancy Smith

Legal Counsel

Legal Counsel Ann Ver Heul
 Assistant Secretary Cynthia A. Clingan
 Assistant to the Legal Counsel Linda Laurenzo
 Assistant to the Legal Counsel/
 Assistant Finance Officer Jeanne Uhlrich

Majority Caucus

Administrative Assistant to Majority Greg Nichols
 Caucus Staff Director Dennis Harbaugh
 Research Analyst Steve Conway
 Research Analyst Mary Gannon
 Research Analyst William Haigh
 Research Analyst Theresa Kehoe
 Research Analyst Debbie O'Leary
 Caucus Secretary Mary Bustad

Minority Caucus

Administrative Assistant to Minority Leader Judy Bertelsen
 Caucus Staff Director Paula Dierenfeld
 Research Analyst Jim Boose
 Research Analyst David Hudson
 Research Analyst Suzanne Johnson
 Research Analyst Carol Olson
 Caucus Secretary Marcy Jolly

Sergeant-at-arms

Sergeant-at-arms	Alfred Klocke
Assistant Sergeant-at-arms	Jack Levine
Assistant Sergeant-at-arms	Lynn Brandt
Chief Doorkeeper	Ray J. Prosperi
Doorkeeper	Svend A. Christensen
Doorkeeper	Catherine L. DeHeck
Doorkeeper	Robert T. Doyle
Doorkeeper	Domenic P. Morrow
Doorkeeper	Frank J. Murphy
Doorkeeper	E.A. Samuelson

Services

Bill Clerk	Andre Merrett
Assistant Bill Clerk	Rodney Bergren
Switchboard Operator	Mary Leonard
Switchboard Operator	Fredda Wright
Postmaster	Dino Masolini
Porter	James M. Sullivan

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

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

COMMITTEE FROM THE HOUSE

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

REPORT OF COMMITTEE TO NOTIFY THE GOVERNOR

Senator Coleman 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.

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

The Senate resumed session, President Anderson presiding.

REPORT OF COMMITTEE TO NOTIFY THE HOUSE

Senator Hall 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.

ELECTION OF PRESIDENT PRO TEMPORE

Senator Hutchins placed in nomination the name of Senator George Kinley of Polk County as a candidate for the office of President pro tempore of the Senate for the Seventy-second General Assembly.

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

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

President Anderson requested Senators Doyle, Wells and Tieden to escort Senator Kinley to the rostrum.

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

Senator Kinley addressed the Senate with brief remarks.

APPOINTMENT OF SENATE SECRETARIES

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

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

- ALEXANDER, Suzi HANNON, Beverly
- ANDERSON, Joyce GENTLEMAN, Julia
- BETTEN, Linda NYSTROM, Jack
- BOUCHER, Candy RIORDAN, James R.
- CHAMBERLAIN, Joyce WELLS, James D.
- COX, Paula MILLER, Alvin

DAVIS, Vicki	RIFE, Jack
DOYLE, Katie	CARR, Bob
ELMITT, Alyce	LIND, Jim
FALCK, Steve	MURPHY, Larry
GANDROW, Kristen	DIELEMAN, William W. "Bill"
GANNON, Kathleen	LLOYD-JONES, Jean
GETTINGS, Beverley	GETTINGS, Donald E.
GOTTSCHALK, Betty	FUHRMAN, Linn
HANOVER, Jo Ann	GRONSTAL, Michael E.
HARGER, Evadna	PALMER, William D.
HARRISON, Barbara	HOLDEN, Edgar H.
HELLER, Jeanne	KINLEY, George R.
HILLMAN, Kathy	HUTCHINS, Bill
HUSAK, Dorothy	HUSAK, Emil
HUTCHINS, Jo Ann	WELSH, Joe
JENSEN, Myrtle	JENSEN, John W.
KING, Pat	READINGER, David M.
KURTZ, Fran	PRIEBE, Berl E.
MACLIN, Michelle	MANN, Thomas Jr.
MILLER, Virginia	MILLER, Charles P.
NELSON, Marcella	HESTER, Jack W.
PEER, Mary Ann	DELUHERY, Patrick J.
PETERSON, Carole	COLEMAN, C. Joseph
POTTER, Patricia	GOODWIN, Norman J.
RAMSAY, Kathryn	HALL, Hurley W.
RENSINK, Marilyn	RENSINK, Wilmer
ROUSE, Angie	STURGEON, Al
RYDEL, Gerry	TAYLOR, Ray
SAF, Flo	TIEDEN, Dale
SAMUELSON, Beverly	SOORHOLTZ, John E.
SCHROEDEL, Hazel	SCHWENGELS, Forrest
SCOTT, Lorraine	SCOTT, Kenneth D.
SEEGERS, Roxanne	PETERSON, John A.
SIMON, Julie	HORN, Wally E.
SOENER, Betty	DRAKE, Richard F.
STERK, Kevin	VARN, Richard J.
VANDE HOEF, Harriet	VANDE HOEF, Richard P.
WASKER, Elizabeth	HOLT, Lee W.
WELCH, Amy D.	BRUNER, Charles
WISE, Betty	HULTMAN, Calvin O.
WIMMER, Margaret	BOSWELL, Leonard L.
YOUNGQUIST, Layna	FRAISE, Eugene S.
ZEIGLER, Carol	CORNING, Joy C.

BILL HUTCHINS, Chair

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

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

APPOINTMENT OF PAGES

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

MR. PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following personnel as Pages for the Senate for the 1987 Session of the Seventy-second General Assembly:

Lisa Bries, St. Olaf
Julianne Casad, DeWitt
Lori Clabaugh, New Hartford
Jolene Finch, Pleasantville
John Frajman, Secretary of the Senate's Page, Eldridge
Todd Griffith, Cedar Rapids
Christin Hart, Waterloo
Rhonda Klingman, Volga
Joan May, Audubon
Tamara Morrison, Lieutenant Governor's Page, Des Moines
Susan Priest, Diagonal
Barbara Ressler, Rockwell
Barry Sackett, Spencer
Anthony Schau, Donnellson
Alan Vander Ploeg, Prairie City

BILL HUTCHINS, Chair

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

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

COMMITTEE ON MILEAGE

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Dieleman, Chair; Gettings, Jensen and Rife.

INTRODUCTION OF RESOLUTION

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

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

COMMITTEE REPORTS

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 1, a resolution relating to distribution of printed legislative materials.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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: SENATE CONCURRENT RESOLUTION 2, a resolution relating to appointment of a joint inaugural committee.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

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 Concurrent Resolution 1.

Senate Concurrent Resolution 1

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

Senator Hutchins moved the adoption of Senate Concurrent Resolution 1, which motion prevailed by a voice vote.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 2, by Committee on Rules and Administration, a concurrent resolution relating to appointment of a joint inaugural committee.

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

ADOPTION OF RESOLUTION

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

Senate Concurrent Resolution 2

On motion of Senator Hutchins, Senate Concurrent Resolution 2, a resolution providing that a joint committee be designated to arrange for the inauguration of the governor and lieutenant governor, was taken up for consideration.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 2.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Priebe, Miller of Cerro Gordo, Riordan, Holden, Fuhrman and Jensen.

COMMITTEE ON CHAPLAINS

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

TELLERS OF JOINT CONVENTION

Senator Hutchins moved that three members of the Senate be appointed to serve as tellers to assist in the canvassing of the vote for Governor and Lieutenant Governor at a joint convention to be held for such purpose.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Husak, Gronstal and Nystrom.

SELECTION OF SEATS

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

Senator Hutchins moved that the holdover and reelected senators be granted the privilege of selecting new seats in order of continuous seniority from unassigned seats; that any senator having any handicap be allowed to select his or her seat from the unassigned seats; that former members of the House of Representatives be granted the privilege of selecting their seats from the unassigned seats, their names being called by seniority; and that the newly elected senators select their seats from the unassigned seats, the order of selection based on their names being drawn by lot by the Secretary of the Senate; and that first, the majority floor leader and the minority floor leader be permitted to select their seats.

The motion prevailed by a voice vote.

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

<u>NAME</u>	<u>SEAT NO.</u>
Boswell of Decatur	19
Bruner of Story	23
Carr of Dubuque	21
Coleman of Webster	13
Corning of Black Hawk	24
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
Gronstal of Pottawattamie	9
Hall of Linn	36
Hannon of Jones	1
Hester of Pottawattamie	6
Holden of Scott	22

Holt of Clay	10
Horn of Linn	27
Hultman of Montgomery	46
Husak of Tama	7
Hutchins of Audubon	49
Jensen of Bremer	28
Kinley of Polk	43
Lind of Black Hawk	12
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
Reader of Polk	44
Rife of Muscatine	8
Riordan of Dallas	33
Schwengels of Jefferson	42
Soorholtz of Marshall	32
Taylor of Hardin	50
Tieden of Clayton	48
Vande Hoef of Osceola	14
Wells of Linn	35
Welsh of Dubuque	3

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:00 noon, until 1:15 p.m.

APPENDIX

COMMUNICATIONS

The following communications were received in the office of the Secretary of the Senate on December 30, 1986:

December 29, 1986

Mr. John F. Dwyer
Secretary of the Senate
Statehouse
L O C A L

Dear Mr. Dwyer:

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

These include 92 claims of a general nature that have been denied by the State Appeal Board during May — December, 1986.

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.

JOHN F. DWYER
Secretary of the Senate

December 29, 1986

Mr. John F. Dwyer
Secretary of the Senate
Statehouse
L O C A L

Dear Mr. Dwyer:

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 1986 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,
 Patrick D. Cavanaugh
 Director
 DEPARTMENT OF MANAGEMENT

Receipt of the above is hereby acknowledged.

JOHN F. DWYER
 Secretary of the Senate

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

COMMUNICATION FROM THE SECRETARY OF STATE

To the Secretary of the Senate
 Seventy-Second General Assembly

On the 16th day of December, 1986, I, Mary Jane Odell, Secretary of State of the State of Iowa, do hereby certify that the following named newspapers were designated to publish Senate Joint Resolution #1 and #2002, Acts of the Seventy-First General Assembly, and in accordance with Chapter Six, Code of Iowa, 1985, affidavits showing proof of said publications are on file in this Department and are recorded as hereinafter shown:

<u>Congressional</u> <u>Districts</u>	<u>Newspapers</u>	<u>1986</u> <u>Dates Published</u>
First	Ottumwa Courier, Ottumwa Quad City Times, Davenport	8/13 — 9/10 — 10/08 8/13 — 9/10 — 10/08
Second	Cedar Rapids Gazette, Cedar Rapids Telegraph-Herald, Dubuque	8/08 — 9/08 — 10/08 8/11 — 9/08 — 10/06
Third	Decorah Public Opinion, Decorah (SJR 2002 was published separately on 9/23) Waterloo Courier, Waterloo	8/12 — 9/09 — 10/07 8/12 — 9/09 — 10/07
Fourth	Ames Daily Tribune, Ames Des Moines Register, Des Moines	8/12 — 9/09 — 10/07 8/14 — 9/08 — 10/06

Fifth	Council Bluffs Nonpariel,	8/13 — 9/10 — 10/08
	Council Bluffs Osceola Sentinel-Tribune, Osceola	8/14 — 9/11 — 10/09
Sixth	Globe Gazette, Mason City	8/12 — 9/09 — 10/07
	Sioux City Journal, Sioux City	8/11 — 9/08 — 10/06

(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 16th Day of December, 1986.

MARY JANE ODELL, Secretary of State

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MR. PRESIDENT: Pursuant to Senate Concurrent Resolution 2 of the Seventy-first General Assembly, your committee on rules and administration submits the following changes of officers, employees and their respective classification, grades and steps:

		Class	Grade	Step
Secretary of the Senate	John F. Dwyer	P-FT Effective 10/13/86	\$35,000	Annual
Executive Secretary to the Secretary	Lori Bristol	P-FT Effective 8/11/86	21	1
Research Analyst	David Hudson	P-FT Effective 8/1/86	24	1
Research Analyst	Suzanne Johnson	P-FT Effective 8/22/86	24	1
Research Analyst	Stephen Conway	P-FT Effective 9/19/86	24	1
Research Analyst	Theresa Kehoe	P-FT Effective 11/21/86	24	1
Caucus Staff Secretary	Marcy Jolly	P-FT Effective 7/11/86	21	1

Administrative Assistant to Majority Leader	Greg Nichols	Step 4 to Step 5 Effective 7/1/86
Caucus Staff Director	Dennis Harbaugh	Step 1 to Step 2 Effective 7/1/86
Caucus Staff Director	Paula Dierenfeld	Step 1 to Step 2 Effective 7/1/86
Assistant Secretary of the Senate	Cynthia Clingan	Step 6 to Step 7 Effective 7/1/86
Assistant Journal Editor/ Assistant Finance Officer	Nancy Smith	Step 4 to Step 5 Effective 7/1/86
Journal Recorder	Julie Elder	Step 1 to Step 2 Effective 7/1/86 Permanent Fulltime Effective 9/19/86
Executive Secretary to Majority Leader	Kathy Hillman	Step 3 to Step 4 Effective 7/1/86
Caucus Staff Secretary	Mary Bustad	Step 1 to Step 2 Effective 7/1/86
Research Analyst	Carol Olson	Grade 24 to Grade 25 Effective 7/1/86
Research Analyst	James Boose	Grade 24 to Grade 25 Effective 7/1/86

BILL HUTCHINS, Chair

CERTIFICATES OF RECOGNITION

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

Byron and Hilda Walla—Recognition of 50th wedding anniversary. Senator Wells (August 14, 1986).

The Holstein Advance—Centennial Celebration. Senator Doyle (October 24, 1986).

Sioux City Lodge #752—75th anniversary of Sioux City Lodge #752 Loyal Order of the Moose. Senator Doyle (November 7, 1986).

Mrs. Floyd (Mary) Laue—Organizing the Unity Age 4-H Club 25 years ago and her unselfish service to the youth of Des Moines County. Senator C. Miller (November 15, 1986).

PETITIONS

The following petitions opposing the privatization of state-owned liquor stores were presented and placed on file by:

Senator Hutchins from eight hundred seventy-three residents of Iowa.

Senator Holden from eight hundred eighty-nine residents of Iowa.

The following petitions were presented and placed on file by:

Senator Hutchins from two hundred seventy-one residents of Audubon, Carroll and Crawford Counties favoring legislation increasing funding to the State Transit Assistance Fund to ensure continuation of public transit service to Iowans.

Senator Hutchins from two hundred seventy-nine residents of Boone and Dallas Counties opposing the enforcement of statutes regarding sales of real property for delinquent taxes.

AFTERNOON SESSION

The Senate reconvened at 1:25 p.m., President Anderson presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 12, 1987, adopted the following concurrent resolutions in which the concurrence of the Senate is asked:

House Concurrent Resolution 1, a resolution providing for joint convention on Monday, January 12, 1987, for the purpose of canvassing the votes for Governor and Lieutenant Governor and a joint convention on Tuesday, January 13, 1987, to hear the governor's condition of the state message.

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

House Concurrent Resolution 2, a resolution providing for a joint convention on Tuesday, January 20, 1987, for the purpose of hearing the condition of the judicial department message.

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

House Concurrent Resolution 3, a resolution providing for a joint convention on Thursday, January 22, 1987, for the purpose of hearing the governor's budget message.

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

BUSINESS PENDING

The Senate resumed consideration of the selection of seats, pending on recess.

<u>NAME</u>	<u>SEAT NO.</u>
Scott of Cerro Gordo	34
Lloyd-Jones of Johnson	17
Varn of Johnson	2
Rensink of Sioux	4

Sturgeon of Woodbury20
 Fuhrman of Buena Vista18

ADOPTION OF RESOLUTION

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

House Concurrent Resolution 1

On motion of Senator Hutchins, House Concurrent Resolution 1, a resolution providing for a joint convention on January 12, 1987, to canvass the votes for governor and lieutenant governor and a joint convention on January 13, 1987, for the purpose of hearing the governor deliver the condition of the state message, was taken up for consideration.

Senator Hutchins moved the adoption of House Concurrent Resolution 1, which motion prevailed by a voice vote.

INTRODUCTION OF BILLS

Senate File 1, by Holt, a bill for an act abolishing the statewide collection services center for the receipt and disbursement of child and spousal support payments, and providing an effective date.

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

Senate File 2, by Mann, a bill for an act relating to employment practices and employee rights, by providing civil damages for employees injured as a result of employer acts which violate public policy or result in the wrongful discharge of an employee and restricting the use of polygraph examinations and drug tests, providing remedies, and providing penalties.

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

Senate File 3, by Priebe, a bill for an act excluding intermediate care facilities from certificates of need reviews.

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

Senate File 4, by Mann, a bill for an act relating to the offense of prostitution and providing penalties.

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

Senate File 5, by Mann, a bill for an act relating to the violation of or interference with civil rights, and providing penalties.

Read first time and passed on file.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that pursuant to law the House was ready to receive the Senate in joint session for the purpose of canvassing the votes for Governor and Lieutenant Governor.

Senator Hutchins moved that the Senate proceed to the House chamber in accordance with House Concurrent Resolution 1, duly adopted.

The motion prevailed by a voice vote and the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-Arms.

JOINT CONVENTION

In accordance with law and concurrent resolution duly adopted, the joint convention was called to order at 1:42 p.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.

President Anderson announced that the time had arrived for the canvass of votes for the offices of Governor and Lieutenant Governor at the General Election held on November 4, 1986, and announced as teller, on the part of the Senate, Senator Husak, and assistant tellers, Senators Gronstal and Nystrom; and as teller, on the part of the House, Representative Jochum, and assistant tellers Representatives Doderer and Royer.

President Anderson further announced that, in accordance with statute, the six tellers just named would constitute the judges of said canvass.

The returns were opened in the presence of the joint convention and the tellers then proceeded to canvass the vote for Governor and Lieutenant Governor of the State of Iowa, cast at the General Election held on November 4, 1986.

Representative Arnould moved that the joint convention recess until 10:00 a.m., Tuesday, January 13, 1987.

The motion prevailed by a voice vote and the joint convention was recessed at 2:12 p.m.

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

RECESS

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

RECONVENED

The Senate reconvened at 4:04 p.m., President Anderson presiding.

INTRODUCTION OF BILLS

Senate File 6, by Dieleman, a bill for an act to require certain coal-fired electrical generating plants to burn a mixture of Iowa-mined coal.

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

Senate File 7, by Priebe, a bill for an act relating to the subvention program for the college of osteopathic medicine and surgery.

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

Senate File 8, by Mann, a bill for an act relating to the issuance of park user permits.

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

Senate File 9, by Mann, a bill for an act relating to the compensation of collegiate athletes.

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

Senate File 10, by Jensen, a bill for an act relating to the penalty for the sale or gift of narcotics resulting in death.

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

Senate File 11, by Jensen, a bill for an act permitting a board of directors of a school district to begin school before September 1.

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

Senate File 12, by Mann, a bill for an act relating to the distance from which a witness in a civil case may be compelled to attend the district court.

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

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:05 p.m., until 9:00 a.m., Tuesday, January 13, 1987.

JOURNAL OF THE SENATE

SECOND CALENDAR DAY
SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 13, 1987

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

Prayer was offered by the Honorable Jack Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa.

The Journal of Monday, January 12, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the remainder of the week on request of Senator Hutchins.

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

The Senate resumed session, President Anderson presiding.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 1 and 2** and **House Concurrent Resolution 1** be immediately messaged to the House.

OATH OF OFFICE

Senator Gentleman appeared before the bar of the Senate, was duly sworn and subscribed her name to the oath of office.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 3, by Rules and Administration Committee, a concurrent resolution relating to joint rules of the senate and house of the seventy-second general assembly.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 1, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and 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 Chair announced the appointment of Senator Fraise, Varn and Vande Hoef, on the part of the Senate, and Representatives Shoultz, Svoboda and Garman, on the part of the House.

The following guests were escorted into the House chamber:

Lieutenant Governor-elect Jo Ann Zimmerman; Elaine Baxter, Secretary of State; Michael Fitzgerald, Treasurer of State; Dale Cochran, Secretary of Agriculture; Richard Johnson, Auditor of State and Tom Miller, Attorney General.

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

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

The committee waited upon 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 speech, I want to congratulate you who have been chosen by the people of this great state to serve as their elected state senators and representatives of this Seventy-second Iowa General Assembly. I want to congratulate those who have been elected as leaders, especially Speaker of the House Don Avenson, who was just chosen to an unprecedented third consecutive term as Speaker of the House. Don, contrary to what you may have heard, I think you are all right. Some of you may think it would be a hot day in January before I would compliment Don Avenson!

The State of the State is my first of three major speeches that I will make to the people of Iowa over the next two weeks. On Friday, I will deliver the Inaugural Address and next week the Budget Message.

In addition to reporting on the Condition of the State today, I will concentrate on economic development, agriculture and the environment. On Friday, the Inaugural Address will center on education and next week in the Budget Message, I will spell out my programs for tax reform, welfare reform, aid to the elderly and other priorities.

Today, we look at where we are, where we have been and where we want to go. After witnessing the boom of the 1970's, we felt the bust of the 1980's.

For many of us, it has been a time of great stress and a time of dramatic change. We cannot ignore the facts. In this decade, we have lost farms, banks, businesses and people. But those grim statistics represent the past. They do not have to reflect the future.

Let us all resolve here today that the worst is behind us. In our future lies opportunity. Yes, the trials of the economy will continue. But the big drop in asset values is already behind us. We Iowans have had to adjust. We have learned to focus on our strengths, both as individuals and as a state and we are a better future because of it.

Many Iowans are rediscovering the pioneer spirit of our ancestors. Iowans are coping with the new realities of today and making the tough decisions to prepare for tomorrow.

That pioneer spirit can be seen in places like Guthrie Center. In that county seat, area farmers and other residents are earning additional income for their families by assembling automotive component parts as independent contractors.

For a farmer like Dennis Menefee, that is an opportunity providing him a means to maintain the family farm for his children and grandchildren.

Dennis Menefee is like a lot of Iowans who have weathered the difficulties of the 1980's. Like thousands of people all across our state, Dennis has the courage and determination to meet the realities of today while preparing for tomorrow.

The 1980's are not the first time that Iowans have had to face hard economic times. A half century ago, Iowans were facing the Great Depression. It was a time of extremely low farm prices, high unemployment and extraordinary levels of bankruptcies.

Yet, the people of Iowa refused to give up. In 1939, after years of economic depression and devastating drought, Governor George Wilson reminded Iowans that,

"The story of Iowa is that of transforming
a wilderness of hidden wealth into a
commonwealth of fascinating beauty, teeming
with the honorable activities of an industrious
people.
"It is an epic adorned with all that makes life
worthwhile."

What Governor Wilson said about Iowa 48 years ago is still true today. We have faced hard times, but we are emerging ever stronger with people dedicated to a brighter future.

In 1986, we Iowans accomplished some remarkable things. Think of Bob and Ruth Kehl of Dubuque, transporting over a quarter of a million tourists up and down the Mississippi River in their riverboats, and they went on to be named the United States Small Business People of the Year.

Also last year, Naum Starolselsky, who immigrated from the Soviet Union to Des Moines, Iowa, eleven years ago was honored as the American Small Business Innovator of the Year.

Another Iowan, Kevin Eblen of Creston, was selected by his peers as the National President of the future Farmers of America in 1986.

Other Iowa success stories from 1986 include that of Marj and Jack Haley. After retiring from the military, Jack Haley decided to move to Waterloo to start a business. The Haleys purchased the Cedar Valley Railroad Branch Line and developed the idea for the Star Clipper Dinner Train. They expanded their operations and purchased the Main Line Illinois Central Gulf Railroad and moved the headquarters to Waterloo.

Peter Owenson, a farmer from Stratford, made a difference in 1986. After watching a television news story about the troubles facing farmers in the drought-stricken southeast, he organized a hay-lift that sent thousands of tons of hay to South Carolina and other southern states.

These Iowans are a diverse group of people: they include life-long Iowa residents, immigrants, young people, family farmers, entrepreneurs and others who have adopted Iowa as their home.

Each of these Iowans saw a need, developed a solution, set a goal and had the courage to take the risks to make it happen. These Iowans had a positive attitude and faith in what they could achieve.

Each of these Iowans proved that they had what it takes to achieve success. There are thousands of Iowans just like them living all over this great state.

During this decade, Iowans have done more than just cope with crisis. We have fought back, refusing to give up or give in. We have kept the dream alive by planting seeds for opportunity and by eliminating barriers to progress.

We took action to eliminate the sales and use tax on machinery, equipment and computers. We no longer assess a personal property tax. And, we provided incentives for job training, research and community development.

Now is the time to work even harder and to do even more on a program to reach our goals. Let me share with you, my goals for Iowa's future:

- * I want the world to see Iowa as a leader in agriculture and education;
- * The Iowa I want is a land of new opportunities for all;
- * I want Iowa to be a center in laser and biotechnology;
- * I want an Iowa noted for its clean air, water and quality of life;
- * And, I want all of Iowa to be connected to markets of growth and opportunity.

We know the first step on the pathway to those goals. We must eliminate the barriers to growth that still exist. We must create an environment in Iowa that encourages and nurtures success and a business climate that does not penalize or overburden the innovators and job creators with excessive taxes and costs of doing business.

Today, I am recommending to you reasonable legislation, which will eliminate the impediments that prevent Iowa from making the final cut in business location decisions.

Second, Iowa's work ethic, achievements in education and quality products have been kept a secret for too long. We must market and proudly promote Iowa and all we have to offer.

We have increased our state marketing and promotion budget by seven fold over the past four years. I recommend another seven fold increase over the next four years. We must begin that commitment this year.

The final phase of our economic development plan is to foster innovation and small business development. After all we know eighty percent of all new jobs come from our small businesses. Our state must take action to make this land a haven for entrepreneurs and new opportunities.

That is why I am recommending:

- * A 50 percent increase in our commitment to the Iowa Product Development Corporation;
- * Increased support for the Community Economic Development Fund;
- * A New Opportunities Grant Program;
- * And funds for small business innovation and research.

We cannot stop there. We stand at the threshold of new technological breakthroughs that will change our economy as much as the digital computer and the computer chip changed the industrial age.

These technologies were discovered in Iowa by Iowans, but they were commercially developed in the Silicon Valley and Boston, instead of in Ames or Grinnell. Our challenge today is to never let that happen again. We must seize the opportunities to make Iowa the center for the next generation of technological development in lasers and biotechnology.

Therefore, today I am recommending that we construct a laser research facility at the University of Iowa and a molecular biology building at Iowa State University.

The National Science Foundation cites light-wave technology, laser optics, as one of the emerging technical fields of the future. Iowa has the opportunity to be one of the centers of that exciting new development.

With an investment of \$25 million today, University of Iowa officials estimate we can create over 12,000 laser industry jobs in this state in the next decade.

Biotechnology will change the world, giving us new tools in crop and livestock production and processing. For a \$35 million investment, Iowa State University officials are confident, we will attract over \$120 million in research money to Iowa in the next decade.

We are especially well positioned because of the foundation we already have laid with our universities. They are poised to help Iowa lead the nation in moving from the Age of Electricity to the Age of Light and biotechnology.

A comprehensive economic development plan must include careful stewardship of our environment to maintain a quality of life that is both healthy and enjoyable.

I have seen the mountains and the oceans, but there is no greater beauty to me than an Iowa panorama. No where else do people live in such peaceful harmony with nature.

We have learned to appreciate our natural heritage and protect it. I am recommending a five-year \$37 million program to guard against the greatest environmental threat we face, the pollution of our ground water.

Our actions will help farmers reduce their production costs while protecting the health of families on the farm and in the cities of our state.

In addition, I am committed to helping farmers stay on their land and to revitalizing our cattle industry in this great state. We also must act now to begin selling Iowa Certified Quality Grain to the markets all over the world.

And finally, I propose a dramatic step for Iowa's future: Iowa Transportation 2000, an investment to build a transportation system that will prepare our state for the 21st Century. We will develop a transportation system for Iowa that puts 80 percent of the people within 10 miles of a 2,000 mile high-standard commercial highway network.

This comprehensive plan for transportation also includes:

- * Upgrading the system of over 100 general aviation airports;
- * Rehabilitating several hundred miles of rail track and constructing new rail spurs;

- * And developing 400 miles of new hiking and biking trails throughout the state.

Fuel prices are 38 cents per gallon lower than last year at this time. We should take 2 cents of that savings this year and 2 cents next year to help fund Iowa Transportation 2000.

Let us take action so that all of Iowa will have access to the markets of the world.

We are moving ahead in Iowa. We must continue to move ahead. We must not, we cannot stand still. If you adopt the program I laid out for you today, we will create all kinds of new opportunities in all parts of our state.

Last year, we made history with a comprehensive reorganization of state government. We cut out inefficiencies and consolidated functions into well-managed government for the people of Iowa. We eliminated over 1,000 positions, without the pain of massive layoffs, and we reduced the number of state agencies from 68 to 24.

The smooth transition in reorganization is a tribute to the dedication and effort of state employees. To them, on behalf of the people of Iowa, I say thank you.

Passing reorganization took cooperation between the Governor and the General Assembly. We proved that we can work together to achieve a common goal. As a result, Iowans have a more accountable, efficient and effective state government.

Now is again the time to put partisanship aside. Now is again the time to seek innovative ways to solve problems. Now is the time to move Iowa forward.

The times require each of us to strive to be the best that we can be. We owe it to ourselves. We owe it to each other. But most important we owe it to the people of our state.

Iowa is the America we grew up believing in. It is faith, hope and caring for each other. It is freedom bought through hard work and integrity.

It is the belief that the future will be better than today. Iowa is a place where the dream still works.

Thank you and God bless you.

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

On motion of Representative Arnould, the joint convention recessed until 9:15 a.m., Friday, January 16, 1987, at Veterans Memorial Auditorium.

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

RECESS

On motion of Senator Husak, the Senate recessed at 10:36 a.m., until 4:00 p.m.

APPENDIX

REPORT OF COMMITTEE ON MILEAGE

MR. PRESIDENT: Pursuant to Sec. 2.10, Code 1985, the following mileage has been determined to be the mileage entitled to the members of the Senate for the Seventy-second General Assembly:

NAME	ROUND TRIP MILES
Lieutenant Governor Jo Ann Zimmerman	30
Boswell, Leonard L.	160
Bruner, Charles	76
Carr, Bob	410
Coleman, C. Joseph	236
Corning, Joy C.	220
Deluhery, Patrick J.	338
Dieleman, Wm. W.	102
Doyle, Donald V.	426
Drake, Richard F.	306
Fraise, Eugene S.	368
Fuhrman, Linn	360
Gentleman, Julia	none
Gettings, Donald E.	190
Goodwin, Norman J.	364
Gronstal, Michael E.	270
Hall, Hurley W.	272
Hannon, Beverly A.	310
Hester, Jack W.	250
Holden, Edgar H.	340
Holt, Lee W.	380
Horn, Wally E.	250
Hultman, Calvin O.	238
Husak, Emil J.	150
Hutchins, Bill	170
Jensen, John W.	290
Kinley, George R.	16
Lind, Jim	240
Lloyd-Jones, Jean	224
Mann, Tom Jr.	none
Miller, Alvin V.	230
Miller, Charles P.	334
Murphy, Larry	300
Nystrom, Jack	100
Palmer, William D.	20
Peterson, John A.	130
Priebe, Berl E.	280
Readinger, David M.	none

Rensink, Wilmer	460
Rife, Jack	298
Riordan, James R.	26
Schwengels, Forrest	240
Scott, Kenneth D.	218
Soorholtz, John E.	72
Sturgeon, Al	424
Taylor, Ray	160
Tieden, Dale L.	370
Vande Hoef, Richard	440
Varn, Richard J.	244
Wells, James D.	260
Welsh, Joe J.	400

Respectfully submitted,

WILLIAM W. DIELEMAN, Chair
 DON E. GETTINGS
 JOHN JENSEN
 JACK RIFE

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 13 (LSB 1487), a bill for an act relating to the protection of buyers of farm products against the enforcement of liens by secured parties and providing dates for the effectiveness and applicability of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 1, a resolution relating to the permanent rules of the Senate for the Seventy-second General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 3, a resolution relating to joint rules of the senate and house for the seventy-second general assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

LSB 1592

EDUCATION: Riordan, Chair; Wells and Lind

LSB 1594

EDUCATION: Riordan, Chair; Wells and Lind

LSB 1595

EDUCATION: Horn, Chair; Bruner and Corning

LSB 4008

EDUCATION: Lloyd-Jones, Chair; Dieleman and Holden

LSB 4036

APPROPRIATIONS: Varn, Chair; Tieden and Welsh

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 12, 1986, 2:40 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Amended and adopted committee rules and approved LSB 1487 SC as a committee bill.

Adjourned: 3:00 p.m.

HUMAN RESOURCES

Convened: January 12, 1987, 3:00 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Readinger, Coleman, Corning, Bruner and Lind.

Members Absent: Gentleman, Ranking Member; Sturgeon, Murphy, C. Miller (excused) and Taylor (excused).

Committee Business: Organizational meeting.

Adjourned: 3:10 p.m.

RULES AND ADMINISTRATION

Convened: January 12, 1987, 9:50 a.m.

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

Members Absent: none.

Committee Business: Approved proposed concurrent resolutions relating to appointment of a joint inaugural committee and distribution of printed legislative materials.

Adjourned: 9:56 a.m.

RULES AND ADMINISTRATION

Convened: January 12, 1987, 2:55 p.m.

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

Members Absent: none.

Committee Business: Approved proposed concurrent resolutions providing for joint rules of the Senate and House and permanent rules of the Senate.

Adjourned: 3:55 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:04 p.m., Senator Coleman presiding.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 1, by committee on Rules and Administration, a resolution relating to the permanent rules of the senate for the seventy-second general assembly.

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

Senate Concurrent Resolution 4, by committee on Appropriations, a resolution relating to the board of regents ten-year building program.

Read first time and **placed on the Appropriations Calendar**.

INTRODUCTION OF BILL

Senate File 13, by committee on Agriculture, a bill for an act relating to the protection of buyers of farm products against the enforcement of liens by secured parties and providing dates for the effectiveness and applicability of the Act.

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

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

The Senate resumed session, Senator Hall presiding.

APPENDIX

STUDY BILLS RECEIVED

SSB 1 Education

Relating to child abuse reports and investigations in a school district or nonpublic school.

SSB 2 Education

Relating to inclusion of certain employees of school districts and nonpublic schools under the definition of "person responsible for the care of a child" for abuse purposes.

SSB 3 Education

Relating to the subvention program for the college of osteopathic medicine and surgery and providing an effective date.

SSB 4 Education

Relating to reimbursement paid to a parent or guardian for transporting a child to a nonpublic school.

SSB 5 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 anticipation the collection of certain levies, and providing an effective date.

SSB 6 Education

Relating to the annual report of a school district.

SSB 7 Education

Relating to the date on which the certified enrollment count is taken for pupils enrolled in public schools in this state.

SSB 8 Education

To strike the repeal of the tax for equipment replacement at the area schools.

SSB 9 Judiciary

Relating to the final report of a personal representative in probate.

SSB 10 Judiciary

Relating to the notice required for forfeiture of real estate contracts.

SSB 11 Judiciary

To prohibit a person who intentionally and unjustifiably causes or procures the death of another from receiving any property, benefit, or other interest by reason of the death.

SSB 12 Judiciary

Relating to proof of financial responsibility for motor vehicles.

SSB 13 State Government

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 commissions.

SSB 14 State Government

Relating to the operations of the alcoholic beverages division of the department of commerce regarding class "E" liquor licenses by allowing the division to assess a split case charge when alcoholic liquor is sold in quantities which require a case to be split, by allowing identifying markers to be placed on containers of alcoholic liquor in the manner described by the division, by setting the bond for a class "E" license at fifteen thousand dollars, by allowing the division to retain all the license fees collected from class "e" licensees, by providing that a corporation only placing alcoholic liquor in bailment with the division is not doing business in Iowa for the purpose of determining its tax liability and making the provision retroactive, by allowing the division to begin deliveries of alcoholic liquor to class "E" licensees on February 1, 1987, and to continue sales of wine to class "A" and "B" wine permittees until inventories are depleted.

SSB 15 State Government

Relating to class "E" liquor control licenses.

SSB 16 State Government

Allowing therapeutically certified optometrists to prescribe and dispense certain pharmaceutical agents and to treat certain conditions.

SSB 17 Education

Relating to the reimbursement to the parent or guardian of a nonpublic school pupil for the cost of transporting the pupil to a nonpublic school.

SSB 18 Agriculture

Relating to the appointment of the secretary of the state fair board.

SUBCOMMITTEE ASSIGNMENTS**SSB 13**

STATE GOVERNMENT: Carr, Chair; Dieleman and Nystrom

SSB 14

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

SSB 15

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

SSB 16

STATE GOVERNMENT: Dieleman, Chair; Coleman and Schwengels

House Concurrent Resolution 2

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Gronstal

House Concurrent Resolution 3

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Gronstal

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 4, a resolution relating to the board of regents ten-year building program.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, 1: Readinger. Absent or not voting, 2: Lind and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 2, a resolution providing for a joint convention on Tuesday, January 20, 1987, for the purpose of hearing the condition of the judicial department message.

Final Vote: Ayes, 4: Hutchins, Gronstal, Gettings and Jensen. Nays, none. Absent or not voting, 2: Kinley and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 3, a resolution providing for a joint convention on Thursday, January 22, 1987, for the purpose of hearing the governor's budget message.

Final Vote: Ayes, 4: Hutchins, Gronstal, Gettings and Jensen. Nays, none. Absent or not voting, 2: Kinley and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3002	S. F.	13	Berl E. Priebe
S—3003	S. R.	1	Charles Bruner

ADJOURNMENT

On motion of Senator Murphy, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Wednesday, January 14, 1987.

JOURNAL OF THE SENATE

THIRD CALENDAR DAY
THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 14, 1987

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

Prayer was offered by the Reverend Marvin Arnpriester, pastor of the First United Methodist Church, Carroll, Iowa.

The Journal of Tuesday, January 13, 1987, was approved.

INTRODUCTION OF BILL

Senate File 14, by Holden, a bill for an act relating to local option sales and services taxes by requiring that the notice of the ballot proposition specify the amount to be used for property tax relief and contain a statement as to the purposes for which the other revenues will be used and by providing the method for property tax relief.

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

ADOPTION OF RESOLUTIONS

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolutions 2 and 3 and Senate Concurrent Resolution 3.

House Concurrent Resolution 2

On motion of Senator Hutchins, House Concurrent Resolution 2, a resolution providing for a joint convention on Tuesday, January 20, 1987, for the purpose of hearing the condition of the judicial department message, with report of committee recommending passage, was taken up for consideration.

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

House Concurrent Resolution 3

On motion of Senator Hutchins, House Concurrent Resolution 3, a resolution providing for a joint convention on Thursday, January 22, 1987, for the purpose of hearing the governor's budget message, with report of committee recommending passage, was taken up for consideration.

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

Senate Concurrent Resolution 3

On motion of Senator Hultman, Senate Concurrent Resolution 3, a resolution relating to joint rules of the senate and house of the seventy-second general assembly, was taken up for consideration.

Senator Gentleman offered amendment S—3004 filed by her from the floor to page 8 of the resolution and moved its adoption.

Amendment S—3004 lost by a voice vote.

President pro tempore Kinley took the chair at 9:42 a.m.

President Anderson took the chair at 9:51 a.m.

Senator Hultman moved the adoption of Senate Concurrent Resolution 3.

A non record roll call was requested.

The ayes were 42, nays 5.

The resolution was adopted.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolutions 2 and 3** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:55 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: January 13, 1987, 9:35 a.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

Members Absent: Schwengels.

Committee Business: Adopted committee rules; assigned LSB 4036XS 72 to a subcommittee.

Recessed: 9:55 a.m.

Reconvened: January 13, 1987, 1:32 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

Members Absent: Schwengels and Lind.

Committee Business: Approved LSB 4036XS 72 as a committee resolution.

Adjourned: 2:00 p.m.

ENVIRONMENT AND ENERGY

Convened: January 13, 1987, 2:15 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; A. Miller, Murphy, Rife, Sturgeon and Varn.

Members Absent: Hultman and Schwengels.

Committee Business: Organizational meeting; adopted committee rules.

Adjourned: 2:25 p.m.

NATURAL RESOURCES

Convened: January 13, 1987, 2:38 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden.

Members Absent: Schwengels, Ranking Member.

Committee Business: Amended and adopted committee rules.

Adjourned: 2:54 p.m.

RULES AND ADMINISTRATION

Convened: January 13, 1987, 4:15 p.m.

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

Members Absent: Hultman, Ranking Member and Kinley.

Committee Business: Recommended passage of House Concurrent Resolutions 2 and 3.

Adjourned: 4:23 p.m.

STATE GOVERNMENT

Convened: January 13, 1987, 3:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: C. Miller (excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:55 p.m.

TRANSPORTATION

Convened: January 13, 1987, 3:00 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Adopted committee rules; assigned LSB 1600 SC to subcommittee; suspended rules and approved LSB 1600 SC as a committee bill.

Adjourned: 3:07 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 13

AGRICULTURE: Husak, Chair; Boswell and Soorholtz

SSB 1

EDUCATION: Hannon, Chair; Lloyd-Jones and Lind

SSB 2

EDUCATION: Hannon, Chair; Lloyd-Jones and Lind

SSB 6

EDUCATION: Dieleman, Chair; Hannon and Holden

SSB 7

EDUCATION: Wells, Chair; Rensink and Varn

SSB 8

EDUCATION: Horn, Chair; Taylor and Varn

LSB 1600

TRANSPORTATION: Coleman, Chair; Doyle and Drake

BILL ASSIGNED TO COMMITTEE

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

S. F. 14 Ways and Means

STUDY BILLS RECEIVED

SSB 19 Local Government

Directing certain political subdivisions of the state to consider joint purchases of equipment.

SSB 20 Local Government

Authorizing a county to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter.

SSB 21 State Government

A joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

COMMITTEE REPORT

TRANSPORATION

Final Bill Action: SENATE FILE 18, a bill for an act to repeal the prohibition relating to price discrimination in the sale or lease of motor vehicles by a motor vehicle manufacturer, distributor, or wholesaler.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3004

S. C. R.

3

Julia Gentleman

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., Senator Coleman presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 5, by Mann, Riordan and Hannon, a resolution commemorating the life and work of Reverend Dr. Martin Luther King, Jr.

Read first time and referred to committee on **Rules and Administration**.

INTRODUCTION OF BILLS

Senate File 15, by Hall, a bill for an act regarding a noninterscholastic school night for school districts.

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

Senate File 16, by Dieleman, a bill for an act relating to the training and racing of dogs that have been trained with the use of live animals in the course of the training and providing penalties.

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

Senate File 17, by Riordan, a bill for an act to increase the penalty for cruelty to animals to an aggravated misdemeanor.

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

Senate File 18, by committee on Transportation, a bill for an act to repeal the prohibition relating to price discrimination in the sale or lease of motor vehicles by a motor vehicle manufacturer, distributor, or wholesaler.

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

Senate File 19, by committee on Ethics, a bill for an act relating to the giving of gifts to public employees and officials and to candidates and subjecting violators to a penalty.

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

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

The Senate resumed session, Senator Welsh presiding.

INTRODUCTION OF RESOLUTION

Senate Resolution 2, by committee on Rules and Administration, a resolution honoring Lieutenant Governor Robert T. Anderson.

Read first time and placed on calendar.

IMMEDIATELY MESSAGED

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

APPENDIX

COMMITTEE REPORTS

ETHICS

Final Bill Action: SENATE FILE 19, a bill for an act relating to the giving of gifts to public employees and officials and to candidates and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 5: Mann, Gettings, Taylor, Drake and Husak. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 2, a resolution honoring Lieutenant Governor Robert T. Anderson.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 5, a resolution commemorating the life and work of the Reverend Dr. Martin Luther King, Jr.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twelve seventh and eighth grade students from Holy Trinity School, Des Moines, Iowa. Senator Mann.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:02 p.m., until 9:00 a.m., Thursday, January 15, 1987.

JOURNAL OF THE SENATE

FOURTH CALENDAR DAY
FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 15, 1987

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

Prayer was offered by Mr. Rudy Simms, regional director of the National Conference of Christians and Jews.

The Journal of Wednesday, January 14, 1987, was approved.

INTRODUCTION OF BILL

Senate File 20, by Jensen, a bill for an act to authorize the payment of property taxes on a monthly basis.

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

ADOPTION OF RESOLUTIONS

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 5.

Senate Concurrent Resolution 5

On motion of Senator Mann, Senate Concurrent Resolution 5, a resolution commemorating the life and work of Reverend Dr. Martin Luther King, Jr., was taken up for consideration.

Senator Mann moved the adoption of Senate Concurrent Resolution 5, which motion prevailed by a voice vote and the resolution was adopted.

Senator Hutchins asked and received unanimous consent to take up the following resolution:

1 **SENATE RESOLUTION 2**

2 By: Committee on Rules and Administration

3 A Senate Resolution honoring Lieutenant Governor

4 Robert T. Anderson.

5 **WHEREAS**, Lieutenant Governor Robert T. Anderson is

6 retiring from public office after completing one term

7 as Lieutenant Governor and President of the Senate and

8 four terms as a member of the House of

9 Representatives; and

10 **WHEREAS**, Lieutenant Governor Anderson has presided

11 in the Senate for these past four years with great

12 dignity and acumen; and

13 **WHEREAS**, Lieutenant Governor Anderson, as a member

14 of the House of Representatives served on many

15 standing committees and appropriations subcommittees

16 throughout his years of legislative service, including

17 service as the ranking member of the Appropriations

18 Committee, and was a hard-working legislator; **NOW**

19 **THEREFORE**,

20 **BE IT RESOLVED BY THE SENATE**, That the Senate pay

21 tribute to Lieutenant Governor Anderson for his

22 service to the state of Iowa, the Iowa General

23 Assembly, and the citizens of this state, and wish him

24 the very best in the years ahead; and

25 **BE IT FURTHER RESOLVED**, That an official copy of

26 this resolution be prepared and presented to

27 Lieutenant Governor Anderson.

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

The Senate rose and expressed its tribute to Lieutenant Governor Anderson and Senators Hutchins and Hultman presented him with an enrolled copy of Senate Resolution 2.

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

Senate Resolution 1

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

Senator Holden offered amendment S—3001 filed by him on January 13, 1987, to pages 4 through 6 of the resolution and moved its adoption.

Amendment S—3001 lost by a voice vote.

Senator Bruner offered amendment S—3003 filed by him on January 13, 1987, to page 11 of the resolution and moved its adoption.

Amendment S—3003 was adopted by a voice vote.

Senator Taylor offered amendment S—3005 filed by Senators Taylor, et al., from the floor to page 39 of the resolution.

Senator Husak asked and received unanimous consent that action on amendment S—3005 be deferred.

Senator Lind offered amendment S—3006 filed by Senators Lind, et al., from the floor to page 43 of the resolution and moved its adoption.

A non record roll call was requested.

The ayes were 22, nays 22.

Amendment S—3006 lost.

(Senate Resolution 1 and amendment S—3005, pending on recess.)

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:00 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR

Convened: January 14, 1987, 2:35 p.m.

Members Present: Wells, Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman, Palmer and Vande Hoef.

Members Absent: Mann, Vice Chair and Welsh.

Committee Business: Organizational meeting; adopted committee rules.

Adjourned: 2:43 p.m.

COMMERCE

Convened: January 14, 1987, 3:35 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Carr, Gronstal, Holden, Priebe, Rife, Tieden, Welsh, Sturgeon (arrived 3:38 p.m.) and Lind (arrived 3:39 p.m.).

Members Absent: Kinley, Mann, Nystrom and Jensen, Ranking Member.

Committee Business: Adopted committee rules.

Adjourned: 3:40 p.m.

ETHICS

Convened: January 14, 1987, 1:41 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Taylor, Ranking Member; Drake and Husak.

Members Absent: Mark Schantz and Lucas DeKoster (nonlegislative members).

Committee Business: Organizational meeting and approved committee bill relating to gifts to public employees and officials and candidates.

Adjourned: 2:25 p.m.

LOCAL GOVERNMENT

Convened: January 14, 1987, 4:06 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Taylor and Wells.

Members Absent: C. Miller and Kinley (both excused).

Committee Business: Adopted committee rules; assigned study bills to subcommittees.

Adjourned: 4:30 p.m.

RULES AND ADMINISTRATION

Convened: January 14, 1987, 4:37 p.m.

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

Members Absent: Kinley.

Committee Business: Approved proposed committee resolution honoring Lieutenant Governor Robert T. Anderson and recommended passage of S.C.R. 5.

Adjourned: 4:42 p.m.

SMALL BUSINESS

Convened: January 14, 1987, 3:08 p.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Fran Fleck, representative of the Iowa Development Economic Committee, appeared before the committee.

Adjourned: 3:27 p.m.

WAYS AND MEANS

Convened: January 14, 1987, 4:06 p.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

Members Absent: Mann.

Committee Business: Adopted committee rules and discussed IRC update bill.

Adjourned: 4:23 p.m.

SUBCOMMITTEE ASSIGNMENTS

SSB 19

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

SSB 20

LOCAL GOVERNMENT: Kinley, Chair; Wells and Vande Hoef

AMENDMENTS FILED

S—3005	S. R.	1	Ray Taylor James D. Wells Beverly A. Hannon William W. "Bill" Dieleman Edgar H. Holden Jean Lloyd-Jones Richard Vande Hoef Don Gettings John W. Jensen Jack W. Hester
S—3006	S. R.	1	Jim Lind Beverly A. Hannon Richard Vande Hoef Norman J. Goodwin Ray Taylor Don Gettings James Wells Donald V. Doyle Al Sturgeon Jack Rife Berl E. Priebe

			Richard F. Drake Wilmer Rensink William W. "Bill" Dieleman James Riordan Alvin V. Miller John Soorholtz Julia B. Gentleman John Peterson David M. Readinger
S—3007	S. C. R.	4	James Riordan Beverly A. Hannon Richard Varn Jean Lloyd-Jones
S—3008	S. F.	18	Richard F. Drake C. Joseph Coleman
S—3009	S. R.	1	Ray Taylor Emil J. Husak

AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., Senator Priebe presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MR. PRESIDENT: I am directed to inform your honorable body that the House has on January 15, 1987, adopted the following concurrent resolutions in which the concurrence of the House was asked:

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

Senate Concurrent Resolution 2, a resolution relating to appointment of a joint inaugural committee.

ALSO: That the House has on January 15, 1987, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 4, a resolution commemorating the life and work of Reverend Dr. Martin Luther King, Jr.

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

INTRODUCTION OF BILLS

Senate File 21, by Hannon, a bill for an act to provide for the payment of losses caused by deer.

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

Senate File 22, by Hannon, a bill for an act relating to the issuance of park user permits.

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 39 present, 11 absent and a quorum present.

BUSINESS PENDING

Senate Resolution 1

The Senate resumed consideration of Senate Resolution 1 and amendment S—3005, pending on recess.

Senator Taylor offered amendment S—3009 filed by Senators Taylor and Husak from the floor to amendment S—3005 and moved its adoption.

Amendment S—3009 was adopted by a voice vote.

President pro tempore Kinley took the chair at 1:55 p.m.

Senator Taylor moved the adoption of amendment S—3005 as amended.

A non record roll call was requested.

The ayes were 22, nays 22.

Amendment S—3005 as amended lost.

Senator Kinley moved the adoption of Senate Resolution 1 as amended.

On the question "Shall the resolution as amended be adopted?" (S.R. 1) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell Corning Miller, C.P. Soorholtz

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

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boswell for the day on request of Senator Hutchins and Senator Corning for the day on request of Senator Hultman.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 19.

Senate File 19

On motion of Senator Mann, Senate File 19, a bill for an act relating to the giving of gifts to public employees and officials and to candidates and subjecting violators to a penalty, was taken up for consideration.

Senator Mann offered amendment S—3010 filed by him from the floor to the title page of the bill and moved its adoption.

Amendment S—3010 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 19) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley

Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Corning	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.

Senator Hutchins asked and received unanimous consent that **Senate File 19** 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 4.

Senate Concurrent Resolution 4

On motion of Senator Varn, Senate Concurrent Resolution 4, a resolution relating to the board of regents ten-year building program, was taken up for consideration.

Senator Coleman took the chair at 2:34 p.m.

President pro tempore Kinley took the chair at 2:43 p.m.

Senator Riordan offered amendment S—3007 filed by Senators Riordan, et al., from the floor to page 2 of the resolution and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3007 be adopted?" (S.C.R. 4) 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	Coleman
Deluhery	Fraise	Gentleman	Gronstal
Hannon	Hutchins	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Priebe	Readinger
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, 25:

Dieleman	Doyle	Drake	Fuhrman
Gettings	Goodwin	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Jensen	Kinley	Lind
Nystrom	Palmer	Peterson	Rensink
Rife	Schwengels	Taylor	Tieden
Vande Hoef			

Absent or not voting, 3:

Corning	Miller, C.P.	Soorholtz
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Amendment S—3007 lost.

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

Senator Holden offered amendment S—3011 filed by him from the floor to page 3 of the resolution and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 29.

Amendment S—3011 lost.

President pro tempore Kinley took the chair at 3:29 p.m.

Senator Varn moved the adoption of Senate Concurrent Resolution 4.

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

Ayes, 31:

Boswell	Bruner	Carr	Deluhery
Dieleman	Drake	Fraise	Gettings
Gronstal	Holt	Horn	Hultman
Husak	Hutchins	Lind	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Soorholtz	Sturgeon	Tieden
Varn	Wells	Welsh	

Nays, 17:

Coleman	Doyle	Fuhrman	Gentleman
Goodwin	Hall	Hannon	Hester
Holden	Jensen	Kinley	Mann
Palmer	Schwengels	Scott	Taylor
Vande Hoef			

Absent or not voting, 2:

Corning	Miller, C.P.
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The resolution having received a constitutional majority was declared to have been adopted by the Senate.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 6, by committee on Rules and Administration, a resolution relating to the compensation of chaplains, officers and employees of the seventy-second general assembly.

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

INTRODUCTION OF BILLS

Senate File 23, by Priebe, a bill for an act authorizing the investment of idle public funds in drainage district warrants or improvement certificates.

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

Senate File 24, by Priebe, a bill for an act relating to the due date for the first installment of property taxes.

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

Senate File 25, by Priebe, a bill for an act relating to bovine brucellosis, by requiring that the department of agriculture identify the state-approved premises and quarantined feedlots and cattle, attempt to adopt uniform rules, and examine the testing procedures.

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

Senate File 26, 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 27, by Priebe, a bill for an act providing for civil penalties against a person who increases the sum payable in a negotiable instrument.

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

Senate File 28, by Priebe, a bill for an act relating to animal wastewater pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards.

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

APPENDIX

STANDING COMMITTEES APPOINTED

The Majority and Minority Leaders announced the following appointments to the standing committees of the Senate:

AGRICULTURE—14 Members

Priebe, Chair	Fraise	Husak	Soorholtz
A. Miller*	Fuhrman	Peterson	Vande Hoef
Hester**	Goodwin	Rensink	
Boswell	Hall	Scott	

APPROPRIATIONS—18 Members

Welsh, Chair	Dieleman	Lind	Schwengels
Husak*	Fraise	Lloyd-Jones	Sturgeon
Tieden**	Gettings	Peterson	Varn
Boswell	Holt	Readerger	
Corning	Jensen	Riordan	

BUSINESS AND LABOR RELATIONS—10 Members

Wells, Chair	Gettings	Hultman	Vande Hoef
Mann*	Holden	Palmer	Welsh
Fuhrman**	Horn		

COMMERCE—15 Members

Palmer, Chair	Gronstal	Mann	Sturgeon
Deluhery*	Holden	Nystrom	Tieden
Jensen**	Kinley	Priebe	Welsh
Carr	Lind	Rife	

EDUCATION—15 Members

Murphy, Chair	Corning	Lind	Tieden
Horn*	Dieleman	Lloyd-Jones	Varn
Taylor**	Hannon	Rensink	Wells
Bruner	Holden	Riordan	

* Vice Chair

**Ranking Member

ENVIRONMENT AND ENERGY UTILITIES—10 Members

Deluhery, Chair	Hultman	Rife	Sturgeon
Gronstal*	A. Miller	Schwengels	Varn
Soorholtz**	Murphy		

HUMAN RESOURCES—12 Members

Hannon, Chair	Bruner	Lind	Readinger
Carr*	Coleman	C. Miller	Sturgeon
Gentleman**	Corning	Murphy	Taylor

JUDICIARY—14 Members

Doyle, Chair	Coleman	Fuhrman	Taylor
Mann*	Deluhery	Gentleman	Varn
Holt**	Drake	Hester	
Carr	Fraise	Horn	

LOCAL GOVERNMENT—10 Members

A. Miller, Chair	Goodwin	Kinley	Taylor
Fraise*	Hall	C. Miller	Wells
Vande Hoef**	Jensen		

NATURAL RESOURCES—12 Members

Hall, Chair	Doyle	Hester	Rensink
Priebe*	Goodwin	Husak	Scott
Schwengels**	Hannon	Peterson	Tieden

RULES AND ADMINISTRATION—6 Members

Hutchins, Chair	Hultman**	Jensen
Gronstal*	Gettings	Kinley

SMALL BUSINESS AND ECONOMIC DEVELOPMENT—12 Members

Boswell, Chair	Deluhery	Holt	Riordan
Peterson*	Fuhrman	A. Miller	Scott
Rife**	Hannon	Rensink	Vande Hoef

* Vice Chair

**Ranking Member

STATE GOVERNMENT—15 Members

Carr, Chair	Coleman	Horn	Schwengels
Dieleman*	Drake	Lloyd-Jones	Soorholtz
Nystrom**	Gentleman	C. Miller	Welsh
Bruner	Gronstal	Rife	

TRANSPORTATION—10 Members

Coleman, Chair	Doyle	Hall	Lloyd-Jones
Scott*	Gettings	Jensen	Nystrom
Drake**	Goodwin		

WAYS AND MEANS—15 Members

Bruner, Chair	Dieleman	Holt	Readeringer
Husak*	Drake	Mann	Riordan
Holden**	Gronstal	Murphy	Soorholtz
Boswell	Hester	Palmer	

SENATE APPROPRIATIONS SUBCOMMITTEES

ADMINISTRATION

Dieleman, Chair	Jensen**	Welsh
Hannon*	Soorholtz	

AGRICULTURE/NATURAL RESOURCES

Riordan, Chair	Hester**	Tieden
Hall*	Priebe	

CLAIMS

C. Miller, Chair	Drake**	Welsh
Kinley*	Hultman	

ECONOMIC DEVELOPMENT AND IOWA PLAN

Boswell, Chair	Rife**	Taylor
Gronstal*	Carr	

* Vice Chair

**Ranking Member

EDUCATION

Varn, Chair	Nystrom**	Rensink
Horn*	Murphy	

HEALTH AND HUMAN RIGHTS

Lloyd-Jones, Chair	Readinger**	A. Miller
Scott*	Gentleman	

HUMAN SERVICES

Sturgeon, Chair	Corning**	Fuhrman
Bruner*	Deluhery	

JUSTICE SYSTEM

Fraise, Chair	Lind**	Vande Hoef
Doyle*	Mann	

REGULATION

Peterson, Chair	Goodwin**	Schwengels
Wells*	Palmer	

TRANSPORTATION AND SAFETY

Gettings, Chair	Holt**	Husak
Coleman*	Holden	

APPOINTMENTS TO SENATE ETHICS COMMITTEE

Appointed by Senator Hutchins, Majority Leader

Mann, Chair	Gettings*	Husak
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Appointed by Senator Hultman, Minority Leader

Taylor**	Drake	
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* Vice Chair

**Ranking Member

SENATORS AND THEIR RESPECTIVE COMMITTEES

Boswell, Leonard L.	Agriculture Appropriations Small Business, Chair Ways and Means Economic Development and Iowa Plan Appropriations Subcommittee, Chair
Bruner, Charles	Education Human Resources State Government Ways and Means, Chair Human Services Appropriations Subcommittee, Vice Chair
Carr, Bob	Commerce Human Resources, Vice Chair Judiciary State Government, Chair Economic Development and Iowa Plan Appropriations Subcommittee
Coleman, C. Joseph	Human Resources Judiciary State Government Transportation, Chair Transportation and Safety Appropriations Subcommittee, Vice Chair
Corning, Joy C.	Appropriations Education Human Resources Human Services Appropriations Subcommittee, Ranking Member
Deluhery, Pat	Commerce, Vice Chair Environment and Energy, Chair Judiciary Small Business Human Services Appropriations Subcommittee
Dieleman, William W. "Bill"	Appropriations Education State Government, Vice Chair Ways and Means Administration Appropriations Subcommittee, Chair

Doyle, Donald V.	Judiciary, Chair Natural Resources Transportation Justice System Appropriations Subcommittee, Vice Chair
Drake, Richard F.	Ethics Judiciary State Government Transportation, Ranking Member Ways and Means Claims Appropriations Subcommittee, Ranking Member
Fraise, Eugene	Agriculture Appropriations Judiciary Local Government, Vice Chair Justice System Appropriations Subcommittee, Chair
Fuhrman, Linn	Agriculture Business and Labor, Ranking Member Judiciary Small Business Human Services Appropriations Subcommittee
Gentleman, Julia	Human Resources, Ranking Member Judiciary State Government Health and Human Rights Appropriations Subcommittee
Gettings, Donald E.	Appropriations Business and Labor Ethics, Vice Chair Rules and Administration Transportation Transportation and Safety Appropriations Subcommittee, Chair
Goodwin, Norman J.	Agriculture Local Government Natural Resources Transportation Regulation Appropriations Subcommittee, Ranking Member
Gronstal, Michael E.	Commerce Environment and Energy, Vice Chair

	<ul style="list-style-type: none"> Rules and Administration, Vice Chair State Government Ways and Means Economic Development and Iowa Plan Appropriations Subcommittee, Vice Chair
Hall, Hurley	<ul style="list-style-type: none"> Agriculture Local Government Natural Resources, Chair Transportation Agriculture/Natural Resources Appropriations Subcommittee, Vice Chair
Hannon, Beverly A.	<ul style="list-style-type: none"> Education Human Resources, Chair Natural Resources Small Business Administration Appropriations Subcommittee, Vice Chair
Hester, Jack W.	<ul style="list-style-type: none"> Agriculture, Ranking Member Judiciary Natural Resources Ways and Means Agriculture/Natural Resources Appropriations, Subcommittee, Ranking Member
Holden, Edgar H.	<ul style="list-style-type: none"> Business and Labor Commerce Education Ways and Means, Ranking Member Transportation and Safety Appropriations Subcommittee
Holt, Lee W.	<ul style="list-style-type: none"> Appropriations Judiciary, Ranking Member Small Business Ways and Means Transportation and Safety Appropriations Subcommittee, Ranking Member
Horn, Wally E.	<ul style="list-style-type: none"> Business and Labor Education, Vice Chair Judiciary State Government Education Appropriations Subcommittee, Vice Chair
Hultman, Calvin O.	<ul style="list-style-type: none"> Business and Labor Environment and Energy

	Rules and Administration, Ranking Member Claims Appropriations Subcommittee
Husak, Emil J.	Agriculture Appropriations, Vice Chair Ethics Natural Resources Ways and Means, Vice Chair Transportation and Safety Appropriations Subcommittee
Hutchins, Bill	Rules and Administration, Chair
Jensen, John W.	Appropriations Commerce, Ranking Member Local Government Rules and Administration Transportation Administration Appropriations Subcommittee, Ranking Member
Kinley, George R.	Commerce Local Government Rules and Administration Claims Appropriations Subcommittee, Vice Chair
Lind, Jim	Appropriations Commerce Education Human Resources Justice System Appropriations Subcommittee, Ranking Member
Lloyd-Jones, Jean	Appropriations Education State Government Transportation Health and Human Rights Appropriations Subcommittee, Chair
Mann, Tom Jr.	Business and Labor, Vice Chair Commerce Ethics, Chair Judiciary, Vice Chair Ways and Means Justice System Appropriations Subcommittee
Miller, Alvin V.	Agriculture, Vice Chair Environment and Energy

	Local Government, Chair Small Business Health and Human Rights Appropriations Subcommittee
Miller, Charles P.	Human Resources Local Government State Government Claims Appropriations Subcommittee, Chair
Murphy, Larry	Education, Chair Environment and Energy Human Resources Ways and Means Education Appropriations Subcommittee
Nystrom, Jack	Commerce State Government, Ranking Member Transportation Education Appropriations Subcommittee, Ranking Member
Palmer, William D.	Business and Labor Commerce, Chair Ways and Means Regulation Appropriations Subcommittee
Peterson, John A.	Agriculture Appropriations Natural Resources Small Business, Vice Chair Regulation Appropriations Subcommittee, Chair
Priebe, Berl E.	Agriculture, Chair Commerce Natural Resources, Vice Chair Agriculture/Natural Resources Appropriations Subcommittee
Readinger, David M.	Appropriations Human Resources Ways and Means Health and Human Rights Appropriations Subcommittee, Ranking Member
Rensink, Wilmer	Agriculture Education Natural Resources Small Business Education Appropriations Subcommittee

Rife, Jack	Commerce Environment and Energy Small Business, Ranking Member State Government Economic Development and Iowa Plan Appropriations Subcommittee, Ranking Member
Riordan, James R.	Appropriations Education Small Business Ways and Means Agriculture/Natural Resources Appropriations Subcommittee, Chair
Schwengels, Forrest	Appropriations Environment and Energy Natural Resources, Ranking Member State Government Regulation Appropriations Subcommittee
Scott, Kenneth D.	Agriculture Natural Resources Small Business Transportation, Vice Chair Health and Human Rights Appropriations Subcommittee, Vice Chair
Soorholtz, John E.	Agriculture Environment and Energy, Ranking Member State Government Ways and Means Administration Appropriations Subcommittee
Sturgeon, Al	Appropriations Commerce Environment and Energy Human Resources Human Services Appropriations Subcommittee, Chair
Taylor, Ray	Education, Ranking Member Ethics, Ranking Member Human Resources Judiciary Local Government Economic Development and Iowa Plan Appropriations Subcommittee
Tieden, Dale L.	Appropriations, Ranking Member Commerce

	Education Natural Resources Agriculture/Natural Resources Appropriations Subcommittee
Vande Hoef, Richard	Agriculture Business and Labor Local Government, Ranking Member Small Business Justice System Appropriations Subcommittee
Varn, Richard J.	Appropriations Education Environment and Energy Judiciary Education Appropriations Subcommittee, Chair
Wells, James D.	Business and Labor, Chair Education Local Government Regulation Appropriations Subcommittee, Vice Chair
Welsh, Joe J.	Appropriations, Chair Business and Labor Commerce State Government Administration Appropriations Subcommittee Claims Appropriations Subcommittee

IN THE SUPREME COURT OF IOWA

APPOINTMENT OF MEMBERS OF THE ETHICS COMMITTEE IN THE
SENATE OF THE 72nd IOWA GENERAL ASSEMBLY BY THE CHIEF
JUSTICE OF THE SUPREME COURT OF IOWA

TO THE SENATE OF THE 72nd IOWA GENERAL ASSEMBLY:

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

Done this 16th day of December, 1986.

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

The original and a true copy of this Order have been filed with the Secretary of the Senate of the Iowa General Assembly on this 17th day of December, 1986.

JOHN F. DWYER
Secretary of the Senate

BILLS ASSIGNED TO COMMITTEE

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

S.F.	15	Education
S.F.	16	State Government
S.F.	17	Judiciary

STUDY BILLS RECEIVED

SSB 22 Judiciary

Relating to the decisions of guardians regarding life sustaining procedures.

SSB 23 Judiciary

Relating to grandchild visitation rights.

SSB 24 Judiciary

Relating to forms of acknowledgements.

SSB 25 Judiciary

Relating to the lapse of stale mineral interests.

SSB 26 Judiciary

Relating to transfers to minors.

SSB 27 Education

Creating a school aid formula working committee.

SSB 28 Judiciary

Relating to the effective date of laws enacted by the general assembly and providing an effective date.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 6, a resolution relating to the compensation of chaplains, officers and employees of the seventy-second general assembly.

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.

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate during the afternoon of January 15, 1987, to be with one of my school superintendents at the Grimes Building with the Department of Education.

Had I been present, I would have voted "aye" on the adoption of Senate Resolution 1.

LEONARD L. BOSWELL

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Special Education students from Moulton Elementary School, Des Moines, Iowa. Senator Mann.

AMENDMENTS FILED

S—3010	S. F.	19	Tom Mann, Jr.
S—3011	S. C. R.	4	Edgar H. Holden

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:07 p.m., until 9:00 a.m., Friday, January 16, 1987, in the Gaskill Room at Veterans Memorial Auditorium.

JOURNAL OF THE SENATE

FIFTH CALENDAR DAY
FIFTH SESSION DAY

Gaskel Room
Veterans Memorial Auditorium
Des Moines, Iowa, Friday, January 16, 1987

The Senate met in regular session at 9:09 a.m., President Anderson presiding.

Prayer was offered by the Honorable Robert T. Anderson, Lieutenant Governor of Iowa.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 1, duly adopted, the Senate proceeded to the joint convention in the South Gaskell Room.

JOINT CONVENTION

The joint convention reconvened at 9:15 a.m., President Anderson presiding.

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

President Anderson declared a quorum present.

REPORT OF CANVASS OF VOTE

The report of canvass of the vote was read by the Secretary of the joint convention as follows:

MR. PRESIDENT AND GENTLEMAN AND LADIES OF THE JOINT CONVENTION:

Your tellers, appointed by the President of the Senate and the Speaker of the House of Representatives to canvass the vote cast for candidates for Governor and Lieutenant Governor at the election held November 4, 1986, beg leave to make the following report of the total vote cast for Governor:

Terry E. Branstad.....	472,712
Lowell L. Junkins	436,987
Scattering	924

And the total vote cast for Lieutenant Governor at the election, held November 4, 1986:

Jo Ann Zimmerman	436,999
Joan Lipsky	394,109
Dean Arbuckle	16,360
Scattering	147

All of which is most respectfully submitted.

EMIL J. HUSAK
 Teller of the Senate
 MICHAEL E. GRONSTAL
 Assistant Teller
 JOHN N. NYSTROM
 Assistant Teller
 JOSEPH O'HERN
 Secretary of the Joint Convention

THOMAS J. JOCHUM
 Teller of the House
 MINNETTE DODERER
 Assistant Teller
 BILL D. ROYER
 Assistant Teller

Senator Husak moved the adoption of the report.

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

President Anderson announced that the Honorable Terry E. Branstad, having received the highest number of votes cast for Governor at the last general election, has been duly elected to the office of Governor of the state of Iowa for the ensuing term, or until a successor is duly elected and qualified; and the Honorable Jo Ann Zimmerman at the last general election, has been duly elected to the office of Lieutenant Governor of the state of Iowa for the ensuing term, or until a successor is duly elected and qualified.

The following certificates were signed in the presence of the joint convention:

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-second General Assembly of the State of Iowa, of all votes cast at the general election held November 4, 1986, for the office of Governor of the State of Iowa, it appeared that Terry E. Branstad received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this sixteenth day of January, A.D., 1987.

DONALD E. AVENSON
Speaker of the House
EMIL J. HUSAK
Teller of the Senate
THOMAS J. JOCHUM
Teller of the House

JOSEPH O'HERN
Clerk of the House and
Secretary of the Joint Convention
ROBERT T. ANDERSON
President of the Senate
and President of the Joint Convention

CERTIFICATE OF ELECTION
STATE OF IOWA
GENERAL ASSEMBLY

GREETING:

This is to certify that upon a canvass in Joint Convention of the two Houses of the Seventy-second General Assembly of the State of Iowa, of all the votes cast at the general election held November 4, 1986, for the office of Lieutenant Governor of the State of Iowa, it appeared that Jo Ann Zimmerman received the highest number of all votes cast for any candidate at said election for said office and was thereupon declared duly elected to said office for the term of four years and until a successor is duly elected and qualified.

Signed in the presence of the Joint Convention this sixteenth day of January, A.D., 1987.

DONALD E. AVENSON
Speaker of the House
EMIL J. HUSAK
Teller of the Senate
THOMAS J. JOCHUM
Teller of the House

JOSEPH O'HERN
Clerk of the House and
Secretary of the Joint Convention
ROBERT T. ANDERSON
President of the Senate
and President of the Joint Convention

President Anderson then directed that the abstract of votes and certificates of election be filed with the Secretary of State.

Senator Hutchins moved that a committee of six, three members from the Senate and three members from the House, be appointed to notify Governor Terry E. Branstad and Lieutenant Governor-elect Jo Ann Zimmerman of the official result of the canvass of votes.

The motion prevailed by the voice vote and President Anderson announced the appointment of Senators Horn, Scott and Hester, on the part of the Senate, and Representatives Buhr, Koenigs and Harbor, on the part of the House.

The joint convention stood at ease until the fall of the gavel.

The joint convention resumed session, Senator Coleman presiding.

REPORT OF COMMITTEE

Senator Horn, from the joint committee appointed to notify Terry E. Branstad and Jo Ann Zimmerman of their election to the office of Governor and Lieutenant Governor of Iowa, respectively, submitted the following report and moved its adoption:

MR. PRESIDENT: As a committee appointed at the joint convention to notify the Honorable Terry E. Branstad and the Honorable Jo Ann Zimmerman of their election to the office of Governor and Lieutenant Governor, respectively, we beg leave to report that we have performed the duty assigned to us and that they stand ready to assume the duties of the offices to which they were elected.

Respectively submitted,

WALLY E. HORN
KENNETH D. SCOTT
JACK W. HESTER
Senate

FLORENCE D. BUHR
DEO KOENIGS
WILLIAM H. HARBOR
House

The report was adopted by a voice vote and the committee discharged.

The joint convention stood at ease until the fall of the gavel.

The joint convention resumed session on the main floor of Veterans Memorial Auditorium, President Anderson presiding.

Musical accompaniment was provided by the Drake University Orchestra, Des Moines, Iowa.

The families of Governor Branstad and Lieutenant Governor-elect Zimmerman were escorted into the auditorium.

Members of the 1987 Iowa Inaugural Committee were escorted to their seats.

The Honorable W.W. Reynoldson, Chief Justice of the Supreme Court of Iowa, was escorted to his seat.

The Sergeant-at-arms announced the arrival of Governor Terry E. Branstad and Lieutenant Governor-elect Jo Ann Zimmerman.

Governor Terry E. Branstad and Lieutenant Governor-elect Jo Ann Zimmerman were escorted to the rostrum by the legislative inaugural committee consisting of Senators Priebe, Miller of Cerro Gordo, Riordan, Holden, Jensen and Fuhrman, on the part of the Senate; and Representatives Hammond, May, McKinney, Paulin, Schneklath and Metcalf, on the part of the House.

The colors were advanced by the University of Dubuque Army Reserve Officer Training Corps.

The National Anthem was sung by Donald Simonson from Iowa State University, Ames, Iowa.

The invocation was delivered by the Reverend Daniel Kucera, Archbishop of the Dubuque Diocese.

The oath of office was administered to Lieutenant Governor-elect Jo Ann Zimmerman by Chief Justice W.W. Reynoldson of the Supreme Court of Iowa, with Mr. Tom Zimmerman assisting.

President Anderson presented Lieutenant Governor Jo Ann Zimmerman with the gavel to preside over the joint convention.

“The Song of Iowa” and “America the Beautiful” were performed by the Children’s Choir of Greater Des Moines.

The oath of office was administered to Governor Terry E. Branstad by Chief Justice W.W. Reynoldson with Mrs. Chris Branstad assisting.

Lieutenant Governor Jo Ann Zimmerman, President of the Senate, presented Governor Terry E. Branstad, who delivered the following inaugural address:

Madam President, Mr. Speaker, Mr. Chief Justice, Justices and Judges, State Officials, Senators and Representatives, Distinguished Guests and Friends from throughout the state of Iowa:

I accept the challenge to serve as your Governor for the next four years. I do so with full recognition that the times demand more than the ordinary, more than the average, more than just a passing grade.

These times demand our best. Our challenge is to be the best, to commit ourselves to excellence. That is why today, I have decided to depart from tradition and to devote this entire Inaugural Address to the subject of education.

Today, I will outline for you a program of unprecedented scope and direction in education — a program designed to bring Iowa's educational policy to the head of the class. I offer a commitment to excellence that is truly extraordinary in these times.

Why focus on education? The answer is simple: Jobs. If Iowa is going to attract the jobs of the future, we must make an extraordinary commitment to be the best in the nation in education. A sound, basic education will be the cornerstone of Iowa's economic development plan.

After visiting Japan, the Soviet Union, China and other foreign countries, it became clear to me that we must increase our emphasis on education, in order to compete in the world marketplace.

If we fail to take that action, we will be placing our children at a severe disadvantage. In Japan, I saw young people who attended more days of school and studied more foreign languages than our American students.

In China, we saw children in villages and cities who were studying English as their second language. The children of Iowa must compete against these children for the jobs of the future. We must do everything possible to provide our children with the competitive edge they need later.

Marc Tucker, Executive Director of the Carnegie Forum on Education and the Economy, said recently:

"The United States will find itself in a position in which it must always be on the leading edge.

Inventing new materials, designing new products, and creating new services and markets.

America will find itself constantly inventing, designing and creating."

Mark Tucker is right. The traditional industrial and agricultural economy that has served our state so well over the decades is being replaced by a new, knowledge-based economy.

The era of limited foreign competition, slow-moving technology, stable markets, and mass production has disappeared. This era has been replaced by intense international competition, rapidly-changing markets and dramatic changes in technology.

We must step out of the past and into the future. We must make the transition by educating our children to be part of the workforce that will compete successfully for jobs in the future.

The Iowa children entering kindergarten this fall will be the graduates of the year 2000. A commitment to excellence in education is necessary now, if we are to provide these children with the job opportunities they need here in the state of Iowa in the 21st Century.

I am proud to say our commitment to education is not new. It is as old as our territory and began with our first territorial Governor, Robert Lucas. During our early history, we placed a one-room schoolhouse within two miles of every child in this state and as a result of this commitment of access to education, Iowa went on to lead the nation in literacy from the turn of the century.

In the 1970's, we made a commitment to equity in education by passing the school aid formula. That formula made Iowa a model for other states to follow in providing equal opportunity for Iowa school children, whether they live in property rich or poor districts.

From access to equity, the Iowa of the 80's is devoted to excellence. During the recent flurry of reform activities that followed the President's report entitled, "Nation at Risk," Iowa has not stood still. With the help of the General Assembly, we put into place a number of carefully-designed plans to provide Iowa with long-range educational improvements.

Meaningful initiatives have been outlined by the State Board of Education and our local school boards in Iowa. We should continue our commitment to these long-range plans for providing excellence in Iowa education.

Our hard work in the past has not gone without reward. Last year, Iowa students scored number one in the country on the American College Test. A study of the Iowa Basic Skills Tests taken over fifty years shows that ninety-four percent of Iowa schools have students scoring above the national average. The same

information reveals that Iowa students on an average are one year to one and a half years ahead of their peers in other states in educational achievement.

We can take pride in our education record and our commitment to excellence in education. I know of Governors in other states that have fought to achieve that kind of excellence and they look with envy at Iowa. Governors like Lamar Alexander of Tennessee and Bill Clinton of Arkansas would give their right arms for the kind of commitment to education that Iowans have given to the young people of this state throughout our state's history.

Our challenge today is to take that historic commitment to education as a springboard to new reform designed to make Iowa's educational system the best in the nation.

After chairing a committee for educational reform in Texas, H. Ross Perot described the yearlong Texas education reform effort by saying:

"It was the hardest, meanest, bloodiest
thing I have ever been in."

In many states, educational reform has divided the educational community pitting teacher against school board, state government against local government, and governor against legislature.

In Iowa, I believe that our education reform does not have to be hard, mean or bloody. In fact, I believe today we stand on the threshold of a great opportunity to forge a new consensus in education reform.

For the past several months, I have been working closely with leaders in our educational community. I have been impressed with the people who have been working — people like Ted Davidson and Boyd Boehlje of the Iowa Association of School Boards; people like Fred Comer and Ken Tilp of the Iowa State Education Association; and Bob Benton and Luke DeKoster of the Iowa Department of Education and State Board of Education. Each of these individuals and their staffs are dedicated to excellence in education. They are truly committed to providing a quality education for our children.

With their help, I am able to lay out here today a program that will usher in a new era of education reform in Iowa. Its focus is excellence. Its goal is to be the best. Its commitment is to provide additional funding for education.

Let us take this step for educational excellence in Iowa and show the world that we in Iowa, even during difficult times, have not lost sight of our priorities, not forgotten our strengths and not ignored our future.

We can and should make this commitment this year to serve notice on the world that Iowa plans to compete and compete successfully in this rapidly changing and highly competitive environment.

This program will provide an additional \$151 million to K-12 public education in Iowa during the next school year. These additional funds will raise the average state school aid per pupil from the present \$1581 this year to \$1907 next year.

Now I know that there are those who would say that we cannot afford to make this commitment. But let us not forget that the one thing more expensive than education is ignorance.

However, I want to assure you that these dollars will not be scattered recklessly to the educational wind. Instead, they will be targeted to meet our most important goals: Attracting qualified people into the teaching profession, keeping our best teachers and providing for their continuing development, and finding ways to enhance the quality and effectiveness of our schools.

To meet the first goal of attracting qualified people into the teaching profession, we must raise the salaries of our entry level teaching positions.

Last year, we graduated only nine teachers in all of the foreign languages and only thirty-three teachers in all areas of sciences in Iowa. Yet, foreign language and science instruction are critical to our state's economic future.

We must take action to attract more top achievers into the teaching profession. That is why I am recommending that we establish an \$18 thousand minimum teaching salary to be funded by the state. This minimum salary should be funded into place by the beginning of the next school year.

Our second goal must be to keep our best teachers and provide for their development. I believe we should strive to treat teachers as professionals, reward them for good work, penalize them for failures, and provide them with an opportunity for goal setting.

I plan to establish a task force on teacher preparation to develop ways Iowa can implement the recent reports of the Holmes Group and the Carnegie Foundation.

In addition to funds for general teacher salary increases, we must provide rewards to teachers based upon their performance, additional work or specialized training.

I believe Iowans have a right to expect that at least \$50 million of the additional commitment to education should be allocated on the basis of performance. Before school districts will receive these funds, local teachers, administrators, school board members and the public must arrive at a consensus for performance base pay.

If you adopt this plan, you will set in motion a whole flurry of educational reform activity in every school district in our state. We will use the best of Iowa's present education system: local control, commitment to quality and community support to make Iowa's education even better. Schools will be encouraged to break new ground, explore new territory and develop new ideas.

Indeed, Iowa will become a laboratory for educational innovation, an innovation born of a desire for excellence, nurtured by a process yielding consensus and matured by a continuing commitment to our future. Iowans will get results for their investment in education.

My third goal is to develop ways to enhance the quality and effectiveness of our schools. That is why we should use new technologies to provide supplemental foreign language instruction to Iowa students and we should establish a Governor's Summer Institute for the Gifted and Talented students.

The entire proceeds of this inaugural will be dedicated to our new First in the Nation in Education (FINE) Foundation. It is an important and worthy cause and these funds will be used to provide recognition to our outstanding schools and programs in Iowa.

Henry Adams once said, "Teachers affect eternity, they can never tell where their influence stops."

I know from my own personal experience that without the encouragement and support from important teachers like Lura Sewick and Fred Smith, I would not be standing before you today as your Governor. I am sure that each of you have had similar experiences from teachers who touched and changed your lives. That is why I feel a responsibility to provide additional funds to our teachers, outstanding teachers, all across the state to increase starting salaries, to provide general salary increases and to fund performance-based pay incentives.

Our commitment to education cannot stop at the 12th grade. We have an outstanding system of higher education and need to maintain and strengthen it.

Our higher education program focuses on access and excellence. By providing four thousand more tuition grants over the next two years, more Iowans will have access to higher education in this state. We need a work study program to help over twelve hundred Iowans to work their way through college.

Our plan for higher education should encourage our institutions to focus their resources on centers of excellence, educating tomorrow's experts and turning new ideas into new developments and jobs in Iowa.

I recommend that we provide incentives to our regent institutions to reallocate their funds to centers of excellence with academic challenge grants, that we establish an endowment for eminent scholars, and that we provide research challenge grants for both public and private higher education institutions.

Finally, we should be certain that the regents and the merged area schools will be able to provide appropriate salaries to keep their best faculty members. We should do that by funding the merged area school formula and by allowing the regents to use their additional tuition funds for merit-based faculty salary increases and student aid.

Today, we stand at an important crossroad in the history of Iowa of education. We must be certain that our children have the best opportunities to compete in a rapidly-changing world economy. We have a chance this year to leave our mark on this state, a mark that signifies our commitment to excellence. It is my hope that for a generation to come, Iowans will look back at 1987 and say that was the year we decided to be the best in education.

Today, we have an opportunity to mold our future. If we seize the initiative, we will ensure a place for our state in the competitive global economy of the 21st Century. If we fail to act, the world could pass us by.

President Franklin D. Roosevelt once said, "There's a mysterious cycle in human évents. To some generations, much is given. Of other generations, much is expected.

Ours is a generation of which much is expected. Our generation has a responsibility to the next. Our generation should build a better future for our children — a future that is better than today.

Let us each offer to this effort the best that is within us so that our children and granddchildren will someday point to us and say, "They understood, they cared and they made a difference."

Thank you and God bless you.

The benediction was offered by the Reverend Patricia Adams Ryan of Des Moines, Iowa.

Representative Arnould moved that the joint convention be dissolved.

The motion prevailed by a voice vote and the joint convention was dissolved at 10:50 a.m.

The Senate resumed regular session, President Zimmerman presiding.

On motion of Senator Hutchins, the Senate adjourned at 10:52 a.m., until Monday, January 19, 1987, at 1:30 p.m.

JOURNAL OF THE SENATE

EIGHTH CALENDAR DAY
SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 19, 1987

The Senate met in regular session at 1:35 p.m., President pro tempore Kinley presiding.

Prayer was offered by the Reverend Patricia Adams Ryan of the Ramsey Memorial Home, Des Moines, Iowa.

The Journals of Thursday, January 15 and Friday, January 16, 1987, were approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Nystom and Holden for the day on request of Senator Hultman; Senators Miller of Des Moines and Husak for the day on request of Senator Hutchins; and Senator Taylor for the day on request of Senator Vande Hoef.

COMMITTEE TO ESCORT LIEUTENANT GOVERNOR

Senator Hutchins moved that a committee of three be appointed to escort Lieutenant Governor Jo Ann Zimmerman to the rostrum to preside over the Senate as President of the Seventy-second General Assembly.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Boswell, Gentleman and Riordan.

The committee waited upon Lieutenant Governor Zimmerman and escorted her to the rostrum.

President pro tempore Kinley welcomed Lieutenant Governor Zimmerman and presented her with the gavel.

President Zimmerman addressed the Senate with the following remarks:

“LOOKING TO THE FUTURE”

Today is another step in Iowa's history. This day is important to me as the first woman, and first nurse, to hold the office of Lieutenant Governor of Iowa.

I am a product of this Iowa land. I was born in a farmhouse in Van Buren County, attended elementary and high school in Keosauqua, and then moved to Des Moines for nursing education. Like many Iowans, I have maintained an identity with rural and city life.

As a nurse, I want to help insure that Iowans have health care available. We need to tackle some very difficult issues surrounding our limited resources, the use of high technology health care, and the continuation of basic health services. We must plan now to meet our changing population needs as we move toward an increasing number of Iowans over the age of 65. I have already contacted U.S. Senatorial and Congressional leadership regarding alternatives for health care available to Iowans. I am working toward a commitment between the federal, state, and local levels concerning our health care. Iowa is an excellent site for model projects involving medicare and medicaid. Our population dispersion between city and rural areas and the availability of health care services is an asset in considering alternative organization of health care.

As a farmer, I want to move ahead with initiatives to increase the use of our agriculture products. This means increased emphasis on research in agriculture products. Iowa has the opportunity to be the first in the nation in developing new products from our raw agriculture materials.

My father was a first in Van Buren County when he brought in the bulldozers, rearranged our farm drainage areas and terraced. I will continue to be a steward of the land.

I have begun work with Iowa State University to develop pilot projects in 'grazing' for beef and sheep. We have an excellent opportunity to bring back these two industries.

It has been 200 years since the Northwest Ordinance was signed. This document was our nation's commitment toward universal education. The Northwest ordinance required a land set aside for schools. Thus when Iowa became a state, we set aside 1/16 section of each township for schools, a total of 1,013,614 acres! I intend to continue this commitment to education. We need to roll aside turf demands, remove barriers to cooperation between local elementary and secondary schools, the community colleges, and our university system. Advanced communications linkages are necessary to bring our students forward in acquiring knowledge necessary to live in a world trade market. The children of Iowa will thank us in the future for the opportunity to build a better education.

As a woman I intend to continue my efforts in bringing women toward economic equity. I will continue in my efforts to disengage the Medicaid card from ADC. Work incentive programs have failed because a single parent family in poverty cannot afford to give up the medical card as they move toward self-sufficiency. Iowa's Individual Education and Training Program has been a step in the right direction.

We have everything to gain by facing change and developing an Iowa framework for that change.

I would now like to invite all of you to help me celebrate this occasion. There is cake in the back of the chamber for everyone.

APPOINTMENTS BY THE LIEUTENANT GOVERNOR

President Zimmerman announced the appointment of Karen Nelson, Session Secretary and Julie Stone and Brett Toresdahl as her administrative assistants, all of whom appeared before the bar of the Senate and were duly sworn.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 6.

Senate Concurrent Resolution 6

On motion of Senator Gronstal, Senate Concurrent Resolution 6, a concurrent resolution relating to the compensation of chaplains, officers and employees of the seventy-second general assembly, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 6 and requested a non record roll call.

The ayes were 34, nays 10.

The motion prevailed and the resolution was adopted.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 6** be immediately messaged to the House.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 18.

Senate File 18

On motion of Senator Drake, Senate File 18, a bill for an act to repeal the prohibition relating to price discrimination in the sale or lease of motor vehicles by a motor vehicle manufacturer, distributor, or wholesaler, was taken up for consideration.

Senator Drake offered amendment S—3008 filed by Senators Drake and Coleman on January 15, 1987, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3008 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. 18) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A. V.	Murphy	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Deluhery	Gettings	Holden	Husak
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.

INTRODUCTION OF BILLS

Senate File 29, by Priebe, a bill for an act to allow motor homes with an outside width up to eight feet six inches to travel on the public highways of the state.

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

Senate File 30, by Priebe, a bill for an act creating a state overnight deposit fund in the office of the treasurer of state.

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

Senate File 31, by Priebe, a bill for an act increasing the excise tax on motor fuel by three cents per gallon and decreasing the excise tax on gasohol by five cents per gallon.

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

Senate File 32, by Priebe, a bill for an act establishing a comprehensive long-term care and community-based services program for the elderly within the department of elder affairs and making an appropriation.

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

Senate File 33, by Priebe, a bill for an act permitting the deduction for state income tax purposes of the amount of foregone interest on a below-market loan made to a person actively engaged in farming or operating a small business if the purpose of the loan is to refinance a previous agricultural or small business loan and providing an effective date.

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

Senate File 34, by Priebe, a bill for an act relating to the appointment of interpreters for certain hearing impaired persons.

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

Senate File 35, by Priebe, a bill for an act relating to the filing of a request for a contested case proceeding with a state agency.

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

Senate File 36, by Priebe, a bill for an act creating a four-year mortuary science degree program at the university of osteopathic medicine and health sciences, and providing an appropriation.

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

Senate File 37, by Priebe, a bill for an act providing for the payment of property taxes in installments by certain taxpayers.

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

Senate File 38, by Priebe, a bill for an act relating to conservation easements.

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 15, 1987, 10:42 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Corning (excused).

Committee Business: Presentations were made by: David Bechtel, Division Administrator of Administrative Services; Charles Moench, Chief for the Bureau of Area Schools; Larry Patten, Consultant IPT., and Doug Parks, AEA XIII Administrator: approved SSBs 3, 7 and 17 and ordered redrafted as committee bills; assigned SSB 27 to a subcommittee.

Adjourned: 12:26 p.m.

RULES AND ADMINISTRATION

Convened: January 15, 1987, 10:55 a.m.

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

Members Absent: Kinley.

Committee Business: Approved proposed concurrent resolution relating to compensation of chaplains, officers and employees of the Seventy-second General Assembly.

Adjourned: 11:18 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 1

HUMAN RESOURCES: Carr, Chair; Bruner and Corning

Senate File 3

HUMAN RESOURCES: Bruner, Chair; Hannon and Gentleman

SSB 27

EDUCATION: Murphy, Chair; Horn, Bruner, Corning and Taylor.

PETITIONS

The following petitions favoring legislation increasing funding to the State Transit Assistance Fund were presented and placed on file by:

Senator Hutchins from twenty-seven residents of Carroll County.
Senator Tieden from twenty residents of Winneshiek County.
Senator Vande Hoef from one hundred twenty-nine residents of Lyon and Osceola Counties.

The following petition was presented and placed on file by:

Senator Vande Hoef from eighty-three residents of Lyon County opposing the privatization of state-owned liquor stores.

**ANNOUNCEMENT BY THE
MAJORITY LEADER**

Senator Hutchins announced the following appointments were made subsequent to adjournment of the 1986 Session of the Seventy-first General Assembly:

IOWA ECONOMIC DEVELOPMENT BOARD

Senators Bill Hutchins and John Nystrom — terms expire June 30, 1988.

FARM CRISIS LEGAL ASSISTANCE ADVISORY BOARD

Senator Leonard Boswell.

COMPENSATION COMMISSION

Cecilia Fineran, Denison — term expires June 30, 1991.

EDUCATION COMMISSION OF THE STATES

Senator Larry Murphy — term expires June 30, 1987.

IOWA BOUNDARY COMMISSION

Senators Michael Gronstal and Ray Taylor — terms expires June 30, 1990.

HEALTH DATA COMMISSION

Senator Edgar Holden — term expires June 30, 1987.

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Senator Richard Vande Hoef — term expires June 30, 1988.

COMMISSION ON INTERSTATE COOPERATION

Senator Leonard Boswell — term expires February 1, 1987.

PERMANENT PENSIONS COMMITTEE

Senators Bob Carr, Bill Dieleman, Charles Bruner, John Nystrom and Richard Drake — terms expired January 12, 1987.

NCSL GOVERNMENT OPERATIONS COMMITTEE

Senator Bill Dieleman — term expired January 12, 1987.

NCSL PENSIONS SUBCOMMITTEE

Senator John Nystrom — term expired January 12, 1987.

NCSL FOREIGN TRADE COMMITTEE

Senator C. Joseph Coleman — term expired January 12, 1987.

NCSL CHILDREN, YOUTH AND FAMILIES COMMITTEE

Senator Charles Bruner — term expired January 12, 1987.

COSG AGRICULTURE COMMITTEE

Senators Alvin Miller and Jack Hester — terms expires February 1, 1987.

COSG BUSINESS DEVELOPMENT COMMITTEE

Senator Don Gettings — term expires February 1, 1987.

COSG UTILITIES REGULATION COMMITTEE

Senator Eugene Fraise — term expires February 1, 1987.

COSG FISCAL AFFAIRS COMMITTEE

Senator James Riordan — term expires February 1, 1987.

COSG HEALTH COMMITTEE

Senator Charles Miller — term expires February 1, 1987.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	20	Ways and Means
S.F.	21	Natural Resources
S.F.	22	Natural Resources
S.F.	23	Agriculture
S.F.	24	Ways and Means
S.F.	25	Agriculture
S.F.	26	Appropriations
S.F.	27	Judiciary
S.F.	28	Agriculture
H.C.R.	4	Rules and Administration

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on January 15, 1987.

Had I been present, I would have voted "aye" on Senate File 19, Senate Resolution 1 as amended, amendment S-3007 to Senate Concurrent Resolution 4 and final passage of Senate Concurrent Resolution 4.

JOY CORNING

STUDY BILLS RECEIVED

SSB 29 Ways and Means

Relating to eligibility for a mobile home reduced tax rate, a military service property tax exemption, the filing of late claims for a homestead tax credit and military service property tax exemption, an exemption from the real estate transfer tax, continuing education for assessors and deputy assessors, the length of board of review sessions, and appeal rights.

SSB 30 Ways and Means

Relating to revocation of a property tax exemption.

SSB 31 Judiciary

Relating to the definition of public accommodation for purposes of the state civil rights law.

SSB 32 Judiciary

Relating to interception of communications by electronic, mechanical, or other devices and providing a penalty.

SSB 33 Judiciary

Relating to the sentence to be served by a person convicted as an habitual offender of the motor vehicle laws.

SSB 34 Judiciary

Relating to the provision of support payment records to the clerks of the district court.

SSB 35 Transportation

Relating to relief under bankruptcy for a judgment debtor from suspension of license, registration, or nonresident operating privilege under the motor vehicle financial responsibility requirements.

SSB 36 Transportation

To permit employees of the department of human services to transport clients and patients of the department without a chauffeur's license.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 2:24 p.m., until 9:00 a.m., Tuesday, January 20, 1987.

JOURNAL OF THE SENATE

NINTH CALENDAR DAY
SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 20, 1987

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

Prayer was offered by the Honorable William W. "Bill" Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Monday, January 19, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the remainder of the week on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 39, by committee on Education, a bill for an act relating to the date on which the certified enrollment count is taken for pupils enrolled in public schools in this state.

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

Senate File 40, by committee on Education, a bill for an act relating to the subvention program for the college of osteopathic medicine and surgery and providing an effective date.

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

Senate File 41, by committee on Education, a bill for an act relating to the reimbursement to a parent or guardian for the cost of transporting the pupil to school when bus transportation is not available, providing for the applicability of the Act, and providing an effective date.

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

Senate File 42, by Hester, a bill for an act relating to payments in lieu of property taxes on land acquired by the department of natural resources.

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

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

The Senate resumed session, President Zimmerman presiding.

BILL REASSIGNED TO COMMITTEE

President Zimmerman announced that **Senate File 23** was reassigned from the committee on **Agriculture** to the committee on **Local Government**.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 2, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 2, duly adopted, the joint convention was called to order at 9:36 a.m., President Zimmerman 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 Zimmerman 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 Condition of the Judicial Department Message.

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Deluhery and Holt, on the part of the Senate, and Representatives Peterson and Tyrrell, 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 announced the appointment of Senators Doyle, Mann and Taylor, on the part of the Senate, and Representatives Jay, McKinney and Halvorson of Clayton, on the part of the House.

Elaine Baxter, Secretary of State; Michael Fitzgerald, Treasurer of State; Dale Cochran, Secretary of Agriculture; Richard Johnson, Auditor 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 family of Chief Justice Reynoldson was 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 Zimmerman then presented Chief Justice Reynoldson, who delivered the following Condition of the Judicial Department Message:

MS. PRESIDENT, MR. SPEAKER, GOVERNOR BRANSTAD, SENATORS, REPRESENTATIVES, STATE OFFICIALS, JUSTICES AND JUDGES, MY FELLOW IOWANS:

Two hundred years ago the persons who had signed the Declaration of Independence had little cause for celebration. While many of those signers were gathering in Philadelphia for the constitutional convention the states were in disarray. Daniel Shays was mustering his rebels to attack the Springfield arsenal

in Massachusetts. Spain was forcibly interfering with Mississippi River traffic. The British were inciting native Americans in the territories along the Ohio, and the postmaster was demanding "solid coin" to deliver a letter.

In the turbulent months that followed, those convention delegates framed a constitution that, with the amendments that were soon adopted, strengthened central government while still retaining the individual liberties and protections that lay at the heart of the Declaration of Independence. Now, two hundred years later, let us explore the role Iowa has played in implementing the aspirations and dreams of those framers. My focus is on two concepts that undergird the charter they devised: federalism and an independent judiciary.

Just as the federal constitution borrowed the principles of the rule of law and the protection of individual liberties from state constitutions, so too the framers contemplated that state courts should carry the burden of enforcing those constitutional provisions. As provided in the Supremacy Clause, state judges to this day swear to uphold and support the Constitution of the United States, and over 95% of the litigation in this country still takes place in state courts.

At the same time, the doctrine of federalism that pervades the United States Constitution leaves wide latitude for the states, serving as social laboratories, to utilize innovative investments of energy and resources to fulfill the national and state constitutional promises of freedom.

It is here the legislative and executive branches of Iowa's government, by modernizing and streamlining the judicial branch, have attracted (and rightly deserve) national acclaim. Among other reforms, in 1962 you submitted to the voters a constitutional amendment that removed judges from the partisan political process and provided merit selection and tenure. In 1973 you transformed Iowa's hodgepodge of overlapping and inefficient municipal courts, superior courts, mayors' courts, police courts, justice of peace courts, and state courts into one unified, integrated state trial court system. In 1976 you created the Iowa Court of Appeals to expedite case flow.

Finally, in 1983, you set in motion that massive reorganization of the judicial branch, phasing in state funding of the Iowa court system and the transfer of court support personnel from county and judicial districts to the state judicial system. The wisdom of that reform already is apparent. Projected through fiscal year 87/88, you will have achieved equality and better judicial services for all Iowans, while at the same time providing \$28,437,000 in net property tax relief.

Leaders from other states have visited Iowa to explore how you have accomplished these reforms. Our judicial personnel have been invited to other states to explain Iowa's progress in these areas. You indeed have fulfilled the trust the Constitution's framers, two hundred years ago, left to your keeping.

The \$61,000,000 judicial branch budget we submit today targets the goal you have pursued so consistently: an effective and responsive court system. At the same time, it must be noted this budget will comprise only about 2.4% of the

total state budget, and the impact on state finances will be reduced by non-earmarked, court-generated revenues in the projected amount of \$32,763,000.

Our internal budgeting process included lengthy written and oral budget submissions by various components of the judicial branch. The hearings were attended by all members of the supreme court. Before we finalized our request, we painfully carved from this budget fully justifiable proposed expenditures totaling more than \$5,000,000. A few items in the budget deserve special mention.

We noted in last year's address that the clerks had become governmental orphans, that broken equipment had not been replaced and personnel vacancies had not been funded. This budget does not propose any additional employees in clerks' offices even though some offices are three weeks behind in critical filings. The budget does, however, contain almost \$690,000 to place all persons in those offices on a 40-hour work week, eliminating 35 and 37-hour work weeks.

Parenthetically, one of the exciting benefits of your judicial reorganization act is the collective, enthusiastic response of the clerks of court and their employees. With the cooperation of the district chief judges and court administrators, clerks meet in their districts and exchange ideas for improving their operations. They are working to streamline forms and office procedures. They have found new flexibility in moving workers from county to county to meet emergencies. We should consider a new title for these clerks that more accurately reflects their ever-expanding responsibilities.

We also ask you to remove by amendment the statutory cap on the salaries of clerks and deputy clerks. By way of explanation, another provision of the reorganization act made us the first branch of Iowa government to complete comparable worth classifications of then current employees. Classification for the clerks' offices is now underway, affecting about 900 people. We confront the situation in which clerks' office workers, paid on a comparable worth basis, may earn more than the clerks and deputies whose salaries are frozen in place by the statutory cap. The removal of this restraint will permit us to do what you have required us to do in comparable worth for the 99 clerks and their deputies.

The court's special concern for young people is ongoing. Last year we obtained a one-year federal grant for a program designed to link volunteer lay person advocates with children under the jurisdiction of our juvenile courts. In just seven months since the director was appointed, this program is now operational in two judicial districts with 39 volunteers. Each carefully-recruited volunteer has received fifteen hours of training and observed the juvenile court in action. Each represents and advocates the best interest of the affected children, many of whom have been displaced from their own homes for various reasons ranging from neglect to physical and sexual abuse. Most of the overworked caseworkers, juvenile court officers, teachers, and attorneys have expressed appreciation that these volunteers can provide continuity in time and attention to these children.

We need more time with the promising and exciting "CASA" (court-appointed special advocates) project to collect reliable cost-savings data. We therefore join the CASA advisory board in recommending \$92,931 in funding to continue and expand the program for another full fiscal year in the two districts before deciding whether to recommend it for the other six judicial districts.

We have been active in other child-related areas. We are consulting with the director of the Iowa State Foster Care Review Board on mutual problems. We are forming a joint committee with the department of Human Services to study out-of-state placements of children by the juvenile court and by the department. We have sought to instill respect for the law and good citizenship by supporting law-related education in Iowa's schools. Speaking of good citizens, seated in the gallery today are students and faculty representatives of Goodrell Transitional School, our "partner" in the Des Moines Community School District's "Partners for Progress" program.

Another item in our budget addresses a need that legislators recognized before the judges did: that public administration today requires effective management of information and communications. You, along with the executive branch, have recognized the necessity of modern technology as a tool of efficient operations. Two years ago we requested, and you provided, funds for a statewide study of judicial information retrieval and transmission, together with current and future computer needs in the Iowa court system.

The Iowa Judicial Department, with over 1900 employees, is the last major unit in state government to enter the computer age. In our budget we have asked for the management tools required to administer this unified court system.

In a separate budget we project it will cost the state \$10,300,000 to pay for the defense of indigents in criminal cases. This is, you will recall, the final proposed step in the five-year phase-in of state court funding and local property tax relief. A supreme court advisory committee chaired by Chief Judge Havercamp of Davenport has been working to formulate proposed policies, standards, and operating procedures for this step.

Appendices attached to this written message I leave this morning reflect the massive ten-year increase in case filings both in the Iowa district court and appellate courts. Other attached appendices reflect the 60% increase in case dispositions in the trial courts and a 71% increase in formal dispositions per appellate judge during the same ten-year period. This is a proud record of the dedicated efforts of Iowa's judges, and of your response in furnishing support personnel, including court administrators and legal assistants.

Since we began collecting case load statistics in 1956, the number of civil, criminal, juvenile, and probate filings have increased 131%, 630%, 291%, and 48%, respectively. This compares with a five percent increase in Iowa's population and only a 41% increase in the number of district judges.

Sometimes we sense a general impatient reaction that these burgeoning case loads are the fault of the courts. We plead not guilty. The same social, economic, and technological convulsions that have multiplied your problems have found their way to the courts.

The Acts of the 56th General Assembly, published in 1955 (about the time we began keeping case statistics), comprised only 221 pages of general laws. The general laws of the 71st General Assembly, published in 1985 and 1986, covered 1241 pages, a 462% increase. You as legislators and we as judges confront these issues in different ways. They arrive at our courtroom doors as cases that must be adjudicated, and sometimes we long for the option of adjourning and going home.

Thus far we have looked at the ways you have fulfilled your role under our federal system. Under that system the framers of the Constitution left to the states the major task of creating and supporting courts where the individual rights and liberties we prize would be preserved. There is a corollary concern the framers also considered: an independent judiciary.

Alexander Hamilton's essay in support of the adoption of the United States Constitution, reprinted as number 78 in The Federalist, underscored the importance of the independence of the judicial branch, he wrote:

[N]othing can contribute so much to (the judiciary's) firmness and independence as permanency in office. This quality may therefore be justly regarded as an indispensable ingredient in its constitution, and, in a great measure, as the citadel of the public justice and the public security.

Decades later, Justice Benjamin Cardozo developed Hamilton's thought when he wrote:

The great ideals of liberty and equality are preserved against the assaults of opportunism, the expediency of the passing hour, the erosion of small encroachments, the scorn and derision of those who have no patience with general principles, by enshrining them in constitutions, and consecrating to the task of their protection a body of defenders.

How does this concept of independence through permanency in judicial office, embedded in the United States Constitution, translate to Iowa's situation? I suggest the principle is sound: Iowa does need to attract and keep highly qualified lawyers as judges, and insure they can remain in office for so long as they meet your high expectations.

This goal requires, first of all, adequate judicial compensation. Here the general assembly must face up to years of benign neglect. Iowa is able to attract bright young lawyers of limited legal experience to the bench, but the trend is for law firms to pick off the best after the public has provided them on-the-job training. This loss is a public loss.

In the last three years we have sworn in 33 new district and district associate judges. Fourteen were 35 years of age or younger; 8 more were 36 to 40 years of age; only two were over 50. Few of these people will maintain a long bench career unless overdue salary adjustments are made. Your concern must be that they are compensated sufficiently to assure they feel a sense of permanency in position; that their minds are focused on the merits of the cause before them and not on which law firm will rescue them with an employment offer.

Responding to a request from the statutory compensation commission, I recently wrote a letter detailing the deplorable history of judicial salaries in Iowa since 1977. A copy of that letter is attached as an appendix to my written message, which I leave with you, and I respectfully ask each of you to read it. The Iowa State Bar Association has become sufficiently alarmed to appoint a blue ribbon committee of citizens to study the problem of judicial compensation. That committee is holding hearings and we assume will furnish you with its findings.

I suggest that your decision with respect to judicial salaries should not be controlled by your view of the qualifications or lack of qualifications of me or any present judge. A judicial position ought to be evaluated and a rate of compensation fixed that will attract the quality of person you want on the bench. It would be naive to imply our present system has produced perfect judges. I submit, however, that our present system's most obvious shortcoming is in not providing adequate financial incentives to attract and keep the brightest and the best.

We cannot close out a discussion of salaries without reference to compensation for the office of Iowa's state court administrator. Only three states pay their state court administrator less than Iowa. The average salary for state court administrators in our six bordering states exceeds the amount paid in Iowa for that position by over \$15,000. Nor does the salary of Iowa's state court administrator match the compensation given to the heads of several executive branch agencies who administer smaller budgets and fewer people than represented by the judicial department.

In Iowa permanency in judicial office has been enhanced by the 1962 constitutional amendment that removed judges from partisan politics and provided for merit nominations by nonpolitical nominating commissions. Judges, as you know, now run for retention in office on a nonpartisan ballot.

A key provision of the 1962 amendment was that nominating commissioners on both the state and district levels "shall be chosen without reference to political affiliation." Some members of the last general assembly, asserting several governors had violated this provision in making commission appointments, took the astonishing position this constitutional safeguard therefore should be deleted

by amendment. The goal, it was stated, was to clear the way for a statute that would supposedly balance the commissions by political party, this in lieu of the option to call for compliance with Iowa's constitution. A resolution that would strip away this constitutional safeguard passed both houses last year as SJR 2002. If it is introduced and passed this year it will be submitted to the voters in a form that will not advise them of the deleted language.

As one who has followed these nominating commissions for 25 years, I can assure you the commissioners, however appointed, have been beholden to the citizens of Iowa and not to a particular political party. The proposed constitutional amendment would require nominating commissioners to change their allegiance. Adoption of the amendment would sensitize them that they were now representing their political party for the advancement of its interests, and the selection of judges would be based upon the applicant's political clout, organization, and funds, not necessarily his or her judicial qualifications.

Picking judges by dividing the commissioners with divisive political caucuses would turn back Iowa's clock to 1961. The process contemplated by the constitutional change will attract neither successful lawyers as candidates nor those who will add permanence to Iowa's judicial ranks. SJR 2002, by whatever designation it may arrive this year, is a bad idea and the time has come for its quiet interment.

Before closing, I want to express the supreme court's gratitude to the leaders of the bar organizations, many of whom are in attendance today. They represent the high standards of professionalism and attention to duty that make our work easier. We also welcome to the State Capitol the chief judges of the eight judicial districts. They are dedicated to the goal of streamlining procedures to meet the case processing time standards the supreme court adopted upon their recommendation. They meet this afternoon as members of the judicial council to take up administrative matters. The court also has asked me to express its appreciation for the work of the 318 persons—50 of them public-spirited citizens who play no other role in the justice system—who serve on the 28 committees, boards, and commissions that make it possible for the court to fulfill its many constitutional and statutory duties.

We especially salute U.S. Magistrate Celeste Bremer, who chairs the new Supreme Court Council on Judicial Selection, and who, with other dedicated young lawyers, spearheaded the drive to commit hundreds of attorneys to provide pro bono services to the poor in civil matters. We commend all Iowa lawyers and the many financial institutions whose combined efforts in implementing the court's IOLTA program have provided hundreds of thousands of dollars to assure that disadvantaged Iowans have not lost access to legal advice, to the courts, and to justice.

Finally, the court thanks each of you legislators, in advance, for your consideration of the budget our branch has submitted, and the concerns we have expressed today. Together we have endured, and still experience, the pain and tensions of Iowa's severe financial stress. At the same time, we hope you derive the satisfaction we feel in these joint efforts to secure our most priceless heritage—to give life

and breath to the constitutional guarantees of freedom dreamed and envisioned by those framers two hundred years ago. A poet may have expressed it best when he wrote:

There are those who will say that the liberation of humanity, the freedom of man and mind are nothing but a dream. They are right. It is a dream. It is the American dream.

Thank you very much.

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

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

On motion of Representative Arnould, the joint convention was dissolved at 10:16 a.m.

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

RECESS

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

APPENDIX

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 39 (SSB 7), a bill for an act relating to the date on which the certified enrollment count is taken for pupils enrolled in public schools in this state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 40 (SSB 3), a bill for an act relating to the subvention program for the college of osteopathic medicine and surgery and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 41 (SSB 17), a bill for an act relating to the reimbursement to a parent or guardian for the cost of transporting the pupil to school when bus transportation is not available, providing for the applicability of the Act, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 19, 1987, 2:48 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Holden.

Committee Business: Approved SSBs 3, 7 and 17 as committee bills.

Adjourned: 3:07 p.m.

STATE GOVERNMENT

Convened: January 19, 1987, 2:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: Nystrom, Ranking Member and C. Miller (both excused).

Committee Business: Assigned SSB 21 to a subcommittee and conducted general discussion.

Adjourned: 2:40 p.m.

SUBCOMMITTEE ASSIGNMENTS

SSB 21

STATE GOVERNMENT: Coleman, Chair; Nystrom and Bruner

SSB 41

HUMAN RESOURCES: Corning, Chair; Hannon and Readinger

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on January 19, 1987.

Had I been present, I would have voted "aye" on Senate File 18.

DON GETTINGS

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 43, by Taylor, a bill for an act relating to the resolution of disputes regarding the repair of private drainage tile lines.

Read first time and **passed on file**

Senate File 44, by Wells, a bill for an act relating to the membership of the Iowa economic development board.

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

APPENDIX

STUDY BILLS RECEIVED

SSB 37 Ways and Means

Relating to taxation in regard to the withholding on pari-mutuel winnings, application of a net operating loss, and due date of individual estimated tax payments and providing an effective date.

SSB 38 Local Government

Relating to the investment of public funds.

SSB 39 Local Government

Relating to the publication of notices of public hearings, bond sales, adopted regulations, and elections.

SSB 40 Ways and Means

Relating to the state's coupling its income and franchise taxes with the new federal provisions by updating references to the Internal Revenue Code, striking obsolete and repealed items, extending the statute of limitations for certain refund claims, and providing effective dates.

SSB 41 Human Resources

Relating to the deputy director of the department of public health responsible for the substance abuse programs.

SSB 42 Natural Resources

A Joint Resolution to nullify an administrative rule of the department of natural resources establishing limitations on trapping and providing an effective date.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	29	Transportation
S. F.	30	State Government
S. F.	31	Ways and Means
S. F.	32	Appropriations
S. F.	33	Ways and Means
S. F.	34	Judiciary
S. F.	35	State Government
S. F.	36	Appropriations
S. F.	37	Ways and Means
S. F.	38	Natural Resources

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 10:00 a.m., Wednesday, January 21, 1987.

JOURNAL OF THE SENATE

TENTH CALENDAR DAY
EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 21, 1987

The Senate met in regular session at 10:00 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Hardin County, Steamboat Rock, Iowa.

The Journal of Tuesday, January 20, 1987, was approved.

QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

INTRODUCTION OF RESOLUTION

Senate Joint Resolution 1, by committee on State Government, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

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

INTRODUCTION OF BILL

Senate File 45, by Vande Hoef, a bill for an act relating to the membership of the county compensation boards.

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

RECESS

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: January 20, 1987, 3:40 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 27 and ordered redrafted for final approval as a committee bill; the following standing subcommittees were assigned: Efficiency Task Force - Wells, Chair; Murphy and Corning; Teacher Salary/Finance - Horn, Chair; Bruner and Rensink; Teacher Improvement/Training - Varn, Chair; Dieleman, Murphy, Corning and Taylor; Telecommunications - Riordan, Chair; Murphy and Tieden; Latch Key-Preschool-Day Care - Hannon, Chair; Lloyd-Jones and Lind; Drop-out; Prevention; At-Risk Students - Lloyd-Jones, Chair; Bruner and Holden; Nonpublic School Issues - Dieleman, Chair; Murphy, Varn, Taylor and Corning.

Adjourned: 4:05 p.m.

JUDICIARY

Convened: January 20, 1987, 1:35 p.m.

Members Present: Doyle, Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Fraise, Fuhrman, Hester, Horn and Taylor.

Members Absent: Mann, Vice Chair (excused); Drake, Gentleman and Varn.

Committee Business: Organizational meeting; adopted committee rules; assigned bills to subcommittees.

Adjourned: 1:40 p.m.

LOCAL GOVERNMENT

Convened: January 20, 1987, 2:03 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Goodwin, Hall, Jensen, Kinley, Taylor and Wells.

Members Absent: Vande Hoef, Ranking Member and C. Miller (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:06 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 20, 1987, 11:00 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Visitation to the offices of the Department of Economic Development.

Adjourned: 1:20 p.m.

STATE GOVERNMENT

Convened: January 20, 1987, 2:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: C. Miller (excused).

Committee Business: Approved SSB 21 as a committee bill; assigned S.F. 16 to a subcommittee; presentation by Norman Rodgers, Liquor Control Division on SSB 14.

Adjourned: 3:35 p.m.

ANNOUNCEMENT BY THE MAJORITY LEADER

Senator Hutchins announced the following appointments:

IOWA COLLEGE AID COMMISSION

Senator Joy Corning - to fill an unexpired term ending June 30, 1987.

EDUCATION COMMISSION OF THE STATES

Senator Joy Corning - to fill an unexpired term ending June 30, 1987.

SUBCOMMITTEE ASSIGNMENTS

Senate File 2

JUDICIARY: Mann, Chair; Horn and Fuhrman

Senate File 4

JUDICIARY: Mann, Chair; Horn and Gentleman

Senate File 5

JUDICIARY: Carr, Chair; Mann and Holt

Senate File 7

EDUCATION: Lloyd-Jones, Chair; Dieleman and Holden

Senate File 9

EDUCATION: Varn, Chair; Bruner and Lind

Senate File 10

JUDICIARY: Mann, Chair; Carr and Holt

Senate File 11

EDUCATION: Riordan, Chair; Murphy and Tieden

Senate File 12

JUDICIARY: Mann, Chair; Holt and Deluhery

Senate File 14

WAYS AND MEANS: Mann, Chair; Drake and Murphy

Senate File 15

EDUCATION: Varn, Chair; Lloyd-Jones and Taylor

Senate File 16

STATE GOVERNMENT: Welsh, Chair; Gronstal and Soorholtz

Senate File 17

JUDICIARY: Mann, Chair; Doyle and Drake

Senate File 20

WAYS AND MEANS: Husak, Chair; Holt and Palmer

Senate File 23

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

Senate File 24

WAYS AND MEANS: Murphy, Chair; Readinger and Riordan

Senate File 27

JUDICIARY: Deluhery, Chair; Varn and Fuhrman

SSB 9

JUDICIARY: Mann, Chair; Fraise and Taylor

SSB 10

JUDICIARY: Varn, Chair; Mann and Hester

SSB 11

JUDICIARY: Mann, Chair; Horn and Holt

SSB 12

JUDICIARY: Doyle, Chair; Mann and Drake

SSB 22

JUDICIARY: Gentleman, Chair; Fraise and Holt

SSB 23

JUDICIARY: Mann, Chair; Doyle and Gentleman

SSB 24

JUDICIARY: Horn, Chair; Taylor and Varn

SSB 25

JUDICIARY: Mann, Chair; Deluhery and Hester

SSB 26

JUDICIARY: Varn, Chair; Fuhrman and Mann

SSB 28

JUDICIARY: Carr, Chair; Doyle, Mann, Holt and Drake

SSB 29

WAYS AND MEANS: Dieleman, Chair; Readinger and Boswell

SSB 30

WAYS AND MEANS: Gronstal, Chair; Holden and Murphy

SSB 31

JUDICIARY: Mann, Chair; Deluhery and Taylor

SSB 32

JUDICIARY: Mann, Chair; Doyle, Carr, Holt and Gentleman

SSB 33

JUDICIARY: Doyle, Chair; Mann and Holt

SSB 34

JUDICIARY: Horn, Chair; Mann and Gentleman

SSB 37

WAYS AND MEANS: Palmer, Chair; Soorholtz and Mann

SSB 38

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

SSB 39

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Jensen

SSB 40

WAYS AND MEANS: Bruner, Chair; Boswell, Holden, Husak and Readinger

SSB 47

HUMAN RESOURCES: Hannon, Chair; Murphy and Lind

SSB 48

HUMAN RESOURCES: Hannon, Chair; Sturgeon and Readinger

SSB 49

HUMAN RESOURCES: Carr, Chair; Coleman and Readinger

SSB 50

HUMAN RESOURCES: Hannon, Chair; Sturgeon and Coleman

COMMITTEE REPORT**STATE GOVERNMENT**

Final Bill Action: SENATE JOINT RESOLUTION 1 (SSB 21), a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

Recommendation: APPROVED COMMITTEE JOINT RESOLUTION.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels, Soorholtz and Welsh. Nays, 1: Gentleman. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3012	S. F.	41	James R. Riordan
S—3013	S. F.	40	Edgar H. Holden

AFTERNOON SESSION

The Senate reconvened at 4:38 p.m., President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 20, 1987, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 6, a resolution relating to the compensation of chaplains, officers and employees of the seventy-second general assembly.

INTRODUCTION OF BILLS

Senate File 46, by Holden, a bill for an act relating to the powers and duties of the department of natural resources for energy development and conservation.

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

Senate File 47, by Holden and Tieden, 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**.

Senate File 48, by Sturgeon, a bill for an act relating to the code of ethics prepared by the legislative committees on ethics.

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

Senate File 49, by committee on Education, a bill for an act relating to school finance including creating a working committee to study school finance and repealing chapter 442 on June 30, 1991.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester for the remainder of the week on request of Senator Jensen.

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

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 50, by committee on Education, a bill for an act relating to the annual report of a school district.

Read first time and placed on calendar.

Senate Joint Resolution 2, by committee on Natural Resources, a joint resolution to nullify an administrative rule of the department of natural resources relating to the park user permit.

Read first time and placed on calendar.

Senate Joint Resolution 3, by committee on Natural Resources, a joint resolution nullifying rules of the department of natural resources relating to wastewater disposal and providing an effective date.

Read first time and placed on calendar.

Senate Joint Resolution 4, by committee on Natural Resources, a joint resolution to nullify an administrative rule of the department of natural resources establishing limitations on trapping and providing an effective date.

Read first time and placed on calendar.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	42	Natural Resources
S.F.	43	Local Government
S.F.	44	State Government
S.F.	45	Local Government

STUDY BILLS RECEIVED

SSB 43 Natural Resources

Relating to park user permits and providing a penalty.

SSB 44 Natural Resources

A Joint Resolution to nullify an administrative rule of the department of natural resources relating to the park user permit.

SSB 45 Natural Resources

A Joint Resolution nullifying a rule of the department of natural resources authorizing the reduction or waiver of certain fees at state parks and recreation areas and providing an effective date.

SSB 46 Natural Resources

A Joint Resolution to nullify an administrative rule of the department of natural resources relating to wastewater disposal and providing an effective date.

SSB 47 Human Resources

Relating to death certificates issued by the state department of public health.

SSB 48 Human Resources

Relating to the registration process of certain certificates by the Iowa department of public health.

SSB 49 Human Resources

Relating to duties of the state board of health and the director of the Iowa department of public health.

SSB 50 Human Resources

Relating to an anatomical gift request program within hospitals and providing an effective date.

SSB 51 Ways and Means

To provide for a report on tax expenditures.

COMMITTEE REPORTS**EDUCATION**

Final Bill Action: SENATE FILE 49 (SSB 27), a bill for an act relating to school finance including creating a working committee to study school finance and repealing chapter 442 on June 30, 1991.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Lloyd-Jones, Riordan, Varn, Wells, Lind, Rensink and Tieden. Nays, none. Absent or not voting, 2: Hannon and Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 50, a bill for an act relating to the annual report of a school district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Murphy, Horn, Bruner, Dieleman, Hannon, Tieden, Lloyd-Jones, Riordan, Varn, Wells, Taylor, Corning, Lind and Rensink. Nays, none. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE JOINT RESOLUTION 2 (SSB 43), a joint resolution to nullify an administrative rule of the department of natural resources relating to the park user permit.

Recommendation: APPROVED COMMITTEE JOINT RESOLUTION.

Final Vote: Ayes, 11: Doyle, Goodwin, Hall, Hannon, Husak, Peterson, Priebe, Rensink, Schwengels, Scott and Tieden. Nays, none. Absent or not voting, 1: Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 3 (SSB 46), a joint resolution nullifying rules of the department of natural resources relating to wastewater disposal and providing an effective date.

Recommendation: APPROVED COMMITTEE JOINT RESOLUTION.

Final Vote: Ayes, 11: Doyle, Goodwin, Hall, Hannon, Husak, Peterson, Priebe, Rensink, Schwengels, Scott and Tieden. Nays, none. Absent or not voting, 1: Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 4 (SSB 42), a joint resolution to nullify an administrative rule of the department of natural resources establishing limitations on trapping and providing an effective date.

Recommendation: APPROVED COMMITTEE JOINT RESOLUTION.

Final Vote: Ayes, 11: Doyle, Goodwin, Hall, Hannon, Husak, Peterson, Priebe, Rensink, Schwengels, Scott and Tieden. Nays, none. Absent or not voting, 1: Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 29, a bill for an act to allow motor homes with an outside width up to eight feet six inches to travel on the public highways of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Scott, Drake, Doyle, Goodwin, Hall, Jensen and Nystrom. Nays, 1: Gettings. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:40 p.m., until 9:00 a.m., Thursday, January 22, 1987.

JOURNAL OF THE SENATE

ELEVENTH CALENDAR DAY NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 22, 1987

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

Prayer was offered by the Honorable Richard Vande Hoef, member of the Senate from Osceola County, Harris, Iowa.

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

The Senate resumed session, President Zimmerman presiding.

The Journal of Wednesday, January 21, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gentleman for the day on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 41.

Senate File 41

On motion of Senator Riordan, Senate File 41, a bill for an act relating to the reimbursement to a parent or guardian for the cost of transporting the pupil to school when bus transportation is not available, providing for the applicability of the Act, and providing an effective date, was taken up for consideration.

Senator Husak took the chair at 9:17 a.m.

Senator Riordan offered amendment S—3012 filed by him on January 21, 1987, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3012 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. 41) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A. V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Carr	Gentleman	Hester	Mann
Miller, C.P.	Taylor		

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

President Zimmerman took the chair at 9:25 a.m.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 40.

Senate File 40

On motion of Senator Lloyd-Jones, Senate File 40, a bill for an act relating to the subvention program for the college of osteopathic medicine and surgery and providing an effective date, was taken up for consideration.

Senator Holden offered amendment S—3013 filed by him on January 21, 1987, to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendment S—3013 and **Senate File 40** be **deferred**.

COMMITTEE FROM THE HOUSE

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

In accordance with House Concurrent Resolution 3, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION

In accordance with law and House Concurrent Resolution 3, duly adopted, the joint convention was called to order at 9:45 a.m., President Zimmerman 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.

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

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Dieleman, Bruner and Rensink, on the part of the Senate, and Representatives Cooper, Renaud and Van Maanen, on the part of the House.

Elaine Baxter, Secretary of State; Michael Fitzgerald, Treasurer of State; Dale Cochran, Secretary of Agriculture; Richard Johnson, Auditor of State and Tom Miller, Attorney General, were escorted into the House chamber.

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

Mrs. Chris Branstad was escorted into the House chamber.

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

President Zimmerman then presented Governor Branstad, who delivered the following Budget Message:

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

I'm pleased to be invited back for this, my third address to the General Assembly in ten days.

I have laid out for you a new direction for Iowa, a direction that uses the best of our past, a direction that recognizes the realities of today, and a direction that seizes the opportunities of tomorrow.

I have discussed with you a plan to improve our chances for economic development, to move Iowa's education system to the head of the class and to clean up our groundwater.

With a positive attitude, hard work and a commitment to work together, I believe that we can usher in a whole new era of opportunity for Iowans.

Opportunities based upon an Iowa that is diversified in agriculture; an Iowa on the cutting edge of technological change; an Iowa with an economic climate that fosters growth, entrepreneurs and job creation; an Iowa with a comprehensive transportation system that serves our needs for the 21st Century; and an Iowa education system unmatched in the world.

This General Assembly has the opportunity to make that vision for the future a reality. Let us commit ourselves to the task of setting Iowa on a new course, a direction filled with opportunities for our future.

Today, I am giving you a blueprint to get that job done. It is the state budget for fiscal year 1988.

This budget is more than a set of numbers, programs and decision packages. It is more than just a set of revenues and expenditures. It is more than a simple ledger sheet for our state.

This budget reflects the basic principles that guide our state. Before you get bogged down in the minutiae of numbers in this budget, let me spell out the principles.

First, this budget recognizes the limits of what government can do. President Abraham Lincoln once said,

"The legitimate object of government is to do for the people, what needs to be done, which they cannot, by individual effort, do at all, or do so well, for themselves."

This budget does what needs to be done. It does not overreach or inject government into places where it has no business being. It is designed to help move our state forward, without imposing excessive burdens or restrictions on the private sector that would limit our opportunities for growth.

Second, this budget recognizes that today states are where the action is. In Washington, D.C., the President and the Congress argue about national defense, social security and the national debt. But here in the states, we are concerned about more jobs, better schools, clean water, wholesome communities, healthy environment, quality health care and good roads.

Washington wrestles with the big issues, often to no avail. In Iowa, we fashion solutions to the problems that Iowans face everyday. This budget reflects the fact that we must act in Iowa to help build a better future for our state.

Third, this budget is driven by priorities. It is not business as usual. It does not spread the butter wide and thin. If we are to set this state in a new direction, we must target our resources. Education, economic development, property tax replacement and human services are priorities in this budget and the dollars follow those priorities. Education gets a 16 percent increase. We provide for a substantial increase in human services as well. Economic development receives a 12 percent increase. We provide an additional eighty million dollars in state aid to local governments. In contrast, the cost of the administration of state government and the control of state government, those costs are cut by 8.4 percent. We are using tools of the reorganized state government that you approved last year to make the choices necessary to fund our priorities.

Fourth, this budget is reform-minded. You will see that we have looked at new ways to meet the needs of Iowans. Just because things have always been done a certain way in the past is no reason they should always be done that way. Instead, we scrutinized every program and we developed innovative methods to meet our needs.

This budget includes modernizing our property tax replacement system, dramatically simplifying the state income tax and reforming our welfare programs.

Finally, this budget is tough but fair. We cut \$158 million from departmental requests. We did not use a meat axe. Instead, we spent hundreds of hours analyzing every program, looking at ways to cut unnecessary costs.

This budget is based on a modest three percent growth rate, even though revenue is currently running over six percent. This budget is balanced with forty million dollars to spare.

This is, in fact, a budget which is both aggressive and recognizes the limits of reasonable government activity. It is priority driven, yet reform minded. It is tough, yet fair. It is balanced, yet it does not rely on any increase in the rates of our general state taxes.

Each of you over the course of the next several months likely will turn your attention to parts of the budget that most interest you. Before you do that, let me discuss with you some areas that deserve attention — tax reform, property tax reductions, human needs and public safety.

Today, I am proposing to you the most extensive reform of the Iowa tax structure in our state's history. By coupling with the federal government's definitions of what is taxable and what is not, we will be able to finance our plans for property tax reductions and education reform. At the same time, we will be able to reduce the overall tax burden for Iowans.

The plan that I am laying out for you today will make the Iowa income tax simpler, more equitable and more competitive.

Therefore, I am recommending today that you take action to cut the number of state income tax rates from thirteen to just two. The top rate would fall from thirteen percent to six percent with the lower rate at two percent.

This income tax reform plan means that fifty thousand low income Iowans will no longer be required to pay state income tax. It reduces the total state and federal income tax burden for individual Iowans by one hundred forty-six million dollars. It eliminates one-third of the lines on the Iowa income tax return. It makes our state more attractive for jobs creators and for entrepreneurs with a top tax rate that will drop from the fourth highest in the nation to 27th.

You guys aren't too fired up about the biggest tax change in the history of this state. I want you to know, we're talking about major, massive reforms that will make this state competitive. I think it's important that you get with it. I'm glad you woke up.

This income tax reform program recognizes the desires of both political parties for a simple, equitable and competitive state income tax structure. This plan takes the unprecedented action of eliminating federal deductibility.

Now that the Democrats are awake, I want you Republicans to listen to the rest of this.

In return, we can reduce our top rate to six percent from 13 to 6 percent, that is a rate that cannot be exceeded. This combination makes sense for Iowa's future.

We must take action to reduce property taxes for Iowans. I am recommending an additional \$41 million in state aid to replace local property taxes.

I am calling for legislation which could result in the reduction of property tax levies by as much as \$100 million to \$150 million next year. If counties and cities reduce their \$1.3 billion cash balances to a more reasonable level, we could provide some significant property tax reductions for Iowa property taxpayers.

Our next challenge in this budget is to be certain that we meet the essential human needs of Iowans. This decade has been a time of economic turmoil and has been hard on many of our people. Iowans have and will continue to respond to those needs.

Hugh Sidey, a native of Greenfield, who still considers Iowa home, has said,

“Iowa is the hollow of God’s hand that is strong and tender at once. Iowans see that one’s obligations are just as heavy and numerous as one’s blessings.”

Hugh Sidey said it well. Iowans have always recognized that they have a responsibility to help their neighbors in need.

This budget does likewise. It provides a substantial increase in state funding for human services programs, ranging from medical assistance to the poor to foster care for children in need. We have added social workers so that caseloads can be reduced to targeted levels.

I propose a welfare reform plan to help Iowans climb the ladder out of poverty. We know that many Iowa families do not like being on welfare. They want to participate fully in their community, state and nation. By expanding the WIN Program, by strengthening our job training and search requirements, we can reduce the welfare rolls in Iowa. We should start today to get that job done.

Iowa’s senior citizens deserve our attention. Our efforts should be directed to help our elderly to stay in their homes. That is why I am recommending increased funding for adult day care and respite care to help families to care for their parents and grandparents at home. I am recommending an elderly assessment and case management system to make certain that older Iowans receive the appropriate care that they need, and for expansion of well-elderly clinics in all parts of the state.

These actions, in addition to proposals to expand the Green Thumb program and Elderly Transit programs, show our commitment to those Iowans who built this state.

Government has a responsibility for the public safety of our people. That is why I am again recommending to you that we eliminate the prison population cap. That arbitrary lid forces dangerous people out of our prisons and onto the streets. We should not let that continue. We should stop it once and for all.

In addition, we should act now to crack down on drug dealers and to protect our children from drug abuse.

A budget is a book of choices. It reflects the priorities of our state and the direction that we want to go. This budget is no different. It reflects a set of choices. It says “yes” to education, economic development, property tax reductions and human services. It says “no” to higher government administrative costs, increases

in the rates of major taxes and built-in costs that must be paid by the next generation of Iowans.

John F. Kennedy once said,

“Our task now is not to fix the blame for the past, but to fix the course for the future.”

That is our challenge today. We have an opportunity to set Iowa in a new direction. I have spelled out for you our goals for the future and the route to achieve them. But, I cannot travel that road alone. I need the help of all Iowans, Republicans and Democrats, rural and urban, young and old, to help Iowa realize its full potential.

Let us not shrink from this task. Let us not be deterred by the special interests. Let us not lose sight of our goals.

Recently I received a letter from Paul Smith of Floyd, Iowa. In that letter, he told me that he had lived in California for over seventeen years, but he came home to Iowa with his six children because he wanted them to get a better education. Paul Smith ended his letter with this postscript,

“I like California, but Iowa is my home.”

Iowa is the home for all of us. It is the home we love. It is the America we grew up believing in.

Our challenge is to make the grim statistics of the past ancient history, to make Iowa the land of opportunities, to ensure that when Paul Smith's children grow up, they too will call Iowa home.

Thank you and God bless you all.

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

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

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

INTRODUCTION OF BILL

Senate Joint Resolution 5, by committee on Natural Resources, a joint resolution nullifying a rule of the department of natural

resources authorizing the reduction or waiver of certain fees at state parks and recreation areas and providing an effective date.

Read first time and placed on calendar.

RECESS

On motion of Senator Husak, the Senate recessed at 10:39 a.m. until 2:30 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 6 and the Report on Comparable Worth adopted by the Legislative Council on December 3, 1986, the committee on rules and administration submits the following names of officers and employees of the Senate, and their respective classifications, grades and steps:

		Class	Grade	Step
Secretary of the Senate	John F. Dwyer	P-FT	\$36,400.00	
Administrative				
Executive Secretary to the Secretary	Lori Bristol	P-FT	23	1
Finance Officer	Mary Ann Abbott	P-FT	27	7
Recording Clerk	Kelly Finley	S-O	20	1
Records and Supply Clerk	Mary Buban	S-O	19	3
Administrative Secretary to the Secretary	Jeanine Mark	S-O	21	1
Indexing				
Chief Indexer	Caryll Wilbur	P-FT	21	5
Indexing Assistant	Nancy Gibson	P-FT	18	1
Journal				
Journal Editor	C.J. Kelly	P-FT	25	7
Assistant Journal Editor/ Assistant Finance Officer	Nancy Smith	P-FT	23	4
Assistant Journal Editor	Julie Elder	P-FT	21	2
Legal Counsel				
Assistant Secretary of the Senate	Cynthia A. Clingan	P-FT	33	4
Assistant to the Legal Counsel	Linda Laurenzo	S-O	16	1
Assistant to the Legal Counsel/ Assistant to Finance Officer	Jeanne Uhrich	S-O	18	1
Majority Caucus				
Administrative Assistant to Majority Leader III	Greg Nichols	P-FT	33	4
Caucus Staff Director	Dennis Harbaugh	P-FT	34	1
Research Analyst I	Steve Conway	P-FT	27	1
Research Analyst II	Mary Gannon	P-FT	30	1
Research Analyst I	William Haigh	P-FT	27	1
Research Analyst I	Theresa Kehoe	P-FT	27	1
Research Analyst II	Debbie O'Leary	P-FT	30	1

Caucus Secretary	Mary Bustad	P-FT	21	1
Executive Secretary to Majority Leader	Kathy Hillman	P-FT	23	3

Minority Caucus

Administrative Assistant to Minority Leader III	Judy Bertelsen	P-FT	33	3
Caucus Staff Director	Paula Dierenfeld	P-FT	34	1
Research Analyst II	Jim Boose	P-FT	30	1
Research Analyst I	David Hudson	P-FT	27	1
Research Analyst I	Suzanne Johnson	P-FT	27	1
Research Analyst II	Carol Olson	P-FT	30	1
Caucus Secretary	Marcy Jolly	P-FT	21	1
Administrative Secretary to Minority Leader	Betty Wise	S-O	21	2

Sergeant-at-arms

Sergeant-at-arms	Alfred Klocke	S-O	16	3
Assistant Sergeant-at-arms	Jack Levine	S-O	13	2
Assistant Sergeant-at-arms	Lynn Brandt	S-O	13	1
Chief Doorkeeper	Ray J. Prosperi	S-O	11	2
Doorkeeper	Svend A. Christensen	S-O	10	1
Doorkeeper	Catherine L. DeHeck	S-O	10	2
Doorkeeper	Robert T. Doyle	S-O	10	1
Doorkeeper	Domenic P. Morrow	S-O	10	1
Doorkeeper	Frank J. Murphy	S-O	10	1
Doorkeeper	E. A. Samuelson	S-O	10	1

Services

Bill Clerk	Andre Merrett	S-O	13	1
Assistant Bill Clerk	Rodney Bergren	S-O	12	1
Switchboard Operator	Mary Leonard	S-O	13	1
Switchboard Operator	Fredda Wright	S-O	13	2
Postmaster	Dino Masolini	S-O	11	1
Porter	James Sullivan	S-O	9	5

Pages

Senate Page	Lisa Bries	S-O	Minimum Wage
Senate Page	Julianne Casad	S-O	Minimum Wage
Senate Page	Lori Clabaugh	S-O	Minimum Wage
Senate Page	Jolene Finch	S-O	Minimum Wage
Senate Page	John Frajman	S-O	Minimum Wage
Senate Page	Todd Griffith	S-O	Minimum Wage
Senate Page	Christin Hart	S-O	Minimum Wage
Senate Page	Rhonda Klingman	S-O	Minimum Wage
Senate Page	Joan May	S-O	Minimum Wage
Senate Page	Tamara Morrison	S-O	Minimum Wage
Senate Page	Susan Priest	S-O	Minimum Wage
Senate Page	Barbara Ressler	S-O	Minimum Wage
Senate Page	Barry Sackett	S-O	Minimum Wage
Senate Page	Anthony Schau	S-O	Minimum Wage
Senate Page	Alan Vander Ploeg	S-O	Minimum Wage

Legislative Committee Secretaries

Legislative Committee Secretary	Suzi Alexander	S-O	18	1
Legislative Committee Secretary	Candy Boucher	S-O	17	1+2
Legislative Committee Secretary	Joyce Chamberlain	S-O	18	1+2
Legislative Committee Secretary	Paula Cox	S-O	18	2+2
Legislative Committee Secretary	Katie Doyle	S-O	18	4+2
Legislative Committee Secretary	Steve Falck	S-O	17	1
Legislative Committee Secretary	Kristen Gandrow	S-O	18	1+2
Legislative Committee Secretary	Kathleen Gannon	S-O	17	1+2
Legislative Committee Secretary	Beverley Gettings	S-O	18	1+2
Legislative Committee Secretary	JoAnn Hutchins	S-O	17	1
Legislative Committee Secretary	Fran Kurtz	S-O	18	1+2
Legislative Committee Secretary	Michelle Maclin	S-O	18	1
Legislative Committee Secretary	Virginia Miller	S-O	17	2+2
Legislative Committee Secretary	Mary Ann Peer	S-O	18	1+2
Legislative Committee Secretary	Carole Peterson	S-O	18	1+2
Legislative Committee Secretary	Kathryn Ramsay	S-O	18	1
Legislative Committee Secretary	Angie Rouse	S-O	17	1
Legislative Committee Secretary	Gerry Rydel	S-O	18	4+2
Legislative Committee Secretary	Flo Saf	S-O	18	2+2
Legislative Committee Secretary	Dawn Schacht	S-O	18	1+2
Legislative Committee Secretary	Roxanne Seegers	S-O	18	1
Legislative Committee Secretary	Kevin Sterk	S-O	17	1
Legislative Committee Secretary	Amy Welch	S-O	18	1
Legislative Committee Secretary	Margaret Wimmer	S-O	18	1
Legislative Committee Secretary	Layna Youngquist	S-O	18	1

Legislative Secretary

Legislative Secretary	Joyce Anderson	S-O	16	1+2
Legislative Secretary	Linda Betten	S-O	18	1
Legislative Secretary	Vicki Davis	S-O	17	1
Legislative Secretary	Alyce Elmitt	S-O	16	5+2
Legislative Secretary	Betty Gottschalk	S-O	16	3+2
Legislative Secretary	Jo Ann Hanover	S-O	18	1+2
Legislative Secretary	Evadna Harger	S-O	16	1
Legislative Secretary	Barbara Harrison	S-O	18	3+2
Legislative Secretary	Jeanne Heller	S-O	18	1+2
Legislative Secretary	Dorothy Husak	S-O	18	1
Legislative Secretary	Myrtle Jensen	S-O	18	1
Legislative Secretary	Pat King	S-O	16	1+2
Legislative Secretary	Marcella Nelson	S-O	17	4+2
Legislative Secretary	Patricia Potter	S-O	16	1
Legislative Secretary	Marilyn Rensink	S-O	15	1+2
Legislative Secretary	Beverly Samuelson	S-O	16	1+2
Legislative Secretary	Hazel Schroedel	S-O	16	3+2
Legislative Secretary	Lorraine Scott	S-O	17	1
Legislative Secretary	Julie Simon	S-O	18	1
Legislative Secretary	Betty Soener	S-O	17	1

Legislative Secretary	Harriet Vande Hoef	S-O	16	1
Legislative Secretary	Elizabeth Wasker	S-O	17	4+2
Legislative Secretary	Carol Zeigler	S O	18	1

COMMITTEE REPORT

NATURAL RESOURCES

Final Bill Action: SENATE JOINT RESOLUTION 5 (SSB 45), a joint resolution nullifying a rule of the department of natural resources authorizing the reduction or waiver of certain fees at state parks and recreation areas and providing an effective date.

Recommendation: APPROVED COMMITTEE JOINT RESOLUTION.

Final Vote: Ayes, 11: Hall, Priebe, Schwengels, Doyle, Hannon, Husak, Peterson, Goodwin, Scott, Rensink and Tieden. Nays, none. Absent or not voting, 1: Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 21, 1987, 10:40 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Soorholtz and Welsh.

Members Absent: none.

Committee Business: Organizational meeting; adopted subcommittee rules; reviewed hearing schedule; gave short overview of subcommittee's jurisdiction.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 21, 1987, 10:45 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Organizational meeting and adopted subcommittee rules.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 21, 1987, 10:40 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

Members Absent: none.

Committee Business: Adopted subcommittee rules and discussed agenda for the session.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 21, 1987, 10:58 a.m.

Members Present: Lloyd-Jones, Chair; Scott, Vice Chair and Readinger, Ranking Member.

Members Absent: Gentleman and A. Miller (both excused).

Committee Business: Adopted subcommittee rules and set a tentative schedule.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 21, 1987, 10:50 a.m.

Members Present: Sturgeon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Presentation by Dolph Pullium, member of the Human Services Council regarding the council's perspective to Department of Human Services' FY 88 budget.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 21, 1987, 10:44 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Adopted subcommittee rules; discussed legislative oversight; overview of corrections systems.

Adjourned: 12:05 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 21, 1987, 10:40 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Palmer.

Members Absent: Schwengels.

Committee Business: Adopted subcommittee rules; discussed subcommittee responsibilities.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 21, 1987, 10:43 a.m.

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

Members Absent: none.

Committee Business: Organizational meeting.

Adjourned: 11:02 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 21, 1987, 1:35 p.m.

Members Present: Wells, Chair; Fuhrman, Ranking Member; Gettings, Holden, Hultman, Palmer, Vande Hoef and Welsh (arrived 1:51 p.m.).

Members Absent: Mann, Vice Chair and Horn.

Committee Business: Presentation by Kent Sovern regarding legislative proposals by Job Service and effects of Caterpillar closing in Davenport.

Adjourned: 2:03 p.m.

EDUCATION

Convened: January 21, 1987, 3:42 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Dieleman, Hannon, Lloyd-Jones, Riordan, Varn, Wells, Corning, Lind, Rensink and Tieden.

Members Absent: Holden.

Committee Business: Approved SSBs 6 and 27 as committee bills.

Adjourned: 3:49 p.m.

HUMAN RESOURCES

Convened: January 21, 1987, 2:00 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Bruner, Corning, Lind, Murphy, Readinger and Sturgeon.

Members Absent: Gentleman, Ranking Member (excused); C. Miller (excused), Coleman and Taylor.

Committee Business: Adopted committee rules and assigned bills to subcommittees.

Adjourned: 2:10 p.m.

NATURAL RESOURCES

Convened: January 21, 1987, 1:27 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Peterson, Scott, Goodwin, Hannon, Rensink, Tieden, Doyle and Husak.

Members Absent: Hester (excused).

Committee Business: Assigned SSBs to subcommittees; suspended rules and approved SSBs 42, 44, 45 and 46 as committee joint resolutions.

Adjourned: 1:53 p.m.

RULES AND ADMINISTRATION

Convened: January 20, 1987, 3:45 p.m.

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

Members Absent: Hultman, Ranking Member and Kinley.

Committee Business: Approved motion to install phones at desks in Senate chamber; received reports on parking lot maintenance, printing of the legislative directory and sharing court costs with House on pending lawsuit; discussed implementation of comparable worth report; approved Senate policy regarding lobbyists and press credentials.

Adjourned: 4:05 p.m.

RULES AND ADMINISTRATION

Convened: January 21, 1987, 9:35 a.m.

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

Members Absent: none.

Committee Business: Discussed Senate employee classifications under Senate Concurrent Resolution 6.

Recessed: 9:55 a.m.

Reconvened: January 21, 1987, 2:05 p.m.

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

Members Absent: Kinley.

Committee Business: Approved Senate employee classifications under Senate Concurrent Resolution 6.

Adjourned: 2:15 p.m.

TRANSPORTATION

Convened: January 21, 1987, 3:00 p.m.

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

Members Absent: Lloyd-Jones.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 29.

Adjourned: 3:09 p.m.

AFTERNOON SESSION

The Senate reconvened at 2:32 p.m., President Zimmerman presiding.

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Secretary of the Senate
State Capitol Building
LOCAL

Dear Secretary:

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

June 30, 1986

To the Campaign Finance Disclosure Commission pursuant to Section 56.9, 1985 Code of Iowa:

Suzan M. Stewart, Sioux City, Woodbury County, Iowa, for appointment to an unexpired term beginning July 1, 1986, and ending April 30, 1989.

To the Commission of Elder Affairs pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Vennetta M. Fiedler, Spencer, Clay County, Iowa, for appointment to an unexpired term beginning July 1, 1986, and ending April 30, 1988.

To the Commission on the Deaf pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Jill Bouslog, Des Moines, Polk County, Iowa, for appointment to an unexpired term beginning July 1, 1986, and ending April 30, 1987.

Linda Ann Groves, Webster City, Hamilton County, Iowa, and Shirley A. Hampton, Davenport, Scott County, Iowa, for reappointment to three-year terms beginning July 1, 1986, and ending April 30, 1989.

To the Department of Agriculture and Land Stewardship pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Jack H. Miller, Runnells, Polk County, Iowa, for appointment to the State Soil Conservation Committee for a six-year term beginning July 1, 1986, and ending April 30, 1992.

To the Department of Commerce pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Richard L. Morrell, Des Moines, Polk County, Iowa, for appointment as Administrator of the Alcoholic Beverages Division for a four-year term beginning July 1, 1986, and ending April 30, 1990.

Barbara T. Welander, Mt. Pleasant, Henry County, Iowa, for appointment to the Architectural Examining Board for an unexpired term beginning July 1, 1986, and ending April 30, 1987.

Betty Lou Minor, Des Moines, Polk County, Iowa, for appointment as Superintendent of Credit Unions for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

William D. Hager, West Des Moines, Polk County, Iowa, for appointment as Commissioner of Insurance for a four-year term beginning July 1, 1986, and ending April 30, 1990.

K. Marie Thayer, Ankeny, Polk County, Iowa, for appointment as Administrator of the Professional Licensing and Regulation Division for a four-year term beginning July 1, 1986, and ending April 30, 1990.

Gregg Alan Barcus, Des Moines, Polk County, Iowa, for appointment as Superintendent of Savings and Loan Associations for a four-year term beginning July 1, 1986, and ending April 30, 1990.

To the Department of Corrections pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

As members of the Board of Parole:

Barbara Binnie, Des Moines, Polk County, Iowa, for appointment as a full-time member and Lillie Virginia Harper, Fort Madison, Lee County, Iowa, for appointment as a part-time member for two-year terms beginning July 1, 1986, and ending April 30, 1988.

Robert A. Jackson, Sr., Des Moines, Polk County, Iowa, for appointment as a full-time member for a three-year term beginning July 1, 1986, and ending April 30, 1989.

Walter L. Saur, Oelwein, Fayette County, Iowa, for appointment as a full-time member for a four-year term beginning July 1, 1986, and ending April 30, 1990.

To the Department of Cultural Affairs pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

William H. Jackson, Des Moines, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Economic Development pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Allan T. Thoms, West Des Moines, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the City Development Board pursuant to Section 368.9, 1985 Code of Iowa:

Delman L. Bowers, Waterloo, Black Hawk County, Iowa, for appointment to an unexpired term beginning July 1, 1986, and ending April 30, 1988.

To the Iowa Economic Development Board pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

F. Forbes Olberg, Cedar Rapids, Linn County, Iowa, for reappointment for a four-year term beginning July 1, 1986, and ending April 30, 1990.

To the Department of Education pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Robert D. Benton, Des Moines, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Elder Affairs pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Karen L. Tynes, Des Moines, Polk County, Iowa, for appointment as Executive Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Employment Services pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Richard G. Freeman, Des Moines, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Human Rights pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Ann B. Thompson, Des Moines, Polk County, Iowa, for appointment as Administrator of the Division of Children, Youth and Families for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

James E. Smith, Des Moines, Polk County, Iowa, for appointment as Administrator of the Division of Community Action Agencies for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

Diana Leonard, Cedar Rapids, Linn County, Iowa, for appointment as Administrator of the Division of Deaf Services for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

Donald Westergard, Indianola, Warren County, Iowa, for appointment as Administrator of the Division of Persons with Disabilities for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

Miguel Teran, Des Moines, Polk County, Iowa, for appointment as Administrator of the Division of Spanish-speaking People for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

Charlotte B. Nelson, Des Moines, Polk County, Iowa, for appointment as Administrator of the Division of the Status of Women for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Inspections and Appeals pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

James A. Althaus, Des Moines, Polk County, Iowa, for appointment to the Employment Appeal Board for a six-year term beginning July 1, 1986, and ending April 30, 1992, and Norma I. Lock, Des Moines, Polk County, Iowa, for a two-year term beginning July 1, 1986, and ending April 30, 1988.

Charles L. Harrington, Ankeny, Polk County, Iowa, for appointment as State Appellate Defender for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Natural Resources pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Larry J. Wilson, Des Moines, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Personnel pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Thomas E. Donahue, Des Moines, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

Jean H. Kaung, Des Moines, Polk County, Iowa, for appointment to the Personnel Commission for an unexpired term beginning July 1, 1986, and ending April 30, 1991.

To the Department of Public Defense pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Keith Baker, Ankeny, Polk County, Iowa, for appointment as Administrator of the Veterans Affairs Division for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Public Health pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Mary L. Ellis, West Des Moines, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Revenue and Finance pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Gerald D. Bair, Ankeny, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

Edward J. Stanek, Des Moines, Polk County, Iowa, for appointment as Commissioner of the Lottery for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Department of Transportation pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Warren B. Dunham, Ames, Story County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

To the Iowa Railway Finance Authority pursuant to Section 307B.6, 1985 Code of Iowa:

Richard P. Flagg, Cedar Rapids, Linn County, Iowa, for appointment to an unexpired term beginning July 1, 1986, and ending April 30, 1988, and Joseph H. Harper, Blue Grass, Scott County, Iowa, for appointment to a six-year term beginning July 1, 1986, and ending April 30, 1992.

To the Iowa State Civil Rights Commission pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Inga Bumbarly-Langston, Des Moines, Polk County, Iowa, for appointment as Director for a term beginning July 1, 1986, and serving at the pleasure of the Governor.

July 29, 1986

To the Department of Commerce pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Betty B. Sarcone, Des Moines, Polk County, Iowa, for appointment to the Engineering and Land Surveying Examining Board for an unexpired term beginning immediately and ending April 30, 1989.

July 31, 1986

To the Department of Personnel pursuant to Chapter 1243, 1986 Acts of the Seventy-first General Assembly:

Jack C. Oatts, Jefferson, Green County, Iowa, for appointment to the Investment Board (IPERS) for a six-year term beginning immediately and ending April 30, 1992.

August 19, 1986

To the Department of Personnel pursuant to Section 20.5, 1985 Code of Iowa:

Scot L. Beckenbaugh, Indianola, Warren County, Iowa, for appointment to the Public Employment Relations Board for an unexpired term beginning immediately and ending April 30, 1988, and Richard R. Ramsey, Osceola, Clarke County, Iowa, for appointment as Chair for a term beginning immediately and ending April 30, 1990.

August 27, 1986

To the Department of Commerce pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Gwendolyn M. Boeke, Cresco, Howard County, Iowa, for appointment to the Architectural Examining Board for an unexpired term beginning immediately and ending April 30, 1987.

To the Credit Union Review Board pursuant to Section 533.53, 1985 Code of Iowa:

Margaret M. Chadwell, Urbandale, Polk County, Iowa, for appointment to an unexpired term beginning immediately and ending April 30, 1987.

To the Department of Human Rights pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Margaret P. Kolck, Dubuque, Dubuque County, Iowa, for appointment to the Commission for the Blind for an unexpired term beginning immediately and ending April 30, 1987.

To the Department of Human Services pursuant to Section 217.2, 1985 Code of Iowa:

Arlene H. Dayhoff, Cedar Rapids, Linn County, Iowa, for appointment to the Council on Human Services for an unexpired term beginning immediately and ending April 30, 1991.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5, 1985 Code of Iowa:

Lois R. Miller, Clermont, Fayette County, Iowa, for appointment to an unexpired term beginning immediately and ending April 30, 1988.

To the Department of Public Health pursuant to Section 147.14(10), 1985 Code of Iowa:

Steven R. Clark, Storm Lake, Buena Vista County, Iowa, for appointment to the Physical and Occupational Therapy Examining Board for an unexpired term beginning immediately and ending April 30, 1987.

To the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1985 Code of Iowa:

James D. Lohman, Denison, Crawford County, Iowa, for appointment to an unexpired term beginning September 1, 1986, and ending April 30, 1989.

September 9, 1986

To the Department of Economic Development pursuant to Section 28.51, 1985 Code of Iowa:

Wayne Newton, Luzerne, Benton County, Iowa, for appointment to the Iowa High Technology Council for an unexpired term beginning immediately and ending April 30, 1989.

September 19, 1986

To the Department of Economic Development pursuant to Section 28.51, 1985 Code of Iowa:

Jean Watterson Adams, Ames, Story County, Iowa, and George Benning, Cedar Rapids, Linn County, Iowa, for appointments to the Iowa High Technology Council for unexpired terms beginning immediately and ending April 30, 1987.

To the Department of Employment Services pursuant to Section 96.11(5), 1985 Code of Iowa:

Mary Ann Stange, Muscatine, Muscatine County, Iowa, for appointment to the Job Service Advisory Council for an unexpired term beginning immediately and ending April 30, 1987.

To the Department of Inspections and Appeals pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Wendell R. Benson, Marshalltown, Marshall County, Iowa, for appointment to the Employment Appeal Board for an unexpired term beginning immediately and ending April 30, 1990.

To the Iowa Grain Indemnity Fund Board pursuant to Chapter 1152, 1986 Acts of the Seventy-first General Assembly:

Owen D. Fincham, McCallsburg, Story County, Iowa, and Fred Tomlinson, Ankeny, Polk County, Iowa, for appointment to three-year terms beginning immediately and ending April 30, 1989.

December 3, 1986

To the Department of Management pursuant to Section 80C.2, 1985 Code of Iowa:

Deborah S. Roberson, Maquoketa, Jackson County, Iowa, for appointment to the Criminal and Juvenile Justice Advisory Council for an unexpired term beginning immediately and ending April 30, 1990.

December 15, 1986

To the Department of Commerce pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Keith H. Heffernan, Waukee, Dallas County, Iowa, for appointment as Director for a term beginning December 15, 1986, and serving at the pleasure of the Governor.

To the Department of Management pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Patrick D. Cavanaugh, West Des Moines, Polk County, Iowa, for appointment as Director for a term beginning December 15, 1986, and serving at the pleasure of the Governor.

December 22, 1986

To the Department of Human Rights pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Gretchen G. Hamlett, Des Moines, Polk County, Iowa, for appointment as Department Coordinator for a term beginning immediately and serving at the pleasure of the Governor.

To the Department of Human Services pursuant to Section 217.5, 1985 Code of Iowa:

Nancy Norman, Des Moines, Polk County, Iowa, for appointment as Commissioner for a term beginning immediately and serving at the pleasure of the Governor.

January 6, 1987

To the Department of Agriculture and Land Stewardship pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Sally Puttmann, Kingsley, Plymouth County, Iowa, for appointment to the State Soil Conservation Committee for an unexpired term beginning immediately and ending April 30, 1989.

To the Department of Corrections pursuant to Chapter 1245, 1986 Acts of the Seventy-first General Assembly:

Thomas R. Eller, Denison, Crawford County, Iowa, for appointment to the Board of Parole as a part-time member for an unexpired term beginning immediately and ending April 30, 1989.

Very truly yours,
TERRY E. BRANSTAD
Governor

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

INTRODUCTION OF BILLS

Senate File 51, 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 52, by Bruner, a bill for an act relating to reducing the maximum permissible finance charge for consumer credit sales pursuant to open-end credit.

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

Senate File 53, by Holden and Coleman, a bill for an act repealing the mandatory use of seat belts by certain persons.

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 39.

Senate File 39

On motion of Senator Wells, Senate File 39, a bill for an act relating to the date on which the certified enrollment count is taken for pupils enrolled in public schools in this state, 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. 39) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Gentleman	Hester	Kinley	Miller, C.P.
Peterson	Sturgeon		

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

BUSINESS PENDING

Senate File 40

The Senate resumed consideration of Senate File 40 and amendment S—3013, previously deferred.

Senator Holden moved the adoption of amendment S—3013 to page 1 of the bill, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 40) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 6:

Gentleman	Hester	Miller, C.P.	Peterson
Sturgeon	Wells		

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Joint Resolution 3** be referred from the Regular Calendar to the committee on **Natural Resources**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 8

NATURAL RESOURCES: Husak, Chair; Hannon and Hester

Senate File 22

NATURAL RESOURCES: Husak, Chair; Hannon and Hester

Senate File 25

AGRICULTURE: Boswell, Chair; Soorholtz and Vande Hoef

Senate File 26

APPROPRIATIONS: Dieleman, Chair; Schwengels and Boswell

Senate File 28

AGRICULTURE: Scott, Chair; Soorholtz and Husak

Senate File 29

TRANSPORTATION: Doyle, Chair; Scott and Jensen

Senate File 31

WAYS AND MEANS: Drake, Chair; Boswell and Gronstal

Senate File 32

APPROPRIATIONS: Sturgeon, Chair; Gentleman and Varn

Senate File 33

WAYS AND MEANS: Holden, Chair; Mann and Dieleman

Senate File 36

APPROPRIATIONS: Varn, Chair; Tieden and Welsh

Senate File 37

WAYS AND MEANS: Murphy, Chair; Hester and Husak

SSB 18

AGRICULTURE: Soorholtz, Chair; Husak and Fuhrman

SSB 35

TRANSPORTATION: Doyle, Chair; Coleman and Goodwin

SSB 36

TRANSPORTATION: Scott, Chair; Lloyd-Jones and Jensen

SSB 42

NATURAL RESOURCES: Doyle, Chair; Priebe and Rensink

SSB 43

NATURAL RESOURCES: Husak, Chair; Hannon and Hester

SSB 44

NATURAL RESOURCES: Doyle, Chair; Priebe and Rensink

SSB 45

NATURAL RESOURCES: Doyle, Chair; Priebe and Rensink

SSB 46

NATURAL RESOURCES: Doyle, Chair; Priebe and Rensink

SSB 51

WAYS AND MEANS: Mann, Chair; Holt and Riordan

BILLS ASSIGNED TO COMMITTEE

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

S. F.	46	Natural Resources
S. F.	47	Small Business and Economic Development
S. F.	48	Ethics

STUDY BILLS RECEIVED**SSB 52 Judiciary**

Abolishing the statewide collection services center for the receipt and disbursement of child and spousal support payments, and providing an effective date.

SSB 53 Judiciary

Relating to the impersonation of department of public safety officers and employees or imitation or unauthorized use of departmental logos or insignias, and providing penalties.

SSB 54 Judiciary

Relating to the minimum penalties for the distribution of schedule I or II narcotic drugs or cocaine.

SSB 55 Judiciary

Relating to the time within which an application for crime victim reparation may be filed.

SSB 56 Agriculture

Relating to the exemption from property taxation of certain grain storage facilities and making it retroactive.

AMENDMENT FILED

S—3014	S. F.	29	Richard F. Drake John N. Nystrom Berl E. Priebe
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ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:07 p.m., until 1:00 p.m., Monday, January 26, 1987.

JOURNAL OF THE SENATE

FIFTEENTH CALENDAR DAY
TENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, January 26, 1987

The Senate met in regular session at 1:02 p.m., President Zimmerman presiding.

Prayer was offered by the Honorable Jack Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa, who vocally performed "Closer Walk."

The Journal of Thursday, January 22, 1987, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on January 15, 1987, amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 3, a resolution relating to joint rules of the senate and house for the seventy-second general assembly (S—3016).

INTRODUCTION OF BILL

Senate File 54, by Boswell, a bill for an act relating to temporary housing for certain elderly and handicapped persons.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 1:08 p.m., until 4:30 p.m.

RECONVENED

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

INTRODUCTION OF BILLS

Senate File 55, by Hall, a bill for an act to remove the requirement that a gambling license cannot be issued for a period of two years for a location for which a gambling license was revoked.

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

Senate File 56, by Hall, Priebe, Fraise, Coleman, Husak, Goodwin, Taylor, Rife, Vande Hoef, Scott, Doyle, Varn, Dieleman, Gettings, Jensen, Lind, Wells, Tieden, Nystrom, Holt, Schwengels, Soorholtz, Horn, Hester and Welsh, a bill for an act relating to the regulation of firearms by a political subdivision.

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

Senate File 57, by Sturgeon, a bill for an act requiring the utilities division of the department of commerce to conduct spot inspections of gas and electric meters used by rate-regulated public utilities in the state.

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

Senate File 58, by Sturgeon, a bill for an act providing for an income tax checkoff for contribution to the state utility shutoff fund.

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

Senate File 59, by Sturgeon, a bill for an act relating to the tax status of sales or uses of building materials, supplies, and equipment for the erection of buildings and improvements to real property under the state sales, services, and use tax.

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

Senate File 60, by Sturgeon, a bill for an act relating to disconnection of service by a telephone public utility and making civil penalties applicable.

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

Senate File 61, by Sturgeon, a bill for an act to require commercial establishments which hold a license or permit for the consumption of alcoholic beverages or beer on the premises to maintain a test machine for use by the establishment's patrons for breath analysis of blood alcohol content.

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

Senate File 62, by Sturgeon, a bill for an act requiring school districts to offer or make available an approved driver education course to certain persons who have successfully completed the general educational development tests.

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

Senate File 63, by Sturgeon, a bill for an act relating to the rules on ethics and lobbying prepared by the committee on ethics.

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

Senate File 64, by Holt, a bill for an act relating to accredited private institutions under the tuition grant program and the supplemental grant program administered by the Iowa college aid commission.

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

APPENDIX

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment S—3013 to Senate File 40, the following technical corrections were made:

- 1. Page 2, line 3, the word "Section 2" was changed to the word "Section 1".
- 2. Page 2, lines 4 and 5, the second sentence of section 3 was deleted.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: January 22, 1987, 1:20 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Boswell (arrived 1:28 p.m.), Fraise (arrived 1:27 p.m.), Hall (arrived 1:27 p.m.), Husak, Peterson, Scott, Fuhrman, Goodwin, Rensink and Soorholtz.

Members Absent: Hester, Ranking Member (excused) and Vande Hoef (excused until 1:45 p.m.).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 25; presentation by Bob Furleigh, office of the ASCS.

Adjourned: 2:30 p.m.

WAYS AND MEANS

Convened: January 22, 1987, 9:14 a.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Riordan and Holt.

Members Absent: Mann, Palmer, Murphy, Drake, Hester, Readinger and Soorholtz.

Committee Business: Assigned bills to subcommittees.

Adjourned: 9:15 a.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Hutchins from one hundred fifty students representing Dedham-Willey School and Holy Trinity Schools at Halbur and Templeton, Iowa, favoring the mandatory use of seat belts.

Senator Miller of Cerro Gordo from one hundred twenty-three residents of Cerro Gordo County favoring promotion of tourism in Iowa through ways other than gambling.

The following petitions opposing the privatization of state-owned liquor stores were presented and placed on file by:

Senators Fraise from eight hundred ninety-eight residents of Iowa.

Senator Gronstal from eight hundred ninety-three residents of Iowa.

Senator Jensen from one hundred fifty residents of Butler County.

The following petitions favoring legislation increasing funding to the State Transit Assistance Fund were presented and placed on file by:

Senator Husak from eighteen residents of Tama County.

Senator Rensink from ninety-one residents of Plymouth County.

STUDY BILLS RECEIVED

SSB 57 Human Resources

Providing for public grants and public education relating to adolescent pregnancy prevention and services by establishing a task force on adolescent pregnancy prevention and services, providing for pilot project grants relating to adolescent pregnancy prevention and services, and establishing a local advisory committee to public school boards regarding the inclusion or exclusion of human growth and development instruction in the school curriculum.

SSB 58 State Government

Requesting the appointment of an interim study committee to study the duties of the lieutenant governor pending passage of the constitutional amendment which requires the governor and lieutenant governor to run as a team and which removes the office of lieutenant governor from the legislative branch and places the office in the executive branch.

SSB 59 State Government

To provide that moneys deposited in the barrel tax fund and the gallonage tax fund shall not revert to the state general fund without a specific appropriation, and providing for retroactive applicability of the Act.

SSB 60 State Government

Relating to podiatry by broadening the scope of practice of podiatry, by including podiatrists in the definition of "physician" for certain purposes, by broadening provisions relating to temporary certificates, by providing for coverage of podiatrists' services under prepaid group plans of health maintenance organizations and providing for data collection and utilization review, and by providing for other properly related matters.

SSB 61 State Government

Relating to the administration of the campaign finance disclosure laws.

SSB 62 State Government

Relating to public financing of political campaigns, appropriating funds, and providing penalties.

SUBCOMMITTEE ASSIGNMENT**Senate File 6**

COMMERCE: Kinley, Chair; Carr and Holden

ANNOUNCEMENTS BY THE MAJORITY LEADER

Senator Hutchins announced the following appointments:

COMMISSION ON CHILDREN, YOUTH AND FAMILIES

Senators Beverly Hannon and Richard Vande Hoef — terms expire January 1, 1989.

PERMANENT PENSIONS COMMITTEE

Senators Bob Carr, William W. "Bill" Dieleman, Charles Bruner, John N. Nystrom and Richard F. Drake — terms expire with convening of Seventy-third General Assembly.

IOWA LEGISLATIVE COUNCIL

(Terms expire with convening of Seventy-third General Assembly)

Senators Bill Hutchins, Calvin O. Hultman, George R. Kinley, Joe Welsh and Dale E. Tieden (all statutory).

Senators C. Joseph Coleman, Donald V. Doyle, Emil J. Husak, Lee Holt and David M. Readinger.

COMMUNICATIONS REVIEW COMMISSION

Senators William W. "Bill" Dieleman, Kenneth Scott and Forrest V. Schwengels - terms expire with convening of Seventy-third General Assembly.

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: SENATE FILE 25, a bill for an act relating to bovine brucellosis, by requiring that the department of agriculture identify the state-approved premises and quarantined feedlots and cattle, attempt to adopt uniform rules, and examine the testing procedures.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, A. Miller, Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman, Goodwin, Rensink and Soorholtz. Nays, none. Absent or not voting, 2: Hester and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committees:

S. F.	51	Judiciary
S. F.	52	Commerce
S. F.	53	Transportation

AMENDMENTS FILED

S—3015	S. J. R.	1	Edgar H. Holden
S—3016	S. C. R.	3	House amendment

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Tuesday, January 27, 1987.

JOURNAL OF THE SENATE

SIXTEENTH CALENDAR DAY
ELEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, January 27, 1987

The Senate met in regular session at 9:01 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Orrin T. Potter, pastor of the Aldersgate United Methodist Church, Urbandale, Iowa.

The Journal of Monday, January 26, 1987, was approved.

SPECIAL GUEST

Senator Nystrom appeared in the well of the Senate and presented Karen Christensen of Ogden, the 1987 Iowa Junior Miss. She will represent Iowa at the National Junior Miss Finals in Mobile, Alabama in June.

Karen is a senior at Ogden Community High School and her honors and activities include the Honor Roll, Academic Letter, Honor Choirs, Honor Bands, 1986 All-State Choir, nine year 4-H member, teacher of girls' and boys' tumbling classes and vacation church school volunteer.

Karen's future plans include a double major in English and Music at Iowa State University in Ames.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 3

Senator Hultman called up for consideration Senate Concurrent Resolution 3, a resolution relating to joint rules of the senate and house for the seventy-second general assembly, amended by the House, and moved that the Senate concur in House amendment S—3016 filed January 26, 1987.

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

Senator Hultman moved the adoption of Senate Concurrent Resolution 3 as amended by the House and concurred in by the Senate.

A non record roll call was taken.

The ayes were 40, nays none.

The resolution having received a constitutional majority was declared to have been adopted.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:12 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: January 26, 1987, 2:20 p.m.

Members Present: Doyle, Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Mann, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees and amended and approved SSB 28 as a committee bill.

Adjourned: 2:43 p.m.

LOCAL GOVERNMENT

Convened: January 26, 1987, 3:38 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Taylor and Wells.

Members Absent: Kinley and C. Miller (both excused).

Committee Business: Assigned bills to subcommittees; presentation by John Torbert, Iowa State Association of Counties.

Adjourned: 4:08 p.m.

WAYS AND MEANS

Convened: January 26, 1987, 3:43 p.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

Members Absent: Mann.

Committee Business: Presentation by Carl Castelda of the Department of Revenue and Finance.

Adjourned: 4:28 p.m.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 28, a bill for an act relating to animal wastewater pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, A. Miller, Boswell, Fraise, Hall, Husak, Scott, Hester, Fuhrman, Goodwin, Rensink, Soorholtz and Vande Hoef. Nays, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 68 (SSB 28), a bill for an act relating to the effective dates of laws and resolutions passed by the general assembly, providing for the applicability of the Act, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS**Senate File 34**

JUDICIARY: Fraise, Chair; Varn and Drake

Senate File 43

LOCAL GOVERNMENT: Taylor, Chair; C. Miller and Fraise

Senate File 45

LOCAL GOVERNMENT: Vande Hoef, Chair; Hall and Wells

Senate File 48

ETHICS: Mann, Chair; Gettings and Drake

SSB 51
(Corrected)

WAYS AND MEANS: Bruner, Chair; Holt and Mann

SSB 52

JUDICIARY: Deluhery, Chair; Horn and Taylor

SSB 53

JUDICIARY: Holt, Chair; Drake and Mann

SSB 54

JUDICIARY: Horn, Chair; Varn and Hester

SSB 55

JUDICIARY: Horn, Chair; Doyle and Fuhrman

SSB 57

HUMAN RESOURCES: Hannon, Chair; Bruner and Corning

STUDY BILLS RECEIVED

SSB 63 Natural Resources

Imposing a five percent fee on the gross sales of fur-bearing animals, fur-bearing animal skins, or hides to Iowa licensed fur dealers and prohibiting the sale of Iowa fur-bearing animals, fur-bearing animal skins, or hides to persons other than Iowa licensed fur dealers and subjecting violators to a penalty.

SSB 64 Natural Resources

Relating to the implementation of the federal Resource Conservation and Recovery Act permit program for hazardous waste facilities by the department of natural resources.

SSB 65 Natural Resources

Relating to the delegation of the authority to prevent, abate, or control air pollution.

SSB 66 Natural Resources

Providing for nonresident hunting licenses for deer and wild turkey.

SSB 67 Natural Resources

Relating to lifetime fishing and combined hunting and fishing licenses.

SSB 68 Natural Resources

A House Concurrent Resolution to double the acres of woodland in Iowa.

SSB 69 Natural Resources

Relating to designation of hunting areas on state preserves.

SSB 70 Natural Resources

Relating to the operation of motor boats.

SSB 71 Ways and Means

Relating to the exemption from the state sales, services and use of tax of the gross receipts from the sale of foods purchased with federal food stamps and providing an effective date.

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following appointments to state boards and commissions to standing committees as indicated for investigation on January 27, 1987:

AGRICULTURE

Sally Puttmann and Jack H. Miller — State Soil Conservation Committee.

Fred Tomlinson and Owen D. Fincham — Iowa Grain Indemnity Fund Board.

BUSINESS AND LABOR RELATIONS

Mary Ann Stange — Job Service Advisory Council.

Wendell R. Benson, Norma I. Lock and James A. Althaus — Employment Appeal Board.

Scot L. Beckenbaugh — Public Employment Relations Board.

Richard R. Ramsey — Chair of the Public Employment Relations Board.

Richard G. Freeman — Director of the Department of Employment Services.

COMMERCE

Keith H. Heffernan — Director of the Department of Commerce.

Margaret M. Chadwell — Credit Union Review Board.

William D. Hager — Commissioner of Insurance.

Gregg Alan Barcus — Superintendent of Savings and Loan Associations.

Betty Lou Minor — Superintendent of Credit Unions.

EDUCATION

Robert D. Benton — Director of the Department of Education.

William H. Jackson — Director of the Department of Cultural Affairs.

HUMAN RESOURCES

Ann B. Thompson — Administrator of the Division of Children, Youth and Families.

Gretchen G. Hamlett — Department Coordinator of the Department of Human Rights.

Nancy Norman — Commissioner of the Department of Human Services.

Deborah S. Roberson — Criminal and Juvenile Justice Advisory Council.

Margaret P. Kolck — Commission for the Blind.

Lois R. Miller — Mental Health and Mental Retardation Commission.

Arlene H. Dayhoff — Council on Human Services.

Vennetta M. Fiedler — Commission of Elder Affairs.

Jill Bouslog, Shirley A. Hampton and Linda Ann Groves — Commission on the Deaf.

Charlotte B. Nelson — Administrator of the Division of the Status of Women.

Miguel Teran — Administrator of the Division of Spanish-speaking People.

Mary L. Ellis — Director of the Department of Public Health.

Karen L. Tynes — Executive Director of the Department of Elder Affairs.

Donald Westergard — Administrator of the Division of Persons with Disabilities.

Diana Leonard — Administrator of the Division of Deaf Services.

James E. Smith — Administrator of the Division of Community Action Agencies.

JUDICIARY

Thomas R. Eller, Walter L. Saur, Robert A. Jackson, Sr., Lillie Virginia Harper and Barbara Binnie — Board of Parole.

James D. Lohman — Iowa State Civil Rights Commission.

Inga Bumbarly-Langston — Director of the Iowa State Civil Rights Commission.

Charles L. Harrington — State Appellate Defender.

LOCAL GOVERNMENT

Delman L. Bowers — City Development Board.

NATURAL RESOURCES

Larry J. Wilson — Director of the Department of Natural Resources.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

F. Forbes Olberg — Iowa Economic Development Board.

Wayne Newton, George Benning and Jean Watterson Adams — Iowa High Technology Council.

Allan T. Thoms — Director of the Department of Economic Development.

STATE GOVERNMENT

Patrick D. Cavanaugh — Director of the Department of Management.

Steven R. Clark — Physical and Occupational Therapy Examining Board.

Betty B. Sarcone — Engineering and Land Surveying Examining Board.

Jack C. Oatts — Investment Board (IPERS).

Thomas E. Donahue — Director of the Department of Personnel.

Jean H. Kaung — Personnel Commission.

Suzan M. Stewart — Campaign Finance Disclosure Commission.

Barbara T. Welander and Gwendolyn M. Boeke — Architectural Examining Board.

Keith Baker — Administrator of the Veterans Affairs Division.

K. Marie Thayer — Administrator of the Professional Licensing and Regulation Division.

Edward J. Stanek — Commissioner of the Lottery.

Richard L. Morrell — Administrator of the Alcoholic Beverages Division.

TRANSPORTATION

Warren B. Dunham — Director of the Department of Transportation.

WAYS AND MEANS

Gerald D. Bair — Director of the Department of Revenue and Finance.

Joseph H. Harper and Richard P. Flagg — Iowa Railway Finance Authority.

BILL HUTCHINS, Chair

AFTERNOON SESSION

The Senate reconvened at 4:36 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 65, by Wells, a bill for an act relating to podiatry by providing for coverage of podiatrists' services under prepaid group plans of health maintenance organizations and providing for data collection and utilization review.

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

Senate File 66, by Wells, a bill for an act authorizing appropriations from the general fund of the state for funding start-up and implementation costs of 911 emergency telephone communication systems.

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

Senate File 67, by Wells, a bill for an act relating to podiatry by broadening the scope of practice of podiatry, by including podiatrists in the definition of "physician" for certain purposes, by broadening provisions relating to temporary certificates, and by providing for other properly related matters.

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

Senate File 68, by committee on Judiciary, a bill for an act relating to the effective dates of laws and resolutions passed by the general assembly, providing for the applicability of the Act, and providing an effective date.

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

Senate File 69, by Priebe and Miller of Cerro Gordo, a bill for an act relating to the investment of idle public funds by authorizing investment in drainage district warrants, bonds, or improvement certificates and by correcting an error.

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

Senate File 70, by Priebe, a bill for an act relating to the inspection, calibration, and sealing of gasoline pumps by the department of agriculture and land stewardship and providing a penalty.

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

Senate File 71, by Holden, a bill for an act relating to the acquisition of an interest in one or more banks located in Iowa or bank holding companies controlling one or more banks located in Iowa by an out-of-state bank holding company located in a midwestern state.

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

Senate File 72, by Holden, a bill for an act relating to restrictions on the number and location of branch banks and bank offices and the authorization of statewide branch banking.

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

Senate File 73, by Holden, a bill for an act relating to acquisition of an interest in one or more 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**.

Senate File 74, by Readinger, a bill for an act relating to the bill of rights for the mentally retarded, developmentally disabled, and the chronically mentally ill.

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

LEAVE OF ABSENCE

Senator Mann for the day on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

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

Senate Joint Resolution 1

On motion of Senator Hultman, Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, was taken up for consideration.

Senator Holden offered amendment S—3015 filed by him on January 26, 1987, to pages 1 through 4 and to the title page of the resolution and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 34.

Amendment S—3015 lost.

Senator Hultman moved that the resolution be read the last time now, which motion prevailed by a voice vote and the resolution was read the last time.

Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

Be It Resolved by the General Assembly of the State of Iowa:

Section 1. The following amendment to the Constitution of the State of Iowa is proposed:

1. Section 2 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 2. The governor and the lieutenant governor shall be elected by the qualified electors at the time and place of voting for members of the general assembly. Each of them shall hold office for four years from the time of installation in office and until a successor is elected and qualifies.

2. Section 3 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 3. The electors shall designate their selections for governor and lieutenant governor as if these two offices were one and the same. The names of nominees for the governor and the lieutenant governor shall be grouped together in a set on the ballot according to which nominee for governor is seeking office with which nominee for lieutenant governor, as prescribed by law. An elector shall cast only one vote for both a nominee for governor and a nominee for lieutenant governor. The returns of every election for governor and lieutenant governor shall be sealed and transmitted to the seat of government of the state, and directed to the speaker of the house of representatives who shall open and publish them in the presence of both houses of the general assembly.

3. Section 4 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1952, is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 4. The nominees for governor and lieutenant governor jointly having the highest number of votes cast for them shall be declared duly elected. If two or more sets of nominees for governor and lieutenant governor have an equal and the highest number of votes for the offices jointly, the general assembly shall by joint vote proceed, as soon as is possible, to elect one set of nominees for governor and lieutenant governor. If, upon the completion by the general assembly of the canvass of votes for governor and lieutenant governor, it appears that the nominee for governor in the set of nominees for governor and lieutenant governor receiving the highest number of votes has since died or resigned, is unable to qualify, fails to qualify, or is for any other reason unable to assume the duties of the office of governor for the ensuing term, the powers and duties shall devolve to the nominee for lieutenant governor of the same set of nominees for governor and lieutenant governor, who shall assume the powers and duties of governor upon inauguration and until the disability is removed. If both nominees for governor and lieutenant governor are unable to assume the duties of the office of governor, the person next in succession shall act as governor.

4. Section 5 of Article IV of the Constitution of the State of Iowa is repealed beginning with the general election in the year 1990 and the following adopted in lieu thereof:

SEC. 5. Contested elections for the offices of governor and lieutenant governor shall be determined by the general assembly as prescribed by law.

Sec. 2. The following amendment to the Constitution of the State of Iowa is proposed:

1. Section 15 of Article IV of the Constitution of the State of Iowa, as amended by amendment number 1 of the Amendments of 1972, is repealed beginning with the second Monday in January, 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.

2. 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.

3. Section 19 of Article IV of the Constitution of the State of Iowa as amended by amendment number 2 of the Amendments of 1952 is repealed beginning with the second Monday in January, 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. 3. The foregoing proposed amendment, having been adopted and agreed to by the Seventy-first General Assembly, 1986 session, thereafter duly published, and now adopted and agreed to by the Seventy-second General Assembly in this joint resolution, shall be submitted to the people of the state of Iowa at the general election in November of the year nineteen hundred eighty-eight in the manner required by the Constitution of the State of Iowa and the laws of the state of Iowa.

On the question "Shall the resolution be adopted?" (S.J.R. 1) the vote was:

Yeas, 34:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Readinger
Riordan	Scott	Soorholtz	Sturgeon
Wells	Welsh		

Nays, 13:

Drake	Gentleman	Gettings	Holden
Jensen	Nystrom	Priebe	Rensink
Rife	Taylor	Tieden	Vande Hoef
Varn			

Absent or not voting, 3:

Kinley	Mann	Schwengels
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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.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 29.

Senate File 29

On motion of Senator Priebe, Senate File 29, a bill for an act to allow motor homes with an outside width up to eight feet six inches to travel on the public highways of the state, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3014 filed by Senators Drake, Nystrom and Priebe on January 22, 1987, to page 1 of the bill.

Senator Drake asked and received unanimous consent that further action on amendment S—3014 and **Senate File 29** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Joint Resolution 1** be **immediately messaged** to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committees:

S. F.	54	Local Government
S. F.	55	State Government
S. F.	56	Local Government
S. F.	57	Energy and Environment
S. F.	58	Ways and Means
S. F.	59	Ways and Means
S. F.	60	Commerce
S. F.	61	Judiciary
S. F.	62	Education
S. F.	63	Ethics
S. F.	64	Education

AMENDMENT FILED

S—3017 S.F. 29 Richard F. Drake

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Wednesday, January 28, 1987.

JOURNAL OF THE SENATE

SEVENTEENTH CALENDAR DAY
TWELFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, January 28, 1987

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

Prayer was offered by the Reverend David Abram, pastor of the Augustana Lutheran Church, Boone, Iowa.

The Journal of Tuesday, January 27, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the week on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 75, by Sturgeon, a bill for an act to limit the amount of funds certain candidates' committees may accept from certain political committees and subjecting violators to a penalty.

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

Senate File 76, by Holt, a bill for an act relating to third-party payor reimbursements for patient charges at a mental health institute.

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

Senate File 77, by Lloyd-Jones, a bill for an act relating to the investigation and preservation of native American holy places and providing a penalty for violations.

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

Senate File 78, by Lloyd-Jones, a bill for an act relating to the department of human rights by creating an Indian advisory commission and delaying the repeal of the department.

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

Senate File 79, by Jensen, a bill for an act relating to the appraisalment of damages in condemnation.

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

Senate File 80, by Wells, a bill for an act relating to the official nickname of the state of Iowa.

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

Senate File 81, by Gettings, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

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

Senate File 82, 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 83, by Wells, a bill for an act relating to the development, requirements, operation, and funding for 911 emergency telephone communication systems, providing a funding mechanism, and providing penalties.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:10 a.m., until 4:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees (reports filed on January 27, 1987:)

AGRICULTURE

As members of the Iowa Grain Indemnity Fund Board:

OWEN D. FINCHAM: Peterson, Chair; Fraise and Vande Hoef
FRED TOMLINSON: Boswell, Chair; Fuhrman and Hester

As members of the State Soil Conservation Committee:

JACK H. MILLER: Hall, Chair; Fraise and Goodwin
SALLY PUTTMANN: A. Miller, Chair; Fuhrman and Goodwin

JUDICIARY

As members of the Board of Parole:

BARBARA BINNIE: Carr, Chair; Fraise and Gentleman
THOMAS R. ELLER: Carr, Chair; Fraise and Gentleman
LILLIE VIRGINIA HARPER: Gentleman, Chair; Fraise and Carr
ROBERT A. JACKSON, SR.: Fraise, Chair; Carr and Gentleman
WALTER L. SAUR: Gentleman, Chair; Carr and Fraise

As Director of the Iowa State Civil Rights Commission:

INGA BUMBARY-LANGSTON: Gentleman, Chair; Deluhery and Horn

As a member of the Iowa State Civil Rights Commission:

JAMES D. LOHMAN: Carr, Chair; Deluhery and Holt

As State Appellate Defender:

CHARLES L. HARRINGTON: Horn, Chair; Fraise and Fuhrman

LOCAL GOVERNMENT

As a member of the City Development Board:

DELMAN L. BOWERS: Hall, Chair; Wells and Jensen

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees (reports filed on January 28, 1987:)

COMMERCE

As Commissioner of Insurance:

WILLIAM D. HAGER: Deluhery, Chair; Rife and Gronstal

As a member of the Credit Union Review Board:

MARGARET M. CHADWELL: Kinley, Chair; Holden and Welsh

As Director of the Department of Commerce:

KEITH H. HEFFERNAN: Priebe, Chair; Sturgeon and Tieden

As Superintendent of Credit Unions:

BETTY LOU MINOR: Kinley, Chair; Holden and Lind

As Superintendent of Savings and Loan Associations:

GREG ALAN BARCUS: Nystrom, Chair; Carr and Gronstal

EDUCATION

As Director of the Department of Cultural Affairs:

WILLIAM H. JACKSON: Varn, Chair; Horn and Corning

As Director of the Department of Education:

ROBERT D. BENTON: Murphy, Chair; Horn and Taylor

HUMAN RESOURCES

As Administrator of the Division of Children, Youth and Families:

ANN B. THOMPSON: Hannon, Chair; Murphy and Taylor

As Administrator of the Division of Community Action Agencies:

JAMES E. SMITH: Coleman, Chair; Sturgeon and Lind

As Administrator of the Division of Deaf Services:

DIANA LEONARD: Corning, Chair; Bruner and Coleman

As Administrator of the Division of Persons with Disabilities:

DONALD WESTERGARD: Gentleman, Chair; Murphy and Bruner

As Administrator of the Division of Spanish-speaking People:

MIGUEL TERAN: Sturgeon, Chair; Hannon and Readinger

As Administrator of the Division of the Status of Women:

CHARLOTTE B. NELSON: Corning, Chair; Hannon and Readinger

As a member of the Commission for the Blind:

MARGARET P. KOLCK: Coleman, Chair; Carr and Taylor

As a member of the Commission of Elder Affairs:

VENNETTA M. FIEDLER: Murphy, Chair; C. Miller and Lind

As members of the Commission on the Deaf:

JILL BOUSLOG: Readinger, Chair; Bruner and Corning

LINDA ANN GROVES: Lind, Chair; Coleman and Murphy

SHIRLEY A. HAMPTON: Taylor, Chair; Carr and Gentleman

As Commissioner of the Department of Human Services:

NANCY NORMAN: Carr, Chair; Sturgeon and Corning

As a member of the Council on Human Services:

ARLENE H. DAYHOFF: Murphy, Chair; Hannon and Lind

As a member of the Criminal and Juvenile Justice Advisory Council:

DEBORAH S. ROBERSON: Gentleman, Chair; C. Miller and Carr

As Department Coordinator of the Department of Human Rights:

GRETCHEN G. HAMLETT: Hannon, Chair; Gentleman and Carr

As Director of the Department of Public Health:

MARY L. ELLIS: Taylor, Chair; Bruner and Sturgeon

As Executive Director of the Department of Elder Affairs:

KAREN L. TYNES: Sturgeon, Chair; Readinger and Bruner

As a member of the Mental Health and Mental Retardation Commission:

LOIS R. MILLER: Readinger, Chair; Murphy and Carr

LABOR

As Director of the Department of Employment Services:

RICHARD G. FREEMAN: Gettings, Chair; Mann and Hultman

As members of the Employment Appeal Board:

JAMES A. ALTHAUS: Vande Hoef, Chair; Wells and Holden

WENDELL R. BENSON: Welsh, Chair; Horn and Fuhrman

NORMA I. LOCK: Gettings, Chair; Hultman and Fuhrman

As a member of the Job Service Advisory Council:

MARY ANN STANGE: Palmer, Chair; Horn and Vande Hoef

As a member of the Public Employment Relations Board:

SCOT L. BECKENBAUGH: Fuhrman, Chair; Horn and Vande Hoef

As Chair of the Public Employment Relations Board:

RICHARD R. RAMSEY: Hultman, Chair; Palmer and Vande Hoef

NATURAL RESOURCES

As Director of the Department of Natural Resources:

LARRY J. WILSON: Priebe, Chair; Husak and Tieden

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As Director of the Department of Economic Development:

ALLAN T. THOMS: Boswell, Chair; Peterson and Rife

As a member of the Iowa Economic Development Board:

F. FORBES OLBERG: Hannon, Chair; Deluhery and Rife

As members of the Iowa High Technology Council:

JEAN WATTERSON ADAMS: Deluhery, Chair; Hannon and Fuhrman

GEORGE BENNING: Scott, Chair; Deluhery and Vande Hoef

WAYNE NEWTON: Peterson, Chair; Riordan and Rensink

STATE GOVERNMENT

As Administrator of the Alcoholic Beverages Division:

RICHARD L. MORRELL: Coleman, Chair; Horn and Soorholtz

As Administrator of the Professional Licensing and Regulation Division:

K. MARIE THAYER: Gentleman, Chair; C. Miller and Schwengels

As Administrator of the Veterans Affairs Division:

KEITH BAKER: Drake, Chair; Schwengels and Dieleman

As members of the Architectural Examining Board:

GWENDOLYN M. BOEKE: Schwengels, Chair; Lloyd-Jones and C. Miller
BARBARA T. WELANDER: Schwengels, Chair; Lloyd-Jones and C. Miller

As a member of the Campaign Finance Disclosure Commission:

SUZAN M. STEWART: Gronstal, Chair; Gentleman and Soorholtz

As Commissioner of the Lottery:

EDWARD J. STANEK: Welsh, Chair; Carr and Rife

As Director of the Department of Management:

PATRICK D. CAVANAUGH: Welsh, Chair; Horn and Rife

As Director of the Department of Personnel:

THOMAS E. DONAHUE: Bruner, Chair; Dieleman and Drake

As a member of the Engineering and Land Surveying Examining Board:

BETTY B. SARCONI: Schwengels, Chair; Lloyd-Jones and C. Miller

As a member of the Investment Board (IPERS):

JACK C. OATTS: Nystrom, Chair; Bruner and Horn

As a member of the Personnel Commission:

JEAN H. KAUNG: Lloyd-Jones, Chair; Rife and Gronstal

As a member of the Physical and Occupational Therapy Examining Board:

STEVEN R. CLARK: Gentleman, Chair; C. Miller and Schwengels

TRANSPORTATION

As Director of the Department of Transportation:

WARREN B. DUNHAM: Coleman, Chair; Doyle and Jensen

WAYS AND MEANS

As Director of the Department of Revenue and Finance:

GERALD D. BAIR: Readinger, Chair; Riordan and Husak

As members of the Iowa Railway Finance Authority:

RICHARD P. FLAGG: Drake, Chair; Mann and Murphy

JOSEPH H. HARPER: Gronstal, Chair; Bruner and Holden

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: January 27, 1987, 9:42 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Soorholtz and Welsh.

Members Absent: none.

Committee Business: Presentations by the Executive Council and State Treasurer.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 27, 1987, 9:30 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Organizational meeting.

Adjourned: 10:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 27, 1987, 9:40 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Discussed legislative oversight and format for performance budgeting.

Adjourned: 10:18 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 27, 1987, 9:38 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Murphy and Rensink.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Glen Dickinson of LFB discussed individual segments of the proposed budget; Stu Vos and Kathy Mabie, Department of Management, answered questions concerning the budget.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 27, 1987, 10:35 a.m.

Members Present: Lloyd-Jones, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller.

Members Absent: none.

Committee Business: Budget forms were explained; presentation by Inga Bumbary-Langston, Executive Director of the Iowa State Civil Rights Commission.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: January 27, 1987, 9:30 a.m.

Members Present: Sturgeon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery (arrived 9:45 a.m.) and Fuhrman.

Members Absent: none.

Committee Business: Discussed family maintenance program, aid to dependent children, medicaid (Title XIX) HMO project and child support enforcement legislation.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 27, 1987, 9:40 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member; and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Discussion of budget forms by Jon Neiderbach, LFB; budget hearing on the Board of Parole by Rick George, Executive Director and Walter Saur, Chair; discussion of ACIS Delays by Jon Neiderbach; John Baldwin, Department of Corrections, gave comments regarding ACDS.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 27, 1987, 9:30 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

Members Absent: Palmer.

Committee Business: Presentations by the Alcoholic Beverages Division and Banking Division, Department of Commerce.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 27, 1987, 9:34 a.m.

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

Members Absent: none.

Committee Business: Presentations by: Gene Shepherd, Commissioner of the Department of Public Safety; Carroll Bidler, Administrator of Administrative Services Division; Robert Heinson, Chief of Finance; George (Hank) Mayer, Director of the Communications Division; and Tom Ruxlow, Director of the Criminal Investigation Division.

Adjourned: 11:25 a.m.

AGRICULTURE

Convened: January 27, 1987, 1:36 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman, Goodwin, Rensink, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills and governor's appointees to subcommittees; approved SSB 18 as a committee bill and recommended passage of Senate File 28.

Adjourned: 1:56 p.m.

STATE GOVERNMENT

Convened: January 27, 1987, 2:30 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentations by the following in regard to possible need for AIDS legislation: Charles Helms, M.D., University of Iowa; Clarence Denser, M.D., Iowa Medical Society; LaVere Wintermeyer, M.D., Department of Public Health; Marilyn Van Tomme, Department of Corrections; Jeannine Freeman, Iowa Hospital Association; and Jack Kelly, Director of Disease Prevention, Department of Health.

Adjourned: 3:38 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 21

NATURAL RESOURCES: Hannon, Chair; Peterson and Rensink

Senate File 30

STATE GOVERNMENT: Dieleman, Chair; Bruner and Drake

Senate File 35

STATE GOVERNMENT: Bruner, Chair; Lloyd-Jones and Schwengels

Senate File 38

NATURAL RESOURCES: Priebe, Chair; Scott and Goodwin

Senate File 42

NATURAL RESOURCES: Hester, Chair; Priebe and Tieden

Senate File 44

STATE GOVERNMENT: Coleman, Chair; Horn and Drake

Senate File 46

NATURAL RESOURCES: Tieden, Chair; Peterson and Rensink

Senate File 47

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair; A. Miller and Holt.

Senate File 53

TRANSPORTATION: Coleman, Chair; Doyle and Jensen

Senate File 57

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Sturgeon and Soorholtz

SSB 56

AGRICULTURE: Peterson, Chair; Vande Hoef and Hall

SSB 58

STATE GOVERNMENT: Coleman, Chair; Nystrom and Bruner

SSB 59

STATE GOVERNMENT: Nystrom, Chair; Schwengels and Horn

SSB 60

STATE GOVERNMENT: Soorholtz, Chair; Schwengels and Horn

SSB 61

STATE GOVERNMENT: Carr, Chair; Bruner and Drake

SSB 62

STATE GOVERNMENT: Carr, Chair; Bruner and Drake

SSB 63

NATURAL RESOURCES: Priebe, Chair; Husak and Tieden

SSB 64

NATURAL RESOURCES: Schwengels, Chair; Scott and Goodwin

SSB 65

NATURAL RESOURCES: Schwengels, Chair; Hannon and Rensink

SSB 66

NATURAL RESOURCES: Tieden, Chair; Peterson and Hester

SSB 67

NATURAL RESOURCES: Scott, Chair; Schwengels and Doyle

SSB 68

NATURAL RESOURCES: Schwengels, Chair; Scott and Goodwin

SSB 69

NATURAL RESOURCES: Rensink, Chair; Peterson and Scott

SSB 70

NATURAL RESOURCES: Peterson, Chair; Goodwin and Scott

SSB 72

TRANSPORTATION: Coleman, Chair; Lloyd-Jones and Nystrom

LSB 1139

BUSINESS AND LABOR RELATIONS: Mann, Chair; Gettings and Hultman

COMMITTEE REPORT**AGRICULTURE**

Final Bill Action: SENATE FILE 91 (SSB 18), a bill for an act relating to the appointment of the Secretary of the State Fair Board.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, A. Miller, Boswell, Fraise, Hall, Husak, Scott, Hester, Fuhrman, Goodwin, Rensink, Soorholtz and Vande Hoef. Nays, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED**SSB 72 Transportation**

Authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, making technical corrections, and providing penalties.

SSB 73 State Government

Relating to the licensing of marital and family therapists, mental health counselors, and school psychologists.

AFTERNOON SESSION

The Senate reconvened at 4:41 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 84, by Holden, a bill for an act relating to continuing education programs for persons licensed to practice an occupation or profession in this state.

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

Senate File 85, by Sturgeon, a bill for an act requiring each gas and electric public utility to create a utility shutoff fund.

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

Senate File 86, by Hester, a bill for an act relating to the appointment and responsibilities of court reporters.

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

Senate File 87, by Hester, a bill for an act relating to court reporter responsibilities regarding the reporting of certain trial proceedings.

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

Senate File 88, by Riordan, Gettings, Murphy, Welsh, Lloyd-Jones, Wells, Carr, Sturgeon, and Fraise, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits.

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

Senate File 89, by Holt, a bill for an act relating to the liability for the cost of care and treatment for a mentally ill person.

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

Senate File 90, by Holt, a bill for an act relating to the county responsible for payment of costs for commitment or admission to a state hospital for the mentally ill.

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

Senate File 91, by Committee on Agriculture, a bill for an act relating to the appointment of the secretary of the state fair board.

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

Senate File 92, by Priebe, Carr, Gronstal, and Welsh, a bill for an act relating to the payments due to breeders of race-winning Iowa-whelped dogs from the Iowa horse and dog breeders fund and providing a retroactive effective date.

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

Senate File 93, by Bruner, a bill for an act relating to the regulation of pawnbrokers on a statewide basis and providing penalties.

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

UNFINISHED BUSINESS (Deferred January 27, 1987)

Senate File 29

The Senate resumed consideration of Senate File 29, a bill for an act to allow motor homes with an outside width up to eight feet six inches to travel on the public highways of the state, and amendment S—3014 by Senators Drake, Nystrom and Priebe to page 1 of the bill, deferred on January 27, 1987.

Senator Drake withdrew amendment S—3017 filed by him on January 27, 1987, to amendment S—3014.

Senator Drake offered amendment S—3018 filed by him from the floor to amendment S—3014 and moved its adoption.

Amendment S—3018 was adopted by a voice vote.

Senator Drake moved the adoption of amendment S—3014 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. 29) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Gentleman	Peterson
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Absent or not voting, 3:

Mann	Schwengels	Sturgeon
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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 ASSIGNED TO COMMITTEE

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

S. F.	65	Human Resources
S. F.	66	Appropriations
S. F.	67	Human Resources
S. F.	69	Local Government
S. F.	70	Agriculture
S. F.	71	Commerce
S. F.	72	Commerce
S. F.	73	Commerce
S. F.	74	State Government

AMENDMENT FILED

S—3018 S. F. 29 Richard F. Drake

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Thursday, January 29, 1987.

JOURNAL OF THE SENATE

EIGHTEENTH CALENDAR DAY
THIRTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, January 29, 1987

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

Prayer was offered by Father Gerald Ryan, pastor of the St. Anthony's Catholic Church, Des Moines, Iowa.

The Journal of Wednesday, January 28, 1987 was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 94, by Priebe, a bill for an act creating a four-year mortuary science degree program at the university of Iowa, and providing an appropriation.

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

Senate File 95, by Priebe, a bill for an act relating to the purchase of health-related equipment by certain hospitals and associated facilities.

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

Senate File 96, by Gettings, Fraise, Horn and Deluhery, a bill for an act authorizing limited gambling on excursion gambling boats by establishing an excursion boat gambling commission, by specifying the powers and duties of the commission, by imposing a tax on adjusted gross receipts from gambling, by requiring licenses and imposing fees, by allocating revenue received, by

making corresponding amendments to the Code, and by providing penalties for violations.

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.

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

The Senate resumed session, President pro tempore Kinley presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:45 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 28, 1987, 9:45 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Welsh and Soorholtz (arrived 10:00 a.m.).

Members Absent: none.

Committee Business: Presentations by the Lieutenant Governor and General Services.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 28, 1987, 9:30 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Overview of Department of Natural Resources.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 28, 1987, 9:40 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Department of Economic Development overviewed agency; Fiscal Bureau Director explained legislative oversight process.

Adjourned: 11:22 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 28, 1987, 9:40 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Murphy and Rensink.

Members Absent: Nystrom, Ranking Member.

Committee Business: Gary Nichols, Director of the Iowa College Aid Commission, discussed the work-study program; Paul Hoekstra, foreign language consultant, discussed the foreign language program.

Adjourned: 11:16 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 28, 1987, 9:45 a.m.

Members Present: Lloyd-Jones, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller (arrived 10:00 a.m.).

Members Absent: none.

Committee Business: Mary Ellis, Director of the Department of Health, presented testimony to the committee.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 28, 1987, 9:30 a.m.

Members Present: Sturgeon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Continuation of family maintenance program.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 28, 1987, 9:35 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Presentation by the Attorney General (general office, prosecutor internship program, farmer's legal assistance, farmer's mediation dispute resolution and consumer advocate).

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 28, 1987, 9:38 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member; Palmer and Schwengels.

Members Absent: none.

Committee Business: Budget presentations from the Department of Commerce: Credit Union Division, Savings and Loan Division and Utilities Division.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 28, 1987, 9:37 a.m.

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

Members Absent: none.

Committee Business: Presentations by: Gene Shepherd, Commissioner of the Department of Public Safety; Dr. Thomas Bennett, Medical Examiner; Major Earl Usher, Capitol Police and Colonel Frank Metzger, Iowa State Patrol.

Adjourned: 11:22 a.m.

BUSINESS AND LABOR RELATIONS

Convened: January 28, 1987, 1:37 p.m.

Members Present: Wells, Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman, Palmer and Vande Hoef.

Members Absent: Mann, Vice Chair (excused) and Welsh.

Committee Business: Assigned governor's appointees and LSB 1139 to subcommittees.

Adjourned: 1:45 p.m.

HUMAN RESOURCES

Convened: January 28, 1987, 2:37 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Coleman, Corning, Lind, C. Miller, Murphy and Sturgeon.

Members Absent: Readinger (excused) and Taylor.

Committee Business: Assigned governor's appointees and bill to subcommittees.

Adjourned: 2:42 p.m.

NATURAL RESOURCES

Convened: January 28, 1987, 1:35 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair (arrived 1:40 p.m.); Schwengels, Ranking Member; Doyle, Hannon, Husak, Peterson, Scott, Goodwin, Hester, Rensink and Tieden.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by Bob Fagerland and Larry Wilson from the Department of Natural Resources and Conservation.

Adjourned: 2:16 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: January 28, 1987, 8:05 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Assigned S.F. 47 to a subcommittee and presentation by Joe Ryan of Delavan Corporation.

Adjourned: 8:45 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 58

WAYS AND MEANS: Gronstal, Chair; Holt and Palmer

Senate File 59

WAYS AND MEANS: Palmer, Chair; Soorholtz and Riordan

SSB 71

WAYS AND MEANS: Riordan, Chair; Soorholtz and Murphy

PRESENTATION OF VISITOR

President pro tempore Kinley welcomed the Honorable Bill Reichardt, former member of the Senate from Polk County who was present in the Senate chamber.

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Zimmerman presiding.

COMMITTEE OF THE WHOLE

Senator Hutchins moved that the Senate now resolve itself into a committee of the whole to discuss Governor Terry E. Branstad's proposed tax revisions and that Senator Bruner serve as chair of the committee.

The motion prevailed by a voice vote.

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

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.

The following panelists appeared in the well of the Senate for questions and answers concerning proposed tax revisions:

Steve Gold - Director of Fiscal Studies, National Conference of State Legislatures

Dave Swenson - Institute of Public Affairs, University of Iowa

Gerald Bair - Director of the Department of Revenue and Finance

Carl Castelda - Deputy Director of the Department of Revenue and Finance

Richard Jacobs - Director of Research & Management Services Division, Department of Revenue and Finance.

Pat Cavanaugh - Director of the Department of Management.

Senator Gronstal took the chair at 2:30 p.m.

Senator Bruner took the chair at 2:35 p.m.

On motion of Senator Hutchins, the Senate arose from the committee of the whole and resumed regular session.

INTRODUCTION OF BILLS

Senate File 97, by Miller of Des Moines and Fraise, a bill for an act to authorize the expenditure of funds appropriated to the historical division of the department of cultural affairs for the fiscal year beginning July 1, 1986 and ending June 30, 1987 for the restoration of the old territorial capitol in Burlington to be used for the renovation of the Port of Burlington building in Burlington.

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

Senate File 98, 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**.

APPENDIX

APPOINTMENTS BY THE MAJORITY LEADER

Senator Hutchins announced the following appointments:

LEGISLATIVE FISCAL COMMITTEE (Terms expires January 9, 1989)

Senators Joe Welsh, Charles Bruner, George Kinley, Dale Tieden and Edgar H. Holden.

LEGISLATIVE COUNCIL COMMITTEES (Terms expire January 9, 1989)

Administration — Senators C. Joseph Coleman, Donald V. Doyle and Calvin O. Hultman.

Computer Outreach — Senators Donald V. Doyle, Chair; George Kinley and David Readinger.

Service — Senators Joe Welsh, Chair; Emil Husak and Lee Holt.

Studies — Senators Bill Hutchins, Chair; Emil Husak, C. Joseph Coleman, Calvin O. Hultman and David Readinger.

Capitol Space — Senators Bill Hutchins, Co-Chair; C. Joseph Coleman, Emil Husak, Calvin Hultman and David Readinger.

SUBCOMMITTEE ASSIGNMENTS

Senate File 52

COMMERCE: Deluhery, Chair; Priebe and Rife

Senate File 60

COMMERCE: Kinley, Chair; Sturgeon and Rife

Senate File 71

COMMERCE: Palmer, Chair; Deluhery and Holden

Senate File 72

COMMERCE: Palmer, Chair; Deluhery and Holden

Senate File 73

COMMERCE: Palmer, Chair; Deluhery and Holden

SSB 75

TRANSPORTATION: Scott, Chair; Gettings and Jensen

STUDY BILLS RECEIVED

SSB 74 State Government

Relating to special absentee ballots.

SSB 75 Transportation

Relating to movement of vehicles of excess size, weight, and load.

SSB 76 Local Government

Relating to the issuance of city and county general purpose bonds by approval of a majority of the voters.

SSB 77 Local Government

Relating to the payment for crop damages within the right-of-way of drainage improvements.

SSB 78 Natural Resources

Relating to the power of the director of the department of natural resources to grant variances for wastewater treatment.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:40 p.m., until 10:00 a.m., Monday, February 2, 1987.

JOURNAL OF THE SENATE

TWENTY-SECOND CALENDAR DAY
FOURTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 2, 1987

The Senate met in regular session at 10:00 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend John Gorter, pastor of the Calvary Christian Reformed Church, Pella, Iowa.

The Journal of Thursday, January 29, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Mann for the day on request of Senator Hutchins and Senator Schwengels for the morning on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 99, by Murphy, a bill for an act relating to the exemption from the state sales, services, and use tax of the fees paid to cities and counties for the privilege of participating in any athletic sports.

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

Senate File 100, by Priebe and Doyle, a bill for an act relating to state liquor store leases.

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

Senate File 101, by Husak, a bill for an act relating to mobile home taxes.

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

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 50.

Senate File 50

On motion of Senator Dieleman, Senate File 50, a bill for an act relating to the annual report of a school district, 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. 50) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Taylor
Tieden	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Mann	Murphy	Schwengels	Soorholtz
Sturgeon	Vande Hoef		

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

Senate Joint Resolution 4

On motion of Senator Hall, Senate Joint Resolution 4, a joint resolution to nullify an administrative rule of the department of natural resources establishing limitations on trapping and providing an effective date, was taken up for consideration.

Senator Hall moved the adoption of Senate Joint Resolution 4.

A non record roll call was taken.

The ayes were 44, nays 1.

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senate Joint Resolution 5

On motion of Senator Doyle, Senate Joint Resolution 5, a joint resolution nullifying a rule of the department of natural resources authorizing the reduction or waiver of certain fees at state parks and recreation areas and providing an effective date, was taken up for consideration.

Senator Doyle moved the adoption of Senate Joint Resolution 5.

A non record roll call was taken.

The ayes were 44, nays 1.

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senate File 25

On motion of Senator Boswell, Senate File 25, a bill for an act relating to bovine brucellosis, by requiring that the department of agriculture identify the state-approved premises and quarantined feedlots and cattle, attempt to adopt uniform rules, and examine the testing procedures, 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. 25) the vote was:

Ayes, 31:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hall	Holt
Horn	Husak	Kinley	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rife	Riordan
Scott	Soorholtz	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, 14:

Corning	Deluhery	Fuhrman	Gentleman
Goodwin	Hannon	Hester	Holden
Jensen	Lind	Miller, C.P.	Peterson
Rensink	Tieden		

Absent or not voting, 5:

Hultman	Hutchins	Mann	Schwengels
Sturgeon			

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 28.

Senate File 28

On motion of Senator Priebe, Senate File 28, a bill for an act relating to animal wastewater pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards, with report of committee recommending passage, was taken up for consideration.

Senator 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. 28) the vote was:

Ayes, 31:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hall	Hester
Horn	Husak	Jensen	Lloyd-Jones
Miller, A. V.	Murphy	Nystrom	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 12:

Carr	Corning	Fuhrman	Gentleman
Goodwin	Holden	Holt	Kinley
Lind	Palmer	Peterson	Riordan

Absent or not voting, 7:

Hannon	Hultman	Hutchins	Mann
Miller, C.P.	Schwengels	Sturgeon	

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 68.

Senate File 68

On motion of Senator Carr, Senate File 68, a bill for an act relating to the effective dates of laws and resolutions passed by the general assembly, providing for the applicability of the Act, and providing an effective date, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 68) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt

Horn	Husak	Jensen	Kinley
Lind	Lloyd-Jones	Miller, A. V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hultman	Hutchins	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.

Senator Husak asked and received unanimous consent that Senate File 68 be immediately messaged to the House.

COMMITTEE ON MEMORIALS

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

The motion prevailed by a voice vote and the Chair announced the appointment of Senators Coleman, Chair, Doyle, Holt and Schwengels.

INTRODUCTION OF BILL

Senate File 102, by Varn, a bill for an act relating to park user permits issued at less than the ordinary fee and providing an effective date.

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

RECESS

On motion of Senator Husak, the Senate recessed at 11:38 a.m., until 4:30 p.m.

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 103, by Sturgeon, a bill for an act relating to zoning and standards for temporary cottage housing units to allow elder and physically handicapped persons to reside on the same property as a primary dwelling.

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

Senate File 104, by Sturgeon, a bill for an act requiring certain persons to report suspected dependent adult abuse to the department of human services and providing penalties.

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

Senate File 105, by Horn, a bill for an act relating to the degree of evidence required for termination or nonrenewal of a school administrator's contract.

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

Senate File 106, by Horn, a bill for an act relating to evaluations of the performance of school administrators including requiring the adoption of job descriptions and evaluation criteria and procedures.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committees:

S. F.	75	State Government
S. F.	76	Local Government
S. F.	77	State Government
S. F.	78	State Government
S. F.	79	Local Government
S. F.	80	Rules and Administration
S. F.	81	Judiciary
S. F.	82	Local Government
S. F.	83	Commerce
S. F.	84	State Government
S. F.	85	Environment and Energy Utilities
S. F.	86	Judiciary
S. F.	87	Judiciary
S. F.	88	Business and Labor Relations
S. F.	89	Human Resources
S. F.	90	Local Government
S. F.	92	State Government
S. F.	93	State Government
S. F.	94	Appropriations
S. F.	95	Human Resources
S. F.	96	State Government
S. F.	97	Appropriations
S. F.	98	Appropriations

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: January 29, 1987, 9:56 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Welsh and Soorholtz (arrived 10:02 a.m.).

Members Absent: Jensen, Ranking Member (excused).

Committee Business: Presentations by General Services and General Services Division of Information Service (formerly Central Data Processing).

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: January 29, 1987, 9:50 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Mr. Wilson, Department of Natural Resources, presented in-depth material on Administrative Services Division and Information and Communications Division.

Adjourned: 11:20 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: January 29, 1987, 10:02 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: LFB presented explanation of funding from lottery proceeds compared with governor's recommendation for FY 88; presentation by Department of Economic Development regarding domestic marketing, international trade, ambassador, small business and export finance programs.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: January 29, 1987, 9:57 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Rensink and Murphy.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Presentation by William Jackson, Director of the Department of Cultural Affairs.

Adjourned: 10:51 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: January 29, 1987, 9:56 a.m.

Members Present: Lloyd-Jones, Chair; Scott, Vice Chair; Readinger, Ranking Member, Gentleman and A. Miller.

Members Absent: none.

Committee Business: Budget presentation by Mary Ellis, Director of the Department of Health.

Adjourned: 11:48 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: January 29, 1987, 10:00 a.m.

Members Present: Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: Sturgeon, Chair (excused).

Committee Business: Continuation of family maintenance program.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: January 29, 1987, 9:55 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Prison Industries overview--Harry Cannon Farms; decision on programs to be evaluated.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: January 29, 1987, 10:03 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member; Palmer and Schwengels.

Members Absent: none.

Committee Business: Presentations by the Department of Commerce: Insurance Division, Professional Licensing and Regulation Division and Gaming Division.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: January 29, 1987, 9:57 a.m.

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

Members Absent: none.

Committee Business: Review of the Department of Transportation; presentation by Warren Dunham, Director of the D.O.T.

Adjourned: 11:36 a.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Drake from sixty-eight residents of Iowa favoring legislation increasing funding to the State Transit Assistance Fund.

Senator Bruner from one hundred six residents of Iowa favoring repeal of legislation subjecting reflexology to the state sales tax.

NOTICE OF HEARINGS

Edward J. Stanek, appointed by the Governor as Commissioner of the Lottery, will appear before the Senate State Government investigating committee on February 5, 1987, at 11:30 a.m., Room 118, State Capitol Building.

JOE J. WELSH, Chair
SENATE INVESTIGATING COMMITTEE

Allan T. Thoms, appointed by the Governor as Director of the Department of Economic Development, will appear before the Senate Small Business and Economic Development investigating committee on February 10, 1987, at 4:30 p.m., Room 22, State Capitol Building.

LEONARD L. BOSWELL, Chair
SENATE INVESTIGATING COMMITTEE

**SUBCOMMITTEE REASSIGNMENT
FOR GOVERNOR'S APPOINTEE**

The following senators were reassigned on February 2, 1987, to a subcommittee of a standing committee to investigate the appointment of:

HUMAN RESOURCES

As Executive Director of the Department of Elder Affairs:

KAREN L. TYNES: Bruner, Chair; Readinger and Sturgeon

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 28 passed the Senate on February 2, 1987.

JOE J. WELSH

MADAM PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 4 passed the Senate on February 2, 1987.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate Joint Resolution 5 passed the Senate on February 2, 1987.

CALVIN O. HULTMAN

SUBCOMMITTEE ASSIGNMENTS**Senate File 66**

APPROPRIATIONS: Husak, Chair; Jensen and Dieleman

Senate File 94

APPROPRIATIONS: Varn, Chair; Holt and Fraise

Senate File 97

APPROPRIATIONS: Husak, Chair; Schwengels and Welsh

Senate File 98

APPROPRIATIONS: Husak, Chair; Readinger and Varn

STUDY BILLS RECEIVED**SSB 79 State Government**

Providing for the establishment of a public corporation to plan, establish and operate educational radio and television facilities and other educational telecommunications systems and services including narrowcast and broadcast systems to serve the educational and economic development needs of the state and to provide an effective date.

SSB 80 Judiciary

Creating and defining the crime of attempted theft, establishing varying degrees of the crime of attempted theft, and providing penalties.

SSB 81 Judiciary

Relating to the crime of conspiracy, and providing penalties.

SSB 82 Local Government

Relating to benefits paid to victims of heart and lung disease contracted by members of local police or fire retirement systems.

SSB 83 Human Resources

Repealing a pilot program regarding second opinions on elective surgery for medical assistance recipients.

SSB 84 Human Resources

Relating to the definition of foster care.

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:32 p.m., until 9:00 a.m., Tuesday, February 3, 1987.

JOURNAL OF THE SENATE

TWENTY-THIRD CALENDAR DAY
FIFTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 3, 1987

The Senate met in regular session at 9:05 a.m., Senator Vande Hoef presiding.

Prayer was offered by the Reverend Ron Kitterman, pastor of the Methodist Church, Aurelia, Iowa.

The Journal of Monday, February 2, 1987, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 2, 1987, amended and passed the following bill in which the concurrence of the House was asked:

Senate File 19, a bill for an act relating to the giving of gifts to public employees and officials and to candidates and subjecting violators to a penalty and providing and effective date (S—3019).

INTRODUCTION OF BILLS

Senate File 107, by Priebe, a bill for an act to provide for the levying of a property tax under the state school foundation formula to replace property tax revenue not paid on tax exempt property in a school district.

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

Senate File 108, by Wells, a bill for an act relating to the limitation on the length of service of members on certain professional and occupational licensing boards.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the week on request of Senator Hutchins.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: February 2, 1987, 2:37 p.m.

Members Present: Wells, Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman, Palmer, Vande Hoef and Welsh.

Members Absent: Mann, Vice Chair (excused).

Committee Business: Presentation by Ralph Hoxbergen, Actuary for the Department of Employment Services, regarding the unemployment trust fund; the committee resolved into a committee of the whole and received a presentation by John Boem, Executive Assistant to Paul Moran regarding Chapter 96 — question and answer period followed.

Adjourned: 3:32 p.m.

HUMAN RESOURCES

Convened: February 2, 1987, 2:40 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger and Taylor.

Members Absent: Sturgeon.

Committee Business: Presentations regarding SSB 50 by: Alicia Smith and Jim Kisthard, organ procurement program, University of Iowa Hospitals and Clinics; Jeanine Freeman, Iowa Hospital Association; Thom Iles, Blue Cross and Blue Shield; and Kraig Boysen, The Principal Financial Group.

Adjourned: 3:40 p.m.

JUDICIARY

Convened: February 2, 1987, 1:35 p.m.

Members Present: Doyle, Chair; Holt, Ranking Member; Carr, Coleman, Deluhery (arrived 1:40 p.m.), Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Mann, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 24 as a committee bill; discussed and deferred action on SSB 53 and S.F. 34; amended SSB 55 and ordered redrafted for final approval as a committee bill; recommended confirmation of Governor's appointments.

Adjourned: 2:33 p.m.

LOCAL GOVERNMENT

Convened: February 2, 1987, 3:38 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Kinley, C. Miller (arrived 3:47 p.m.), Taylor (arrived 3:42 p.m.) and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; presentation by Dave Long and Roger Nowadzky, Iowa League of Municipalities.

Adjourned: 4:25 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 51

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Hester

Senate File 54

LOCAL GOVERNMENT: Hall, Chair; Vande Hoef and C. Miller

Senate File 55

STATE GOVERNMENT: Welsh, Chair; Coleman and Soorholtz

Senate File 56

LOCAL GOVERNMENT: Hall, Chair; Fraise and Goodwin

Senate File 61

JUDICIARY: Coleman, Chair; Horn and Gentleman

Senate File 65

HUMAN RESOURCES: Gentleman, Chair; Hannon and Carr

Senate File 67

HUMAN RESOURCES: Carr, Chair; Bruner and Taylor

Senate File 69

LOCAL GOVERNMENT: A. Miller, Chair; Goodwin and Jensen

Senate File 70

AGRICULTURE: Scott, Chair; Fraise and Rensink

Senate File 74

STATE GOVERNMENT: Carr, Chair; C. Miller and Nystrom

Senate File 75

STATE GOVERNMENT: Carr, Chair; Drake and Bruner

Senate File 77

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones and Schwengels

Senate File 78

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones and Schwengels

Senate File 81

JUDICIARY: Horn, Chair; Mann and Gentleman

Senate File 83

COMMERCE: Lind, Chair; Carr and Priebe

Senate File 84

STATE GOVERNMENT: Rife, Chair; C. Miller and Nystrom

Senate File 86

JUDICIARY: Mann, Chair; Doyle and Hester

Senate File 87

JUDICIARY: Mann, Chair; Doyle and Hester

Senate File 92

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

Senate File 93

STATE GOVERNMENT: Lloyd-Jones, Chair; Bruner and Gentleman

Senate File 96

STATE GOVERNMENT: Horn, Chair; Carr and Soorholtz

SSB 73

STATE GOVERNMENT: Dieleman, Chair; Horn and Soorholtz

SSB 74

STATE GOVERNMENT: Gronstal, Chair; Nystrom and Dieleman

SSB 76

LOCAL GOVERNMENT: Hall, Chair; A. Miller and Vande Hoef

SSB 77

LOCAL GOVERNMENT: Taylor, Chair; Fraise and Vande Hoef

SSB 79

STATE GOVERNMENT: Drake, Chair; Gronstal and Carr

SSB 80

JUDICIARY: Varn, Chair; Mann and Gentleman

SSB 81

JUDICIARY: Varn, Chair; Mann and Holt

SSB 82

LOCAL GOVERNMENT: Wells, Chair; Kinley and Taylor

SSB 83

HUMAN RESOURCES: Coleman, Chair; Carr and Readinger

SSB 84

HUMAN RESOURCES: Readinger, Chair; Bruner and Hannon

LSB 6020

AGRICULTURE: Boswell, Chair; Fraise and Rensink

COMMITTEE REPORT**JUDICIARY**

Final Bill Action: SENATE FILE 110 (SSB 24), a bill for an act relating to forms of acknowledgments.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NOTICE OF HEARINGS

Linda Ann Groves, appointed by the Governor to the Commission on the Deaf, will appear before the Senate Human Resources investigating committee on February 10, 1987, at 1:00 p.m., Room 24, State Capitol Building.

JIM LIND, Chair
SENATE INVESTIGATING COMMITTEE

F. Forbes Olberg, appointed by the Governor to the Iowa Economic Development Board, will appear before the Senate Small Business and Economic Development investigating committee on February 10, 1987, at 5:00 p.m., Room 24, State Capitol Building.

BEVERLY A. HANNON, Chair
SENATE INVESTIGATING COMMITTEE

Nancy Norman, appointed by the Governor as Commissioner of the Department of Human Services, will appear before the Senate Human Resources investigating committee on February 11, 1987, at 12:00 noon, Room 22, State Capitol Building.

BOB CARR, Chair
SENATE INVESTIGATING COMMITTEE

Patrick D. Cavanaugh, appointed by the Governor as Director of the Department of Management, will appear before the Senate State Government investigating committee on February 9, 1987, at 11:00 a.m., Room 22, State Capitol Building.

JOE J. WELSH, Chair
SENATE INVESTIGATING COMMITTEE

APPOINTMENTS BY THE MAJORITY LEADER

Senator Hutchins announced the following appointments:

COMMISSION ON INTERSTATE COOPERATION (Terms expire on February 1, 1989)

Senators Hurley Hall, Beverly Hannon, Kenneth Scott, Ray Taylor and Jack Hester.

STUDY BILLS RECEIVED

SSB 85 Ways and Means

Relating to cigarette and tobacco tax assessment periods, penalties and appeal periods, offsetting of claims against the state with a person's liabilities to the state, tax return confidentiality, the filing of sales and services tax refund claims, audit periods for sales, services, and use tax returns, use tax penalty, and penalties for interfering with department of revenue and finance employees in the performance of their duties.

SSB 86 Small Business and Economic Development

Relating to economic crisis relief by providing for a small business legal services program and a small business mediation program, making appropriations, and providing an effective date.

AMENDMENT FILED

S-3019

S.F.

19

House amendment

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 7, by Riordan, Doyle, Priebe, Boswell, Murphy, Bruner, Gronstal, Husak, Miller of Cerro Gordo, Coleman, Fraise, Miller of Des Moines, Scott, Gettings and Hannon, a concurrent resolution to urge and request that the Congress immediately pass the "Save the Family Farm Act".

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

INTRODUCTION OF BILLS

Senate Joint Resolution 6, by Taylor, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of congress until an intervening election of representatives has occurred.

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

Senate File 109, by Sturgeon, a bill for an act relating to the compensation of personal representatives, assistants to personal representatives, and other fiduciaries, providing for review of the compensation under the probate code, and providing an effective date.

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

Senate File 110, by Committee on Judiciary, a bill for an act relating to forms of acknowledgements.

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

Senate File 111, by Hultman, a bill for an act relating to unemployment compensation by reducing the taxable wage base for unemployment compensation effective January 1, 1988, establishing a permanent one-week waiting period for purposes of qualifying for unemployment compensation benefits, eliminating adjustments to weekly benefits based upon the number

of dependents, establishing an incremental scale for the determination of taxable wages upon which an employer's contribution is determined, and by changing the base period wage requirement for an employee to qualify for unemployment compensation benefits.

Read first time and passed on file.

Senate File 112, by Priebe, a bill for an act relating to the disclosure of the identity of persons receiving treatment at a community mental health center.

Read first time and passed on file.

Senate File 113, by Holt, a bill for an act providing that liens placed upon property for failure to pay for services provided by a sanitary district are superior to all other liens against the property.

Read first time and passed on file.

APPENDIX**BILLS ASSIGNED TO COMMITTEE**

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

S. F.	99	Ways and Means
S. F.	100	State Government
S. F.	101	Ways and Means
S. F.	102	Natural Resources
S. F.	103	Local Government
S. F.	104	Human Resources
S. F.	105	Education
S. F.	106	Education

PRESENTATION OF VISITOR

President Zimmerman welcomed the Honorable Lucas J. DeKoster, former member of the Senate from Sioux County, who was present in the Senate chamber.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Wednesday, February 4, 1987.

JOURNAL OF THE SENATE

TWENTY-FOURTH CALENDAR DAY
SIXTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 4, 1987

The Senate met in regular session at 9:02 a.m., Senator Coleman presiding.

Prayer was offered by Father John Gorman, retired priest of the Des Moines Diocese, West Des Moines, Iowa.

The Journal of Tuesday, February 3, 1987, was approved.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 3, by Committee on Ethics, a resolution to provide senate rules governing lobbyists for the seventy-second General Assembly.

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

Senate Resolution 4, by Committee on Ethics, a resolution to provide a senate code of ethics for the seventy-second General Assembly.

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

INTRODUCTION OF BILLS

Senate File 114, by Welsh, Lind, Drake, Coleman and Corning, a bill for an act requiring, to the extent practicable, that members of the state transportation commission be appointed so that at least one member resides within each congressional district in the state and providing an effective date.

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

Senate File 115, by Lind, a bill for an act to prohibit the sale of individual single serving size containers of beer or wine for consumption off the licensed premises in packages containing less than four such containers.

Read first time and passed on file.

MOTIONS TO RECONSIDER ADOPTED

Senator Hultman called up the motion to reconsider Senate Joint Resolution 4 filed by him on February 2, 1987, found on page 235 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.J.R. 4) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Lind	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Tieden

Absent or not voting, 8:

Doyle	Holden	Jensen	Kinley
Mann	-Miller, C.P.	Schwengels	Soorholtz

The motion prevailed.

Senator Hultman moved to reconsider the vote by which Senate Joint Resolution 4 went to its last reading, which motion prevailed by a voice vote.

Senate Joint Resolution 4

On motion of Senator Hultman, Senate Joint Resolution 4, a joint resolution to nullify an administrative rule of the department of natural resources establishing limitations on trapping and providing an effective date, was taken up for reconsideration.

Senator Hultman 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. 4) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Miller, A. V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Holden	Kinley	Mann	Miller, C.P.
Soorholtz			

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

Senator Hultman called up the motion to reconsider Senate Joint Resolution 5 filed by him on February 2, 1987, found on page 235 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.J.R. 5) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Sturgeon	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Tieden

Absent or not voting, 7:

Hannon	Holden	Kinley	Mann
Miller, C.P.	Soorholtz	Taylor	

The motion prevailed.

Senator Hultman moved to reconsider the vote by which Senate Joint Resolution 5 went to its last reading, which motion prevailed by a voice vote.

Senate Joint Resolution 5

On motion of Senator Hultman, Senate Joint Resolution 5, a joint resolution nullifying a rule of the department of natural resources authorizing the reduction or waiver of certain fees at state parks and recreation areas and providing an effective date, was taken up for reconsideration.

Senator Hultman 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. 5) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle

Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Miller, A.V.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Holden	Kinley	Mann	Miller, C.P.
Palmer			

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:28 a.m., until 4:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES**

Convened: February 3, 1987, 10:00 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Tieden and Priebe.

Members Absent: none.

Committee Business: Presentations by Larry Bean, oil overcharge funds and George Hallberg, agricultural energy management fund.

Adjourned: 11:32 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 3, 1987, 10:30 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Staff from the Department of Management and Department of Economic Development responded to inquiries of marketing programs and governor's recommendations; presentation by the DED regarding domestic marketing and tourism programs.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 3, 1987, 10:23 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Rensink and Murphy.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Presentation by the University of Iowa regarding the governor's blue ribbon commission, indigent patient obstetrical care and organ transplant.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 3, 1987, 10:28 a.m.

Members Present: Lloyd-Jones, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller.

Members Absent: none.

Committee Business: Presentation by Karen L. Tynes, Executive Director of the Department of Elder Affairs.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 3, 1987, 10:45 a.m.

Members Present: Sturgeon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Discussed welfare reform initiatives, job training, grant diversions, health insurance and medically needy retraining (farmers, dislocated workers), and self-employment barriers.

Adjourned: 12:03 p.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 3, 1987, 10:30 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

Members Absent: Palmer.

Committee Business: Presentation from the Department of Inspections and Appeals.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 3, 1987, 10:28 a.m.

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

Members Absent: none.

Committee Business: Presentations by Ian Mac Gillivray, Planning and Research Director and Warren Dunham, Director of the D.O.T.; discussed rise program and transportation 2000.

Adjourned: 11:20 a.m.

AGRICULTURE

Convened: February 3, 1987, 1:34 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member (arrived 1:40 p.m.); Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman (arrived 1:40 p.m.), Goodwin (arrived 1:40 p.m.), Rensink, Soorholtz and Vande Hoef (arrived 1:40 p.m.).

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved LSB 6020 as a committee bill; discussed Governor's appointees; presentation by William R. Bernau, Superintendent of Banking.

Adjourned: 2:30 p.m.

ETHICS

Convened: February 3, 1987, 3:35 p.m.

Members Present: Gettings, Vice Chair; Taylor, Ranking Member; Husak and Drake.

Nonlegislative Members Present: DeKoster.

Members Absent: Mann, Chair (excused).

Nonlegislative Members Absent: Schantz (excused).

Committee Business: Discussed House amendment S—3019 to Senate File 19; amended and adopted proposed resolution regarding senate rules governing lobbyists; adopted proposed resolution regarding senate code of ethics.

Adjourned: 4:18 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 3, 1987, 3:35 p.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Presentation by Ron Manning, State Director of Small Business Development Centers.

Adjourned: 4:15 p.m.

STATE GOVERNMENT

Convened: February 3, 1987, 2:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Schwengels, Soorholtz, Welsh and Bruner (excused until 3:00).

Members Absent: none.

Committee Business: Recommended confirmation of Governor's appointees Steven R. Clark, K. Marie Thayer, Jean H. Kaung and Richard L. Morrell to the En Bloc Calendar; discussed SSB 79; assigned bills to subcommittees.

Adjourned: 3:30 p.m.

STUDY BILLS RECEIVED

SSB 87 Judiciary

Relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities.

SSB 88 Judiciary

Relating to statutory corrections of a noncontroversial and nonsubstantive nature.

SSB 89 Ways and Means

Relating to the treatment of certain interest and dividends received from and the loss suffered from the sale of a share of a regulated investment company in determining state individual and corporate income taxes and providing an effective date.

SSB 90 Judiciary

Relating to subpoenas of witnesses in civil cases.

SSB 91 Judiciary

Relating to presentence investigations.

NOTICE OF HEARINGS

Karen L. Tynes, appointed by the Governor as Executive Director of the Department of Elder Affairs, will appear before the Senate Human Resources investigating committee on February 11, 1987, at 4:30 p.m., Room 22.

CHARLES BRUNER, Chair
SENATE INVESTIGATING COMMITTEE

William H. Jackson, appointed by the Governor as Director of the Department of Cultural Affairs, will appear before the Senate Education investigating committee on February 10, 1987, at 8:00 a.m., Room 22.

RICHARD J. VARN, Chair
SENATE INVESTIGATING COMMITTEE

Larry J. Wilson, appointed by the Governor as Director of the Department of Natural Resources, will appear before the Senate Natural Resources investigating committee on February 11, 1987, at 8:00 a.m., Room 22.

BERL E. PRIEBE, Chair
SENATE INVESTIGATING COMMITTEE

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the following Governor's appointments, completed its investigation on February 3, 1987, and recommended the appointees be confirmed:

Fred Tomlinson for appointment as a member of the Iowa Grain Indemnity Fund Board.

Jack H. Miller for appointment as a member of the State Soil Conservation Committee.

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigation on February 4, 1987, and recommended the appointees be confirmed:

Ann B. Thompson for appointment as Administrator of the Division of Children, Youth and Families.

Diana Leonard for appointment as Administrator of the Division of Deaf Services.

Donald Westergard for appointment as Administrator of the Division of Persons with Disabilities.

Charlotte B. Nelson for appointment as Administrator of the Division of the Status of Women.

Miguel Teran for appointment as Administrator of the Division of Spanish-speaking People.

Deborah S. Roberson for appointment as a member of the Criminal and Juvenile Justice Advisory Council.

Jill Bouslog for appointment as a member of the Commission on the Deaf.

Shirley A. Hampton for reappointment as a member of the Commission on the Deaf.

Lois R. Miller for appointment as a member of the Mental Health and Mental Retardation Commission.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigation on February 3, 1987, and recommended the appointees be confirmed:

Richard L. Morrell for appointment as Administrator of the Alcoholic Beverages Division.

Jean H. Kaung for appointment as a member of the Personnel Commission.

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE CONCURRENT RESOLUTION 8 (LSB 6020), a concurrent resolution relating to the federal conservation reserve program.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman, Goodwin, Rensink, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ETHICS

Final Bill Action: SENATE RESOLUTION 3, a resolution to provide senate rules governing lobbyists for the seventy-second General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Gettings, Taylor, Drake, Husak and DeKoster (nonlegislative member). Nays, none. Absent or not voting, 2: Mann and Schantz (nonlegislative member).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 4, a resolution to provide a senate code of ethics for the seventy-second General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Gettings, Taylor, Drake, Husak and DeKoster (nonlegislative member). Nays, none. Absent or not voting, 2: Mann and Schantz (nonlegislative member).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 80

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

Senate File 85

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Sturgeon and Rife

SSB 85

WAYS AND MEANS: Dieleman, Chair; Hester and Murphy

SSB 89

WAYS AND MEANS: Gronstal, Chair; Holt and Riordan

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 8, by committee on Agriculture, a concurrent resolution relating to the federal conservation reserve program.

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

INTRODUCTION OF BILLS

Senate File 116, by Hall and Tieden, a bill for an act to remove the restriction on holding other liquor control licenses on premises licensed under a class "E" liquor control license.

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

Senate File 117, by Nystrom, a bill for an act relating to the qualifications of the chief of a fire department.

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

Senate File 118, by Priebe, a bill for an act requiring an insurer to reduce premiums for automobile liability and property damage insurance for a two-year period for insureds age fifty-five or older who successfully complete an approved motor vehicle accident prevention course.

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

Senate File 119, by Priebe, a bill for an act relating to the maximum medical assistance reimbursement rate for intermediate care facilities.

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

Senate File 120, by Carr, a bill for an act relating to the prospective repeal of statutory provisions dealing with water resource districts.

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

Senate File 121, by Gettings, Holt, Priebe, Vande Hoef, Lind, Hall, Rensink, Fuhrman, Peterson, Goodwin, Gentleman, Schwengels, Scott, Coleman, Fraise, Miller of Cerro Gordo, Gronstal, Dieleman, Holden, Jensen, Taylor, Soorholtz, Boswell, Hannon, Riordan, Miller of Des Moines and Murphy, a bill for an act to repeal the private sale of alcoholic liquor for consumption off the licensed premises and providing penalties.

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

Senate File 122, by Horn, a bill for an act to provide for an exemption from participation in physical education activities for students participating in marching band.

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

Senate File 123, by Horn, a bill for an act to provide for early retirement under the Iowa public employees' retirement system without a reduction in the monthly retirement allowance during the fiscal year beginning July 1, 1987.

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

Senate File 124, by Horn, a bill for an act requiring the state board of regents to waive tuition costs for certain teachers under certain conditions.

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

Senate File 125, 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 126, by committee on Human Resources, a bill for an act relating to the deputy director of the department of public health responsible for the substance abuse programs.

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

APPENDIX

REPORTS OF STANDING COMMITTEES (Place Nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the following Governor's appointments, completed its investigation on February 4, 1987, and recommended the appointees be confirmed:

William D. Hager for appointment as Commissioner of Insurance.

Margaret M. Chadwell for appointment as a member of the Credit Union Review Board.

Betty Lou Minor for appointment as Superintendent of Credit Unions.

Gregg Alan Barcus for appointment as Superintendent of Savings and Loan Associations.

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigation on February 2, 1987, and recommended the appointees be confirmed:

Lillie Virginia Harper for appointment as a part-time member of the Board of Parole.

Robert A. Jackson, Sr. for appointment as a full-time member of the Board of Parole.

Walter L. Saur for appointment as a full-time member of the Board of Parole.

Inga Bumbarly-Langston for appointment as Director of the Iowa State Civil Rights Commission.

Charles L. Harrington for appointment as State Appellate Defender.

REPORTS OF STANDING COMMITTEES
(Place Nominees on Individual Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigation on February 4, 1987, and recommended the appointees be confirmed:

Karen L. Tynes for appointment as Executive Director of the Department of Elder Affairs.

Mary L. Ellis for appointment as Director of the Department of Public Health.

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the appointment of Larry J. Wilson as Director of the Department of Natural Resources, completed its investigation on February 4, 1987, and made no recommendation.

COMMITTEE REPORT

HUMAN RESOURCES

Final Bill Action: SENATE FILE 126 (SSB 41), a bill for an act relating to the deputy director of the department of public health responsible for the substance abuse programs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hannon, Gentleman, Bruner, Corning, Lind, Readinger and Sturgeon. Nays, none. Absent or not voting, 5: Carr, Coleman, C. Miller, Murphy and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	107	Ways and Means
S. F.	108	State Government
S. F.	109	Judiciary

S. F.	111	Business and Labor
S. F.	112	Human Resources
S. F.	113	Local Government
S. F.	114	State Government
S. J. R.	6	State Government
S. C. R.	7	Agriculture

AMENDMENTS FILED

S—3020	S. F.	19	Emil J. Husak Donald Gettings Richard F. Drake Ray Taylor
S—3021	S. R.	3	Ray Taylor Emil J. Husak Richard F. Drake Donald Gettings

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Thursday, February 5, 1987.

JOURNAL OF THE SENATE

TWENTY-FIFTH CALENDAR DAY
SEVENTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 5, 1987

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

Prayer was offered by the Reverend Mary Johnston, pastor of the United Methodist Church, Stuart, Iowa.

The Journal of Wednesday, February 4, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lloyd-Jones for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 127, by Deluhery, Carr, Gronstal, Rife, Priebe, Welsh, Sturgeon and Lind, a bill for an act relating to the powers, membership, directors, and officers, and other requirements of credit unions.

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

Senate File 128, by Sturgeon, a bill for an act relating to juvenile justice and children in need of services, the disclosure of certain child abuse information to guardians ad litem, the detention of juveniles for simple misdemeanors, the detention of juveniles in adult detention facilities, and state reimbursement for certain juvenile justice costs, and providing an effective date.

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

Senate File 129, by Miller of Des Moines, a bill for an act relating to the sale of unused highway right of way by the county board of supervisors.

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

Senate File 130, by committee on State Government, a bill for an act to provide that moneys deposited in the barrel tax fund and the gallonage tax fund shall not revert to the state general fund without a specific appropriation, and providing for retroactive applicability of the Act.

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

HOUSE AMENDMENT CONSIDERED

Senate File 19

Senator Gettings called up for consideration Senate File 19, a bill for an act relating to the giving of gifts to public employees and officials and to candidates and subjecting violators to a penalty and providing an effective date, amended by the House in House amendment S—3019 filed February 3, 1987.

Senator Husak offered amendment S—3020 filed by Senators Husak, et al., on February 4, 1987, to page 6 of House amendment S—3019 and moved its adoption.

Amendment S—3020 was adopted by a voice vote.

Senator Gettings moved that the Senate concur in House amendment S—3019 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 19) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, C.P.

Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Lloyd-Jones	Mann	Miller, A.V.	Scott
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF RESOLUTIONS

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

Senate Resolution 4

On motion of Senator Gettings, Senate Resolution 4, a resolution to provide a senate code of ethics for the seventy-second General Assembly, was taken up for consideration.

Senator Gettings moved the adoption of Senate Resolution 4.

A non record roll call was taken.

The ayes were 44, nays 0.

The motion prevailed and resolution was adopted.

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

Senate Resolution 3

On motion of Senators Gettings, Senate Resolution 3, a resolution to provide senate rules governing lobbyists for the seventy-second General Assembly, was taken up for consideration.

Senator Taylor offered amendment S—3021 filed by Senators Taylor, et al., on February 4, 1987, to pages 7 and 8 of the resolution and moved its adoption.

Amendment S—3021 was adopted by a voice vote.

Senator Gettings moved the adoption of Senate Resolution 3 as amended.

A non record roll call was taken.

The ayes were 47, nays 0.

The motion prevailed and the resolution was adopted.

MOTION TO RECONSIDER WITHDRAWN

Senator Coleman withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 19 passed the Senate on February 5, 1987.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 19** be immediately messaged to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:35 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 4, 1987, 9:40 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Soorholtz and Welsh (arrived 10:35 a.m.).

Members Absent: none.

Committee Business: Presentations by the Department of Revenue and Finance and the Lottery Division.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 4, 1987, 9:40 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Presentations by Larry Wilson: overview of parks and recreation and preserves division and energy and geological resources division of the Department of Natural Resources.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 4, 1987, 10:12 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Department of Economic Development responded to inquiries regarding tourism and marketing programs; gave presentations on community progress program and Mississippi River Parkway Commission, youth services, child care and displaced homemaker and job training programs.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 4, 1987, 9:43 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy (arrived 11:13 a.m.) and Rensink.

Members Absent: none.

Committee Business: Presentation by the Department of Education; discussed pilot prekindergarten program, juvenile homes, foster care and school accreditation.

Adjourned: 11:19 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 4, 1987, 9:45 a.m.

Members Present: Lloyd-Jones, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller.

Members Absent: none.

Committee Business: Presentations by licensing boards and the medical, dental and pharmacy examiners.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 4, 1987, 9:45 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Budget hearing on the Department of Corrections: discussed the correctional facilities in Anamosa, Mt. Pleasant and Mitchellville.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 4, 1987, 9:45 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member; Schwengels and Palmer.

Members Absent: none.

Committee Business: Presentation by the Department of Inspections and Appeals.

Adjourned: 11:45 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 4, 1987, 2:35 p.m.

Members Present: Wells, Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Vande Hoef, Palmer, Welsh and Hultman (arrived 2:48 p.m.).

Members Absent: Mann, Vice Chair (excused).

Committee Business: Recommended confirmation of Richard Freeman to the Individual Confirmation Calendar; recommended confirmation of Norma Lock, Mary Ann Stange, Richard Ramsey, Scot Beckenbaugh and James Althaus to the En Bloc Confirmation Calendar.

Adjourned: 2:50 p.m.

COMMERCE

Convened: February 4, 1987, 1:35 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member (arrived 2:15 p.m.); Carr, Gronstal, Holden (arrived 1:40 p.m.), Kinley, Lind (arrived 1:40 p.m.), Nystrom, Priebe, Rife (arrived 1:40 p.m.), Sturgeon, Tieden and Welsh.

Members Absent: Mann (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees; presentation by William D. Hager, Insurance Commissioner.

Adjourned: 2:25 p.m.

EDUCATION

Convened: February 4, 1987, 3:42 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Lloyd-Jones.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Robert D. Benton to the En Bloc Calendar; presentation by Phil Dunshee, Iowa School Board Association.

Adjourned: 4:30 p.m.

HUMAN RESOURCES

Convened: February 4, 1987, 8:15 a.m.

Members Present: Hannon, Chair; Gentleman, Ranking Member; Bruner, Corning, Lind, Readinger and Sturgeon.

Members Absent: Carr, Vice Chair; Coleman, C. Miller, Murphy (excused) and Taylor (excused).

Committee Business: Recommended confirmation of Governor's appointees to En Bloc and Individual Confirmation Calendars; approved SSB 41 as a committee bill.

Adjourned: 8:39 a.m.

NATURAL RESOURCES

Convened: February 4, 1987, 2:36 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Hannon (arrived 2:39 p.m.), Husak, Peterson, Goodwin, Scott, Hester (arrived 2:40 p.m.), Rensink and Tieden.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; placed Larry Wilson, Director of the Department of Natural Resources, on the Individual Confirmation Calendar without recommendation; approved LSB 2052 and SSB 64 as committee bills.

Adjourned: 3:30 p.m.

RULES AND ADMINISTRATION

Convened: February 4, 1987, 4:45 p.m.

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

Members Absent: Kinley.

Committee Business: Approved bid on printing of legislative official directory; approved rule to excuse a governor's appointee from appearing twice before the Senate during one legislative session; approved memorial service of Pioneer Lawmakers for Senate chamber on April 22.

Adjourned: 4:56 p.m.

STUDY BILLS RECEIVED

SSB 40A Ways and Means

Relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed item, clarifying the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates.

SSB 92 Education

To establish an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the retention of quality teachers, and the enhancement of the quality and effectiveness of teachers, to provide appropriations, and to provide an effective date.

SSB 93 Human Resources

Relating to adoption decrees for children born outside of the United States.

NOTICE OF HEARING

Mary L. Ellis, appointed by the Governor as Director of the Department of Public Health, will appear before the Senate Human Resources investigating committee on February 12, 1987, at 4:30 p.m., Room 22.

RAY TAYLOR, Chair
SENATE INVESTIGATING COMMITTEE

CORRECTED NOTICE OF HEARING

William H. Jackson, appointed by the Governor as Director of the Department of Cultural Affairs, will appear before the Senate Education investigating committee on February 10, 1987, at 9:00 a.m., Room 22.

RICHARD J. VARN, Chair
SENATE INVESTIGATING COMMITTEE

COMMITTEE REPORTS**NATURAL RESOURCES**

Final Bill Action: SENATE FILE 133, a bill for an act relating to park user permits and their issuance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Hall, Schwengels, Doyle, Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, 1: Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 130 (SSB 59), a bill for an act to provide that moneys deposited in the barrel tax fund and the gallonage tax fund shall not revert to the state general fund without a specific appropriation, and providing for retroactive applicability of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES
(Place nominees on Individual Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the Governor's appointment of Owen D. Fincham as a member of the Iowa Grain Indemnity Fund Board, completed its investigation on February 5, 1987, and made no recommendation.

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the Governor's appointment of Richard G. Freeman as Director of the Department of Employment Services, completed its investigation and recommended the appointee be confirmed.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations, assigned to investigate the following Governor's appointments, completed its investigation on February 4, 1987, and recommended the appointments be confirmed:

James A. Althaus and Norma I. Lock for appointment as members of the Employment Appeal Board.

Richard R. Ramsey for appointment as Chair of the Public Employment Relations Board.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigation on February 3, 1987, and recommended the appointees be confirmed:

K. Marie Thayer as Administrator of the Professional Licensing and Regulation Division.

Steven R. Clark as a member of the Physical and Occupational Therapy Examining Board.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the Governor's appointment of Warren B. Dunham as Director of the Department of Transportation, completed its investigation on February 5, 1987, and recommended the appointee be confirmed.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 6

STATE GOVERNMENT: Coleman, Chair; Bruner and Drake

Senate File 99

WAYS AND MEANS: Boswell, Chair; Drake and Dieleman

Senate File 100

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 105

EDUCATION: Horn, Chair; Riordan and Rensink

Senate File 106

EDUCATION: Horn, Chair; Riordan and Taylor

Senate File 108

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

Senate File 114

STATE GOVERNMENT: Drake, Chair; Welsh and Coleman

SSB 92

EDUCATION: Horn, Chair; Bruner and Rensink

SSB 93

HUMAN RESOURCES: Murphy, Chair; Bruner and Gentleman

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 131, by Rensink, a bill for an act relating to the notice contained on assessment rolls sent to property owners concerning possible change in the valuation of the property.

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

Senate File 132, by Holt, a bill for an act relating to the payment of delinquent property taxes.

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

Senate File 133, by committee on Natural Resources, a bill for an act relating to park user permits and their issuance.

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

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 91.

Senate File 91

On motion of Senator Soorholtz, Senate File 91, a bill for an act relating to the appointment of the secretary of the state fair board, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 91) the vote was:

Ayes, 42:

- | | | | |
|----------|----------|-----------|---------|
| Boswell | Carr | Coleman | Corning |
| Deluhery | Dieleman | Doyle | Drake |
| Fraise | Fuhrman | Gentleman | Goodwin |

Gronstal
Horn
Jensen
Miller, C.P.
Peterson
Rife
Soorholtz
Varn

Hall
Hultman
Kinley
Murphy
Priebe
Riordan
Taylor
Wells

Hannon
Husak
Lind
Nystrom
Readinger
Schwengels
Tieden

Hester
Hutchins
Miller, A.V.
Palmer
Rensink
Scott
Vande Hoef

Nays, 1:

Welsh

Absent or not voting, 7:

Bruner
Lloyd-Jones

Gettings
Mann

Holden
Sturgeon

Holt

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 Zimmerman announced the assignment of the following bills to committee:

S. F.	115	State Government
S. F.	116	State Government
S. F.	117	Local Government
S. F.	118	Commerce
S. F.	119	Human Resources
S. F.	120	State Government
S. F.	121	State Government
S. F.	122	Education
S. F.	123	State Government
S. F.	124	Education
S. F.	125	Ways and Means
S. F.	127	Commerce
S. F.	128	Judiciary
S. F.	129	Local Government
S. F.	131	Ways and Means

COMMITTEE REPORT

STATE GOVERNMENT

Final Bill Action: SENATE FILE 114, a bill for an act requiring, to the extent practicable, that members of the state transportation commission be appointed so that at least one member resides within each congressional district in the state and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Coleman, Dieleman, Nystrom, Bruner, Drake, Gentleman, Gronstal, Horn, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NOTICE OF HEARING

Barbara Binnie, appointed by the Governor to the Board of Parole, will appear before the Senate Judiciary investigating committee on February 12, 1987, at 12:00 noon, Room 22, State Capitol Building.

DONALD V. DOYLE, Chair
COMMITTEE ON JUDICIARY

CORRECTED NOTICE OF HEARING

Patrick D. Cavanaugh, appointed by the Governor as Director of the Department of Management, will appear before the Senate State Government investigating committee on February 11, 1987, at 2:30 p.m., Room 24, State Capitol Building.

JOE J. WELSH, Chair
SENATE INVESTIGATING COMMITTEE

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:45 p.m., until 1:00 p.m., Monday, February 9, 1987.

JOURNAL OF THE SENATE

TWENTY-NINTH CALENDAR DAY
EIGHTEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 9, 1987

The Senate met in regular session at 1:08 p.m., Senator Horn presiding.

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

The Journal of Thursday, February 5, 1987, was approved.

INTRODUCTION OF BILLS

Senate File 134, by Boswell, a bill for an act relating to the redemption of beverage containers.

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

Senate File 135, by Husak, a bill for an act authorizing the establishment of a 911 emergency telephone service district and its dissolution, the election of trustees, the issuance of bonds, and the levy of taxes.

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

Senate File 136, by committee on Ways and Means, a bill for an act relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed items, clarifying the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates.

Read first time and placed on the **Ways and Means Calendar**.

Senate File 137, by Hutchins, a bill for an act relating to the pricing of the Code of Iowa and related publications.

Read first time and passed on file.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hannon and Mann for the day and Senator Wells for today and February 10, 1987, on request of Senator Hutchins.

RECESS

On motion of Senator Hutchins, the Senate recessed at 1:12 p.m., until 4:30 p.m.

RECONVENED

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 138, by Hutchins, a bill for an act relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985.

Read first time and passed on file.

Senate File 139, by Hutchins, a bill for an act allowing moneys received from the county government assistance fund or the municipal assistance fund to be used for economic development projects.

Read first time and passed on file.

Senate File 140, by Hultman, a bill for an act relating to the recovery by the division of job service of the department of employment services of unemployment compensation benefits improperly paid to an individual.

Read first time and passed on file.

Senate File 141, by committee on Transportation, a bill for an act relating to relief under bankruptcy for a judgment debtor from suspension of license, registration, or nonresident operating privilege under the motor vehicle financial responsibility requirements.

Read first time and placed on calendar.

Senate File 142, by committee on Transportation, a bill for an act to permit employees of the department of human services to transport clients and patients of the department without a chauffeur's license.

Read first time and placed on calendar.

Senate File 143, by Boswell, a bill for an act exempting gas public utilities having less than two thousand customers from the rate regulation authority of the utilities board and defining the areas in which such utilities remain subject to regulation.

Read first time and passed on file.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 5, 1987, 9:45 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Welsh and Soorholtz.

Members Absent: none.

Committee Business: Presentations by Doug Gross, office of the Governor and Patrick Cavanaugh, Director of the Department of Management.

Adjourned: 11:15 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 5, 1987, 9:42 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: In-depth description of services and budget requests of the Fish and Wildlife Division of the Department of Natural Resources.

Adjourned: 11:02 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 5, 1987, 9:47 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Presentation by the Department of Economic Development: community development block grant, community development loan, financing rural economic development, self-employed loan and community economic betterment account programs.

Adjourned: 11:48 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 5, 1987, 9:45 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Murphy and Rensink.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Gary Nichols, Director of the College Aid Commission, discussed summer institute programs, guaranteed student loans and tuition grant programs.

Adjourned: 11:22 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 5, 1987, 9:50 a.m.

Members Present: Scott, Vice Chair; Readinger, Ranking Member and Gentleman.

Members Absent: Lloyd-Jones, Chair and A. Miller (both excused).

Committee Business: Presentations relating to block grants by Mary Ellis, Director of the Department of Public Health, and Jim Smith from the Department of Human Rights.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 5, 1987, 9:45 a.m.

Members Present: Sturgeon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Discussed welfare reform.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 5, 1987, 9:45 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Presentation by the Department of Corrections regarding Rockwell City, Clarinda, Mitchellville and Newton.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 5, 1987, 9:45 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member; Palmer and Schwengels.

Members Absent: none.

Committee Business: Continued presentation by the Department of Inspections and Appeals.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 5, 1987, 9:47 a.m.

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

Members Absent: none.

Committee Business: Presentations by Ben Yarrington, Director and Ralph Ager, Assistant Director of the Iowa Law Enforcement Academy Council.

Adjourned: 10:46 a.m.

STATE GOVERNMENT

Convened: February 5, 1987, 2:43 p.m.

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

Members Absent: Lloyd-Jones (excused).

Committee Business: Discussed SSB 79 and assigned bills to subcommittees.

Adjourned: 3:33 p.m.

TRANSPORTATION

Convened: February 5, 1987, 1:35 p.m.

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

Members Absent: Lloyd-Jones and Nystrom (both excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of Warren Dunham to the En Bloc Calendar; approved SSBs 35 and 36 as committee bills.

Adjourned: 2:10 p.m.

WAYS AND MEANS

Convened: February 5, 1987, 3:41 p.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Dieleman, Gronstal, Murphy, Palmer, Riordan, Drake, Hester, Holt, Readinger, Soorholtz and Boswell.

Members Absent: Mann (excused).

Committee Business: Assigned bills to subcommittees; discussed Governor's appointees; approved SSB 40A as a committee bill.

Adjourned: 4:13 p.m.

COMMITTEE REPORTS

TRANSPORTATION

Final Bill Action: SENATE FILE 141 (SSB 35), a bill for an act relating to relief under bankruptcy for a judgment debtor from suspension of license,

registration, or nonresident operating privilege under the motor vehicle financial responsibility requirements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall and Jensen. Nays, none. Absent or not voting, 2: Lloyd-Jones and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 142 (SSB 36), a bill for an act to permit employees of the department of human services to transport clients and patients of the department without a chauffeur's license.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall and Jensen. Nays, none. Absent or not voting, 2: Lloyd-Jones and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 136 (SSB 40A), a bill for an act relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed items, clarifying the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Palmer and Riordan. Nays, 6: Holden, Drake, Hester, Holt, Readinger and Soorholtz. Absent or not voting, 1: Mann.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on February 5, 1987, and recommended the appointees be confirmed:

Keith Baker for appointment as Administrator of the Veterans Affairs Division.

Gwendolyn M. Boeke for appointment as a member of the Architectural Examining Board.

Suzan M. Stewart for appointment as a member of the Campaign Finance Disclosure Commission.

Jack C. Oatts for appointment as a member of the Investment Board (IPERS).

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Richard L. Morrell be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

BERL E. PRIEBE

STUDY BILLS RECEIVED

SSB 94 Environment and Energy Utilities

Relating to public health and safety by establishing measures to improve and protect groundwater quality and regulate substances which pose health and safety hazards; establishing goals, policies, programs, funding, and administrative provisions; establishing fertilizer and pesticide management programs, fee requirements, licensing provisions, and penalties; regulating water and agricultural drainage wells, sinkholes, watersheds, and wetlands; establishing and animal waste grant program; establishing solid waste management policies and fees; imposing a fee on household hazardous waste products, establishing a cleanup program and funding for the program, and providing penalties; establishing registration monitoring, and construction guidelines, and fees for aboveground and underground storage

tanks; and generally relating to public health and safety including groundwater protection.

SSB 95 Human Resources

Relating to the licensing of hospice programs.

SUBCOMMITTEE ASSIGNMENT

SSB 95

HUMAN RESOURCES: Bruner, Chair; Gentleman and Carr.

PETITIONS

The following petitions were presented and placed on file by:

Senator Vande Hoef from one hundred four residents of Lyon County opposing Senate confirmation of Governor's appointee Karen Tynes as Director of the Department of Elder Affairs.

Senator Palmer from eighty-three residents of Polk County favoring legislation to initiate and support a good comprehensive long-term health care and community based services bill for the elderly of Iowa.

The following petitions favoring legislation increasing funding to the State Transit Assistance Fund were presented and placed on file by:

Senator Riordan from one hundred four residents of Guthrie County.

Senator Holden from one hundred forty-four residents of Scott County.

Senator Husak from one hundred sixty-four residents of Benton County.

The following petitions opposing the privatization of state-owned liquor stores were presented and placed on file by:

Senator Bruner from one hundred forty-seven residents of Story and Marshall Counties.

Senator Hannon from one hundred ninety-one residents of Jones County.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

S. F. 132 Local Government

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:36 p.m., until 10:00 a.m., Tuesday, February 10, 1987.

JOURNAL OF THE SENATE

THIRTIETH CALENDAR DAY
NINETEENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 10, 1987

The Senate met in regular session at 10:03 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Roy Pasley, pastor of the First Baptist Church, Boone, Iowa.

The Journal of Monday, February 9, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Peterson for the day and Senators Dieleman and Bruner for the morning on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 144, by Fraise, a bill for an act to repeal the state park user fee and providing an effective date.

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

Senate File 145, 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 146, by Priebe, a bill for an act relating to the agricultural loan assistance program of the Iowa agricultural development authority.

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

Senate File 147, by Priebe, a bill for an act relating to the interest buy-down program of the Iowa agricultural development authority.

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

Senate File 148, by Lloyd-Jones, a bill for an act relating to gender balance in the appointment and election of judicial nominating commissioners.

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

Senate File 149, by Gronstal, a bill for an act relating to insurance by defining provider discrimination against persons licensed to practice dentistry as an unfair trade practice, if coverage is denied for a service rendered by a dentist within the lawful scope of the dentist's license, which would be a covered service if rendered by a person licensed to practice medicine and surgery.

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

Senate File 150, by Sturgeon, a bill for an act allowing employees to choose the care given under workers' compensation medical benefits.

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

Senate File 151, by Taylor, a bill for an act prohibiting outdoor advertising of tobacco products.

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 5, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 68, a bill for an act relating to the effective dates of laws and resolutions passed by the general assembly, providing for the applicability of the Act, and providing an effective date.

ALSO: That the House has on February 5, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 129, a bill for an act relating to forms of acknowledgements.

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

House File 130, a bill for an act relating to the notice required for forfeiture of real estate contracts.

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

House File 134, a bill for an act relating to the delegation of the authority to prevent, abate, or control air pollution.

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

House File 142, 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 February 9, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 153, a bill for an act relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed items, clarifying the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day on request of Senator Hutchins.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 126** be referred from the Regular Calendar to the committee on **State Government**.

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 Zimmerman announced the assignment of the following bills to committee:

S. F.	134	Environment and Energy Utilities
S. F.	135	Local Government
S. F.	137	State Government
S. F.	138	Agriculture
S. F.	139	Local Government
S. F.	140	Business and Labor Relations
S. F.	143	Environment and Energy Utilities

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: February 9, 1987, 1:33 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Hall, Husak, Peterson, Scott (arrived 1:37 p.m.), Goodwin, Rensink (arrived 1:37 p.m.), Soorholtz and Vande Hoef.

Members Absent: Fuhrman.

Committee Business: Assigned bills to subcommittees; presentation by Wally Dick, Department of Agriculture and Hope Mendenhall from Decatur County.

Adjourned: 2:39 p.m.

NATURAL RESOURCES

Convened: February 9, 1987, 2:45 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair (arrived 2:51 p.m.); Schwengels, Ranking Member; Goodwin, Hester, Husak, Peterson, Rensink, Scott and Tieden.

Members Absent: Doyle and Hannon (both excused).

Committee Business: Amended and approved S.F. 42 as a committee bill; approved request from the Department of Natural Resources for land purchased since 1980.

Adjourned: 3:18 p.m.

RULES AND ADMINISTRATION

Convened: February 9, 1987, 4:47 p.m.

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

Members Absent: Kinley.

Committee Business: Assigned subcommittee to proposed memorial session concurrent resolution: Hutchins, Chair; Hultman and Kinley; discussed the possibility of a Pages Ball.

Adjourned: 5:15 p.m.

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following Governor's appointments, completed its investigations on February 5, 1987, and recommended the appointees be confirmed:

Gerald D. Bair for appointment as Director of the Department of Revenue and Finance.

Richard P. Flagg and Joseph H. Harper for appointment as members of the Iowa Railway Finance Authority.

STUDY BILLS RECEIVED

SSB 96 Education

Providing that under certain circumstances the owner of a vehicle which is violating the warning lamps or stop arm of a school bus shall be deemed to be the driver and making penalties applicable.

SSB 97 Local Government

Relating to minimum salaries for the office of county sheriff.

SSB 98 Judiciary

Relating to the enforcement of child custody and visitation orders.

SSB 99 Judiciary

Relating to court orders for the custody of children.

SSB 100 Judiciary

To revise provisions relating to dangerous weapons and the carrying of dangerous weapons and knives, and providing penalties.

SSB 101 Commerce

Relating to the acquisition of an interest in banks conducting a banking business in Iowa or bank holding companies controlling one or more banks conducting a banking business in Iowa by an out-of-state bank holding company.

SSB 102 Commerce

To impose the premium tax on risk retention groups.

SSB 103 Commerce

Relating to the regulation of industrial loan companies.

SSB 104 Commerce

Relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all satellite terminals in this state or their data processing centers be directly connected to a central routing unit.

SSB 105 Commerce

To increase the required surplus of a reciprocal insurer.

SSB 106 Commerce

Creating an Iowa life and health insurance guaranty association, protecting persons, within limits, against the failure of certain life, health, and annuity contracts because of impairment or insolvency, specifying the powers and duties of the association, and providing administrative procedures and methods for the operation and financing of the association, including but not limited to the assessment of member insurers and the provision of a partial premium tax liability credit.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 7

AGRICULTURE: Fraise, Chair; A. Miller and Fuhrman

Senate File 109

JUDICIARY: Mann, Chair; Horn and Drake

Senate File 118

COMMERCE: Kinley, Chair; Priebe and Rife

Senate File 127

COMMERCE: Kinley, Chair; Priebe and Rife

Senate File 128

JUDICIARY: Gentleman, Chair; Deluhery and Holt

SSB 87

JUDICIARY: Doyle, Chair; Coleman and Holt

SSB 88

JUDICIARY: Doyle, Chair; Coleman and Holt

SSB 90

JUDICIARY: Doyle, Chair; Horn and Hester

SSB 91

JUDICIARY: Varn, Chair; Doyle and Holt

SSB 98

JUDICIARY: Horn, Chair; Gentleman and Varn

SSB 99

JUDICIARY: Horn, Chair; Gentleman and Varn

SSB 100

JUDICIARY: Doyle, Chair; Coleman and Holt

SSB 101

COMMERCE: Rife, Chair; Lind, Deluhery, Sturgeon and Priebe

SSB 102

COMMERCE: Gronstal, Chair; Kinley, Mann, Holden and Rife

SSB 103

COMMERCE: Carr, Chair; Nystrom and Priebe

SSB 104

COMMERCE: Deluhery, Chair; Gronstal, Holden, Jensen and Welsh

SSB 105

COMMERCE: Sturgeon, Chair; Welsh and Rife

SSB 106

COMMERCE: Holden, Chair; Rife, Carr, Mann and Gronstal

COMMITTEE REPORTS**JUDICIARY**

Final Bill Action: SENATE FILE 158 (SSB 55), a bill for an act relating to the time within which an application for crime victim reparation may be filed.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 42, a bill for an act relating to payments in lieu of property taxes on land acquired by the department of natural resources.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3022.

Final Vote: Ayes, 10: Hall, Priebe, Schwengels, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, none. Absent or not voting, 2: Hannon and Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 155 (SSB 64), a bill for an act relating to the implementation of the federal Resource Conservation and Recovery Act permit program for hazardous waste facilities by the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hall, Priebe, Schwengels, Doyle, Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENT FILED

S—3022 S.F. 42 Natural Resources

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 152, by Deluhery, a bill for an act exempting certain licensed child foster care facilities from licensure as a residential care facility for the mentally retarded.

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

Senate File 153, by Hall, a bill for an act requiring a rural mail carrier to display a flashing light at designated times while delivering mail and providing an effective date.

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

Senate File 154, by Palmer, a bill for an act relating to the merger or consolidation of bank affiliates.

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

Senate File 155, by committee on Natural Resources, a bill for an act relating to the implementation of the federal Resource Conservation and Recovery Act permit program for hazardous waste facilities by the department of natural resources.

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

Senate File 156, by Husak, a bill for an act relating to the exemption from liability of care review committee members and the state concerning actions undertaken by care review committee members in the performance of their duties.

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

Senate File 157, by Dieleman, a bill for an act relating to the evidentiary standards for dissolution of marriage.

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

Senate File 158, by committee on Judiciary, a bill for an act relating to the time within which an application for crime victim reparation may be filed.

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

Senate File 159, by Lind, Corning, Rife and Deluhery, a bill for an act to exempt purchases of tangible personal property and services by community health centers and migrant health centers from the sales and use tax and making the Act retroactive to January 1, 1981.

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

Senate File 160, by committee on Judiciary, a bill for an act relating to subpoenas of witnesses in civil cases.

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

Senate File 161, by committee on Judiciary, a bill for an act relating to the sentence to be served by a person convicted as an habitual offender of the motor vehicle laws.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 155** be referred from the Regular Calendar to the committee on **Environment and Energy Utilities.**

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

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILL

Senate File 162, by committee on State Government, a bill for an act to provide for the establishment of the Iowa corporation for public telecommunications to plan, establish and operate educational radio and television facilities and other educational telecommunications systems and services including narrowcast and broadcast systems to serve the educational and economic development needs of the state and to provide an effective date.

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

APPENDIX

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 160 (SSB 90), a bill for an act relating to subpoenas of witnesses in civil cases.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 161 (SSB 33), a bill for an act relating to the sentence to be served by a person convicted as an habitual offender of the motor vehicle laws.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 162 (SSB 79), a bill for an act to provide for the establishment of the Iowa corporation for public telecommunications to plan, establish and operate educational radio and television facilities and other educational telecommunications systems and services including narrowcast and broadcast systems to serve the educational and economic development needs of the state and to provide an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Carr, Dieleman, Nystrom, Coleman, Drake, Soorholtz, Rife and Gentleman. Nays, 5: Schwengels, Gronstal, Horn, Lloyd-Jones and C. Miller. Absent or not voting, 2: Bruner and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigation on February 10, 1987, and recommended the appointees be confirmed:

Thomas R. Eller for appointment as a member of the Board of Parole.

James D. Lohman for appointment as a member of the Iowa State Civil Rights Commission.

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the Governor's appointment of Delman L. Bowers as a member of the City Development Board, completed its investigation on February 10, 1987, and recommended the appointee be confirmed.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Wednesday, February 11, 1987.

JOURNAL OF THE SENATE

THIRTY-FIRST CALENDAR DAY
TWENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 11, 1987

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

Prayer was offered by the Honorable James R. Riordan, member of the Senate from Dallas County, Waukee, Iowa.

The Journal of Tuesday, February 10, 1987, 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 163, by Doyle, a bill for an act relating to expenditures by county supervisors for association memberships.

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

Senate File 164, by Welsh and Holden, a bill for an act relating to increasing the permissible monthly interest charge on open-end credit.

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

Senate File 165, by Welsh and Tieden, a bill for an act relating to the requirements to allow liquor control licensees and beer permittees the right to sell alcoholic beverages or beer on Sunday.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:08 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	144	Natural Resources
S. F.	145	Natural Resources
S. F.	146	Agriculture
S. F.	147	Agriculture
S. F.	148	State Government
S. F.	149	Commerce
S. F.	150	Business and Labor Relations
S. F.	151	Local Government
S. F.	152	Human Resources
S. F.	153	Transportation
S. F.	154	Commerce
S. F.	156	State Government
S. F.	157	Judiciary
S. F.	159	Ways and Means
H. F.	130	Judiciary
H. F.	134	Environment and Energy Utilities
H. F.	142	Natural Resources

STUDY BILLS RECEIVED

SSB 107 Judiciary

Relating to civil actions brought for the recovery of damages, and providing penalties.

SSB 108 Judiciary

Relating to the modification of dissolution and parentage decrees.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 10, 1987, 10:32 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Presentation by Larry Wilson, Director of the Department of Natural Resources, regarding forests and forestry and environmental protection divisions.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 10, 1987, 10:35 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Presentations by the Department of Economic Development lottery funded programs -- community economic betterment account, tourism cultural center and labor management council.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 10, 1987, 10:34 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Rensink and Murphy.

Committee Business: Budget presentations by the presidents of the University of Iowa, Iowa State University and the University of Northern Iowa.

Adjourned: 11:56 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 10, 1987, 10:40 a.m.

Members Present: Lloyd-Jones, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller (arrived 10:53 a.m.).

Members Absent: none.

Committee Business: Presentations by Gretchen Hamlett, Department of Human Rights; Creig Slayton, Blind Division; and Ann Thompson, Children, Youth and Families Division.

Adjourned: 12:02 p.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 10, 1987, 10:45 a.m.

Members Present: Sturgeon, Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: Bruner, Vice Chair (excused).

Committee Business: Special Needs: mental health, mental retardation and developmentally disabled institutions and community based alternatives.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 10, 1987, 10:40 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Budget hearing on the Department of Corrections; community-based corrections and OWI facilities by Jeanette Bucklew.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: February 10, 1987, 10:35 a.m.

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

Members Absent: Husak (excused).

Committee Business: Presentation by Ben Yarrington, Iowa Law Enforcement Academy and Colonel Frank Metzger, Chief of the Iowa State Patrol.

Adjourned: 11:25 a.m.

JUDICIARY

Convened: February 10, 1987, 1:34 p.m.

Members Present: Doyle, Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake (arrived 1:45 p.m.), Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor (arrived 1:40 p.m.) and Varn (arrived 1:40 p.m.).

Members Absent: Mann, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 55, 33 and 90 as committee bills; recommended confirmation of Governor's appointees Thomas R. Eller and James D. Lohman.

Adjourned: 1:47 p.m.

LOCAL GOVERNMENT

Convened: February 10, 1987, 3:38 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Goodwin, Hall, Jensen and Kinley.

Members Absent: Vande Hoef, Ranking Member; C. Miller, Wells (all excused) and Taylor.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointee Delman Bowers.

Adjourned: 3:42 p.m.

STATE GOVERNMENT

Convened: February 10, 1987, 2:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Gentleman, Gronstal, Horn, C. Miller, Rife, Soorholtz, Schwengels, Drake, Welsh, Coleman and Lloyd-Jones.

Members Absent: Bruner (excused):

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointees.

Adjourned: 4:00 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 76

LOCAL GOVERNMENT: Wells, Chair; Fraise and Taylor

Senate File 79

LOCAL GOVERNMENT: Jensen, Chair; Vande Hoef and Fraise

Senate File 82

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Taylor

Senate File 88

BUSINESS AND LABOR RELATIONS: Welsh, Chair; Palmer and Holden

Senate File 90

LOCAL GOVERNMENT: Wells, Chair; Fraise and Taylor

Senate File 103

LOCAL GOVERNMENT: Hall, Chair; Vande Hoef and C. Miller

Senate File 111

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Horn and Hultman

Senate File 113

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Jensen

Senate File 115

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 116

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 117

LOCAL GOVERNMENT: Goodwin, Chair; Kinley and Taylor

Senate File 120

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

Senate File 121

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 123

STATE GOVERNMENT: Nystrom, Chair; Bruner, Horn, Carr and Schwengels

Senate File 129

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

Senate File 132

LOCAL GOVERNMENT: Vande Hoef, Chair; Fraise and C. Miller

Senate File 140

BUSINESS AND LABOR RELATIONS: Horn, Chair; Gettings and Hultman

SSB 97

LOCAL GOVERNMENT: Kinley, Chair; Fraise and Vande Hoef

**SSB 101
(Corrected)**

COMMERCE: Palmer, Chair; Holden, Deluhery, Lind and Kinley.

LSB 6029

BUSINESS AND LABOR RELATIONS: Wells, Chair; Gettings and Fuhrman

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the following Governor's appointments, completed its investigations on February 11, 1987, and recommended the appointees be confirmed:

Scot L. Beckenbaugh for appointment as a member of the Public Employment Relations Board.

Wendell R. Benson for appointment as a member of the Employment Appeal Board.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the Governor's appointment of Wayne Newton for appointment as a member of the Iowa High Technology Council, completed its investigation on February 10, 1987, and recommended the appointee be confirmed.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on February 10, 1987, and recommended the appointees be confirmed:

Thomas E. Donahue for appointment as Director of the Department of Personnel.

Barbara T. Welander for appointment as a member of the Architectural Examining Board.

AMENDMENTS FILED

S—3023	S. F.	133	Eugene Fraise
S—3024	S. F.	162	State Government
S—3025	S. F.	136	Charles Bruner
S—3026	H. F.	153	Edgar H. Holden

AFTERNOON SESSION

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

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 9, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 131, a bill for an act relating to transfers to minors by amending the definition of benefit plan to include an individual retirement account and by excluding compensation due a minor for services rendered from the types of property or debt eligible for transfer to the custodian of a minor.

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

INTRODUCTION OF BILLS

Senate File 166, by Vande Hoef, a bill for an act providing that under certain circumstances the owner of a vehicle which is violating the warning lamps or stop arm of a school bus shall be deemed to be the driver and making penalties applicable.

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

Senate File 167, by Hall and Vande Hoef, a bill for an act relating to compensation of persons suffering loss as a result of medical malpractice, by establishing contingent fee standards, modifying pleading and proof requirements for malicious prosecution actions, prohibiting exemplary or punitive damages, establishing a required form for verdicts, establishing a limitation on noneconomic damages, requiring insurers to report on payment of claims, affecting the statute of limitations for claims brought by minors and mentally ill persons, and providing for periodic payment of certain judgments for future injuries.

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

Senate File 168, 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 169, by Dieleman, Taylor, Riordan, Gettings, Miller of Cerro Gordo, Tieden, Vande Hoef, Hester, Goodwin, Rensink, Readinger, Jensen, Holden, Holt, Nystrom, Lind and Soorholtz, a bill for an act relating to obscene material, and providing penalties.

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

Senate File 170, by Hall, Vande Hoef, Miller of Cerro Gordo and Taylor, a bill for an act relating to military leaves of absence for officers and employees of state and local governments.

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

Senate File 171, by Peterson, a bill for an act relating to the limiting of the funds that can be used to benefit a business or industry that does not pay the prevailing rate.

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

Senate File 172, by Lloyd-Jones, a bill for an act relating to individuals admitted to an intermediate care facility.

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

APPENDIX

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 105, a bill for an act relating to the degree of evidence required for termination or nonrenewal of a school administrator's contract.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Murphy, Horn, Taylor, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells. Nays, 1: Holden. Voting present, 1: Corning.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on February 11, 1987, and recommended the appointees be confirmed:

James E. Smith for appointment as Administrator of the Division of Community Action Agencies.

Margaret P. Kolck for appointment as a member of the Commission for the Blind.

Vennetta M. Fiedler for appointment as a member of the Commission of Elder Affairs.

Linda Ann Groves for reappointment as a member of the Commission on the Deaf.

Arlene H. Dayhoff for appointment as a member of the Council on Human Services.

Gretchen G. Hamlett for appointment as Department Coordinator of the Department of Human Rights.

REPORT OF STANDING COMMITTEE
(Place nominee on Individual Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the Committee on Human Resources assigned to investigate the appointment of Nancy Norman as Commissioner of the Department of Human Services, completed its investigation on February 11, 1987, and made no recommendation.

ANNOUNCEMENT BY THE
MAJORITY LEADER

Senator Hutchins announced the following changes in Appropriations subcommittee membership and co-chair assignments:

SENATOR JEAN LLOYD-JONES — From Health and Human Rights subcommittee co-chair to Human Services subcommittee co-chair.

SENATOR AL STURGEON — from Human Services subcommittee co-chair to Health and Human Rights subcommittee co-chair.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Thomas E. Donahue be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

BILL HUTCHINS

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:39 p.m., until 9:00 a.m., Thursday, February 12, 1987.

JOURNAL OF THE SENATE

THIRTY-SECOND CALENDAR DAY
TWENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 12, 1987

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

Prayer was offered by Reverend Gerald Stevens, pastor of the Hudson Community Church, Hudson, Iowa.

The Journal of Wednesday, February 11, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Jensen for the day on request of Senator Hultman and Senator Mann for the day on request of Senator Husak.

INTRODUCTION OF BILLS

Senate File 173, 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 174, by Fraise, a bill for an act relating to reimbursement to a landowner for deer taken off the landowner's property.

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

Senate File 175, by Taylor, a bill for an act relating to sexual abuse in the third degree.

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

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 136.

Senate File 136

On motion of Senator Bruner, Senate File 136, a bill for an act relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed items, clarifying the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates, was taken up for consideration.

Senator Bruner offered amendment S—3025 filed by him on February 11, 1987, to pages 25, 32 and 36 of the bill and moved its adoption.

Amendment S—3025 was adopted by a voice vote.

Senator Bruner asked and received unanimous consent that **House File 153** be substituted for **Senate File 136** as amended.

House File 153

On motion of Senator Bruner, House File 153, a bill for an act relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed items, clarifying the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates, was taken up for consideration.

Senator Bruner asked and received unanimous consent that further action on **House File 153** be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:25 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 11, 1987, 9:35 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Soorholtz (arrived 9:40 a.m.) and Welsh (arrived 9:45 a.m.).

Members Absent: none.

Committee Business: Presentations by the Department of Management, including the Washington office, and the Department of Personnel.

Adjourned: 11:25 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 11, 1987, 9:35 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Hearings on the Department of Agriculture and Land Stewardship.

Adjourned: 11:32 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 11, 1987, 9:47 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member and Taylor.

Members Absent: Carr.

Committee Business: Presentations by Department of Economic Development regarding small business innovation, grain quality project, satellite centers, research/computer center, procurement outreach center, main street, product development corporation, business incubator, and education and agriculture

research and development programs; presentation by the Iowa Finance Authority regarding the small business loan guarantee program.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 11, 1987, 9:36 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member and Rensink.

Members Absent: Murphy (excused).

Committee Business: Discussed MASC formula funding.

Adjourned: 10:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 11, 1987, 9:45 a.m.

Members Present: Lloyd-Jones, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller.

Members Absent: none.

Committee Business: Legislative oversight of the Iowa State Civil Rights Commission.

Adjourned: 11:49 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 11, 1987, 9:35 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

Members Absent: Mann (excused).

Committee Business: Presentation by the Department of Corrections regarding central office, federal prisoners, jail inspectors, county confinement reimbursement, corrections training center and state cases.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 11, 1987, 9:40 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member; Palmer and Schwengels.

Members Absent: none.

Committee Business: Presentations by the Department of Employment Services.

Adjourned: 11:45 a.m.

BUSINESS AND LABOR RELATIONS

Convened: February 11, 1987, 1:33 p.m.

Members Present: Wells, Chair; Gettings, Holden, Horn, Hultman, Vande Hoef and Welsh.

Members Absent: Mann, Vice Chair (excused); Fuhrman, Ranking Member and Palmer.

Committee Business: Recommended confirmation of Governor's appointee Wendell R. Benson to the En Bloc Calendar and assigned bills to subcommittees.

Adjourned: 1:37 p.m.

EDUCATION

Convened: February 11, 1987, 3:10 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Bruner.

Committee Business: Assigned bills to subcommittees and recommended passage of Senate Files 105 and 106.

Adjourned: 4:10 p.m.

HUMAN RESOURCES

Convened: February 11, 1987, 2:35 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger and Taylor.

Members Absent: Sturgeon.

Committee Business: Placed Governor's appointees on the En Bloc and Individual Confirmation Calendars; assigned bills to subcommittees.

Adjourned: 2:45 p.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the Governor's appointment of Mary Ann Stange as a member of the Job Service Advisory Council, completed its investigation on February 12, 1987, and recommended the appointee be confirmed.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the following Governor's appointments, completed its investigations on February 12, 1987, and recommended the appointees be confirmed:

Jean Watterson Adams and George Benning for appointment as members of the Iowa High Technology Council.

REPORTS OF STANDING COMMITTEE
(Place nominees on Individual Confirmation Calendar)

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the Governor's appointment of Allan T. Thoms as Director of the Department of Economic Development, completed its investigation on February 12, 1987, and recommended the appointee be confirmed.

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the Governor's reappointment of F. Forbes Olberg as a member of the Iowa Economic Development Board, completed its investigation on February 12, 1987, and **made no recommendation.**

SUBCOMMITTEE ASSIGNMENTS

Senate File 89

HUMAN RESOURCES: Murphy, Chair; Carr and Corning

Senate File 95

HUMAN RESOURCES: Lind, Chair; Hannon and Carr

Senate File 104

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Gentleman

Senate File 112

HUMAN RESOURCES: Murphy, Chair; Gentleman and C. Miller

Senate File 119

HUMAN RESOURCES: Carr, Chair; Coleman and Taylor

Senate File 122

EDUCATION: Lloyd-Jones, Chair; Horn and Taylor

Senate File 124

EDUCATION: Varn, Chair; Horn and Corning

Senate File 134

ENVIRONMENT AND ENERGY UTILITIES: A. Miller, Chair; Sturgeon and Soorholtz

Senate File 143

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Schwengels

Senate File 155

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Murphy and Hultman

House File 134

ENVIRONMENT AND ENERGY UTILITIES: A. Miller, Chair; Murphy and Schwengels

SSB 86

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair;
Riordan and Holt**

SSB 96

EDUCATION: Riordan, Chair; Murphy, Lind, Dieleman and Taylor

AFTERNOON SESSION

The Senate reconvened at 2:40 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 176, by Murphy, a bill for an act relating to adoptions, including the compilation and inspection of adoption records, the disbursements of value surrounding an adoption, and providing penalties.

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

Senate File 177, by Hannon and Boswell, a bill for an act relating to the disposal of dead animals.

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

Senate File 178, by Nystrom, a bill for an act to increase the service retirement allowance for certain members of the peace officers' retirement system and the fire and police retirement systems.

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

Senate File 179, by Riordan, a bill for an act to provide that a single person may claim a homestead exempt from judicial sale.

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

Senate File 180, by committee on Small Business and Economic Development, a bill for an act relating to economic crisis relief by providing for a small business legal services program and a small business mediation program, making appropriations, and providing an effective date.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

QUORUM CALL

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

The vote revealed 40 present, 10 absent and a quorum present.

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

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 9, by committee on Business and Labor Relations, a concurrent resolution to urge and request the United States Congress to fully fund and support the State Employment Service System, to continue the federal-state Work-Incentive-(WIN) Program, and to enact a Worker Adjustment Assistance Program.

Read first time and placed on calendar.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Sturgeon for the remainder of the day on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 49.

Senate File 49

On motion of Senator Murphy, Senate File 49, a bill for an act relating to school finance including creating a working committee to study school finance and repealing chapter 442 on June 30, 1991, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 49) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Readinger
Rensink	Riordan	Schwengels	Soorholtz
Taylor	Varn	Wells	Welsh

Nays, 10:

Coleman	Hannon	Hester	Holden
Holt	Peterson	Priebe	Rife
Scott	Vande Hoef		

Absent or not voting, 4:

Jensen	Mann	Sturgeon	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 to take up out of order Senate File 110.

Senate File 110

On motion of Senator Horn, Senate File 110, a bill for an act relating to forms of acknowledgements, was taken up for consideration.

Senator Horn asked and received unanimous consent that **House File 129** be substituted for **Senate File 110**.

House File 129

On motion of Senator Horn, House File 129, a bill for an act relating to forms of acknowledgements, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 129) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

Senate Concurrent Resolution 8

On motion of Senator Boswell, Senate Concurrent Resolution 8, a resolution relating to the federal conservation reserve program, was taken up for consideration.

Senator Boswell moved the adoption of Senate Concurrent Resolution 8, which motion prevailed by a voice vote.

Senate File 114

On motion of Senator Drake, Senate File 114, a bill for an act requiring, to the extent practicable, that members of the state transportation commission be appointed so that at least one member resides within each congressional district within the state and providing an effective date, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 114) the vote was:

Ayes, 32:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Rensink	Riordan	Schwengels	Scott
Soorholtz	Varn	Wells	Welsh

Nays, 13:

Boswell	Deluhery	Fuhrman	Gentleman
Gettings	Goodwin	Holden	Hultman
Nystrom	Peterson	Rife	Taylor
Vande Hoef			

Absent or not voting, 5:

Jensen	Mann	Readerger	Sturgeon
Tieden			

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

Senate File 130

On motion of Senator Nystrom, Senate File 130, a bill for an act to provide that moneys deposited in the barrel tax fund and the gallonage tax fund shall not revert to the state general fund without a specific appropriation, and providing for retroactive applicability of the Act, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 130) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Holden	Taylor
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Absent or not voting, 7:

Coleman	Jensen	Mann	Readinger
Schwengels	Sturgeon	Tieden	

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

WITHDRAWN

Senator Horn asked and received unanimous consent that **Senate File 110** be **withdrawn** from further consideration of the Senate.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 133

On motion of Senator Husak, Senate File 133, a bill for an act relating to park user permits and their issuance, was taken up for consideration.

Senator Fraise offered amendment S—3028 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendment S—3028 and **Senate File 133** be deferred.

REQUEST TO REFER BILL WITHDRAWN

Senator Coleman asked unanimous consent that **Senate File 53** be referred from the committee on **Transportation** to the committee on **State Government**.

Senator Coleman withdrew his request.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 114** be **immediately messaged** to the House.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	163	Local Government
S. F.	164	Commerce
S. F.	165	State Government
S. F.	166	Transportation
S. F.	167	Judiciary
S. F.	168	Commerce
S. F.	169	Judiciary
S. F.	170	Local Government
S. F.	171	Small Business & Economic Development
S. F.	172	Human Resources
H. F.	131	Judiciary

STUDY BILLS RECEIVED

SSB 109 Natural Resources

Relating to fish, plant life or wildlife species of special concern.

SSB 110 Natural Resources

Relating to the taking of animals.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 9, a resolution to urge and request the United States Congress to fully fund and support the State Employment Service System, to continue the federal-state-Work-Incentive-(WIN) Program, and to enact a Worker Adjustment Assistance Program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Wells, Fuhrman, Gettings, Holden, Horn, Palmer and Vande Hoef. 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 180 (SSB 86), a bill for an act relating to economic crisis relief by providing for a small business legal services program and a small business mediation program, making appropriations, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Boswell, Peterson, A. Miller, Scott, Rife, Fuhrman, Rensink and Vande Hoef. Nays, none. Absent or not voting, 3: Deluhery, Hannon and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3027	S. F.	162	Michael E. Gronstal Richard F. Drake Bob Carr
S—3028	S. F.	133	Eugene Fraise
S—3029	S. F.	133	Larry Murphy
S—3030	S. F.	180	Leonard L. Boswell
S—3031	H. F.	153	Joy Corning
S—3032	S. F.	133	Richard Varn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 10:00 a.m., Monday, February 16, 1987.

JOURNAL OF THE SENATE

THIRTY-SIXTH CALENDAR DAY
TWENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, February 16, 1987

The Senate met in regular session at 10:06 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Gordon Vickery, pastor of the Methodist Church, Ocheyedan, Iowa.

The Journal of Thursday, February 12, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Riordan and Boswell for the morning and Senator Horn for the day on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 181, by Horn, a bill for an act relating to the exemption of beer and alcoholic beverage sales from the computations of license fees under chapter 170A.

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

Senate File 182, by Lloyd-Jones, Gettings, Corning, Horn, Gentleman, Bruner and Holden, a bill for an act requiring the director of transportation to contract for Amtrak shuttle service and including an appropriation.

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

Senate File 183, by Dieleman, Gronstal, Lloyd-Jones, Vande Hoef, Soorholtz and Rife, a bill for an act authorizing a tax levy for city libraries by petition and referendum.

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

Senate File 184, by Dieleman and Taylor, 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 185, by Hall and Tieden, a bill for an act to eliminate the bond requirements of certain liquor control licensees and retail wine and beer permittees.

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

Senate File 186, by Wells, a bill for an act relating to contract bidding and contract letting procedures for public improvement construction contracts and providing an effective date.

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

Senate File 187, by Nystrom, a bill for an act relating to the purchase of sacramental wine.

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

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 9.

Senate Concurrent Resolution 9

On motion of Senator Wells, Senate Concurrent Resolution 9, a resolution to urge and request the United States Congress to fully fund and support the State Employment Service System, to continue the federal-state Work-Incentive-(WIN) Program, and to enact a Worker Adjustment Assistance Program, was taken up for consideration.

Senator Wells moved the adoption of Senate Concurrent Resolution 9, which motion prevailed by a voice vote and the resolution was adopted.

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

The Senate resumed session, President pro tempore Kinley presiding.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 9** be immediately messaged to the House.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Priebe for the day on request of Senator Hutchins.

UNFINISHED BUSINESS
(Deferred February 12, 1987)**Senate File 133**

The Senate resumed consideration of Senate File 133, a bill for an act relating to park user permits and their issuance, and amendment S—3028 by Senator Fraise to strike everything after the enacting clause and to the title page of the bill, offered and deferred on February 12, 1987.

Senator Fraise moved the adoption of amendment S—3028.

A non record roll call was requested.

The ayes were 19, nays 25.

Amendment S—3028 lost.

Senator Fraise offered amendment S—3023 filed by him on February 12, 1987, to page 1 of the bill.

Senator Peterson asked and received unanimous consent that action on amendment S—3023 be deferred.

Senator Varn offered amendment S—3032 filed by him on February 12, 1987, to pages 1, 2 and 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 27.

Amendment S—3032 lost.

Senator Murphy withdrew amendment S—3029 filed by him on February 12, 1987, to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendment S—3023 and **Senate File 133** be **deferred**.

INTRODUCTION OF BILL

Senate File 188, by Deluhery, a bill for an act relating to an exception to the hearsay rule of evidence for certain threats of physical injury or death.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 180** be referred from the Regular Calendar to committee on **Appropriations**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:06 a.m., until 1:30 p.m.

APPENDIX**SUBCOMMITTEE ASSIGNMENTS****Senate File 125**

WAYS AND MEANS: Palmer, Chair; Soorholtz and Dieleman

Senate File 126

STATE GOVERNMENT: Lloyd-Jones, Chair; Gentleman and Bruner

Senate File 131

WAYS AND MEANS: Riordan, Chair; Drake and Palmer

Senate File 137

STATE GOVERNMENT: Gronstal, Chair; C. Miller and Nystrom

Senate File 148

STATE GOVERNMENT: Bruner, Chair; Gentleman and Gronstal

Senate File 152

HUMAN RESOURCES: Carr, Chair; Gentleman and Hannon

Senate File 153

TRANSPORTATION: Coleman, Chair; Doyle and Hall

Senate File 156

STATE GOVERNMENT: Lloyd-Jones, Chair; Schwengels and C. Miller

Senate File 157

JUDICIARY: Horn, Chair; Carr and Drake

Senate File 167

JUDICIARY: Doyle, Chair; Mann, Carr, Drake and Gentleman

Senate File 169

JUDICIARY: Mann, Chair; Carr and Gentleman

House File 130

JUDICIARY: Varn, Chair; Fraise and Holt

House File 131

JUDICIARY: Horn, Chair; Gentleman and Deluhery

SSB 107

JUDICIARY: Mann, Chair; Drake, Gentleman, Doyle and Coleman

SSB 108

JUDICIARY: Horn, Chair; Coleman and Hester

SSB 111

TRANSPORTATION: Gettings, Chair; Scott and Jensen

SSB 113

JUDICIARY: Mann, Chair; Deluhery and Holt

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 12, 1987, 10:00 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Soorholtz and Welsh (arrived 10:15 a.m.).

Members Absent: Jensen, Ranking Member (excused).

Committee Business: Presentation by the Department of Personnel.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 12, 1987, 9:35 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Presentations by the Department of Agriculture and Land Stewardship: Daryl Frey, Laboratory Division; Jim Guilliford, Soil Conservation Division; Bill Greiner, Agriculture Development Authority; Jerry Coughlon and Colleen Ryan, State Fair Authority.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 12, 1987, 9:45 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Presentations by: Iowa State University on Small Business Development Centers (SBDC); Department of Education on equipment purchases; Department of Cultural Affairs on Community Cultural Grants.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 12, 1987, 9:46 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Rensink and Murphy.

Members Absent: Nystrom, Ranking Member (excused).

Committee Business: Block grant presentation and discussed historical department capital request.

Adjourned: 10:56 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 12, 1987, 9:30 a.m.

Members Present: Sturgeon, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller.

Members Absent: none.

Committee Business: Presentations by: Department of Public Health regarding the nursing board; Department of Human Rights — Division of Persons with Disabilities, Division of Spanish-speaking People, Division of Deaf Services, Division of the Status of Women.

Adjourned: 11:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 11, 1987, 9:45 a.m.

Members Present: Sturgeon, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Continuation of Special Need.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 12, 1987, 9:45 a.m.

Members Present: Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Conclusion of the presentation on the Bill of Rights; presentations by: Sharon Geers Wulf, Rehabilitation and Residential Facilities; Ben Leonard, Executive Director of Systems Unlimited; Rich Turpin and Jack Brown, Comprehensive Systems, Inc.; and Mary Etta Lane, Executive Director of Association of Retarded Citizens of Iowa.

Adjourned: 11:51 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 12, 1987, 9:43 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

Members Absent: Palmer.

Committee Business: Presentations by: Department of Employment Services; Iowa Public Employment Relations Board; Office of Auditor of State; and Iowa Campaign Financial Disclosure Commission.

Adjourned: 11:58 a.m.

BUSINESS AND LABOR

Convened: February 12, 1987, 9:20 a.m.

Members Present: Wells, Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Palmer and Vande Hoef.

Members Absent: Mann, Vice Chair, Hultman and Welsh.

Committee Business: Approved LSB 6029 as a committee resolution.

Adjourned: 9:27 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 12, 1987, 8:10 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; A. Miller, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: Hannon, Deluhery and Riordan (all excused).

Committee Business: Approved SSB 86 as a committee bill; recommended confirmation of Allan Thoms to Individual Confirmation Calendar; recommended confirmation of Jean Watterson Adams and George Benning to the En Bloc Confirmation Calendar; placed F. Forbes Olberg on the Individual Confirmation Calendar without recommendation.

Adjourned: 8:40 a.m.

ANNOUNCEMENT BY THE MAJORITY LEADER

Senator Hutchins announced the following appointments on February 12, 1987, effective immediately:

SOCIAL SERVICES BLOCK GRANT ADVISORY COMMITTEE

Senators Beverly Hannon and Richard Vande Hoef.

PETITIONS

The following petitions were presented and placed on file by:

Senator Kinley from eighty residents of Polk County favoring legislation to initiate and support a good comprehensive long-term health care and community based services bill for the elderly of Iowa.

Senator Hutchins from sixty-four residents of Carroll County favoring legislation providing for tuition tax deductions for private schools.

Senator Hutchins from six residents of Iowa County opposing the privatization of state-owned liquor stores.

Senator Holden from one thousand four hundred fifty-three residents of Muscatine and Scott Counties favoring legislation to repeal the current Iowa law requiring the mandatory use of seat belts.

The following petitions favoring legislation increasing funding to the State Transit Assistance Fund were presented and placed on file by:

Senator Miller of Des Moines from one hundred twenty-nine residents of Des Moines and Henry Counties.

Senator Fraise from eighty-seven residents of Lee County.

COMMITTEE REPORT

EDUCATION

Final Bill Action: SENATE FILE 106, a bill for an act relating to evaluations of the performance of school administrators including requiring the adoption of job descriptions and evaluation criteria and procedures.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3039.

Final Vote: Ayes, 14: Murphy, Horn, Taylor, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3033	H.F.	153	John Nystrom
S—3034	H.F.	153	John Nystrom
S—3035	H.F.	153	John Nystrom Jim Lind Joy Corning
S—3036	H.F.	153	Jack Rife
S—3037	S.F.	162	Bob Carr Richard Drake
S—3038	H.F.	153	Richard Drake Charles Bruner
S—3039	S.F.	106	Education
S—3040	S.F.	133	John Peterson
S—3041	H.F.	153	Berl E. Priebe

AFTERNOON SESSION

The Senate reconvened at 1:43 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 189, by Deluhery, a bill for an act relating to the disposition of money seized as forfeitable property.

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

Senate File 190, by Mann, a bill for an act providing for a fine for unnecessary waste of a resource for certain violations for speeds in excess of fifty-five miles per hour.

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 12, 1987, passed the following bills in which the concurrence of the House was asked:

Senate File 18, a bill for an act to repeal the prohibition relating to price discrimination in the sale or lease of motor vehicles by a motor vehicle manufacturer, distributor, or wholesaler and providing an effective date.

Senate File 39, a bill for an act relating to the date on which the certified enrollment count is taken for pupils enrolled in public schools in this state.

Senate File 41, a bill for an act relating to the reimbursement to a parent or guardian for the cost of transporting the pupil to school when bus transportation is not available, providing for the applicability of the Act, and providing an effective date.

ALSO: That the House has on February 12, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 132, a bill for an act relating to the final report of a personal representative in probate.

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

House File 163, a bill for an act relating to health-related duties within the department of inspections and appeals and the Iowa department of public health.

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

House File 164, a bill for an act relating to the discretion of a notary public in performing notarial services, and limiting that discretion.

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

BUSINESS PENDING

Senate File 133

The Senate resumed consideration of Senate File 133 and amendment S—3023 by Senator Fraise to page 1 of the bill, previously deferred.

Senator Peterson offered amendment S—3040 filed by him from the floor to amendment S—3023 and moved its adoption.

Amendment S—3040 was adopted by a voice vote.

Senator Fraise moved the adoption of amendment S—3023 as amended, which motion prevailed by a voice vote.

Senator Kinley offered amendment S—3044 filed by him from the floor to page 2 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3044 be adopted?" (S.F. 133) the vote was:

Ayes, 31:

Boswell
Doyle
Gentleman
Holt
Mann

Coleman
Drake
Gettings
Hultman
Miller, A.V.

Corning
Fraise
Goodwin
Kinley
Miller, C.P.

Deluhery
Fuhrman
Holden
Lind
Murphy

Nystrom	Palmer	Readinger	Rife
Riordan	Soorholtz	Sturgeon	Taylor
Varn	Wells	Welsh	

Nays, 16:

Bruner	Carr	Dieleman	Gronstal
Hall	Hannon	Hester	Husak
Hutchins	Jensen	Peterson	Rensink
Schwengels	Scott	Tieden	Vande Hoef

Absent or not voting, 3:

Horn	Lloyd-Jones	Priebe
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Amendment S—3044 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. 133) the vote was:

Ayes, 20:

Bruner	Carr	Corning	Dieleman
Doyle	Goodwin	Gronstal	Holden
Holt	Hultman	Hutchins	Lloyd-Jones
Miller, A.V.	Nystrom	Peterson	Readinger
Scott	Tieden	Wells	Welsh

Nays, 28:

Boswell	Coleman	Deluhery	Drake
Fraise	Fuhrman	Gentleman	Gettings
Hall	Hannon	Hester	Husak
Jensen	Kinley	Lind	Mann
Miller, C.P.	Murphy	Palmer	Rensink
Rife	Riordan	Schwengels	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn

Absent or not voting, 2:

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

UNFINISHED BUSINESS
(Deferred February 12, 1987)

House File 153

The Senate resumed consideration of House File 153, a bill for an act relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed items, clarifying the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates, deferred on February 12, 1987 (substituted for Senate File 136).

Senator Coleman took the chair at 2:10 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holden for the afternoon session on request of Senator Hultman.

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

The Senate resumed session, President Zimmerman presiding.

BUSINESS PENDING

House File 153

The Senate resumed consideration of House File 153.

Senator Bruner offered amendment S—3045 filed by Senators Bruner and Drake from the floor to pages 4, 26, 33 and 43 of the bill and moved its adoption.

Amendment S—3045 was adopted by a voice vote.

Senator Nystrom offered amendment S—3034 filed by him from the floor to pages 8 and 43 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 25.

Amendment S—3034 lost.

Senator Nystrom offered amendment S—3033 filed by him from the floor to pages 17, 20 and 43 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3033 be adopted?" (H.F. 153) the vote was:

Ayes, 20:

Boswell	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hester	Holt
Hultman	Jensen	Lind	Nystrom
Readinger	Rensink	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 27:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hall	Hannon	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Riordan	Scott	Sturgeon
Varn	Wells	Welsh	

Absent or not voting, 3:

Holden	Horn	Priebe
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Amendment S—3033 lost.

Senator Drake asked and received unanimous consent to withdraw amendment S—3038 filed by Senators Drake and Bruner from the floor to pages 33 and 43 of the bill.

Senator Nystrom offered amendment S—3035 filed by Senators Nystrom, Lind and Corning from the floor to pages 17, 20 and 43 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3035 be adopted?" (H.F. 153) the vote was:

Ayes, 22:

Coleman	Corning	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Goodwin
Hester	Holt	Hultman	Jensen
Lind	Nystrom	Peterson	Rensink
Rife	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef		

Nays, 25:

Boswell	Bruner	Carr	Deluhery
Fraise	Gettings	Gronstal	Hall
Hannon	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A. V.	Miller, C.P.
Murphy	Palmer	Readinger	Riordan
Scott	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 3:

Holden	Horn	Priebe
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Amendment S—3035 lost.

Senator Vande Hoef offered amendment S—3043 filed by Senators Vande Hoef, Rensink and Hester from the floor to page 17 of the bill.

Senator Coleman took the chair at 3:13 p.m.

President Zimmerman took the chair at 3:15 p.m.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the afternoon on request of Senator Hultman.

BUSINESS PENDING

House File 153

The Senate resumed consideration of House File 153.

Senator Vande Hoef moved the adoption of amendment S—3043 and requested a record roll call.

On the question “Shall amendment S—3043 be adopted?” (H.F. 153) the vote was:

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

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holt
Hultman	Lind	Nystrom	Peterson
Readinger	Rensink	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 26:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Absent or not voting, 4:

Holden	Horn	Jensen	Priebe
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Amendment S—3043 lost.

Senator Rife offered amendment S—3036 filed by him from the floor to pages 20 and 43 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3036 be adopted?” (H.F. 153) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holt
Hultman	Lind	Nystrom	Readinger
Rensink	Rife	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	

Nays, 25:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Gettings
Gronstal	Hannon	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A. V.
Miller, C.P.	Murphy	Palmer	Peterson
Riordan	Scott	Sturgeon	Varn
Wells			

Absent or not voting, 6:

Fraise	Holden	Horn	Jensen
Priebe	Welsh		

Amendment S—3036 lost.

Senator Corning offered amendment S—3031 filed by her on February 12, 1987, to page 21 of the bill.

Senator Bruner asked and received unanimous consent that further action on amendment S—3031 be deferred.

Senator Hutchins asked and received unanimous consent that further action on **House File 153** be deferred (amendment S—3031 pending).

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Joint Resolution 2.

Senate Joint Resolution 2

On motion of Senator Hall, Senate Joint Resolution 2, a joint resolution to nullify an administrative rule of the department of natural resources relating to the park user permit, was taken up for consideration.

Senator Hall 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. 2) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Peterson	Readinger	Rensink
Riordan	Schwengels	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Holden	Horn	Jensen	Nystrom
Palmer	Priebe	Rife	Soorholtz

The resolution 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 Joint Resolution 2** be **immediately messaged** to the House.

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

The Senate resumed session, President Zimmerman presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 12, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 165, a bill for an act relating to the operations of the state vehicle dispatcher.

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

INTRODUCTION OF BILLS

Senate File 191, by Hultman, a bill for an act to allow a school board secretary to be employed as a substitute teacher in the school district.

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

Senate File 192, by Carr, a bill for an act relating to ensuring that persons who volunteer services to the state or a municipality, or a nonprofit organization or persons working for the organization, are not liable for civil damages in tort cases.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 5, by committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring Senate confirmation.

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

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 5, a resolution relating to gubernatorial appointments requiring senate confirmation.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for immediate consideration Senate Resolution 5.

Senate Resolution 5

On motion of Senator Hultman, Senate Resolution 5, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

Senator Hultman moved the adoption of Senate Resolution 5, which motion prevailed by a voice vote.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 165

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

SSB 116

STATE GOVERNMENT: Welsh, Chair; Soorholtz and Dieleman

BILLS ASSIGNED TO COMMITTEE

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

S. F.	173	Judiciary
S. F.	174	Natural Resources
S. F.	175	Judiciary
S. F.	176	Human Resources
S. F.	177	Agriculture
S. F.	178	State Government
S. F.	179	Local Government

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 68, the following technical correction was made:

1. Page 2, line 19, the word "Section" was changed to the word "Sections".

JOHN F. DWYER
Secretary of the Senate

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill has been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 16th day of February, 1987.

Senate File 68.

JOHN F. DWYER
Secretary of the Senate

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 133 failed to pass the Senate on February 16, 1987.

EMIL J. HUSAK

STUDY BILLS RECEIVED

SSB 111 Transportation

Requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

SSB 112 Natural Resources

A concurrent resolution urging the President of the United States and the Congress of the United States to enact the Mississippi River National Heritage Corridor Act of 1987.

SSB 113 Judiciary

Relating to unfair or discriminatory practices under the state civil rights law by deleting certain enumerations and duplications.

SSB 114 Education

Relating to the official publication of the proceedings of the boards of school districts, including publication of bills allowed and fees paid to the publishers.

SSB 115 Natural Resources

Authorizing the department of natural resources to establish a system of certificates of title for vessels and snowmobiles.

SSB 116 State Government

Relating to the senate's review and confirmation of gubernatorial appointments.

PRESENTATION OF VISITOR

President Zimmerman welcomed Nazik Jawad from Baghdad, Iraq, representing the Agriculture and Water Research Center Division of the Scientific Research Council, who was accompanied by Dr. Carmichael and seated in the Senate gallery.

AMENDMENTS FILED

S-3042	S.F.	180	Leonard L. Boswell James Riordan
S-3043	H.F.	153	Richard Vande Hoef Wilmer Rensink Jack Hester
S-3044	S.F.	133	George Kinley
S-3045	H.F.	153	Charles Bruner Richard F. Drake
S-3046	S.F.	160	Donald V. Doyle

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:06 p.m., until 9:00 a.m., Tuesday, February 17, 1987.

JOURNAL OF THE SENATE

THIRTY-SEVENTH CALENDAR DAY
 TWENTY-THIRD SESSION DAY

Senate Chamber
 Des Moines, Iowa, Tuesday, February 17, 1987

The Senate met in regular session at 9:06 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Kenneth Tenckinck, pastor of the Bethel Reformed Church, Sheldon, Iowa.

The Journal of Monday, February 16, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the day on request of Senator Hultman.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 12, 1987, 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 19, a bill for an act relating to the giving of gifts to public employees and officials and to candidates and subjecting violators to a penalty and providing an effective date.

INTRODUCTION OF BILL

Senate File 193, by Kinley, Riordan, Boswell, Fraise, Hall, Lind, Rensink, Wells, Murphy, Palmer, Rife, Priebe, Coleman, Hannon, Scott, Peterson, Miller of Cerro Gordo, Soorholtz and Miller of Des Moines, a bill for an act establishing an Iowa commission for the blind.

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

SUBCOMMITTEE ASSIGNMENTS

Senate File 149

COMMERCE: Kinley, Chair; Sturgeon and Tieden

Senate File 154

COMMERCE: Holden, Chair; Palmer and Deluhery

Senate File 164

COMMERCE: Carr, Chair; Holden, Gronstal, Welsh and Rife

Senate File 166

TRANSPORTATION: Jensen, Chair; Hall and Scott

Senate File 168

COMMERCE: Kinley, Chair; Priebe and Tieden

Senate File 172

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Taylor

Senate File 178

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels

SSB 119

COMMERCE: Palmer, Chair; Holden, Lind, Kinley and Deluhery

REPORTS OF COMMITTEE MEETINGS

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 21, 1987, 3:05 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Murphy (arrived 3:33 p.m.), Rife, Schwengels, Sturgeon and Varn (arrived 3:20 p.m.).

Members Absent: none.

Committee Business: Bernard E. Hoyer of the Environmental Protection Commission, Iowa Department of Natural Resources, presented a booklet entitled "Iowa Groundwater Protection Strategy."

Adjourned: 3:37 p.m.

HUMAN RESOURCES

Convened: February 16, 1987, 1:07 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner (arrived 1:25 p.m.); Coleman, Corning, Lind (arrived 1:23 p.m.), C. Miller, Murphy, Readinger, Sturgeon and Taylor.

Members Absent: none.

Committee Business: Discussed and deferred action on SSB 57.

Adjourned: 1:40 p.m.

JUDICIARY

Convened: February 16, 1987, 11:10 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Coleman, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Taylor and Varn (arrived 11:13 a.m.).

Members Absent: Carr, Drake and Horn (all excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 11:15 a.m.

RULES AND ADMINISTRATION

Convened: February 16, 1987, 10:00 a.m.

Members Present: Hutchins, Chair; Gronstal, Vice Chair; Hultman, Ranking Member; Gettings, Jensen and Kinley (arrived 10:27 a.m.).

Members Absent: none.

Committee Business: Approved proposed senate committee resolution relating to gubernatorial appointments requiring senate confirmation.

Adjourned: 10:28 a.m.

RULES AND ADMINISTRATION

Convened: February 16, 1987, 3:46 p.m.

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

Members Absent: Jensen (excused).

Committee Business: Approved a revised proposed senate committee resolution relating to gubernatorial appointments requiring senate confirmation.

Adjourned: 3:48 p.m.

TRANSPORTATION

Convened: February 16, 1987, 4:07 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Doyle, Gettings, Goodwin, Hall and Lloyd-Jones.

Members Absent: Drake, Ranking Member; Jensen (excused) and Nystrom (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 72 and ordered redrafted as a committee bill; discussed and deferred action on SSB 75.

Adjourned: 4:27 p.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the Governor's appointment of Keith H. Heffernan as Director of the Department of Commerce, completed its investigation on February 12, 1987, and recommended the appointee be confirmed.

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the Governor's appointment of William H. Jackson as Director of the Department of Cultural Affairs, completed its investigation on February 12, 1987, and recommended the appointee be confirmed.

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the appointment of Robert D. Benton as Director of the Department of Education, completed its investigation on February 3, 1987, and recommended the appointee be confirmed.

STUDY BILLS RECEIVED

SSB 117 Judiciary

Relating to the subcontractor's right to file a mechanic's lien against the property for which labor is performed or material is furnished.

SSB 118 Judiciary

Relating to the duties of a trustee upon appointment by requiring the filing of an inventory of the property of the trust.

SSB 119 Commerce

Relating to savings and loan associations, by extending an association's limited trust powers; imposing regulatory capital requirements; modifying the definition of assets considered committed to residential loans; modifying commercial and consumer lending and accounts requirements; defining as a fraudulent practice the making of a false statement or the using of a false statement to obtain cash or credit, and providing penalties; deleting contingency reserve requirements and the temporary moratorium on new association incorporations; and permitting association incorporations; and permitting associations to merge with associations incorporated in or chartered by another state.

SSB 120 Agriculture

Requiring lenders and other secured parties to provide, to persons applying for credit, copies of debt related documents.

COMMITTEE REPORT

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 155, a bill for an act relating to the implementation of the federal Resource Conservation and Recovery Act permit for hazardous waste facilities by the department of natural resources.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3049.

Final Vote: Ayes, 8: Deluhery, Gronstal, Hultman, A. Miller, Murphy, Schwengels, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Soorholtz and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3047	S.F.	162	Lee Holt
S—3048	S.F.	162	Lee Holt
S—3049	S.F.	155	Environment & Energy Utilities

AFTERNOON SESSION

The Senate reconvened at 5:08 p.m., Senator Varn presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 16, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 50, a bill for an act relating to the annual report of a school district.

ALSO: That the House has on February 16, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 170, a bill for an act to authorize the sale of the corporate shell of an insolvent insurance company.

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

House File 194, a bill for an act repealing the prohibition of use of toxic halogenated fire extinguishers in public buildings.

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

INTRODUCTION OF BILL

Senate File 194, by Carr, a bill for an act implementing a guaranteed utility payment plan for eligible customers of gas and electric public utilities and including an appropriation.

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

APPENDIX

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3044 to Senate File 133 was adopted by the Senate on February 16, 1987.

JAMES R. RIORDAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3028 to Senate File 133 failed to be adopted by the Senate on February 16, 1987.

EMIL J. HUSAK

BILLS ASSIGNED TO COMMITTEE

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

S. F.	181	State Government
S. F.	182	Appropriations
S. F.	183	Local Government
S. F.	184	Education
S. F.	185	State Government
S. F.	186	State Government
S. F.	187	State Government
S. F.	188	Judiciary
S. F.	189	Judiciary
S. F.	190	Transportation
S. F.	191	Education
S. F.	192	Judiciary
H. F.	132	Judiciary
H. F.	163	Human Resources
H. F.	164	State Government
H. F.	165	State Government

REPORT OF COMMITTEE MEETING

ENVIRONMENT AND ENERGY UTILITIES

Convened: January 26, 1987, 2:50 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Murphy (arrived 3:01 p.m.), Rife, Schwengels, Sturgeon and Varn (arrived 3:01 p.m.).

Members Absent: none.

Committee Business: Presentations regarding superfund and aidex site by Pete Hamlin, Director of the Air Quality and Solid Waste Protection Bureau and Morris Preston, Supervisor of the Abandoned and Uncontrolled Sites Section, Department of Natural Resources.

Adjourned: 3:33 p.m.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:10 p.m., until 9:00 a.m., Wednesday, February 18, 1987.

JOURNAL OF THE SENATE

THIRTY-EIGHTH CALENDAR DAY
TWENTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, February 18, 1987

The Senate met in regular session at 9:04 a.m., Senator Coleman presiding.

Prayer was offered by Father Louis Trzil, pastor of the Holy Trinity Catholic Church, Protivin, Iowa.

The Journal of Tuesday, February 17, 1987, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 12, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 64, a bill for an act relating to jury lists.

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

House File 133, a bill for an act providing for nonresident hunting licenses for deer and wild turkey.

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

ALSO: That the House has on February 16, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 21, 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 114, a bill for an act to provide that the liquidated damages provision for the unlawful taking of animals applies to violations of chapters 111 and 111A as well as chapter 109.

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

House File 168, a bill for an act to prohibit a person who intentionally and unjustifiably causes or procures the death of another from receiving any property, benefit, or other interest by reason of the death.

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

House File 193, a bill for an act relating to the filing of a request for a contested case proceeding with a state agency.

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

House File 207, a bill for an act relating to the approval of chemical substitutes and antagonists programs.

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

INTRODUCTION OF BILLS

Senate File 195, by Riordan, Husak and Doyle, a bill for an act relating to the duties of the state board of tax review.

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

Senate File 196, by Taylor, a bill for an act to provide a procedure for the electors of a school district to vote to raise a schoolhouse improvement amount, to provide for its collection, and to provide for its applicability.

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

Senate File 197, by Taylor and Nystrom, a bill for an act establishing the penalties of death or life imprisonment for certain offenses and prescribing procedures for carrying out the sentences.

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

Senate File 198, by Wells and Miller of Cerro Gordo, a bill for an act relating to the payment of special assessments on property acquired by eminent domain and providing an effective date.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:12 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

S. F.	193	State Government
S. F.	194	Environment and Energy Utilities
H. F.	170	Commerce
H. F.	194	State Government

REPORTS OF STANDING COMMITTEES (Place nominees on Individual Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigation on February 17, 1987, and recommended the appointees be confirmed:

Edward J. Stanek as Commissioner of the Lottery.

Patrick D. Cavanaugh as Director of the Department of Management.

Betty B. Sarcone as a member of the Engineering and Land Surveying Examining Board.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 17, 1987, 9:35 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; and Jensen, Ranking Member.

Members Absent: Welsh (excused) and Soorholtz.

Committee Business: Budget presentation by Elaine Baxter, Secretary of State; Jack Walters, Director of the Department of General Services, was present for questions from the subcommittee.

Adjourned: 11:10 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 17, 1987, 9:45 a.m.

Members Present: Riordan, Chair and Tieden.

Members Absent: Hall, Vice Chair; Hester, Ranking Member and Priebe (all excused).

Committee Business: Presentations on the Governor's recommendations by Dennis Guffey and Dave Heuton, Department of Management; Larry Bean reported on the recommendations of the Energy Fund Disbursement Council Oil Overcharge.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 17, 1987, 9:45 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Presentations by: Agricultural Development Authority on farm loan assistance program; Department of Natural Resources on recreational grants and land acquisition; and College Aid Commission on summer institute program and forgivable loan program.

Adjourned: 11:52 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 17, 1987, 9:38 a.m.

Members Present: Varn, Chair; Horn, Vice Chair and Murphy.

Members Absent: Nystrom, Ranking Member and Rensink (both excused).

Committee Business: Discussed issues involving the Board of Regents and Iowa Public Television.

Adjourned: 11:21 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 17, 1987, 9:37 a.m.

Members Present: Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member and Deluhery.

Members Absent: Fuhrman (excused).

Committee Business: NCSL representatives gave presentation on family preservation.

Adjourned: 11:54 a.m.

EDUCATION

Convened: February 17, 1987, 1:09 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Holden and Lloyd-Jones.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointee William H. Jackson to the En Bloc Calendar; presentation on alternative scheduling.

Adjourned: 2:30 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 3, 1987, 8:15 a.m.

Members Present: Deluhery, Chair; Hultman (arrived 8:30 a.m.), A. Miller, Rife and Sturgeon (arrived 8:20 a.m.).

Members Absent: Gronstal, Vice Chair; Soorholtz, Ranking Member; Murphy, Schwengels and Varn.

Committee Business: James Combs of the Department of Natural Resources gave a presentation on the hazardous waste management plan.

Adjourned: 8:45 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 17, 1987, 4:08 p.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt and Rensink.

Members Absent: Vande Hoef (excused).

Committee Business: Assigned S.F. 171 to a subcommittee.

Adjourned: 4:15 p.m.

STATE GOVERNMENT

Convened: February 17, 1987, 3:15 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Schwengels and Welsh.

Members Absent: Soorholtz and Nystrom, Ranking Member (excused).

Committee Business: Assigned bills to subcommittees and recommended confirmation of Governor's appointees to the Individual Confirmation Calendar.

Adjourned: 3:50 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 101

WAYS AND MEANS: Dieleman, Chair; Soorholtz and Riordan

Senate File 107

WAYS AND MEANS: Palmer, Chair; Holt and Boswell

Senate File 150

BUSINESS AND LABOR RELATIONS: Horn, Chair; Palmer and Hultman

Senate File 159

WAYS AND MEANS: Gronstal, Chair; Readinger and Murphy

Senate File 171

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Peterson, Chair; Scott and Fuhrman

Senate File 190

TRANSPORTATION: Doyle, Chair; Jensen and Nystrom

SSB 114

EDUCATION: Murphy, Chair; Riordan and Taylor

LSB 6024

EDUCATION: Lloyd-Jones, Chair; Murphy and Corning

STUDY BILLS RECEIVED

SSB 121 State Government

Relating to the sale of alcoholic beverages by eliminating the bond requirement of certain liquor control licensees and retail wine and beer permittees, by allowing class "E" licensees to operate from the same premises used to operate under another class of liquor control license, and by removing the fifty percent goods and services test necessary for a liquor control licensee or beer permittee to qualify for Sunday sales of alcoholic beverages.

SSB 122 Human Resources

Relating to the approval of chemical substitutes and antagonists programs.

SSB 123 Human Resources

Relating to immunizations of certain students attending nonprofit postsecondary educational institutions.

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 201 (SSB 116), 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, Bruner, Coleman, Drake, Gronstal, Horn, Lloyd-Jones, C. Miller, Schwengels and Welsh. Nays, 2: Gentleman and Rife. Absent or not voting, 2: Nystrom and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 200 (SSB 72), a bill for an act authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President pro tempore Kinley presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 16, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 169, a bill for an act creating a lead abatement program within the Iowa department of public health.

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

INTRODUCTION OF BILLS

Senate File 199, by Gettings, a bill for an act relating to labor disputes and the qualification for an employee for unemployment compensation benefits.

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

Senate File 200, by committee on Transportation, a bill for an act authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, and providing penalties.

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

Senate File 201, 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**.

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the afternoon session on request of Senator Hultman.

MOTION TO RECONSIDER ADOPTED

Senator Husak called up the motion to reconsider Senate File 133 filed by him on February 16, 1987, found on page 361 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 133) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Lind
Lloyd-Jones	Mann	Miller, A. V.	Murphy
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Schwengels	Scott
Sturgeon	Vande Hoef	Wells	Welsh

Nays, 11:

Corning	Fuhrman	Gentleman	Gettings
Jensen	Kinley	Rife	Soorholtz
Taylor	Tieden	Varn	

Absent or not voting, 3:

Holden	Miller, C.P.	Nystrom
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The motion prevailed.

Senator Husak moved to reconsider the vote by which Senate File 133 went to its last reading, which motion prevailed by a voice vote.

Senate File 133

On motion of Senator Husak, Senate File 133, a bill for an act relating to park user permits and their issuance, was taken up for reconsideration.

Senator Husak asked and received unanimous consent to withdraw the motion to reconsider the vote by which amendment S—3028 by Senator Fraise to Senate File 133 failed to be adopted by the Senate on February 16, 1987, filed by him on February 17, 1987, and found on page 371 of the Senate Journal.

Senator Riordan asked and received unanimous consent to withdraw the motion to reconsider the vote by which amendment S—3044 by Senator Kinley to Senate File 133 was adopted by the Senate on February 16, 1987, filed by him on February 17, 1987 and found on page 371 of the Senate Journal.

Senator Welsh filed the following motion to reconsider from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3032 to Senate File 133 failed to be adopted by the Senate on February 16, 1987.

Senator Hall raised the point of order that amendment S—3032 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3032 in order.

Senator Welsh moved the adoption of the motion to reconsider amendment S—3032.

A non record roll call was requested.

The ayes were 25, nays 22.

The motion prevailed and amendment S—3032 to pages 1, 2 and 4 of the bill, was taken up for reconsideration.

Senator Husak asked and received unanimous consent that further action on amendment S—3032 and Senate File 133 be deferred.

President Zimmerman took the chair at 5:04 p.m.

APPENDIX

COMMITTEE REPORT

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 56, a bill for an act relating to the regulation of firearms by a political subdivision.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Fraise, Vande Hoef, Goodwin, Hall, Jensen, C. Miller, Taylor and Wells. Nays, 2: A. Miller and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3050	S. F.	162	Richard F. Drake Donald Gettings
S—3051	S. F.	162	Wally E. Horn Richard F. Drake Larry Murphy
S—3052	S. F.	162	Wally E. Horn Richard F. Drake Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:07 p.m., until 9:00 a.m., Thursday, February 19, 1987.

JOURNAL OF THE SENATE

THIRTY-NINTH CALENDAR DAY
TWENTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, February 19, 1987

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

Prayer was offered by the Reverend Craig A. Bex, pastor of the Community Church of Kamrar, Kamrar, Iowa.

The Journal of Wednesday, February 18, 1987, was approved.

INTRODUCTION OF RESOLUTION

Senate Resolution 6, by Lloyd-Jones, a resolution relating to smoking in the Senate chamber.

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

INTRODUCTION OF BILLS

Senate File 202, by Fraise and Miller of Des Moines, a bill for an act creating a new judicial district and providing an effective date.

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

Senate File 203, by Gentleman, a bill for an act relating to the use of snare traps and providing a penalty.

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

Senate File 204, by Gentleman and Drake, a bill for an act relating to the effect of replacement or indemnification of actual economic losses on damage awards for personal injury.

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

Senate File 205, by Dieleman, a bill for an act to provide additional retirement benefits under the Iowa public employees' retirement system for department of transportation peace officers, and to make an appropriation.

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

Senate File 206, by Riordan, a bill for an act prohibiting trapping along public streets or roads and near fences separating property and providing a penalty.

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

Senate File 207, by Murphy, a bill for an act to establish a low-interest rate loan program for certain state employees who want to operate a private liquor store and providing an effective date.

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

Senate File 208, by Wells, a bill for an act pertaining to aircraft registration fees for aircraft owned and operated by nonprofit hospitals.

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

Senate File 209, by Boswell and Schwengels, a bill for an act exempting gas public utilities having less than two thousand customers from the rate regulation authority of the utilities board and defining the areas in which such utilities remain subject to regulation.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Cerro Gordo for the day on request of Senator Hutchins.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 133** be referred from the **Unfinished Business Calendar** to committee on **Natural Resources**.

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

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILL

Senate File 210, by Lind, a bill for an act to change the name of the University of Northern Iowa to Iowa University.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:27 a.m., until 2:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 18, 1987, 9:40 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Presentations by Stan Kuhn and Larry Wilson, Department of Natural Resources, regarding capitals request and other appropriations.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 18, 1987, 9:55 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Presentations by: Department of Management, community cultural grants; Department of Natural Resources, parks and recreation grants; Department of Public Defense, armory construction; Department of Human Services, child support central clearinghouse; Department of Public Safety, fingerprint computer (AFIS) purchase.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: February 18, 1987, 9:43 a.m.

Members Present: Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Rensink and Murphy.

Members Absent: none.

Committee Business: Discussed regional libraries and AEA's.

Adjourned: 11:21 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: February 18, 1987, 9:40 a.m.

Members Present: Sturgeon, Chair; Scott, Vice Chair; Readinger, Ranking Member; A. Miller and Gentleman.

Members Absent: none.

Committee Business: Presentation by the Department of Elder Affairs - elderly services, senior legislature, alzheimer, RSVP and elderly law program.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 18, 1987, 9:49 a.m.

Members Present: Lloyd-Jones, Chair; Bruner, Vice Chair (arrived 9:56 a.m.); Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Presentations on day care and the child welfare system.

Adjourned: 12:01 p.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 17, 1987, 9:35 a.m.

Members Present: Doyle, Vice Chair; Lind, Ranking Member and Mann.

Members Absent: Fraise, Chair and Vande Hoef.

Committee Business: Presentations by the Department of Corrections and Board of Parole.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 18, 1987, 9:40 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member; Mann and Vande Hoef.

Members Absent: none.

Committee Business: Presentation by Judiciary Department - indigent defense and discussion of cap.

Adjourned: 11:15 a.m.

AGRICULTURE

Convened: February 18, 1987, 2:37 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Recommended confirmation of Sally Puttmann to the En Bloc Calendar; assigned bills to subcommittees; recommended passage of Senate File 70 as amended; presentations by Winton Etchen, Iowa Fertilizer and Chemical and Bill Bump, Iowa Public Records Search, Inc.

Adjourned: 3:23 p.m.

COMMERCE

Convened: February 18, 1987, 1:35 p.m.

Members Present: Palmer, Chair; Jensen, Ranking Member; Carr, Holden, Mann, Rife, Sturgeon and Tieden.

Members Absent: Deluhery, Vice Chair; Gronstal, Kinley, Lind, Nystrom, Priebe and Welsh.

Committee Business: Assigned bills to subcommittees.

Adjourned: 1:40 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 5, 1987, 1:38 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller (arrived 1:42 p.m.), Murphy (arrived 1:41 p.m.), Rife, Sturgeon and Varn.

Members Absent: Schwengels.

Committee Business: Assigned bills to subcommittees; Andrew Varley, member of the Utilities Board, spoke on utility rate reductions based on the 1986 tax law.

Adjourned: 1:38 p.m.

HUMAN RESOURCES

Convened: February 18, 1987, 2:35 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner (arrived 2:58 p.m.), Coleman, Corning, Lind, C. Miller, Murphy, Readinger, Sturgeon and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSB 57 as amended and ordered redrafted for final approval as a committee bill.

Adjourned: 3:07 p.m.

LOCAL GOVERNMENT

Convened: February 18, 1987, 4:08 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells.

Members Absent: none.

Committee Business: Recommended passage of Senate File 56; presentation by Ralph Juhl, County Supervisors Association.

Adjourned: 4:08 p.m.

TRANSPORTATION

Convened: February 18, 1987, 1:47 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Hall, Jensen and Lloyd-Jones.

Members Absent: Nystrom.

Committee Business: Assigned bill to subcommittee; approved SSB 72 as a committee bill; Senate File 53 failed recommendation for passage.

Adjourned: 2:10 p.m.

WAYS AND MEANS

Convened: February 18, 1987, 3:37 p.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt and Soorholtz.

Members Absent: Readinger.

Committee Business: Assigned bills to subcommittees.

Adjourned: 3:41 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 135

LOCAL GOVERNMENT: Vande Hoef, Chair; Wells and C. Miller

Senate File 138

AGRICULTURE: Husak, Chair; Hall and Hester

Senate File 139

LOCAL GOVERNMENT: A. Miller, Chair; Taylor and Fraise

Senate File 146

AGRICULTURE: Scott, Chair; Vande Hoef and A. Miller

Senate File 147

AGRICULTURE: Hester, Chair; Fuhrman and Husak

Senate File 151

LOCAL GOVERNMENT: Kinley, Chair; Wells and Taylor

Senate File 163

LOCAL GOVERNMENT: Fraise, Chair; A. Miller and Vande Hoef

Senate File 170

LOCAL GOVERNMENT: Hall, Chair; Vande Hoef and Taylor

Senate File 176

HUMAN RESOURCES: Murphy, Chair; Hannon and Lind

Senate File 177

AGRICULTURE: Boswell, Chair; Fuhrman and Soorholtz

Senate File 179

LOCAL GOVERNMENT: Fraise, Chair; Wells and Goodwin

Senate File 180

APPROPRIATIONS: Riordan, Chair; Holt and Boswell

Senate File 181

STATE GOVERNMENT: Welsh, Chair; Rife and Horn

Senate File 182

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 183

LOCAL GOVERNMENT: Vande Hoef, Chair; Kinley and Wells

Senate File 185

STATE GOVERNMENT: Horn, Chair; Rife and Welsh

Senate File 186

STATE GOVERNMENT: Welsh, Chair; Bruner and Nystrom

Senate File 187

STATE GOVERNMENT: Soorholtz, Chair; Nystrom and Coleman

Senate File 193

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

Senate File 194

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Soorholtz and Varn

House File 164

STATE GOVERNMENT: Gronstal, Chair; Gentleman and Welsh

House File 165

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

House File 170

COMMERCE: Jensen, Chair; Carr and Priebe

House File 194

STATE GOVERNMENT: Coleman, Chair; Nystrom and Gronstal

SSB 94

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Soorholtz

SSB 94A

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Soorholtz

SSB 120

AGRICULTURE: Husak, Chair; Soorholtz and Peterson

SSB 121

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

SSB 122

HUMAN RESOURCES: Sturgeon, Chair; Carr and Taylor

SSB 123

HUMAN RESOURCES: Corning, Chair; Murphy and Hannon

SSB 124

STATE GOVERNMENT: Schwengels, Chair; Welsh and Gronstal

SSB 125

TRANSPORTATION: Gettings, Chair; Doyle and Goodwin

SSB 126

TRANSPORTATION: Scott, Chair; Jensen and Hall

The following standing subcommittee was appointed to study General Provisions for Groundwater Protection under **SSB 94A**:

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Soorholtz

The following standing subcommittee was appointed to study Pesticides and Fertilizers under **SSB 94A**:

ENVIRONMENT AND ENERGY UTILITIES: A. Miller, Chair; Deluhery, Rife, Varn and Schwengels

The following standing subcommittee was appointed to study Wells, Sinkholes, Watersheds, Wetlands, and Animal Waste Management under **SSB 94A**:

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Gronstal and Soorholtz

The following standing subcommittee was appointed to study Solid Waste Management and Landfills under **SSB 94A**:

ENVIRONMENT AND ENERGY UTILITIES: Murphy, Chair; A. Miller and Schwengels

The following standing subcommittee was appointed to study Household Hazardous Waste under **SSB 94A**:

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Deluhery and Hultman

The following standing subcommittee was appointed to study Storage Tank Management under **SSB 94A**:

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Rife and Varn

The following Environment and Energy Utilities standing subcommittees were appointed by Senator Deluhery, Chair:

RCRA, THE RESOURCE CONSERVATION AND RECOVERY ACT: Deluhery, Chair; Hultman and Murphy

HAZARDOUS WASTE FACILITY: Deluhery, Chair; Gronstal and Schwengels

REGISTRATION OF CHEMICAL STORAGE AND PRIVATE DUMPS: A. Miller, Chair; Rife and Sturgeon

INDUSTRIAL WASTE FACILITIES: Sturgeon, Chair; A. Miller and Rife

STATE SUPERFUND: Gronstal, Chair; Soorholtz and Varn

LOW LEVEL RADIOACTIVE WASTE COMPACT: Gronstal, Chair; Schwengels and Sturgeon

HOUSEHOLD ENVIRONMENTAL HAZARDS: Varn, Chair; Deluhery and Soorholtz

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the appointment of Sally Puttmann as a member of the State Soil Conservation Committee, completed its investigation on February 11, 1987, and recommended the appointee be confirmed.

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: SENATE FILE 70, a bill for an act relating to the inspection, calibration, and sealing of gasoline pumps by the department of agriculture and land stewardship and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3053.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 2:35 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 211, by Holden, Rife, Hester, Vande Hoef, Taylor, Goodwin, Lind and Corning, a bill for an act relating to and appropriating petroleum overcharge funds.

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

Senate File 212, by Holden, a bill for an act relating to the official language of the state of Iowa.

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

Senate File 213, by Jensen, Rensink, Hester, Vande Hoef, Gentleman, Tieden, Taylor, Fuhrman, Goodwin, Corning, Lind and Nystrom, a bill for an act relating to unemployment compensation by permanently setting the amount of taxable wages, and by making the one-week waiting period permanent.

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

Senate File 214, by Taylor, a bill for an act authorizing a city with a population of five thousand or less to reduce council membership to three by referendum.

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

Senate File 215, by Holden, Rensink, Vande Hoef, Tieden, Taylor, Holt, Goodwin, Lind and Nystrom, a bill for an act relating to civil actions brought for the recovery of damages, 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 38 present, 12 absent and a quorum present.

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

The Senate resumed session, President Zimmerman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Welsh for the afternoon session 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 141.

Senate File 141

On motion of Senator Doyle, Senate File 141, a bill for an act relating to relief under bankruptcy for a judgment debtor from suspension of license, registration, or nonresident operating privilege under the motor vehicle financial responsibility requirements, 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. 141) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, none.

Absent or not voting, 2:

Miller, A.V. Welsh

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

Senate File 142

On motion of Senator Scott, Senate File 142, a bill for an act to permit employees of the department of human services to transport clients and patients of the department without a chauffeur's license, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 142) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Vande Hoef	Varn	Wells	

Nays, none.

Absent or not voting, 3:

Miller, A.V. Tieden Welsh

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

Senate File 158

On motion of Senator Horn, Senate File 158, a bill for an act relating to the time within which an application for crime victim reparation may be filed, 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. 158) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Varn	Wells		

Nays, none.

Absent or not voting, 4:

Miller, A.V.	Tieden	Vande Hoef	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.

Senate File 160

On motion of Senator Doyle, Senate File 160, a bill for an act relating to subpoenas of witnesses in civil cases, was taken up for consideration.

Senator Doyle offered amendment S—3046 filed by him on February 16, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3046 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. 160) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, none.

Absent or not voting, 3:

Miller, A.V.	Miller, C.P.	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.

Senate File 161

On motion of Senator Doyle, Senate File 161, a bill for an act relating to the sentence to be served by a person convicted as an habitual offender of the motor vehicle laws, 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. 161) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman

Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, none.

Absent or not voting, 2:

Miller, A.V. Welsh

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

Senate File 162

On motion of Senator Drake, Senate File 162, a bill for an act to provide for the establishment of the Iowa corporation for public telecommunications to plan, establish and operate educational radio and television facilities and other educational telecommunications systems and services including narrowcast and broadcast systems to serve the educational and economic development needs of the state and to provide an effective date, was taken up for consideration

Senator Coleman took the chair at 3:37 p.m.

President Zimmerman took the chair at 3:40 p.m.

Senator Drake offered amendment S—3024 filed by the committee on State Government on February 11, 1987, to pages 1, 2, 4, 6, 11 and to the title page of the bill and called for a division:

Division S—3024A: lines 2 through 5 and lines 32 and 33.

Division S—3024B: lines 6 and 7.

Division S—3024C: lines 8 through 12.

Division S—3024D: lines 13 through 18.

Division S—3024E: lines 19 through 22.

Division S—3024F: lines 23 through 31.

Senator Drake moved the adoption of division S—3024A, which motion prevailed by a voice vote.

Senator Drake asked and received unanimous consent that action on division S—3024B be deferred for consideration of amendment S—3047.

Senator Holt offered amendment S—3047 filed by him on February 17, 1987, to pages 1 and 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3047 be adopted?" (S.F. 162) the vote was:

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

Ayes, 23:

Coleman	Corning	Fraise	Fuhrman
Gettings	Goodwin	Hall	Hannon
Hester	Holden	Holt	Jensen
Lind	Miller, C.P.	Peterson	Priebe
Rensink	Rife	Schwengels	Scott
Taylor	Tieden	Vande Hoef	

Nays, 25:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gronstal	Horn	Hultman	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Murphy	Nystrom	Palmer	Readinger
Riordan	Soorholtz	Sturgeon	Varn
Wells			

Absent or not voting, 2:

Miller, A. V. Welsh

Amendment S—3047 lost.

The Senate resumed consideration of division S—3024B, previously deferred.

Senator Drake moved the adoption of division S—3024B, which motion prevailed by a voice vote.

Senator Horn offered amendment S—3051 filed by Senators Horn, Drake and Murphy on February 18, 1987, to strike division S—3024C and moved its adoption.

Amendment S—3051 was adopted by a voice vote.

Senator Drake moved the adoption of division S—3024D, which motion prevailed by a voice vote.

Senator Drake moved the adoption of division S—3024E, which motion prevailed by a voice vote.

Senator Holt offered amendment S—3048 filed by him on February 17, 1987, to strike division S—3024F and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3048 to division S—3024F be adopted?" (S.F. 162) the vote was:

Ayes, 28:

Boswell	Corning	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hannon
Hester	Holden	Holt	Hultman
Husak	Jensen	Kinley	Lind
Miller, C.P.	Palmer	Peterson	Readinger
Rensink	Rife	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 20:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gronstal	Horn	Hutchins	Lloyd-Jones
Mann	Murphy	Nystrom	Priebe
Riordan	Sturgeon	Varn	Wells

Absent or not voting, 2:

Miller, A.V. Welsh

Amendment S—3048 was adopted.

With the adoption of amendment S—3048 to division S—3024F, the Chair ruled division S—3024F out of order.

With the adoption of amendment S—3051 to division S—3024C, the Chair ruled division S—3024C out of order.

Senator Drake offered amendment S—3054 filed by Senators Drake and Carr from the floor to pages 2, 3, 4, 7, 12 and 13 of the bill and moved its adoption.

Amendment S—3054 was adopted by a voice vote.

With the adoption of amendment S—3048 to division S—3024F, the Chair ruled amendment S—3052 filed by Senators Horn, Drake and Murphy on February 18, 1987, to division S—3024F, out of order.

Senator Carr offered amendment S—3037 filed by Senators Carr and Drake on February 16, 1987, to page 4 of the bill and moved its adoption.

Amendment S—3037 was adopted by a voice vote.

Senator Drake offered amendment S—3027 filed by Senators Gronstal, Drake and Carr on February 12, 1987, to page 6 of the bill and moved its adoption.

Amendment S—3027 was adopted by a voice vote.

Senator Drake offered amendment S—3050 filed by Senators Drake and Gettings on February 18, 1987, to page 8 of the bill and moved its adoption.

Amendment S—3050 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 162** be deferred.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 42** be referred from the Regular Calendar to the committee on **Ways and Means**.

INTRODUCTION OF BILLS

Senate File 216, by committee on State Government, a bill for an act allowing therapeutically certified optometrists to employ and supply certain pharmaceutical agents and to treat certain conditions.

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

Senate File 217, by Sturgeon, a bill for an act requiring tests for acquired immune deficiency syndrome before receipt of a marriage license and providing penalties.

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

Senate File 218, by Sturgeon, a bill for an act relating to the prohibition of polygraph examinations as a condition of employment, and providing penalties.

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

Senate File 219, by committee on Human Resources, a bill for an act providing for public grants and public education relating to adolescent pregnancy prevention and services by establishing a task force on adolescent pregnancy prevention and services, providing for pilot project grants relating to adolescent pregnancy prevention and services, and establishing a local advisory committee to public school boards regarding the inclusion or exclusion of human growth and development instruction in the school curriculum.

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

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 19, 1987, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 9, a resolution to urge and request the United States Congress to fully fund and support the State Employment Service System, to continue the federal-state Work-Incentive-(WIN) Program, and to enact a Worker Adjustment Assistance Program.

APPENDIX

STUDY BILLS RECEIVED

SSB 94A Environment and Energy Utilities

Relating to public health and safety by establishing measures to improve and protect groundwater quality and regulate substances which pose health and safety hazards; establishing goals, policies, programs, funding, and administrative provisions; establishing fertilizer and pesticide management programs, fee requirements, and licensing provisions, regulating water and agricultural drainage wells, sinkholes, watersheds, and wetlands; establishing an animal waste grant program; establishing solid waste management policies and fees; imposing a fee on household hazardous waste products and establishing a cleanup program and funding for the program, establishing registration monitoring, and construction guidelines, and fees for aboveground and underground storage tanks; and generally relating to public health and safety including groundwater protection, and providing penalties.

SSB 124 State Government

Relating to the regulation of pharmacists and pharmacies and to administration, dispensing, and distribution of certain drugs, and providing penalties.

SSB 125 Transportation

Exempting driver and front seat occupants of motor vehicles from the requirement of wearing safety belts and safety harnesses while the vehicles are operated on streets or highways having speed limits of forty miles per hour or less.

SSB 126 Transportation

Relating to certain minor speeding violations by prohibiting their inclusion in abstracts of court records maintained by the state department of transportation, by prohibiting their inclusion in operating records provided by the director of transportation or sheriffs, and by prohibiting their consideration when establishing rates for motor vehicle insurance.

SSB 127 Agriculture

Relating to the state livestock industry by providing a property tax credit for certain facilities used in producing meat; providing an exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities or fuel to be used in agricultural production for market and of equipment or its repair if used in the production of livestock; and establishing a cattle feeding program and loan guarantee program for cattle operations.

SSB 128 Agriculture

Relating to the waiver of homestead exemptions, and providing dates for the effectiveness and applicability of the Act.

SSB 129 Agriculture

Relating to the transfer of all, or substantially all, the property or assets of a cooperative association by sale, other disposition, or by merger.

SSB 130 Judiciary

To provide office space and other physical facilities for the district court administrator.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of William H. Jackson be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

JULIA GENTLEMAN

BILLS ASSIGNED TO COMMITTEE

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

S. F.	195	State Government
S. F.	196	Education
S. F.	197	Judiciary
S. F.	198	Local Government
S. F.	199	Business and Labor Relations

H.F.	21	Local Government
H.F.	64	Judiciary
H.F.	114	Natural Resources
H.F.	133	Natural Resources
H.F.	168	Judiciary
H.F.	169	Human Resources
H.F.	193	State Government
H.F.	207	Human Resources

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3047 to Senate File 162 failed to be adopted by the Senate on February 19, 1987.

LEONARD L. BOSWELL

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3048 to division S—3024F to Senate File 162 was adopted by the Senate on February 19, 1987.

EMIL J. HUSAK

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 180, a bill for an act relating to economic crisis relief by providing for a small business legal services program and a small business medication program, making appropriations, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3055.

Final Vote: Ayes, 13: Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Peterson, Riordan, Sturgeon and Varn. Nays, 3: Lind, Readinger and Schwengels. Absent or not voting, 2: Welsh and Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 219 (SSB 57), a bill for an act providing for public education relating to adolescent pregnancy prevention and services by establishing a task force on adolescent pregnancy prevention and services,

providing for pilot project grants relating to adolescent pregnancy prevention and services, and establishing a local advisory committee to public school boards regarding the inclusion or exclusion of human growth and development instruction in the school curriculum.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Hannon, Carr, Gentleman, Bruner, Corning, Murphy, Readinger and Sturgeon. Nays, 3: Coleman, Lind and C. Miller. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 137, a bill for an act relating to the pricing of the Code of Iowa and related publications.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, C. Miller, Rife, Schwengels and Soorholtz. Nays, none. Absent or not voting, 2: Lloyd-Jones and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 216 (SSB 16), a bill for an act allowing therapeutically certified optometrists to employ and supply certain pharmaceutical agents and to treat certain conditions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gronstal, Horn, C. Miller, Rife and Schwengels. Nays, 1: Gentleman. Absent or not voting, 3: Lloyd-Jones, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF COMMITTEE MEETING

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 12, 1987, 1:40 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Rife, Schwengels, Sturgeon and Varn.

Members Absent: Murphy.

Committee Business: Assigned bills to subcommittees; Theresa Kehoe, Senate Research Analyst, gave a brief overview of SSB 94.

Adjourned: 1:50 p.m.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the following Governor's appointee referred to the committee on Judiciary for investigation on January 27, 1987, was automatically placed on the Individual Confirmation Calendar **without recommendation**:

Barbara Binnie for appointment as a full-time member of the Board of Parole.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 19, 1987, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 68 — Relating to the effective dates of laws and resolutions passed by the General Assembly, providing for the applicability of the act, and providing an effective date.

AMENDMENTS FILED

S-3053	S. F.	70	Agriculture
S-3054	S. F.	162	Richard F. Drake Bob Carr
S-3055	S. F.	180	Appropriations
S-3056	S. F.	133	Berl E. Priebe
S-3057	S. F.	56	Tom Mann, Jr.
S-3058	S. F.	56	Tom Mann, Jr.
S-3059	S. F.	56	Tom Mann, Jr.
S-3060	S. F.	52	Charles Bruner
S-3061	S. F.	42	Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:05 p.m., until 10:00 a.m., Monday, February 23, 1987.

JOURNAL OF THE SENATE

FORTY-THIRD CALENDAR DAY
 TWENTY-SIXTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Monday, February 23, 1987

The Senate met in regular session at 10:06 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Claire Weddle of the Reorganized Church of Latter Day Saints, Lamoni, Iowa.

The Journal of Thursday, February 19, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dieleman, Hannon and Deluhery for the day on request of Senator Hutchins; Senator Murphy for the morning on request of Senator Hutchins and Senator 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 20, 1987, amended and adopted the following concurrent resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 4, a concurrent resolution relating to the board of regents ten-year building program (S—3062).

ALSO: That the House has on February 20, 1987, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 5, a concurrent resolution calling upon the Congress of the United States to reauthorize the Federal-aid Highway Act at the earliest possible time.

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

INTRODUCTION OF BILLS

Senate File 220, by Holden, a bill for an act relating to the qualifications for the additional property tax relief for the elderly and disabled.

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

Senate File 221, by Hannon, a bill for an act relating to the licensing of hospice programs.

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

Senate File 222, by Hannon, a bill for an act to prohibit the sale or gift of smokeless tobacco to a minor and providing for application of a penalty.

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

Senate File 223, by Hannon, Mann, Wells and Gettings, a bill for an act relating to the prohibition of clove cigarettes, and providing a penalty.

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

Senate File 224, by Hannon, a bill for an act relating to the English language proficiency of persons providing classroom instruction at merged area schools and institutions of higher education under the control of the state board of regents.

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

Senate File 225, by Hannon and Corning, a bill for an act providing that under certain circumstances the owner of a vehicle which is violating the warning lamps or stop arm of a school bus or a vehicle which is improperly overtaking and passing another vehicle shall be deemed to be the driver and making penalties applicable.

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

Senate File 226, by Boswell, a bill for an act relating to the creation of an Iowa heritage corps, providing for powers and duties of its director, and making an appropriation.

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

Senate Joint Resolution 7, by Holden, a joint resolution proposing an amendment to the Constitution of the State of Iowa to eliminate the office of lieutenant governor.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Sente File 105.

Senate File 105

On motion of Senator Horn, Senate File 105, a bill for an act relating to the degree of evidence required for termination or nonrenewal of a school administrator's contract, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 105) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Corning
Doyle	Drake	Fraise	Fuhrman
Gettings	Goodwin	Gronstal	Hall
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Rensink
Riordan	Schwengels	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	Varn
Wells			

Nays, 3:

Gentleman	Holden	Readinger
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Absent or not voting, 10:

Coleman	Deluhery	Dieleman	Hannon
Lind	Mann	Murphy	Rife
Sturgeon	Welsh		

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 Horn, Senate File 106, a bill for an act relating to evaluations of the performance of school administrators including requiring the adoption of job descriptions and evaluation criteria and procedures, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn offered amendment S—3039 filed by the committee on Education on February 16, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3039 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. 106) the vote was:

Ayes, 35:

Bruner	Carr	Coleman	Corning
Doyle	Drake	Fraise	Gentleman
Gettings	Gronstal	Hall	Holden
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Rensink	Riordan
Schwengels	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, 6:

Fuhrman	Goodwin	Hester	Jensen
Readinger	Scott		

Absent or not voting, 9:

Boswell	Deluhery	Dieleman	Hannon
Lind	Murphy	Rife	Sturgeon
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 155.

Senate File 155

On motion of Senator Gronstal, Senate File 155, a bill for an act relating to the implementation of the federal Resource Conservation and Recovery act permit program for hazardous waste facilities by the department of natural resources, with report of committee on Environment and Energy Utilities recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3049 filed by the committee on Environment and Energy Utilities on February 17, 1987, to page 1 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3049 be deferred.

Senator Gronstal offered amendment S—3063 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3063 was adopted by a voice vote.

With the adoption of amendment S—3063, the Chair ruled amendment S—3049, previously deferred, out of order.

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. 155) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lloyd-Jones
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, none.

Absent or not voting, 10:

Deluhery	Dieleman	Hannon	Lind
Mann	Miller, A.V.	Murphy	Rife
Sturgeon	Welsh		

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Gregg Alan Barcus as Superintendent of Savings and Loan Associations.

Jack H. Miller as a member of the State Soil Conservation Committee.

Miguel Teran as Administrator of the Division of Spanish-speaking People.

Lillie Virginia Harper, Robert A. Jackson, Sr., Walter L. Saur and Thomas R. Eller as members of the Board of Parole.

Jean H. Kaung as a member of the Personnel Commission.

Donald Westergard as Administrator of the Division of Persons with Disabilities.

Deborah S. Roberson as a member of the Criminal and Juvenile Advisory Council.

Jill Bouslog, Shirley A. Hampton and Linda Ann Groves as members of the Commission on the Deaf.

Diana Leonard as Administrator of the Division of Deaf Services.

Inga Bumbary-Langston as Director of the Iowa State Civil Rights Commission.

Betty Lou Minor as Superintendent of Credit Unions.

Margaret M. Chadwell as a member of the Credit Union Review Board.

Charles L. Harrington as State Appellate Defender.

Ann B. Thompson as Administrator of the Division of Children, Youth and Families.

Fred Tomlinson as a member of the Iowa Grain Indemnity Fund Board.

William D. Hager as Commissioner of Insurance.

Lois R. Miller as a member of the Mental Health and Mental Retardation Commission.

Charlotte B. Nelson as Administrator of the Division of the Status of Women.

James A. Althaus, Norma I. Lock and Wendell R. Benson as members of the Employment Appeal Board.

Richard R. Ramsey as Chair of the Public Employment Relations Board.

Scot L. Beckenbaugh as a member of the Public Employment Relations Board.

K. Marie Thayer as Administrator of the Professional Licensing and Regulation Division.

Steven R. Clark as a member of the Physical and Occupational Therapy Examining Board.

Warren B. Dunham as Director of the Department of Transportation.

Keith Baker as Administrator of the Veterans Affairs Division.

Gwendolyn M. Boeke and Barbara T. Welander as members of the Architectural Examining Board.

Suzan M. Stewart as a member of the Campaign Finance Disclosure Commission.

Jack C. Oatts as a member of the Investment Board (IPERS).

Gerald D. Bair as Director of the Department of Revenue and Finance.

Richard P. Flagg and Joseph H. Harper as members of the Iowa Railway Finance Authority.

James D. Lohman as a member of the Iowa State Civil Rights Commission.

Delman L. Bowers as a member of the City Development Board.

James E. Smith as Administrator of the Division of Community Action Agencies.

Margaret P. Kolck as a member of the Commission for the Blind.

Vennetta M. Fiedler as a member of the Commission of Elder Affairs.

Arlene H. Dayhoff as a member of the Council on Human Services.

Gretchen G. Hamlett as Department Coordinator of the Department of Human Rights.

Wayne Newton and George Benning as members of the Iowa High Technology Council.

Mary Ann Stange as a member of the Job Service Advisory Council.

Keith H. Heffernan as Director of the Department of Commerce.

Robert D. Benton as Director of the Department of Education.

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
Corning	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak

Hutchins
Mann
Peterson
Riordan
Taylor
Wells

Jensen
Miller, C.P.
Priebe
Schwengels
Tieden

Kinley
Nystrom
Readinger
Scott
Vande Hoef

Lloyd-Jones
Palmer
Rensink
Soorholtz
Varn

Nays, none.

Absent or not voting, 9:

Deluhery
Miller, A.V.
Welsh

Dieleman
Murphy

Hannon
Rife

Lind
Sturgeon

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:40 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 19, 1987, 9:55 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member and Carr.

Members Absent: Taylor (excused).

Committee Business: Presentations by: State Attorney General's office, automation purchases; Department of General Services, Iowa telecommunications network development and implementation project; and World Trade Advisory Committee, international trade study report.

Adjourned: 11:43 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 19, 1987, 10:25 a.m.

Members Present: Bruner, Vice Chair (arrived 10:39 a.m.); Corning, Ranking Member, Deluhery (arrived 10:59 a.m.) and Fuhrman.

Members Absent: Lloyd-Jones, Chair (excused).

Committee Business: Presentation by Mary Nelson on foster care, foster care review, family preservation, permanency planning and parent/child visitation.

Adjourned: 12:00 noon.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 19, 1987, 10:05 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member; Vande Hoef and Mann.

Members Absent: none.

Committee Business: Presentation by Judiciary Department on operations; budget decisions on the Board of Parole - central office, federal prisoners/contractual, jail inspection, county confinement and corrections training center.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: February 19, 1987, 9:55 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Al Ferris, Administrator of the Fish and Wildlife Division of the Department of Natural Resources, reviewed the activities of the bureau.

Adjourned: 11:15 a.m.

APPROPRIATIONS

Convened: February 19, 1987, 9:35 a.m.

Members Present: Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn.

Members Absent: Welsh, Chair and Lloyd-Jones.

Committee Business: Recommended passage of Senate File 180 as amended.

Adjourned: 10:12 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: February 16, 1987, 4:10 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Hultman, A. Miller, Murphy, Schwengels, Sturgeon and Varn (arrived 4:15 p.m.).

Members Absent: Soorholtz, Ranking Member and Rife.

Committee Business: Jim Brown of the Department of Natural Resources spoke to the committee on RCRA, the Resource Conservation and Recovery Act; recommended passage of Senate File 155 as amended.

Adjourned: 4:30 p.m.

HUMAN RESOURCES

Convened: February 19, 1987, 2:42 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger and Sturgeon.

Members Absent: Taylor.

Committee Business: Final approval of SSB 57 as a committee bill.

Adjourned: 2:45 p.m.

STATE GOVERNMENT

Convened: February 19, 1987, 1:40 p.m.

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

Members Absent: Lloyd-Jones (excused).

Committee Business: Assigned bills to subcommittees; discussed SSB 16 and Senate File 137.

Adjourned: 1:53 p.m.

COMMITTEE REPORT**TRANSPORTATION**

Final Bill Action: SENATE FILE 166, a bill for an act providing that under certain circumstances the owner of a vehicle which is violating the warning lamps or stop arm of a school bus shall be deemed to be the driver and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Scott, Drake, Gettings, Goodwin, Hall and Jensen. Nays, 3: Coleman, Doyle and Lloyd-Jones. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITIONS

The following petitions were presented and placed on file by:

Senator Holt from the City Council of Milford, Iowa, supporting the recommendations of the State Emergency Telephone Number Commission.

Senator Wells from the Iowa Confederation of Alzheimer's Disease Support Groups favoring legislation to promote coordination and cooperation among the Alzheimer's disease support groups and to advocate increased coverage and reimbursement levels of medicaid on behalf of Alzheimer's victims and their family members throughout the state of Iowa.

Senator Gettings from one hundred one residents of Wapello County favoring legislation increasing funding to the State Transit Assistance Fund.

Senator Mann from five hundred fifty residents of Polk County favoring legislation to protect the rights of children.

Senator Tieden from thirty-six residents of Winneshiek County favoring legislation to initiate and support a good comprehensive long-term health care and community based services bill for the elderly of Iowa.

SUBCOMMITTEE ASSIGNMENTS

Senate File 173

JUDICIARY: Fraise, Chair; Mann and Gentleman

Senate File 175

JUDICIARY: Mann, Chair; Carr and Taylor

Senate File 188

JUDICIARY: Deluhery, Chair; Mann, Doyle, Gentleman and Holt

Senate File 189

JUDICIARY: Deluhery, Chair; Mann and Holt

Senate File 192

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

Senate File 195

STATE GOVERNMENT: Gronstal, Chair; Coleman and Schwengels

Senate File 197

JUDICIARY: Taylor, Chair; Mann and Carr

House File 64

JUDICIARY: Deluhery, Chair; Coleman and Gentleman

House File 132

JUDICIARY: Varn, Chair; Coleman and Hester

House File 168

JUDICIARY: Holt, Chair; Drake and Varn

House File 193

STATE GOVERNMENT: Rife, Chair; Gronstal and C. Miller

SSB 117

JUDICIARY: Varn, Chair; Mann and Drake

SSB 118

JUDICIARY: Varn, Chair; Coleman and Fuhrman

SSB 130

JUDICIARY: Fraise, Chair; Doyle, Mann, Holt and Gentleman

SSB 131

TRANSPORTATION: Gettings, Chair; Doyle and Nystrom

SSB 132

TRANSPORTATION: Scott, Chair; Jensen and Hall

SSB 133

JUDICIARY: Horn, Chair; Deluhery and Hester

SSB 134

JUDICIARY: Mann, Chair; Doyle and Holt

SSB 135

JUDICIARY: Varn, Chair; Coleman and Fuhrman

SSB 136

JUDICIARY: Varn, Chair; Coleman and Fuhrman

STUDY BILLS RECEIVED**SSB 131 Transportation**

Increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system, and providing a conditional effective date.

SSB 132 Transportation

Prohibiting insurers from considering certain minor traffic violations when establishing rates of motor vehicle insurance.

SSB 133 Judiciary

To authorize the parties to a dissolution to waive the filing of a financial statement only after approval by the court.

SSB 134 Judiciary

Relating to the salaries for district court clerks, deputy clerks, and employees.

SSB 135 Judiciary

To authorize the clerk of the district court to charge a filing fee of ten dollars for county or municipal infractions.

SSB 136 Judiciary

To authorize the clerk of the district court to file a decree of foreclosure with the recorder without a fee.

SSB 137 State Government

Relating to physical therapy by providing that physical therapy evaluation and treatment may be rendered without a prescription or referral.

SSB 138 Natural Resources

Relating to environmental protection performance standards for coal mining.

SSB 139 Small Business and Economic Development

Providing that a corporation or trust may hold, lease, or acquire certain agricultural land for the purpose of raising poultry or producing eggs.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 23, 1987.

Had I been present, I would have voted "aye" on Senate Files 105, 106 and 155 and "aye" for confirmation of those listed on the En Bloc Confirmation Calendar.

JIM LIND

AMENDMENTS FILED

S—3062	S. C. R.	4	House Amendment
S—3063	S. F.	155	Michael E. Gronstal
S—3064	S. F.	162	Richard F. Drake Bob Carr
S—3065	S. F.	56	Michael E. Gronstal

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 227, by Taylor, Nystrom, Rensink, Vande Hoef, Holden, Jensen, Tieden, Holt, Goodwin and Lind, 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 228, by Holden, a bill for an act relating to the computation of the amount of social security benefits to be included in net income for purposes of the state individual income tax and providing for the retroactive applicability of the Act.

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

Senate File 229, by Sturgeon, a bill for an act to exempt the gross receipts from the sale or rental of oxygen concentrators or equipment which produces oxygen for human consumption from the sales, services, and use tax.

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

Senate File 230, by Sturgeon, a bill for an act relating to the cancellation or nonrenewal of a policy or contract of insurance.

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

Senate File 231, by Welsh, a bill for an act relating to the date on which a pleading is considered filed.

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

Senate File 232, by Wells and Gettings, a bill for an act establishing requirements for the use and operation of cabooses on railroad trains.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 10, by Priebe, a concurrent resolution relating to the establishment of an interim study committee to address the protection of groundwater.

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

APPENDIX

COMMUNICATIONS RECEIVED

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

AUDITOR OF STATE

A copy of the Audit Report pertaining to the Iowa Lottery, pursuant to Chapter 11.25(2), Code of Iowa. Received December 17, 1986.

A copy of an Audit Report pertaining to the Iowa Lottery, pursuant to Chapter 99E.20(3), 1985 Code Supplement. Received December 30, 1986.

A report of the County Finance Committee, pursuant to Chapter 123 Section 210 of the Acts of the 70th General Assembly, 1983. Received December 31, 1986.

A copy of the Audit report on the Iowa Lottery, Lottery Division, Iowa Department of Revenue and Finance, pursuant to Chapter 11 of the Code of Iowa. Received January 30, 1987.

CITIZENS' AIDE/OMBUDSMAN

A report on the investigation of citizens complaints against the Job Service Division, Department of Employment Services, Waterloo District pursuant to Section 601G.9(1) of the Code of Iowa. Received October 7, 1986.

COMMERCE COMMISSION

The annual report of the Iowa State Commerce Commission for 1985, pursuant to Chapter 17.10, Code of Iowa. Received November 25, 1986.

COMMISSION ON THE STATUS OF WOMEN

A copy of the 1985 Annual Report, pursuant to Chapter 601.8, Code of Iowa. Received July 31, 1986.

A copy of the 15th Annual Report, pursuant to Chapter 601K.49 of the Code of Iowa. Received February 2, 1987.

COMMISSION ON CHILDREN, YOUTH AND FAMILIES

A copy of the 1986 Annual Report of the Iowa Commission on Children, Youth and Families. Received January 20, 1987.

DEPARTMENT OF CORRECTIONS

A personnel classification study of Iowa's community-based corrections system, Yarger and Associates of Falls Church, Virginia, pursuant to Chapter 246 of the Code of Iowa. Received July 30, 1986.

DEPARTMENT OF EDUCATION

A report on the findings of the Economy Task Force studies of local school districts and area education agencies as provided for in HF 2642. Received January 15, 1987.

A report on the expenditure of monies allocated for development of foreign language programs as required by HF 2484, acts of the Seventy-First General Assembly. Received January 28, 1987.

DEPARTMENT OF COMMERCE

A report on behalf of the Professional Licensing and Regulation Division of the Department of Commerce, pursuant to Section 258A.4 of the Code of Iowa. Received January 28, 1987.

DEPARTMENT OF ECONOMIC DEVELOPMENT

The annual report from the Department of Economic Development on a five-year strategic plan state economic growth, pursuant to Senate File 2175, Chapter 1245, 1986 Iowa Acts. Received January 14, 1987.

The annual report of the Job Training Partnership Program in Iowa. (July 1, 1985 - June 30, 1986). Received January 15, 1987.

Two studies pertaining to a business license center and a vendor data base, pursuant to HF 392, Chapter 1170, 1986 Iowa Acts. Received January 15, 1987.

The annual report of the Iowa Community Cultural Grant Commission. Received January 23, 1987.

The annual report of the Iowa Youth Corps to the Iowa General Assembly, pursuant to Chapter 1245, Section 813. Received January 23, 1987.

DEPARTMENT OF ELDER AFFAIRS

A copy of the Elderly Services Interagency Coordinating Committee Annual Report to the General Assembly, pursuant to Chapter 249D.56 of the Code of Iowa. Received February 19, 1987.

A Copy of the Long-Term Care Coordinating Unit Report, pursuant to Chapter 249D.58 of the Code of Iowa. Received February 19, 1987.

DEPARTMENT OF GENERAL SERVICES

A report on the implementation of the life cycle cost and energy efficiency standards by General Services, Board of Regents, DOT and other state agencies, pursuant to Senate File 2175, Section 2071, 1986 Session of the Seventy-first General Assembly. Received February 12, 1987.

DEPARTMENT OF MANAGEMENT

A copy of the Iowa Criminal and Juvenile Justice Plan pursuant to Chapter 80C of the Code of Iowa. Received February 2, 1987.

MERIT EMPLOYMENT DEPARTMENT

A copy of the 1985 Annual Report, pursuant to Chapter 19A.7, Code of Iowa. Received September 11, 1986.

DEPARTMENT OF NATURAL RESOURCES

A plan for the siting and construction of an above-ground facility for the long-term storage of hazardous wastes in Iowa, pursuant to Section 455B.412(1), Code of Iowa. Received December 31, 1986.

The Annual report from the Iowa Department of Natural Resources, pursuant to Sections 455B.425 and 455B.427. Received December 31, 1986.

A copy of the report on the results of the Toxic Cleanup Days pilot program, pursuant to Chapter 1229, Section 1 of the Code of Iowa. Received January 14, 1987.

A copy of the Groundwater Protection Strategy, pursuant to Chapter 7, Section 3 of the Code of Iowa. Received January 14, 1987.

A copy of the Midwest Interstate Low-level Radioactive Waste Commission's Third Annual Report, as required by the Midwest Compact and the Midwest Commission's Bylaws, pursuant to Chapter 8C.1, Code of Iowa. Received January 27, 1987.

DEPARTMENT OF PERSONNEL

A report summarizing the South Africa related investments held within the IPERS portfolio as of December 31, 1986. The report indicated those holdings which are currently authorized, due to the compliance of the companies with the requirements of the statute, and those which are not in compliance with the Iowa code 12A.3. Received January 20, 1987.

DEPARTMENT OF PUBLIC DEFENSE

Recommendations on 9-1-1 services in Iowa, pursuant to Chapter 477A.3, Code of Iowa. Received January 9, 1987.

DEPARTMENT OF PUBLIC HEALTH

A report of hospital licensure by service, pursuant to Chapter 307B.8(6), Code of Iowa. Received December 31, 1986.

A study on the present Homemaker-Home Health Aide/Chore Services program to make recommendations for an integrated statewide Homemaker-Home Health Aide program, pursuant to Chapter 1260, Section 54. Received January 30, 1987.

IOWA HEALTH DATA COMMISSION

The annual report of the Iowa Health Data Commission to the Iowa General Assembly, pursuant to Section 145.6 of the Iowa Code. Received January 15, 1986.

**THE LEGISLATIVE EXTENDED ASSISTANCE GROUP
OF THE IOWA GENERAL ASSEMBLY**

A report commissioned by the Iowa General Assembly on Factors Related to Attraction and Retention of Quality Teachers in Iowa, compiled by the College of Education, Iowa State University. Received February 19, 1987.

RAILWAY FINANCE AUTHORITY

A copy of the Iowa Railway Finance Authority Policy, pursuant to Chapter 307B.8(6), Code of Iowa. Received February 18, 1987.

STATE BOARD OF REGENTS

A copy of the Board of Regents' 1987-97 Ten-Year Building Program, pursuant to Section 262A.3 of the Code of Iowa. Received January 13, 1987.

DEPARTMENT OF REVENUE AND FINANCE

A copy of the Iowa Corporation Income and Franchise Tax Report for 1985, pursuant to Chapter 421.17(12), Code of Iowa. Received November 24, 1986.

A copy of the Iowa Department of Revenue's Annual Report for the fiscal year ending June 30, 1986. Received February 4, 1987.

DEPARTMENT OF TRANSPORTATION

A copy of the 1985 Iowa Aviation System Plan Executive Report and Technical Supplement, pursuant to Chapter 328.12. Received May 7, 1986.

A copy of the 1986 school coordination project report. Received August 6, 1986.

A copy of the 1986 Iowa Rail Plan, pursuant to Chapter 307B.8(6), Code of Iowa. Received August 6, 1986.

A copy of the Fiscal Year 1987 Iowa Transportation Policy, pursuant to Chapter 307.10(1), Code of Iowa. Received August 18, 1986.

A copy of the 1986 Iowa Airport Sufficiency Ratings, pursuant to Chapter 328.12, Code of Iowa. Received December 23, 1986.

A copy of the 1986 report on the State Aircraft Pool required by Section 328.56(5) of the Code of Iowa. Received January 14, 1987.

A copy of the 1987-1992 Transportation Improvement Program pursuant to Section 307A.2(12) of the Code of Iowa. Received January 14, 1987.

A copy of the Annual Report (July 1, 1985 to June 30, 1986) of Highway Research and Development in Iowa, published in accordance with Section 310.36 of the Code of Iowa. Received February 2, 1987.

A copy of the 1986 report on the adequacy of public transit programs in the state as required by Section 601J.4(2) of the Code of Iowa. Received February 10, 1987.

TREASURER OF STATE

A report listing all South Africa related investments administered by the Treasurer and their value on December 31, 1986, as required by Iowa Code 12A.4(2)(a). Received January 20, 1987.

COMMITTEE REPORT

JUDICIARY

Final Bill Action: HOUSE FILE 130, a bill for an act relating to the notice required for forfeiture of real estate contracts.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. R.	6	Rules & Administration
S. F.	202	Judiciary
S. F.	203	Natural Resources
S. F.	204	Judiciary
S. F.	205	State Government
S. F.	206	Natural Resources
S. F.	207	State Government
S. F.	208	Transportation
S. F.	209	Environment & Energy Utilities
S. F.	210	State Government
S. F.	211	Appropriations
S. F.	212	State Government
S. F.	213	Business and Labor Relations
S. F.	214	Local Government
S. F.	215	Judiciary
S. F.	217	Human Resources
S. F.	218	Business and Labor Relations

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:38 p.m., until 9:00 a.m., Tuesday, February 24, 1987.

JOURNAL OF THE SENATE

FORTY-FOURTH CALENDAR DAY
TWENTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, February 24, 1987

The Senate met in regular session at 9:04 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend David Grandon, pastor of the Hanford Community Church, Mason City, Iowa.

The Journal of Monday, February 23, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the day on request of Senator Hultman and Senator Deluhery for the morning on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 23, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 278, a bill for an act authorizing a county to establish a county charter commission, specifying the powers and duties of the charter commission, and providing for the adoption of a county charter.

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

INTRODUCTION OF BILLS

Senate File 233, by Vande Hoef, Soorholtz, Taylor and Fuhrman, 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.

Senate File 234, by Holden, a bill for an act providing for a refund of registration fees for certain vehicles which are sold, traded, or junked.

Read first time and passed on file.

Senate File 235, by Holden, a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system, and providing a conditional effective date.

Read first time and passed on file.

Senate File 236, by Nystrom, a bill for an act relating to accidental disability benefits for public safety peace officers and city police officers and fire fighters, by adding cancer to the diseases covered.

Read first time and passed on file.

Senate File 237, by Murphy, a bill for an act relating to public financing of political campaigns, imposing a tax, and providing penalties.

Read first time and passed on file.

Senate File 238, by Taylor, a bill for an act relating to abortions, requiring parental consent under certain circumstances and providing procedures for obtaining a waiver of the requirement, requiring that certain abortions be performed in a hospital with two physicians present, providing for arrangements if the child is born alive, and providing penalties.

Read first time and passed on file.

Senate Joint Resolution 8, by Holden, a joint resolution proposing an amendment to the Constitution of the State of Iowa to require motor vehicle registration fees, licenses, and motor vehicles and motor fuel excise taxes to be spent for the public highways.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 219** be referred from the Regular Calendar to committee on **Education.**

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:10 a.m., until 3:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	220	Ways and Means
S. F.	221	Human Resources
S. F.	222	Human Resources
S. F.	223	Human Resources
S. F.	224	Education
S. F.	225	Transportation
S. F.	226	Small Business & Economic Development
S. F.	227	Education
S. F.	228	Ways and Means
S. F.	229	Ways and Means
S. F.	230	Commerce
S. F.	231	Judiciary
S. F.	232	Transportation
S. C. R.	10	Rules & Administration
S. J. R.	7	State Government
H. C. R.	5	Transportation

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: February 23, 1987, 3:47 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Dieleman and Hannon (both excused).

Committee Business: Assigned bills to subcommittees; presentations on merit based pay for teachers by: Dr. Richard Doyle, Marshalltown Assistant Superintendent; Leroy Lines, teacher and ISEA representative for Marshalltown; Julia Messersmith, Teacher from Marshalltown Middle School.

Adjourned: 4:32 p.m.

JUDICIARY

Convened: February 23, 1987, 1:35 p.m.

Members Present: Doyle, Chair; Holt, Ranking Member (arrived 1:45 p.m.); Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Mann, Vice Chair and Deluhery (both excused).

Committee Business: Assigned bills to subcommittees; presentation by Earl Willits, Attorney General's office; amended SSB 81 and deferred action; recommended passage of House File 130; approved SSB 100 as amended and ordered redrafted for final approval as a committee bill.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: February 23, 1987, 3:45 p.m.

Members Present: Carr, Chair; Nystrom, Ranking Member; Bruner, Coleman, Gronstal, Gentleman, Lloyd-Jones, Drake, Rife, Schwengels, Soorholtz, Welsh, Horn and C. Miller.

Members Absent: Dieleman (excused).

Committee Business: Assigned bills to subcommittees and discussed SSB 14 (revised).

Adjourned: 4:38 p.m.

TRANSPORTATION

Convened: February 23, 1987, 11:05 a.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Hall, Jensen and Lloyd-Jones.

Members Absent: Nystrom.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 166; approved SSB 126 as a committee bill.

Adjourned: 11:17 a.m.

COMMITTEE REPORT**TRANSPORTATION**

Final Bill Action: SENATE FILE 239 (SSB 126), a bill for an act relating to certain minor speeding violations by prohibiting their inclusion in abstracts of court records maintained by the state department of transportation, by prohibiting their inclusion in operating records provided by the director of transportation or sheriffs, and by prohibiting their consideration when establishing rates for motor vehicle insurance.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Coleman, Scott, Doyle, Gettings, Hall and Jensen. Nays, 3: Drake, Goodwin and Lloyd-Jones. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATIONS OF VOTES

MADAM PRESIDENT: I was absent from the Senate chamber on February 23, 1987.

Had I been present, I would have voted "aye" on the following: Senate Files 105, 106 and 155; amendment S-3039 to Senate File 106 and the En Bloc Confirmation Calendar.

LARRY MURPHY

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 23, 1987.

Had I been present, I would have voted "aye" on Senate Files 105, 106 and 155 and the appointees confirmed on the En Bloc Confirmation Calendar.

BEVERLY A. HANNON

SUBCOMMITTEE ASSIGNMENTS

Senate File 199

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Palmer and Fuhrman

Senate File 213

BUSINESS AND LABOR RELATIONS: Horn, Chair; Palmer and Holden

Senate File 218

BUSINESS AND LABOR RELATIONS: Mann, Chair; Welsh and Vande Hoef

SSB 140

EDUCATION: Riordan, Chair; Murphy and Tieden

SSB 142

EDUCATION: Wells, Chair; Murphy and Corning

LSB 1222

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Horn and Hultman

LSB 1288

BUSINESS AND LABOR RELATIONS: Horn, Chair; Gettings and Hultman

LSB 1315

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Mann and Vande Hoef

LSB 2037

BUSINESS AND LABOR RELATIONS: Horn, Chair; Gettings and Hultman

LSB 2040

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Horn and Hultman

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 19, the following technical correction was made:

1. Page 4, line 2, the words "local employee," was changed to the words "local employee",

JOHN F. DWYER .
Secretary of the Senate

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM 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 February, 1987:

Senate Files 18, 19 and 39.

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—3066	S. F.	70	Jim Lind
S—3067	S. F.	162	Lee W. Holt

AFTERNOON SESSION

The Senate reconvened at 3:55 p.m., President Zimmerman presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom for the remainder of the week on request of Senator Hultman and Senator Deluhery for the afternoon 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 41 present, 9 absent and a quorum present.

UNFINISHED BUSINESS (Deferred February 19, 1987)

Senate File 162

The Senate resumed consideration of Senate File 162, a bill for an act to provide for the establishment of the Iowa corporation for public telecommunications to plan, establish and operate educational radio and television facilities and other educational telecommunications systems and services including narrowcast and broadcast systems to serve the educational and economic development needs of the state and to provide an effective date, deferred on February 19, 1987.

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

MADAM PRESIDENT: I move to reconsider the vote by which division S-3024B to Senate File 162 was adopted by the Senate on February 19, 1987.

On the question "Shall the motion to reconsider be adopted?" (S.F. 162) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Taylor
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Tieden

Absent or not voting, 5:

Deluhery	Husak	Lloyd-Jones	Nystrom
Sturgeon			

The motion prevailed and division S—3024B by the committee on State Government was taken up for reconsideration.

Senator Drake asked and received unanimous consent that action on division S—3024B be deferred for consideration of amendment S—3067.

Senator Holt offered amendment S—3067 filed by him from the floor to pages 1 and 2 of the bill (strikes division S—3024B) and moved its adoption.

Amendment S—3067 was adopted by a voice vote.

With the adoption of amendment S—3067, the Chair ruled the motion to reconsider the vote by which amendment S—3047 to Senate File 162 failed to be adopted by the Senate on February 19, 1987, filed by Senator Boswell on February 19, 1987, and found on page 411 of the Senate Journal, out of order.

Senator Husak asked and received unanimous consent to withdraw the motion to reconsider the vote by which amendment S—3048 to division S—3024F to Senate File 162 was adopted by the Senate on February 19, 1987, filed by him on February 19, 1987, and found on page 411 of the Senate Journal.

Senator Drake offered amendment S—3064 filed by Senators Drake and Carr on February 23, 1987, to page 4 of the bill and moved its adoption.

Amendment S—3064 was adopted by a voice vote.

Senator Schwengels raised the point of order that Senate File 162 was not in proper form under Senate Rule 40 and should be referred to the committee on State Government.

The Chair ruled the point not well taken.

Senator Murphy withdrew amendment S—3077 filed by him from the floor to page 9 of the bill.

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

On the question "Shall the bill pass?" (S.F. 162) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 6:

Gentleman	Hannon	Kinley	Palmer
Peterson	Schwengels		

Absent or not voting, 2:

Deluhery	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 BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 216.

Senate File 216

On motion of Senator Dieleman, Senate File 216, a bill for an act allowing therapeutically certified optometrists to employ and supply certain pharmaceutical agents and to treat certain conditions, was taken up for consideration.

Senator Gentleman offered amendment S—3071 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3071 lost by a voice vote.

Senator Gentleman offered amendment S—3070 filed by her from the floor to page 2 of the bill.

Senator Dieleman raised the point of order that amendment S—3070 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3070 out of order.

Senator Gentleman offered amendment S—3072 filed by her from the floor to page 2 of the bill and moved its adoption.

Amendment S—3072 lost by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 216** be deferred.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 23, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 258, a bill for an act relating to program grants under the Iowa department of public health for substance abuse programs.

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

House File 265, a bill for an act relating to the regulation of industrial loan companies.

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

House File 277, a bill for an act relating to residential service contracts by modifying the administrative and rulemaking authority for the residential service contracts chapter, and by changing the security requirement for a licensed service company.

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

House File 314, a bill for an act relating to the obstruction of emergency communications and making a penalty applicable.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 9, by Coleman and Taylor, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the power of the people to propose and enact or reject statutes by initiative petition and to reject acts of the General Assembly by referendum.

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

Senate File 239, by committee on Transportation, a bill for an act relating to certain minor speeding violations by prohibiting their inclusion in abstracts of court records maintained by the state department of transportation, by prohibiting their inclusion in operating records provided by the director of transportation or sheriffs, and by prohibiting their consideration when establishing rates for motor vehicle insurance.

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

Senate File 240, by Bruner, a bill for an act to provide occupational safeguards for public employees operating video display terminals, and providing for the applicability of the Act and future repeal of the Act.

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

Senate File 241, by Horn, a bill for an act relating to the acquisition, purchase, storage, or distribution of certain educational supplies and equipment for resale to school districts.

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

Senate File 242, by Horn, a bill for an act relating to the authority of an area education agency to acquire, purchase, store, or distribute certain educational supplies and equipment for resale to school districts.

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

Senate File 243, by Varn, a bill for an act requiring the director of revenue and finance to issue refunds of motor fuel tax within sixty days of their certification.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate File 42

WAYS AND MEANS: Husak, Chair; Hester and Murphy

Senate File 191

EDUCATION: Wells, Chair; Varn and Corning

Senate File 196

EDUCATION: Horn, Chair; Bruner and Rensink

Senate File 219

EDUCATION: Hannon, Chair; Lloyd-Jones and Lind

SSB 141

EDUCATION: Wells, Chair; Murphy and Corning

STUDY BILLS RECEIVED

SSB 140 Education

Relating to the use of telecommunications systems and services and other emerging technologies for educational instructional purposes and providing an effective date.

SSB 141 Education

To provide a procedure for parents or guardians to enroll their children in the public schools of contiguous school districts without cost to the parents or guardians and to provide an effective date.

SSB 142 Education

A concurrent resolution directing the state board of education to include specific named topics in its study of restructuring.

SSB 143 Judiciary

Relating to child abuse.

SSB 144 Judiciary

Relating to property exempt from execution.

SSB 145 Judiciary

Relating to recovery of merchandise or its purchase price, damages, and costs.

SSB 146 Judiciary

Regarding schedule I and schedule IV controlled substances.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 162 passed the Senate on February 24, 1987.

WALLY E. HORN

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 23, 1987.

Had I been present, I would have voted "aye" on Senate Files 105, 106 and 155 and "aye" on confirmation of those listed on the En Bloc Confirmation Calendar.

WILLIAM W. DIELEMAN

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 19 and February 23, 1987.

Had I been present, I would have voted "aye" on Senate Files 141, 142, 158, 160 and 161 on February 19 and Senate Files 105, 106 and 155 on February 23, 1987.

JOE J. WELSH

CERTIFICATE OF RECOGNITION

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

Onawa Kiwanis Club — Celebrating their Golden Anniversary. Senator Doyle (February 9, 1987).

AMENDMENTS FILED

S—3068	S. C. R.	4	Calvin O. Hultman
S—3069	H. F.	153	Richard F. Drake Charles Bruner
S—3070	S. F.	216	Julia Gentleman
S—3071	S. F.	216	Julia Gentleman
S—3072	S. F.	216	Julia Gentleman
S—3073	S. F.	216	Jean Lloyd-Jones
S—3074	S. F.	216	Jean Lloyd-Jones
S—3075	S. F.	216	Jean Lloyd-Jones
S—3076	S. F.	198	James Wells Alvin V. Miller
S—3077	S. F.	162	Larry Murphy
S—3078	S. F.	216	Julia Gentleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:36 p.m., until 9:00 a.m., Wednesday, February 25, 1987.

JOURNAL OF THE SENATE

FORTY-FIFTH CALENDAR DAY
 TWENTY-EIGHTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, February 25, 1987

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

Prayer was offered by Father Phil Schmitt, pastor of the Immaculate Conception Catholic Church, Cedar Rapids, Iowa.

The Journal of Tuesday, February 24, 1987, was approved.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 20, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 92, a bill for an act relating to the council-manager-ward form of city government.

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

INTRODUCTION OF BILLS

Senate File 244, by Hannon, Wells, Dieleman, Gettings, Lloyd-Jones, Varn, Gronstal, Schwengels, Riordan, Taylor, Hall, Scott, Vande Hoef, Corning and Bruner, a bill for an act prohibiting smoking in certain public places and providing a penalty.

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

Senate File 245, by Holt and Hester, a bill for an act relating to and making appropriations to the board of parole.

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

Senate File 246, by Vande Hoef, Hester, Rensink and Corning, a bill for an act to increase the tax on cigarettes and little cigars and providing an effective date.

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

Senate File 247, by Holden, a bill for an act to prohibit children under age sixteen from working at a street occupation before seven o'clock a.m.

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

Senate File 248, by Gentleman and Drake, a bill for an act relating to claims for punitive or exemplary damages, and providing penalties.

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

Senate File 249, by Jensen, a bill for an act relating to and making appropriations to the Iowa department of public health.

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

Senate File 250, by Horn, a bill for an act relating to additional payments to school districts and area education agencies for education purposes, for salary improvements and minimum salaries for teachers, education enhancement, career teachers, and sabbaticals for certain teachers.

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

Senate Joint Resolution 10, by Taylor, Priebe, Hall, Schwengels, Drake, Tieden, Goodwin, Hester, Vande Hoef, Readinger, Varn, Coleman, Hultman, Holt, Jensen, Fuhrman, Rensink, Holden, Nystrom, Soorholtz, Rife, Corning, Wells, Scott and Lind, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to protection of taxpayer's rights by limiting taxes, revenue, and spending of the state and local governments.

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

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 11, by Gentleman, a concurrent resolution to petition the Federal Communications Commission to increase the wattage of KWDM.

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

Senate Concurrent Resolution 12, by Rensink, Goodwin and Holt, a concurrent resolution relating to the board of regents ten-year building program.

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

Senate Concurrent Resolution 13, by Corning and Lind, a concurrent resolution to create an interim study committee to identify and make recommendations concerning alternate housing and levels of care for elders.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 166** be referred from the Regular Calendar to the committee on **Judiciary**.

UNFINISHED BUSINESS (Deferred February 24, 1987)

Senate File 216

The Senate resumed consideration of Senate File 216, a bill for an act allowing therapeutically certified optometrists to employ and supply certain pharmaceutical agents and to treat certain conditions, deferred on February 24, 1987.

Senator Lloyd-Jones offered amendment S—3073 filed by her on February 24, 1987, to page 2 of the bill.

Senator Lloyd-Jones asked and received unanimous consent that action on amendment S—3073 be deferred.

Senator Gentleman offered amendment S—3078 filed by her on February 24, 1987, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 37.

Amendment S—3078 lost.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 216 be deferred** (amendment S—3073 pending).

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 Kinley presiding.

UNFINISHED BUSINESS
(Deferred February 16, 1987)

House File 153

The Senate resumed consideration of House File 153, a bill for an act relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed items, clarifying the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates and amendment S—3031 to page 21 of the bill, deferred on February 16, 1987.

Senator Holden offered amendment S—3026 filed by him on February 11, 1987, to pages 17, 31, 33 and 43 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 27.

Amendment S—3026 lost.

Senator Priebe withdrew amendment S—3041 filed by him on February 16, 1987, to page 17 of the bill.

Senator Corning withdrew amendment S—3031 to page 21 of the bill, offered and deferred on February 16, 1987.

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

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3045 to House File 153 was adopted by the Senate on February 16, 1987.

The motion prevailed by a voice vote and amendment S—3045 by Senators Bruner and Drake to pages 4, 26, 33 and 43 of the bill, was taken up for reconsideration.

Senator Drake offered amendment S—3069 filed by Senators Drake and Bruner on February 24, 1987, to amendment S—3045 and moved its adoption.

Amendment S—3069 was adopted by a voice vote.

Senator Drake moved the adoption of amendment S—3045 as amended, which motion prevailed by a voice vote.

Senator Coleman took the chair at 10:25 a.m.

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

On the question "Shall the bill pass?" (H.F. 153) the vote was:

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

Ayes, 22:

Carr	Deluhery	Dieleman	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, 27:

Boswell	Bruner	Coleman	Corning
Doyle	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Jensen	Lind
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 1:

Nystrom

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

BUSINESS PENDING

Senate File 216

The Senate resumed consideration of Senate File 216 and amendment S—3073 to page 2 of the bill, previously deferred.

President pro tempore Kinley took the chair at 11:05 a.m.

Senator Lloyd-Jones moved the adoption of amendment S—3073, which motion lost by a voice vote.

Senator Gentleman offered amendment S—3079 filed by her from the floor to page 2 of the bill and moved its adoption.

Amendment S—3079 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—3074 filed by her on February 24, 1987, to page 2 of the bill and moved its adoption.

Amendment S—3074 lost by a voice vote.

Senator Lloyd-Jones withdrew amendment S—3075 filed by her on February 24, 1987, to page 2 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gronstal for the remainder of the week on request of Senator Hutchins.

BUSINESS PENDING

Senate File 216

The Senate resumed consideration of Senate File 216.

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. 216) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 10:

Corning	Gentleman	Gettings	Goodwin
Hall	Holden	Lind	Lloyd-Jones
Readinger	Varn		

Absent or not voting, 2:

Gronstal	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.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:37 a.m., until 3:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	233	Small Business & Economic Development
S. F.	234	Transportation
S. F.	235	Transportation
S. F.	236	State Government
S. F.	237	State Government
S. F.	238	Human Resources
S. F.	240	State Government
S. F.	241	Education
S. F.	242	Education
S. F.	243	Ways and Means
S. J. R.	8	Transportation
S. J. R.	9	State Government
H. F.	258	Human Resources
H. F.	265	Commerce
H. F.	277	State Government
H. F.	278	Local Government
H. F.	314	Judiciary

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

Convened: February 24, 1987, 9:45 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Presentation by Allan Thoms on proposed tourism centers; discussed DED general fund, Iowa Plan fund and federal community development block grant appropriations FY '87 and FY '88.

Adjourned: 11:00 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES

Convened: February 24, 1987, 9:50 a.m.

Members Present: Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member and Fuhrman.

Members Absent: Deluhery (excused).

Committee Business: Presentations by former Arizona Governor Bruce Babbitt on the welfare of children and Dick Moore of the Department of Human Services on family centered services.

Adjourned: 11:47 a.m.

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: February 24, 1987, 9:40 a.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member; Vande Hoef and Mann.

Members Absent: none.

Committee Business: Budget decisions on the Department of Justice, Attorney General and Department of Corrections.

Adjourned: 11:05 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: February 24, 1987, 9:40 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Palmer.

Members Absent: Schwengels.

Committee Business: Legislative oversight.

Adjourned: 11:50 a.m.

AGRICULTURE

Convened: February 24, 1987, 1:33 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Hall (arrived 1:36 p.m.), Husak (arrived 1:41 p.m.), Peterson, Scott, Fuhrman, Goodwin, Rensink, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 145; Senate Concurrent Resolution 7 failed recommendation for passage; presentations by Dr. L.M. Schmall, Acting State Veterinarian and Joe Royce, Administrative Rules Review Committee

Adjourned: 2:09 p.m.

BUSINESS AND LABOR RELATIONS

Convened: February 24, 1987, 2:40 p.m.

Members Present: Wells, Chair; Mann, Vice Chair, Fuhrman, Ranking Member; Gettings, Horn, Holden, Welsh and Vande Hoef.

Members Absent: Palmer and Hultman.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:46 p.m.

EDUCATION

Convened: February 24, 1987, 1:43 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on SSB 140, telecommunications policy.

Adjourned: 2:30 p.m.

NATURAL RESOURCES

Convened: February 24, 1987, 2:31 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Hannon (arrived 2:44 p.m.), Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden.

Members Absent: Schwengels (excused).

Committee Business: Assigned bills to subcommittees; presentation by Blood Run Site Acquisition Committee.

Adjourned: 3:12 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: February 24, 1987, 8:05 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Presentation by Ned Chido, chairman of Iowa World Trade Advisory Committee.

Adjourned: 9:04 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 6

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 10

RULES AND ADMINISTRATION: Gettings, Chair; Gronstal and Jensen

Senate Joint Resolution 7

STATE GOVERNMENT: Coleman, Chair; Bruner and Drake

Senate File 69
(Reassigned)

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

Senate File 133

NATURAL RESOURCES: Husak, Chair; Hannon and Hester

Senate File 144

NATURAL RESOURCES: Husak, Chair; Hannon and Hester

Senate File 145

NATURAL RESOURCES: Priebe, Chair; Scott and Rensink

Senate File 174

NATURAL RESOURCES: Peterson, Chair; Scott and Rensink

Senate File 198

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

Senate File 205

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner and Horn

Senate File 207

STATE GOVERNMENT: Horn, Chair; Rife and Welsh

Senate File 208

TRANSPORTATION: Lloyd-Jones, Chair; Hall and Nystrom

Senate File 209

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Schwengels

Senate File 210

STATE GOVERNMENT: Horn, Chair; Gentleman and Gronstal

Senate File 212

STATE GOVERNMENT: Dieleman, Chair; Carr and Schwengels

Senate File 214

LOCAL GOVERNMENT: Taylor, Chair; Kinley and Wells

Senate File 217

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Gentleman

Senate File 220

WAYS AND MEANS: Bruner, Chair; Holt and Mann

Senate File 222

HUMAN RESOURCES: Hannon, Chair; Carr and Taylor

Senate File 223

HUMAN RESOURCES: Hannon, Chair; Murphy and Readinger

Senate File 225

TRANSPORTATION: Jensen, Chair; Hall and Scott

Senate File 228

WAYS AND MEANS: Bruner, Chair; Holt and Mann

Senate File 229

WAYS AND MEANS: Gronstal, Chair; Readinger and Murphy

Senate File 232

TRANSPORTATION: Hall, Chair; Gettings and Goodwin

House Concurrent Resolution 5

TRANSPORTATION: Drake, Chair; Lloyd-Jones and Coleman

House File 21

LOCAL GOVERNMENT: Taylor, Chair; C. Miller and Fraise

House File 114

NATURAL RESOURCES: Rensink, Chair; Goodwin and Scott

House File 133

NATURAL RESOURCES: Tieden, Chair; Peterson and Hester

House File 142

NATURAL RESOURCES: Peterson, Chair; Goodwin and Scott

House File 163

HUMAN RESOURCES: Corning, Chair; Hannon and Readinger

House File 169

HUMAN RESOURCES: Sturgeon, Chair; Bruner and Taylor

House File 207

HUMAN RESOURCES: Sturgeon, Chair; Carr and Taylor

SSB 109

NATURAL RESOURCES: Goodwin, Chair; Scott and Tieden

SSB 110

NATURAL RESOURCES: Tieden, Chair; Peterson and Hall

SSB 112

NATURAL RESOURCES: Goodwin, Chair; Hannon and Husak

SSB 115

NATURAL RESOURCES: Hannon, Chair; Schwengels and Goodwin

SSB 127

AGRICULTURE: Fraise, Chair; A. Miller and Fuhrman

SSB 128

AGRICULTURE: Peterson, Chair; Boswell and Rensink

SSB 129

AGRICULTURE: Boswell, Chair; Peterson and Vande Hoef

SSB 137

STATE GOVERNMENT: Nystrom, Chair; Horn and Carr

SSB 138

NATURAL RESOURCES: Peterson, Chair; Schwengels and Rensink

SSB 147

HUMAN RESOURCES: Hannon, Chair; Murphy and Corning

SSB 148

HUMAN RESOURCES: Hannon, Chair; Murphy and Corning

LSB 2321

AGRICULTURE: Priebe, Chair; Hester and Boswell

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 153 failed to pass the Senate on February 25, 1987.

WILLIAM D. PALMER

MADAM PRESIDENT: I move to reconsider the vote by which House File 153 failed to pass the Senate on February 25, 1987.

CHARLES BRUNER

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 146, a bill for an act relating to the Agricultural Loan Assistance Program of the Iowa Agricultural Development Authority.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Husak and Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 45, a bill for an act relating to the membership of the county compensation boards.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3080.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, C. Miller, Taylor and Wells. Nays, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 69, a bill for an act relating to the investment of idle public funds by authorizing investment in drainage district warrants, bonds, or improvement certificates and by correcting an error.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 170, a bill for an act relating to military leaves of absence for officers and employees of state and local governments.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley and Taylor. Nays, 1: Wells. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 257 (SSB 77), a bill for an act relating to the payment for crop damages within the right-of-way of drainage improvements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3079	S. F.	216	Julia Gentleman
S—3080	S. F.	45	Local Government

AFTERNOON SESSION

The Senate reconvened at 4:31 p.m., Senator Lloyd-Jones presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 23, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 138, a bill for an act relating to the issuance of deer and turkey hunting licenses.

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

INTRODUCTION OF BILLS

Senate File 251, by Vande Hoef and Schwengels, a bill for an act relating to and making appropriations to legislative departments, bureaus, and agencies.

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

Senate File 252 by Hester, a bill for an act relating to and making appropriations to the judicial department.

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

Senate File 253, by Jensen, Vande Hoef, Goodwin, Fuhrman, Holt and Rensink, a bill for an act relating to maximum benefits under the workers' compensation law.

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

Senate File 254, by Jensen, Soorholtz, Vande Hoef and Tieden, a bill for an act relating to agricultural development by permitting a property tax exemption for cattle facilities and appropriating moneys from the general fund of the state to the agricultural development authority of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to provide assistance to Iowa farmers under the

agricultural loan assistance program, and related programs, and providing an effective date.

Read first time and passed on file.

Senate File 255, by Jensen, a bill for an act relating to homemaker and public health nursing funding allocation.

Read first time and passed on file.

Senate File 256, by Corning and Rife, a bill for an act relating to and making appropriations to the department of human services.

Read first time and passed on file.

Senate File 257, by committee on Local Government, a bill for an act relating to the payment for crop damages within the right-of-way of drainage improvements.

Read first time and placed on calendar.

Senate File 258, by Holden, a bill for an act relating to the responsibility for the removal of natural accumulations of snow and ice from sidewalks.

Read first time and passed on file.

Senate File 259, by Holden, a bill for an act relating to the service of process in civil actions and proceedings by persons other than law enforcement officers.

Read first time and passed on file.

Senate File 260, by Corning, a bill for an act relating to and making appropriations to the department of cultural affairs.

Read first time and passed on file.

Senate File 261, by Holden, a bill for an act relating to credit for service under the Iowa public employees' retirement system for certain members who withdrew contributions.

Read first time and passed on file.

Senate File 262, by Goodwin, a bill for an act relating to and making appropriations to the department of elder affairs.

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

Senate File 263, by committee on Ways and Means, a bill for an act relating to cigarette and tobacco tax assessment periods, penalties and appeal periods, offsetting of claims against the state with a person's liabilities to the state, tax return confidentiality, the filing of sales and services tax refund claims, audit periods for sales, services, and use tax returns, use tax penalty, and penalties for interfering with department of revenue and finance employees in the performance of their duties and providing effective dates.

Read first time and **placed on Ways and Means Calendar.**

Senate File 264, by committee on Ways and Means, a bill for an act relating to revocation of a property tax exemption.

Read first time and **placed on Ways and Means Calendar.**

Senate File 265, by committee on Local Government, a bill for an act relating to the publication of notices of public hearings, bond sales, adopted regulations, and elections.

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

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Sally Puttmann as a member of the State Soil Conservation Committee.

Jean Watterson Adams as a member of the Iowa High Technology Council.

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
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Miller, A. V.	Miller, C.P.	Murphy
Peterson	Priebe	Rensink	Riordan
Schwengels	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Gentleman	Gronstal	Kinley	Mann
Nystrom	Palmer	Readinger	Rife
Soorholtz			

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 Senate File 200.

Senate File 200

On motion of Senator Coleman, Senate File 200, a bill for an act authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, and providing penalties, was taken up for consideration.

Senator Coleman asked and received unanimous consent that further action on **Senate File 200** be deferred.

Senate File 201

On motion of Senator Welsh, Senate File 201, a bill for an act related to the senate's review and confirmation of gubernatorial appointments, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that further action on **Senate File 201** be deferred.

Senate File 70

On motion of Senator Scott, Senate File 70, a bill for an act relating to the inspection, calibration, and sealing of gasoline pumps by the department of agriculture and land stewardship and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S—3053 filed by the committee on Agriculture on February 19, 1987, to page 1 and the title page of the bill.

Senator Lind offered amendment S—3066 filed by him on February 24, 1987, to pages 1 and 2 of amendment S—3053 and to the title page of the bill and moved its adoption.

Amendment S—3066 was adopted by a voice vote.

Senator Holden called for a division of amendment S—3053 as amended:

Division S—3053A: page 2, lines 5, 6 and 7.

Division S—3053B: page 1 and page 2, lines 1 through 4 and lines 8 through 10.

Senator Priebe moved the adoption of division S—3053A.

A non record roll call was requested.

The ayes were 24, nays 17.

Division S—3053A was adopted.

Senator Priebe moved the adoption of division S—3053B, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 70) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Lloyd-Jones
Miller, A. V.	Miller, C.P.	Murphy	Peterson
Priebe	Readinger	Rensink	Riordan
Schwengels	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Holden

Absent or not voting, 8:

Gronstal	Hannon	Kinley	Mann
Nystrom	Palmer	Rife	Soorholtz

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

Senate File 137

On motion of Senator Hultman, Senate File 137, a bill for an act relating to the pricing of the Code of Iowa and related publications, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 137) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hester

Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Peterson	Priebe	Readinger	Rensink
Riordan	Schwengels	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Gronstal	Hannon	Kinley	Mann
Nystrom	Palmer	Rife	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 130.

House File 130

On motion of Senator Varn, House File 130, a bill for an act relating to the notice required for forfeiture of real estate contracts, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—3081 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3081 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 130) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.

Murphy	Peterson	Priebe	Readinger
Rensink	Riordan	Schwengels	Scott
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Gronstal	Kinley	Mann	Nystrom
Palmer	Rife	Soorholtz	

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 Lloyd-Jones presiding.

INTRODUCTION OF BILLS

Senate File 266, by Hutchins and Hultman, a bill for an act relating to the affirmation of certain provisions of law concerning judicial procedures and court enforced orders, and providing an effective date.

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

Senate File 267, by Hutchins and Hultman, a bill for an act relating to the affirmation and reenactment of certain provisions of law concerning the regulation of certain businesses and occupations, and providing an effective date.

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

Senate File 268, by Hutchins and Hultman, a bill for an act relating to the affirmation and reenactment of certain provisions of law concerning public employees, including provisions relating to state employee discipline and grievances, the public employment relations board, reprisals against state employees, and the public employees' retirement system, and providing an effective date.

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

Senate File 269, by Hutchins and Hultman, a bill for an act affirming and reenacting certain provisions affecting the criminal laws, and providing an effective date.

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

Senate File 270, by Hutchins and Hultman, a bill for an act affirming and reenacting certain provisions affecting the tax laws, and providing an effective date.

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

Senate File 271, by Hutchins and Hultman, a bill for an act affirming and reenacting certain provisions of law concerning the powers and procedures of public bodies and providing an effective date.

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

Senate File 272, by committee on Human Resources, a bill for an act repealing a pilot program regarding second opinions on elective surgery for medical assistance recipients.

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

Senate File 273, by committee on Human Resources, a bill for an act relating to the definition of foster care.

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

Senate File 274, by Riordan, Priebe, Hutchins, Boswell, Bruner, Carr, Coleman, Deluhery, Dieleman, Doyle, Fraise, Gettings, Gronstal, Hall, Hannon, Horn, Husak, Kinley, Lloyd-Jones, Mann, Miller of Cerro Gordo, Miller of Des Moines, Murphy, Palmer, Peterson, Scott, Sturgeon, Varn, Wells and Welsh, a bill for an act relating to the exporting of Iowa grain, by providing for the establishment of an Iowa agricultural export trading company; establishing a certified Iowa grain program; a new division of agriquality inspection within the department of agriculture and land stewardship; a state grain terminal and shippers program; a foreign sale facilitation system; and a sealed carrier receptacle program; and imposing penalties.

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

APPENDIX**STUDY BILLS RECEIVED****SSB 147 Human Resources**

Requiring licensure of hospice programs.

SSB 148 Human Resources

Relating to grandparent visitation rights in the case of a child born out of wedlock.

SSB 149 Judiciary

Relating to the payment and collection of the criminal penalty surcharge.

SSB 150 Judiciary

Relating to procedures upon violation of probation when the probationer is supervised within this state pursuant to the interstate probation and parole compact.

SSB 151 State Government

Relating to anesthesia services, care, and procedures provided by certified registered nurse anesthetists, providing for insurance coverage and payment for services provided to recipients of medical assistance, providing other properly related matters, and providing for the applicability of the act.

SSB 152 Agriculture

Eliminating the sales, services, and use tax on veterinary tests.

SSB 153 Agriculture

Relating to a state cattle feeding program.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: SENATE FILE 272 (SSB 83), a bill for an act repealing a pilot program regarding second opinions on elective surgery for medical assistance recipients.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger, Sturgeon and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 273 (SSB 84), a bill for an act relating to the definition of foster care.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger, Sturgeon and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 265 (SSB 39), a bill for an act relating to the publication of notices of public hearings, bond sales, adopted regulations, and elections.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 263 (SSB 85), a bill for an act relating to cigarette and tobacco tax assessment periods, penalties and appeal periods, offsetting of claims against the state with a person's liabilities to the state, tax return confidentiality, the filing of sales and services tax refund claims, audit periods for sales, services and use tax returns, use tax penalty, and penalties for

interfering with department of revenue and finance employees in the performance of their duties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Bruner, Husak, Holden, Boswell, Dieleman, Gronstal, Murphy, Drake, Hester, Holt and Readinger. Nays, none. Absent or not voting, 4: Palmer, Mann, Soorholtz and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 264 (SSB 30), a bill for an act relating to revocation of a property tax exemption.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Bruner, Husak, Holden, Boswell, Dieleman, Gronstal, Murphy, Drake, Hester, Holt and Readinger. Nays, none. Absent or not voting, 4: Palmer, Mann, Soorholtz and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITOR

The Chair welcomed Caroline Ponting from Caboolture, Australia, rotary exchange student attending school in Fort Madison, who was the guest of Senator Fraise.

AMENDMENTS FILED

S—3081	H.F.	130	Richard Varn
S—3082	S.F.	200	C. Joseph Coleman Donald V. Doyle Berl E. Priebe
S—3083	S.F.	200	Berl E. Priebe C. Joseph Coleman
S—3084	S.F.	201	Julia Gentleman
S—3085	S.F.	201	Joe J. Welsh
S—3086	S.F.	219	William W. Dieleman
S—3087	S.F.	219	William W. Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:12 p.m., until 9:00 a.m., Thursday, February 26, 1987.

JOURNAL OF THE SENATE

FORTY-SIXTH CALENDAR DAY
 TWENTY-NINTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Thursday, February 26, 1987.

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

Prayer was offered by the Reverend Robert Elfvin, pastor of the St. Lukes Episcopal Church, Des Moines, Iowa.

The Journal of Wednesday, February 25, 1987, was approved.

INTRODUCTION OF BILLS

Senate File 275, by Vande Hoef, a bill for an act to provide grants of state moneys to school districts to fund programs that provide extended contracts for teachers, to make an appropriation, and to provide an effective date.

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

Senate File 276, by Bruner, a bill for an act relating to the regulation of long-term care insurance.

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

Senate File 277, by Rensink, Vande Hoef, Holt and Schwengels, a bill for an act relating to and making appropriations to the college aid commission.

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

Senate File 278, by Rensink and Goodwin, a bill for an act relating to and making appropriations to the state board of regents.

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

Senate File 279, by Jensen, a bill for an act relating to payments for local school districts, area schools, counties, cities, local conference boards, county hospitals, and county agricultural extension councils.

Read first time and passed on file.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 14, by Gettings, a concurrent resolution congratulating Deere and Company on its 150th anniversary.

Read first time and passed on file.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to the committee on **Judiciary**:

Senate Files 266, 267, 268, 269, 270 and 271.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:13 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: February 25, 1987, 1:40 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger, Sturgeon and Taylor.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and approved SSBs 83 and 84 as committee bills.

Adjourned: 1:50 p.m.

LOCAL GOVERNMENT

Convened: February 25, 1987, 8:10 a.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Kinley, C. Miller (excused until 8:30), Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 170 and 69; recommended passage of Senate File 45 as amended; approved SSBs 39 and 77 and ordered redrafted as committee bills.

Adjourned: 9:00 a.m.

STATE GOVERNMENT

Convened: February 25, 1987, 2:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Drake, Gentleman, Horn, Lloyd-Jones, Schwengels and Welsh.

Members Absent: Nystrom, Ranking Member (excused), Gronstal (excused), Rife and Soorholtz.

Committee Business: Approved SSB 14 as amended and ordered redrafted for final approval as a committee bill; assigned bills to subcommittees.

Adjourned: 4:30 p.m.

WAYS AND MEANS

Convened: February 25, 1987, 8:24 a.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Murphy, Drake, Hester, Holt and Readinger.

Members Absent: Riordan (excused), Mann, Palmer and Soorholtz.

Committee Business: Assigned bills to subcommittees and approved SSBs 30 and 85 as committee bills.

Adjourned: 8:52 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 8

TRANSPORTATION: Drake, Chair; Doyle and Lloyd-Jones

Senate File 166

JUDICIARY: Mann, Chair; Doyle and Fuhrman

Senate File 202

JUDICIARY: Fraise, Chair; Mann and Holt

Senate File 204

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

Senate File 215

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

Senate File 231

JUDICIARY: Varn, Chair; Mann and Drake

Senate File 234

TRANSPORTATION: Lloyd-Jones, Chair; Scott and Gettings

Senate File 235

TRANSPORTATION: Doyle, Chair; Jensen and Coleman

Senate File 266

JUDICIARY: Doyle, Chair; Mann and Holt

Senate File 267

JUDICIARY: Doyle, Chair; Mann and Holt

Senate File 268

JUDICIARY: Doyle, Chair; Mann and Holt

Senate File 269

JUDICIARY: Doyle, Chair; Mann and Holt

Senate File 270

JUDICIARY: Doyle, Chair; Mann and Holt

Senate File 271

JUDICIARY: Doyle, Chair; Mann and Holt

House File 314

JUDICIARY: Drake, Chair; Gentleman and Horn

SSB 143

JUDICIARY: Varn, Chair; Mann and Gentleman

SSB 144

JUDICIARY: Varn, Chair; Gentleman and Horn

SSB 145

JUDICIARY: Varn, Chair; Fraise and Gentleman

SSB 146

JUDICIARY: Horn, Chair; Hester and Varn

SSB 149

JUDICIARY: Varn, Chair; Deluhery and Fuhrman

SSB 150

JUDICIARY: Fraise, Chair; Doyle and Gentleman

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 26th day of February, 1987:

Senate Files 41 and 50.

JOHN F. DWYER
Secretary of the Senate

COMMUNICATION RECEIVED

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

IOWA DEPARTMENT OF HUMAN SERVICES

A Copy of the Progress Report on the Federal Funding Enhancement Project, pursuant to Chapter 1246, Section 8, Subsection d. of the laws of the Seventy-first General Assembly, Second Session. Received February 25, 1987.

AMENDMENT FILED

S—3088 S. F. 263 Edgar H. Holden

BILLS ASSIGNED TO COMMITTEE

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

S. F. 244 Human Resources
S. F. 245 Appropriations

S. F.	246	Ways and Means
S. F.	247	Business & Labor Relations
S. F.	248	Judiciary
S. F.	249	Appropriations
S. F.	250	Education
S. F.	251	Appropriations
S. F.	252	Appropriations
S. F.	253	Business and Labor Relations
S. F.	254	Appropriations
S. F.	255	Appropriations
S. F.	256	Appropriations
S. F.	258	Local Government
S. F.	259	Judiciary
S. F.	260	Appropriations
S. F.	261	State Government
S. F.	262	Appropriations
S. C. R.	11	Education
S. C. R.	12	Appropriations
S. C. R.	13	Rules & Administration
S. J. R.	10	Ways & Means
H. F.	92	Local Government
H. F.	138	Natural Resources

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 4, a bill for an act relating to the offense of prostitution and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Gentleman and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 173, a bill for an act establishing priorities for deductions from the earnings of residents of community-based correctional facilities.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Gentleman and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 266, a bill for an act relating to the affirmation of certain provisions of law concerning judicial procedures and court enforced orders, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Gentleman and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 267, a bill for an act relating to the affirmation and reenactment of certain provisions of law concerning the regulation of certain businesses and occupations, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Horn and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 268, a bill for an act relating to the affirmation and reenactment of certain provisions of law concerning public employees, including provisions relating to state employee discipline and grievances, the public employment relations board, reprisals against state employees, and the public employees' retirement system, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Horn and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 269, a bill for an act affirming and reenacting certain provisions affecting the criminal laws, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Horn and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 270, a bill for an act affirming and reenacting certain provisions affecting the tax laws, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Horn and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 271, a bill for an act affirming and reenacting certain provisions of law concerning the powers and procedures of public bodies and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fuhrman, Fraise, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Horn and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 5:12 p.m., President Zimmerman presiding.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 24, 1987, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 6, a concurrent resolution relating to Pioneer Lawmakers.

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

INTRODUCTION OF BILLS

Senate File 280, by Dieleman, a bill for an act relating to certain admissions to county care facilities.

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

Senate File 281, by Goodwin and Rensink, a bill for an act relating to and making appropriations to the department of natural resources.

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

Senate File 282, by committee on Judiciary, a bill for an act to revise provisions relating to dangerous weapons and the carrying of dangerous weapons and knives, and providing penalties.

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

Senate File 283, by committee on Judiciary, a bill for an act relating to the duties of a trustee upon appointment by requiring the filing of an inventory of the property of the trust.

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

Senate File 284, by committee on Judiciary, a bill for an act relating to transfers to minors.

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

Senate File 285, by committee on Judiciary, a bill for an act relating to the lapse of stale mineral interests.

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

APPENDIX**COMMITTEE REPORTS****JUDICIARY**

Final Bill Action: SENATE FILE 282 (SSB 100), a bill for an act to revise provisions relating to dangerous weapons and the carrying of dangerous weapons and knives, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Horn and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 283 (SSB 118), a bill for an act relating to the duties of a trustee upon appointment by requiring the filing of an inventory of the property of the trust.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Gentleman and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 284 (SSB 26), a bill for an act relating to the lapse of stale mineral interests.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Gentleman and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 285 (SSB 25), a bill for an act relating to transfers to minors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fuhrman, Fraise, Hester, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Horn and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

S.F. 274 Agriculture

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:14 p.m., until 10:00 a.m., Monday, March 2, 1987.

JOURNAL OF THE SENATE

FIFTIETH CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 2, 1987

The Senate met in regular session at 10:08 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Henry Riegel, pastor of the Maple Grove United Methodist Church, Waukee, Iowa.

The Journal of Thursday, February 26, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boswell and Murphy for the day and Senator Lloyd-Jones for the morning on request of Senator Hutchins and Senator Hester 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 25, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 266, a bill for an act relating to the exemption from the state sales, services and use tax of the gross receipts from the sale of foods purchased with federal food stamps and providing an effective date.

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

ALSO: That the House has on February 27, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 286, by Murphy, a bill for an act authorizing the state racing commission to permit a parimutuel licensee to establish and operate a satellite wagering facility including simultaneous telecasts of races on which wagers can be made.

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

Senate File 287, by Vande Hoef, a bill for an act relating to the equalization of assessments of rural residential property and commercial property by the department of revenue and finance.

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

Senate File 288, by Holden, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees.

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

Senate File 289, by Tieden, a bill for an act relating to the use of property for recreational activities.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 266, 268, 269, 270 and 271.

Senate File 266

On motion of Senator Doyle, Senate File 266, a bill for an act relating to the affirmation of certain provisions of law concerning judicial procedures and court enforced orders, and providing an effective date, 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. 266) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Hester	Lloyd-Jones	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.

Senate File 268

On motion of Senator Doyle, Senate File 268, a bill for an act relating to the affirmation and reenactment of certain provisions of law concerning public employees, including provisions relating to state employee discipline and grievances, the public employment relations board, reprisals against state employees, and the public employees' retirement system, and providing an effective date, 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. 268) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Hester	Lloyd-Jones	Murphy
Peterson			

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

Senate File 269

On motion of Senator Doyle, Senate File 269, a bill for an act affirming and reenacting certain provisions affecting the criminal laws, and providing an effective date, 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. 269) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan

Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Hester	Lloyd-Jones	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.

Senate File 270

On motion of Senator Doyle, Senate File 270, a bill for an act affirming and reenacting certain provisions affecting the tax laws, and providing an effective date, 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. 270) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Hester	Lloyd-Jones	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.

Senate File 271

On motion of Senator Doyle, Senate File 271, a bill for an act affirming and reenacting certain provisions of law concerning the powers and procedures of public bodies and providing an effective date, 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. 271) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Boswell	Hester	Lloyd-Jones	Mann
Murphy			

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 56.

Senate File 56

On motion of Senator Hall, Senate File 56, 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 Gronstal offered amendment S—3065 filed by him on February 23, 1987, to page 1 of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3065 be deferred.

Senator Mann offered amendment S—3057 filed by him on February 19, 1987, to page 1 and the title page of the bill.

Senator Hall raised the point of order that amendment S—3057 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3057 in order.

Senator Mann moved the adoption of amendment S—3057.

A record roll call was requested.

On the question “Shall amendment S—3057 be adopted?” (S.F. 56) the vote was:

Ayes, 10:

Bruner	Carr	Corning	Gentleman
Gronstal	Hannon	Mann	Miller, A.V.
Riordan	Sturgeon		

Nays, 36:

Coleman	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Hall	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Weish

Absent or not voting, 4:

Boswell

Hester

Lloyd-Jones

Murphy

Amendment S—3057 lost.

Senator Mann offered amendment S—3059 filed by him on February 19, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3059 lost by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 56** be deferred (amendment S—3065 pending).

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 266, 268, 269, 270 and 271** be immediately messaged to the House.

INTRODUCTION OF BILLS

Senate File 290, by Vande Hoef, a bill for an act relating to the requirement for foster parent training, and incorporating a penalty.

Read first time and passed on file.

Senate File 291, by Rife, Soorholtz, Vande Hoef and Goodwin, a bill for an act relating to the reauthorization of the agricultural loan assistance program, including establishing assistance programs for returning cattle producers, making appropriations, and providing an effective date.

Read first time and passed on file.

Senate File 292, by Deluhery, a bill for an act relating to the establishment of a building materials fire toxicity filing system.

Read first time and passed on file.

Senate File 293, by Mann, a bill for an act relating to computer matching and verification programs.

Read first time and passed on file.

Senate File 294, by Varn, a bill for an act relating to the liability of a municipality in the exercise of discretion by an officer or employee of the municipality.

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

Senate File 295, by Priebe and Soorholtz, a bill for an act relating to the teaching of vocational agriculture in this state and providing an appropriation.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:35 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	275	Education
S. F.	276	Commerce
S. F.	277	Appropriations
S. F.	278	Appropriations
S. F.	279	Appropriations
S. F.	280	Human Resources
S. F.	281	Appropriations
S. C. R.	14	Rules & Administration
H. C. R.	6	Rules & Administration

GOVERNOR'S VETO MESSAGE

February 27, 1987

The Honorable Jo Ann Zimmerman
Lieutenant Governor of Iowa
Statehouse
Des Moines, Iowa 50319

Dear Governor Zimmerman:

Senate File 19, "An Act relating to the giving of gifts to public employees and officials and to candidates and subjecting violators to a penalty and providing an effective date" is hereby disapproved and transmitted to you in accordance with Article III, Section 16, of the Constitution of the State of Iowa.

I have reached this decision after a careful review of the legal implications of this proposed law and after discussions with legislative leaders.

It is incumbent upon state officials to take action to restore public faith and trust in the legislative process. A reformed gift law should close loopholes in the current law. Senate File 19 actually opens new loopholes and effectively legalizes past legislative indiscretions. The General Assembly can do better.

Senate File 19 liberalizes the gift law; it creates new exceptions and new definitions to allow more gifts to slip through the restrictions in the existing law.

For Example, Senate File 19:

-- opens up a gaping exception for undefined "honoraria" which could, in effect, incongruously exempt all gifts from gift law restrictions -- Black's law dictionary defines honoraria as a "free gift";

-- allows persons that do business with the state in contracts worth less than \$5,000 to escape the gift law;

-- authorizes parties given by lobbyists for legislators and gives individuals in whose honor parties are thrown a way to skirt the restrictions in the gift law;

-- allows the acceptance of registration fees and tuition for certain seminars and continuing education classes;

-- expands the list of costs which can be paid for in return for a speaking engagement from the "actual" to "reasonable" expenses;

I cannot in good conscience allow these changes to become law. Senate File 19 does contain some language which is more restrictive than current law -- reporting by both gift givers and receivers and requirements for local government gift law regulations, for example. However, these restrictions are overwhelmingly counterbalanced by the new loopholes that are opened up in the gift law.

Instead, action should be taken to include additional safeguards to increase public confidence in the legislative process. The General Assembly would do well to eliminate those portions of Senate File 19 which liberalize current law; accept those provisions which tighten it; and adopt a provision on calendar year reporting that is used in Wisconsin. That provision would require the reporting of gifts having a cumulative value of greater than \$50 in any one calendar year from one donor. This will require public disclosure of continuing lobbyist/public official relationships that would otherwise be shielded from public purview.

Further, I would recommend that parties given by registered lobbyists for specific legislators or state officials not be allowed. There should be a ban on these events, not an effort to divide up the contributions so that the event can go on and be authorized by law.

I urge the legislature to take action this session to correct the problems which I have identified in Senate File 19. In the event the General Assembly does not, the status of the law will be as recently announced by the Attorney General. That will reduce the value of allowable gifts for state officials from \$50 to \$25 and maintain the current reporting requirements. Local government officials and employees must abide by the \$50 limit in the 1980 law. And the broader definition of a gift provided for in the 1979 law must be observed.

I will be issuing an executive order next week to implement these and my recommended further restrictions for employees of the executive branch of the state and their immediate family members. I will work with the General Assembly to put these provisions in statute, as well.

In short, Senate File 19 opens new loopholes in the current gift law. Instead of liberalizing the current law, action should be taken to tighten the law in order to help restore public faith and confidence in the legislative process. The General Assembly should act soon to get that important job done.

Sincerely,
TERRY E. BRANSTAD
Governor

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate Amendment S—3081 to House File 130, the following technical correction was made:

1. Page 1, line 5, the word "that" was changed to the word "than".

JOHN F. DWYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on February 26, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 18 — To repeal the prohibition relating to price discrimination in the sale or lease of motor vehicles by a motor vehicle manufacturer, distributor, or wholesaler and providing an effective date.

S.F. 39 — Relating to the date on which the certified enrollment count is taken for pupils enrolled in public schools in this state.

H.F. 129 — Relating to forms of acknowledgements.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: February 26, 1987, 10:50 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member and Soorholtz.

Members Absent: Welsh.

Committee Business: Initial decision-making.

Adjourned: 11:25 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT
AND IOWA PLAN**

Convened: February 26, 1987, 10:53 a.m.

Members Present: Boswell, Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: Gronstal, Vice Chair (excused).

Committee Business: Legislative oversight on DED community economic betterment account program (CEBA); discussion and setting goals and performance indicators.

Adjourned: 11:55 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 26, 1987, 10:58 a.m.

Members Present: Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Budget presentation by Jack Dodds, General Administration, Department of Human Services; brief explanation of the social services block grant bill by Steve Timmons, Legislative Fiscal Bureau; committee review on legislative oversight of family centered services, purchased services.

Adjourned: 11:46 a.m.

EDUCATION

Convened: February 26, 1987, 3:30 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and discussed and deferred action on SSBs 5 and 140.

Adjourned: 5:00 p.m.

JUDICIARY

Convened: February 26, 1987, 1:35 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Deluhery, Drake, Fraise, Fuhrman, Hester, Taylor and Varn.

Members Absent: Coleman, Horn (both excused), and Gentleman.

Committee Business: Recommended passage of Senate Files 4, 173, 266, 267, 268, 269, 270 and 271; approved SSBs 118, 26, 25 and 100 as committee bills; amended and approved SSB 31 as a committee bill.

Adjourned: 2:30 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate Joint Resolution 9**

STATE GOVERNMENT: Bruner, Chair; Drake and Gronstal

Senate Joint Resolution 10

WAYS AND MEANS: Bruner, Chair; Hester and Mann

Senate File 184

EDUCATION: Dieleman, Chair; Murphy, Varn, Taylor and Corning

Senate File 224

EDUCATION: Lloyd-Jones, Chair; Wells and Taylor

Senate File 227

EDUCATION: Dieleman, Chair; Murphy, Varn, Taylor and Corning

Senate File 236

STATE GOVERNMENT: Nystrom, Chair; Bruner, Horn, Carr and Schwengels

Senate File 237

STATE GOVERNMENT: Carr, Chair; Drake and Bruner

Senate File 238

HUMAN RESOURCES: Taylor, Chair; Hannon and Gentleman

Senate File 240

STATE GOVERNMENT: Horn, Chair; Lloyd-Jones and Nystrom

Senate File 241

EDUCATION: Murphy, Chair; Wells and Corning

Senate File 242

EDUCATION: Bruner, Chair; Murphy and Corning

Senate File 243

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

Senate File 244

HUMAN RESOURCES: Hannon, Chair; Bruner and Gentleman

Senate File 246

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

Senate File 248

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

Senate File 259

JUDICIARY: Varn, Chair; Mann and Drake

Senate File 261

STATE GOVERNMENT: Nystrom, Chair; Bruner, Horn, Carr and Schwengels

House File 277

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

SSB 154

HUMAN RESOURCES: Murphy, Chair; Bruner and Gentleman

SSB 155

JUDICIARY: Gentleman, Chair; Varn and Horn

SSB 156

JUDICIARY: Mann, Chair; Doyle and Gentleman

STUDY BILLS RECEIVED**SSB 154 Human Resources**

Relating to interstate agreements for provision of medical assistance services to adoptive families who participate in the subsidized adoption or adoption assistance program.

SSB 155 Judiciary

Relating to the appointment of court appointed special advocates, and providing an effective date.

SSB 156 Judiciary

Relating to the crime of assault, and providing penalties.

SSB 157 Agriculture

Relating to soil conservation districts, by changing the name to soil and water conservation districts.

PETITIONS

The following petitions were presented and placed on file by:

Senator Readinger from fifty residents of Polk County favoring legislation on adolescent pregnancy prevention and services.

Senator Scott from the City Council of Charles City supporting the recommendations of the State Emergency Telephone Number Commission.

The following petitions favoring legislation to initiate and support a good comprehensive long-term health care and community based services bill for the elderly of Iowa were presented and placed on file by:

Senator Fuhrman from fifty residents of Calhoun County.

Senator Kinley from seventy-three residents of Polk County.

Senator Palmer from eight-five residents of Polk County.

Senator Readinger from thirty-one residents of Polk County.

Senator Welsh from twenty-two residents of Dubuque County.

AMENDMENT FILED
(Filed February 26, 1987)

S—3089 S. F. 263 Ray Taylor

AMENDMENTS FILED
(Filed March 2, 1987)

S—3090 S. F. 263 Charles Bruner
S—3091 S. F. 267 Donald V. Doyle

AFTERNOON SESSION

The Senate reconvened at 4:41 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 296, by Goodwin, a bill for an act relating to and making appropriations to the campaign finance disclosure commission.

Read first time and passed on file.

Senate File 297, by committee on Judiciary, a bill for an act relating to the state civil rights law, amending the definition of public accommodation, and revising provisions on unfair or discriminatory practices by deleting certain enumerations and duplications.

Read first time and placed on calendar.

Senate File 298, by committee on State Government, a bill for an act relating to the sale of alcoholic beverages, by allowing the alcoholic beverages division to assess a split-case charge when alcoholic liquor is sold in quantities which require a case to be split, by lowering the maximum markup on liquor sold by the division to class "E" licensees from sixty to fifty percent, by allowing identifying markers to be placed on containers of alcoholic liquor in the manner prescribed by the division, by setting the bond for a class "E" license at a maximum of fifteen thousand dollars, by not requiring a bond from class "E" licensees who purchase alcoholic liquor from the division on a cash basis or through electronic funds transfer, by allowing the division to deposit all the license fees collected from class "E" licensees in the beer and liquor control fund, by allowing the advertisement of alcoholic liquor for sale, by repealing the fifty percent goods and services test to qualify for Sunday sales of alcoholic beverages or beer under a liquor control license or class "B" beer permit, by removing the beverage container deposit on containers of alcoholic liquor and wine, by striking a standing appropriation for the treatment of alcoholics, by allowing the division to sell liquor inventories in state stores to class "E" licensees at reduced prices as state stores are closed, and by allowing the division to

continue sales of wine to class "A" and "B" wine permittees until inventories are depleted.

Read first time and placed on calendar.

QUORUM CALL

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

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

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

The Senate resumed session, President Zimmerman presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Peterson called up the appointment of Owen D. Fincham as a member of the Iowa Grain Indemnity Fund Board, placed on the Individual Confirmation Calendar on February 5, 1987.

Senator Peterson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Mann

Murphy

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

DEFERRAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Priebe called up the appointment of Larry J. Wilson as Director of the Department of Natural Resources, placed on the Individual Confirmation Calendar on February 4, 1987.

Senator Hutchins asked and received unanimous consent that action on the confirmation of Larry J. Wilson be deferred until 9:00 a.m., Tuesday, March 3, 1987.

REFUSAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Bruner called up the appointment of Karen L. Tynes as Executive Director of the Department of Elder Affairs, placed on the Individual Confirmation Calendar on February 4, 1987.

Senator Bruner moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 20:

Bruner	Corning	Deluhery	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hester	Holden	Husak
Jensen	Lind	Nystrom	Readinger
Rife	Soorholtz	Sturgeon	Taylor

Nays, 27:

Boswell	Carr	Coleman	Dieleman
Doyle	Fraise	Gettings	Hannon
Holt	Horn	Hultman	Hutchins
Kinley	Lloyd-Jones	Miller, A. V.	Miller, C.P.
Palmer	Peterson	Priebe	Rensink

Riordan
Vande Hoef

Schwengels
Varn

Scott
Wells

Tieden

Absent or not voting, 3:

Mann

Murphy

Welsh

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Karen L. Tynes.

INTRODUCTION OF BILLS

Senate File 299, by committee on State Government, a bill for an act relating to podiatry by broadening the scope of practice of podiatry, by including podiatrists in the definition of "physician" for certain purposes, by broadening provisions relating to temporary certificates, by providing for coverage of podiatrists' services under prepaid group plans of health maintenance organizations and providing for data collection and utilization review, and by providing for other properly related matters.

Read first time and placed on calendar.

Senate File 300, by committee on Judiciary, a bill for an act relating to procedures upon violation of probation when the probationer is supervised within this state pursuant to the interstate probation and parole compact.

Read first time and placed on calendar.

APPENDIX

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 163, a bill for an act relating to health-related duties within the department of inspections and appeals and the Iowa department of public health.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 297 (SSBs 31 and 113), a bill for an act relating to the state civil rights law, amending the definition of public accommodation, and revising provisions on unfair or discriminatory practices by deleting certain enumerations and duplications.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 300 (SSB 150), a bill for an act relating to procedures upon violation of probation when the probationer is supervised within this state pursuant to the interstate probation and parole compact.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 168, a bill for an act to prohibit a person who intentionally and unjustifiably causes or procures the death of another from receiving any property, benefit, or other interest by reason of the death.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 314, a bill for an act relating to the obstruction of emergency communications and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 148, a bill for an act relating to gender balance in the appointment and election of judicial nominating commissioners.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Schwengels and Soorholtz. Nays, 1: Coleman. Absent or not voting, 1: Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 298 (SSB 14), a bill for an act relating to the sale of alcoholic beverages, by allowing the alcoholic beverages division to assess a split-case charge when alcoholic liquor is sold in quantities which require a case to-be split, by lowering the maximum markup on liquor sold by the division to class "E" licensees from sixty to fifty percent, by allowing identifying markers to be placed on containers of alcoholic liquor in the manner prescribed by the division, by setting the bond for a class "E" license at a maximum of fifteen thousand dollars, by not requiring a bond from class "E" licensees who purchase alcoholic liquor from the division on a cash basis or through electronic funds transfer, by allowing the division to deposit all the license fees collected from class "E" licensees in the beer and liquor control fund, by allowing the advertisement of alcoholic

liquor for sale, by repealing the fifty percent goods and services test to qualify for Sunday sales of alcoholic beverages or beer under a liquor control license or class "B" beer permit, by removing the beverage container deposit on containers of alcoholic liquor and wine, by striking a standing appropriation for the treatment of alcoholics, by allowing the division to sell liquor inventories in state stores to class "E" licensees at reduced prices as state stores are closed, and by allowing the division to continue sales of wine to class "A" and "B" wine permittees until inventories are depleted.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Carr, Nystrom, Coleman, Gentleman, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, 3: Dieleman, Bruner and Gronstal. Absent or not voting, 2: Drake and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 299 (SSB 60), a bill for an act relating to podiatry by broadening the scope of practice of podiatry, by including podiatrists in the definition of "physician" for certain purposes, by broadening provisions relating to temporary certificates, by providing for coverage of podiatrists services under prepaid group plans of health maintenance organizations and providing for data collection and utilization review, and by providing for other properly related matters.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, C. Miller, Schwengels, Soorholtz and Welsh. Nays, 2: Lloyd-Jones and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the appointment of Karen L. Tynes as Executive Director of the Department of Elder Affairs on March 2, 1987.

CALVIN O. HULTMAN

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 2, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

S.F. 41 — Relating to the reimbursement to a parent or guardian for the cost of transporting the pupil to school when bus transportation is not available, providing for the applicability of the act, and providing an effective date.

S.F. 50 — Relating to the annual report of a school district.

AMENDMENTS FILED

S—3092	S. F.	282	Donald V. Doyle
S—3093	S. F.	148	Richard F. Drake

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:10 p.m., until 9:00 a.m., Tuesday, March 3, 1987.

JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 3, 1987

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

Prayer was offered by the Reverend E. Charles Anderson, pastor of the Grand View Lutheran Church, Des Moines, Iowa.

The Journal of Monday, March 2, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Kinley and Miller of Des Moines for the morning on request of Senator Hutchins.

INTRODUCTION OF BILLS

Senate File 301, by Hannon, Boswell and Riordan, a bill for an act relating to a pilot program of the department of economic development to build all-Iowa shops along the state's highways for tourism information.

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

Senate File 302, by Hannon, Deluhery, Gronstal, Wells, Priebe and Murphy, a bill for an act relating to the disability of brain injury.

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

Senate File 303, by Boswell, a bill for an act relating to the merger and consolidation of cooperative associations, by defining the fair market value of assets held by an association and providing for determining the fair value of an equity interest held by a dissenting member.

Read first time and passed on file.

Senate File 304, by Bruner, a bill for an act relating to the establishment of an intermediary procedure for the voluntary disclosure of adoption records under specified circumstances and of an adoption contact registry to match voluntary consents to the disclosure of identifying information by persons related to the same adoption, and providing penalties.

Read first time and passed on file.

Senate File 305, by Bruner, a bill for an act requiring physicians to accept the reasonable charge for certain services determined by the secretary of health and human services when treating a beneficiary of health insurance under Title XVIII of the Social Security Act.

Read first time and passed on file.

Senate File 306, by Rensink, a bill for an act allowing a deduction in computing state individual income taxes of the amount paid for tuition, textbooks, and transportation of dependents attending elementary or secondary schools situated within Iowa and surrounding states and making it retroactive.

Read first time and passed on file.

Senate File 307, by Vande Hoef, a bill for an act relating to the confidentiality of adoption records, and penalties for violations.

Read first time and passed on file.

Senate File 308, by Hall, a bill for an act relating to the issuance of a certificate of title for a vehicle for which a junking certificate has been issued.

Read first time and passed on file.

Senate File 309, by Jensen, Fuhrman and Drake, a bill for an act supporting business, industrial, and agricultural development through transportation by the establishment of a commercial network of highways funded by an increase in the rate of excise taxes on motor fuel and special fuel, by the creation of a comprehensive transportation development fund consolidating the funding for railroads, aeronautics, bikeways, recreational

trails, commercial navigation, and intermodal projects, by establishing an excise tax on transportation fuels used by rail, air, and water transportation, by establishing an excise tax on rail freight transportation and providing for the registration of aircraft.

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.

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

The Senate resumed session, President Zimmerman presiding.

SPECIAL GUESTS

President Zimmerman presented winners of the essay contest of the Iowa Commission on the Status of Women to "Write Women Back Into History":

First Place: Amy Kujac, Madrid

Second Place: J.C. Dann, Camanche

Third Place: Koren Lea Schemmel, Farley

Honorable Mention:

Linda Sinclair, Melrose

Kathryn Miller, Des Moines

Jenny Urbain, Epworth

Sarah Stanton, Spencer

Jenny Synhorst, Spencer

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

REFUSAL OF GOVERNOR'S APPOINTMENT
(Deferred March 2, 1987)

The Senate resumed consideration of the Governor's appointment of Larry J. Wilson as Director of the Department of Natural Resources, deferred on March 2, 1987.

Senator Priebe moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

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

Ayes, 32:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Hall
Hannon	Hester	Holden	Holt
Jensen	Lind	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Palmer	Readinger
Rensink	Rife	Schwengels	Sturgeon
Taylor	Tieden	Vande Hoef	Varn

Nays, 13:

Boswell	Doyle	Fraise	Gronstal
Horn	Hultman	Husak	Hutchins
Mann	Peterson	Priebe	Riordan
Wells			

Absent or not voting, 5:

Kinley	Miller, C.P.	Scott	Soorholtz
Welsh			

The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Larry J. Wilson.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:05 a.m., until 4:30 p.m.

APPENDIX

COMMUNICATIONS RECEIVED

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

IOWA DEPARTMENT OF TRANSPORTATION

A copy of the 1986 Quadrennial Need Study, a report on Highways, Roads and Streets, pursuant to Chapter 307A of the Code of Iowa. Received March 2, 1987.

IOWA DEPARTMENT OF PERSONNEL

A copy of the Thirty-third Annual Report of the Iowa Public Employees Retirement System (IPERS) for fiscal year 1986, pursuant to Chapter 97B.4 of the Code of Iowa. Received March 3, 1987.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: March 2, 1987, 3:37 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor.

Members Absent: Murphy (excused).

Committee Business: Recommended passage of H.F. 163.

Adjourned: 3:47 p.m.

JUDICIARY

Convened: March 2, 1987, 1:35 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; final approval of SSB 31 as a committee bill; approved SSB 150 as a committee bill; recommended passage of House Files 168 and 314.

Adjourned: 2:20 p.m.

STATE GOVERNMENT

Convened: March 2, 1987, 2:40 p.m.

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

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed SSBs 14 and 60 and S.F. 148.

Adjourned: 3:17 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 12

APPROPRIATIONS: Husak, Chair; Lind and Fraise

Senate Concurrent Resolution 13

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 14

RULES AND ADMINISTRATION: Gettings, Chair; Jensen and Gronstal

Senate File 211

APPROPRIATIONS: Welsh, Chair; Tieden and Dieleman

Senate File 245

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 249

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 251

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 252

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 254

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 255

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 256

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 260

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 262

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

House Concurrent Resolution 6

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Kinley

SSB 159

TRANSPORTATION: Doyle, Chair; Lloyd-Jones and Drake

MOTIONS TO RECONSIDER

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the appointment of Larry J. Wilson as Director of the Department of Natural Resources on March 3, 1987.

BERL E. PRIEBE

MR. PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the appointment of Larry J. Wilson as Director of the Department of Natural Resources on March 3, 1987.

CALVIN O. HULTMAN

COMMITTEE REPORT

TRANSPORTATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 5, a resolution calling upon the Congress of the United States to reauthorize the Federal-Aid Highway Act at the earliest possible time.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 158 Natural Resources

Relating to free landowner and tenant licenses for taking deer or wild turkey.

SSB 159 Transportation

Relating to handicapped parking spaces and providing a penalty and effective dates.

SSB 160 Education

Allowing a deduction in computing state individual income taxes of the amount paid for tuition, textbooks, and transportation of dependents attending elementary or secondary schools situated within Iowa and surrounding states and making it retroactive.

SSB 161 State Government

To require the state superintendent of printing to publish a state salary list.

SSB 162 State Government

Relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available,

providing for direct payment or reimbursement, and providing for data collection and utilization review.

SSB 163 Judiciary

Relating to consumer frauds and providing penalties.

SSB 164 Judiciary

Relating to the crime of forgery and related fraudulent criminal acts, and providing penalties.

SSB 165 Judiciary

Relating to dispositional hearings and review hearings for certain children under the juvenile justice code.

SSB 166 Judiciary

Relating to consents for medical care for delinquent children and children in need of assistance when custody is transferred by the court.

AMENDMENT FILED

S-3094

S.F.

298

Donal V. Doyle

AFTERNOON SESSION

The Senate reconvened at 4:37 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 27, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 181, a bill for an act relating to lighting devices on law enforcement vehicles of conservation officers.

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

House File 315, a bill for an act relating to the indemnification of eligible special exhibit items and the limitations of indemnity coverage of these items.

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

House File 318, a bill for an act relating to the use of county and municipal infractions.

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

INTRODUCTION OF BILLS

Senate File 310, by Riordan, a bill for an act relating to organic food, by providing for standards, the enforcement of the standards, and penalties.

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

Senate File 311, by committee on Transportation, a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system, and providing a conditional 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 46 present, 4 absent and a quorum present.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 170** be referred from the Regular Calendar to the committee on **State Government**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 267.

Senate File 267

On motion of Senator Doyle, Senate File 267, a bill for an act relating to the affirmation and reenactment of certain provisions of law concerning the regulation of certain businesses and occupations, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—3091 filed by him on March 2, 1987 to page 1 of the bill and moved its adoption.

Amendment S—3091 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. 267) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	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	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lloyd-Jones 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 267 be immediately messaged to the House.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Bruner called up the appointment of Thomas E. Donahue as Director of the Department of Personnel, placed on the Individual Confirmation Calendar on February 11, 1987.

Senator Bruner moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Horn Mann

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Coleman called up the appointment of Richard L. Morrell as Administrator of the Alcoholic Beverages Division, placed on the Individual Confirmation Calendar on February 9, 1987.

Senator Coleman moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 5:

Dieleman	Husak	Peterson	Schwengels
Scott			

Absent or not voting, 1:

Mann

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 69.

Senate File 69

On motion of Senator Priebe, Senate File 69, a bill for an act relating to the investment of idle public funds by authorizing investment in drainage district warrants, bonds, or improvement certificates and by correcting an error, with report of committee recommending passage, was taken up for consideration.

Senator Holden asked and received unanimous consent that further action on **Senate File 69** be deferred.

INTRODUCTION OF BILLS

Senate Concurrent Resolution 15, by committee on Rules and Administration, a concurrent resolution relating to a Biennial Memorial Session.

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

Senate File 312, by committee on Transportation, a bill for an act requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

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

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. F.	286	State Government
S. F.	287	Ways and Means
S. F.	288	State Government
S. F.	289	Judiciary
S. F.	290	Human Resources
S. F.	291	Agriculture
S. F.	292	State Government
S. F.	293	State Government
S. F.	294	Judiciary
S. F.	295	Agriculture
S. F.	296	Appropriations
S. F.	301	Small Business and Economic Development
S. F.	302	Human Resources
S. F.	303	Agriculture
S. F.	304	Human Resources
S. F.	305	Human Resources
S. F.	306	Ways and Means
S. F.	307	Human Resources
S. F.	308	Transportation
S. F.	309	Transportation
H. F.	266	Ways and Means
H. F.	355	Appropriations

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 219, a bill for an act providing for public grants and public education relating to adolescent pregnancy prevention and services by establishing a task force on adolescent pregnancy prevention and services, providing for pilot project grants relating to adolescent pregnancy prevention and services, and establishing a local advisory committee to public school boards regarding the inclusion or exclusion of human growth and development instruction in the school curriculum.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Murphy, Horn, Bruner, Corning, Hannon, Lloyd-Jones, Riordan, Varn and Wells. Nays, 5: Taylor, Dieleman, Holden, Lind and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 14, a resolution congratulating Deere and Company on its 150th anniversary.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 15, a bill for an act relating to a Biennial Memorial Session on April 27, 1987.

Recommendation: APPROVED COMMITTEE RESOLUTION.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE CONCURRENT RESOLUTION 6, a resolution relating to Pioneer Lawmakers.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 311 (SSB 131), a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided,

multilaned highways including the interstate highway system, and providing a conditional effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 312 (SSB 111), a bill for an act requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3095	S. C. R.	4	Joe Welsh Richard Varn Wally Horn Bill Hutchins Emil J. Husak Jim Riordan Leonard L. Boswell Charles Bruner Berl E. Priebe John A. Peterson Hurley W. Hall Alvin V. Miller Eugene Fraise Kenneth Scott Jack W. Hester Linn Fuhrman Norman J. Goodwin Wilmer Rensink John E. Soorholtz Richard Vande Hoef
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S—3096

S. F.

183

William Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:26 p.m., until 9:00 a.m., Wednesday, March 4, 1987.

JOURNAL OF THE SENATE

FIFTY-SECOND CALENDAR DAY
THIRTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 4, 1987

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by Father Michael O'Meara, Chancellor of the Catholic Diocese of Des Moines, Des Moines, Iowa.

The Journal of Tuesday, March 3, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

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

INTRODUCTION OF BILLS

Senate File 313, by Riordan, a bill for an act providing for the appointment of a person to administer the inspection of meat and poultry under chapter 189A.

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

Senate File 314, by Hultman, 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 certain equipment.

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

Senate File 315, by Hannon, a bill for an act relating to the licensure and regulation of birth centers and providing penalties.

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

Senate File 316, by Gettings, a bill for an act to provide that a leased motor vehicle shall be registered in the county of the lessee's residence.

Read first time and passed on file.

Senate File 317, by Carr, a bill for an act providing an exemption from the state sales, service, and use tax on the purchase of tangible personal property by a nonprofit organization which lends the property to the general public for nonprofit purposes.

Read first time and passed on file.

Senate File 318, by Carr, a bill for an act allowing public utilities to use abandoned rail lines for the operation of underground transmission lines or pipelines conditioned upon construction and maintenance of bikeways.

Read first time and passed on file.

Senate File 319, by Palmer, a bill for an act relating to the condition of a building as a basis for the filing of a petition or hearing procedures.

Read first time and passed on file.

Senate File 320, by Palmer, Gentleman, Kinley, Soorholtz, Lind, Readinger, Mann, Peterson and Hall, a bill for an act to reduce the size of the Iowa general assembly.

Read first time and passed on file.

Senate File 321, by Nystrom, Rife, Vande Hoef, Drake and Tieden, 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 passed on file.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS
(Individual Confirmation Calendar)

Senator Varn called up the appointment of William H. Jackson as Director of the Department of Cultural Affairs, placed on the Individual Confirmation Calendar on February 19, 1987.

Senator Varn moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Drake Scott

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hannon called up the appointment of F. Forbes Olberg as a member of the Iowa Economic Development Board, placed on the Individual Confirmation Calendar on February 12, 1987.

Senator Hannon 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	Doyle	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 6:

Dieleman	Fraise	Gettings	Mann
Murphy	Peterson		

Voting present, 1:

Hannon

Absent or not voting, 1:

Scott

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 2, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 167, a bill for an act relating to fees for and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment.

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

House File 346, a bill for an act relating to temporary certificates issued by the board of medical examiners.

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

INTRODUCTION OF BILLS

Senate File 322, by Tieden, Taylor, Goodwin, Gentleman, Lind, Vande Hoef, Corning and Rensink, a bill for an act relating to groundwater protection.

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

Senate File 323, by committee on Education, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of contiguous school districts without cost to the parents or guardians and to provide an effective date.

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

Senate File 324, by Murphy, a bill for an act relating to beverage container redemption.

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

Senate File 325, by Bruner, a bill for an act relating to the collection of support by establishing certain requirements for notice to obligors, by establishing mandatory guidelines for determining basic child support obligations, by providing for a periodic update of financial status and child support obligations, by providing for an expedited process for modifications of child support obligations, and by providing a presumption of willful disobedience of a child support order under certain circumstances.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:55 a.m., until 4:30 p.m.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S.F.	310	Agriculture
H.F.	181	Judiciary
H.F.	315	State Government
H.F.	318	Local Government

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: March 3, 1987, 10:25 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Welsh (excused until 10:45 a.m.) and Soorholtz (arrived 10:35 a.m.).

Members Absent: none.

Committee Business: Initial budget recommendations.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: March 3, 1987, 10:20 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member and Tieden.

Members Absent: Priebe.

Committee Business: Initial budget recommendations.

Adjourned: 11:35 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT
AND IOWA PLAN**

Convened: March 3, 1987, 10:27 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Legislative Oversight of Department of Economic Development agricultural marketing programs, and setting goals, objectives and performance indicators.

Adjourned: 11:25 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN
RIGHTS**

Convened: March 3, 1987, 10:30 a.m.

Members Present: Sturgeon, Chair; Readinger, Ranking Member; Gentleman and A. Miller.

Members Absent: Scott, Vice Chair (excused).

Committee Business: Budget recommendations for the Department of Public Health, Department of Human Rights, Department of Elder Affairs and Iowa State Civil Rights Commission.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 3, 1987, 10:21 a.m.

Members Present: Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Legislative oversight of family centered services.

Adjourned: 11:47 a.m.

AGRICULTURE

Convened: March 3, 1987, 1:35 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman (arrived 1:38 p.m.), Goodwin, Rensink, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 120 and 127 as committee bills; presentation by Dr. Richard Ross, Iowa State University, College of Veterinary Medicine.

Adjourned: 2:14 p.m.

EDUCATION

Convened: March 3, 1987, 3:38 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of S.F. 219 and approved SSB 141 as a committee bill.

Adjourned: 3:35 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 3, 1987, 2:35 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, Murphy, Rife and Sturgeon.

Members Absent: A. Miller, Schwengels and Varn.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:40 p.m.

RULES AND ADMINISTRATION

Convened: March 3, 1987, 4:10 p.m.

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

Members Absent: none.

Committee Business: Approved proposed Senate concurrent resolution relating to memorial session; recommended passage of Senate Concurrent Resolution 14 and House Concurrent Resolution 6.

Adjourned: 4:20 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 3, 1987, 8:15 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Presentation by Bruce Gerleman, President of International Trade Center of Iowa.

Adjourned: 9:00 a.m.

TRANSPORTATION

Convened: March 3, 1987, 2:35 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 111 and 131 as committee bills; recommended passage of House Concurrent Resolution 5; approved SSB 75 and ordered redrafted for final approval as a committee bill.

Adjourned: 2:55 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate Concurrent Resolution 11**

EDUCATION: Riordan, Chair; Murphy and Tieden

Senate File 170

STATE GOVERNMENT: Dieleman, Chair; Drake and Carr

Senate File 221

HUMAN RESOURCES: Hannon, Chair; Carr and Lind

Senate File 230

COMMERCE: Holden, Chair; Welsh and Priebe

Senate File 247

BUSINESS AND LABOR RELATIONS: Wells, Chair; Palmer and Holden

Senate File 250

EDUCATION: Horn, Chair; Bruner and Rensink

Senate File 253

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Horn and Hultman

Senate File 258

LOCAL GOVERNMENT: Wells, Chair; Kinley and Taylor

Senate File 274

AGRICULTURE: Boswell, Chair; Fraise and Fuhrman

Senate File 275

EDUCATION: Horn, Chair; Bruner and Rensink

Senate File 276

COMMERCE: Sturgeon, Chair; Deluhery and Jensen

Senate File 277

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 278

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 279

APPROPRIATIONS: Jensen, Chair; Husak and Welsh

Senate File 281

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 286

STATE GOVERNMENT: Horn, Chair; Rife and Coleman

Senate File 288

STATE GOVERNMENT: Coleman, Chair; Welsh and Schwengels

Senate File 289

JUDICIARY: Varn, Chair; Mann and Holt

Senate File 292

STATE GOVERNMENT: Gronstal, Chair; Dieleman and Drake

Senate File 293

STATE GOVERNMENT: Bruner, Chair; Gentleman and Lloyd-Jones

Senate File 294

JUDICIARY: Doyle, Chair; Varn, Mann, Drake and Gentleman

House File 92

LOCAL GOVERNMENT: Hall, Chair; C. Miller and Vande Hoef

House File 265

COMMERCE: Jensen, Chair; Carr and Priebe

House File 278

LOCAL GOVERNMENT: Kinley, Chair; Wells and Vande Hoef

House File 355

APPROPRIATIONS: Varn, Chair; Tieden and Welsh

SSB 152

AGRICULTURE: Husak, Chair; Scott and Soorholtz

SSB 157

AGRICULTURE: Scott, Chair; Goodwin and Hall

SSB 160

EDUCATION: Dieleman, Chair; Murphy, Varn, Taylor and Corning

SSB 161

STATE GOVERNMENT: Coleman, Chair; Nystrom and Horn

SSB 162

STATE GOVERNMENT: Welsh, Chair; Dieleman and Soorholtz

SSB 163

JUDICIARY: Mann, Chair; Varn and Drake

SSB 164

JUDICIARY: Mann, Chair; Varn and Fuhrman

SSB 165

JUDICIARY: Horn, Chair; Gentleman and Varn

SSB 166

JUDICIARY: Gentleman, Chair; Horn and Varn

SSB 167

JUDICIARY: Colerhan, Chair; Mann and Fuhrman

SSB 168

LOCAL GOVERNMENT: Kinley, Chair; Wells and Jensen

SSB 169

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

SSB 170

LOCAL GOVERNMENT: Wells, Chair; Jensen and Fraise

SSB 171

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

SSB 172

LOCAL GOVERNMENT: Jensen, Chair; Hall and Vande Hoef

SSB 173

JUDICIARY: Doyle, Chair; Mann and Holt

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 327 (SSB 120), a bill for an act requiring lenders and other secured parties to provide to debtors copies of documents signed by the debtors.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 323 (SSB 141), a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of contiguous school districts without cost to the parents or guardians and to provide an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Murphy, Horn, Bruner, Dieleman, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells. Nays, 4: Taylor, Corning, Hannon and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 179, a bill for an act to provide that a single person may claim a homestead exempt from judicial sale.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Fraise, Goodwin, Hall, Jensen, Taylor and Wells. Nays, none. Absent or not voting, 3: Kinley, C. Miller and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 167 Judiciary

Relating to section 321.445 of the Code.

SSB 168 Local Government

Relating to urban renewal in counties having a population of one hundred fifty thousand or more.

SSB 169 Local Government

Relating to the purposes for which community economic betterment funds may be extended.

SSB 170 Local Government

Relating to the acquisition of legal settlement in a county.

SSB 171 Local Government

To cancel all personal property taxes not collected by July 1, 1987, including the removal of tax liens against personal property.

SSB 172 Local Government

Relating to the filing time for nomination petitions for a special election to elect a member of a board of directors of a school district.

SSB 173 Judiciary

Relating to the time period for a hearing on the revocation of a person's license for operating a motor vehicle while under the influence of alcohol or a drug.

SSB 174 Education

Relating to the subvention program for the college of osteopathic medicine and surgery.

SSB 175 Education

Relating to the membership on the boards of directors of merged areas and area education agencies.

AMENDMENT FILED

S—3097

S. C. R.

15

Bill Hutchins

Calvin O. Hultman

AFTERNOON SESSION

The Senate reconvened at 4:34 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 326, by Tieden, a bill for an act to establish a wildlife damage claim program and providing an appropriation.

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

Senate File 327, by committee on Agriculture, a bill for an act requiring lenders and other secured parties to provide to debtors copies of documents signed by the debtors.

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

Senate File 328, by Goodwin, a bill for an act relating to and making appropriations to the department of inspections and appeals.

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

Senate File 329, by Horn, a bill for an act to establish county school districts with component high school districts, to prescribe their governance, and to provide effective dates.

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

Senate File 330, by committee on Judiciary, a bill for an act relating to the final report of a personal representative in probate.

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

Senate File 331, by committee on Agriculture, a bill for an act relating to the state livestock industry by providing a property tax credit for certain facilities used in producing meat; providing an exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities or fuel to be used in agricultural production for market and of equipment or its repair if used in the production of livestock; and establishing a cattle feeding program and loan guarantee program for cattle operations.

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

QUORUM CALL

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

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

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Boswell called up the appointment of Allan T. Thoms as Director of the Department of Economic Development, placed on the Individual Confirmation Calendar on February 12, 1987.

Senator Boswell 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
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rensink	Riordan	Schwengels
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 4:

Fraise	Gettings	Sturgeon	Wells
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Absent or not voting, 5:

Kinley	Palmer	Rife	Scott
Soorholtz			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

HOUSE AMENDMENT CONSIDERED

Senate Concurrent Resolution 4

Senator Varn called up for consideration Senate Concurrent Resolution 4, a concurrent resolution relating to the board of regents ten-year building program, amended by the House in House amendment S—3062 filed February 23, 1987.

Senator Welsh offered amendment S—3095 filed by Senators Welsh, et al., on March 3, 1987, to pages 1, 2 and 3 of House amendment S—3062 and moved its adoption.

Amendment S—3095 was adopted by a voice vote.

Senator Hultman offered amendment S—3068 filed by him on February 24, 1987, to page 3 of House amendment S—3062, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3068 to House amendment S—3062 be adopted?" (S.C.R. 44) the vote was:

Ayes, 24:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hester	Holden	Holt
Hultman	Husak	Jensen	Lind
Nystrom	Priebe	Readinger	Rensink
Schwengels	Taylor	Tieden	Vande Hoef

Nays, 21:

Bruner	Carr	Coleman	Deluhery
Doyle	Fraise	Gettings	Hannon
Horn	Hutchins	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Peterson
Riordan	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 5:

Kinley	Palmer	Rife	Scott
Soorholtz			

Amendment S—3068 was adopted.

Senator Varn moved that the Senate concur in House amendment S—3062 as amended.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.C.R. 4) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hannon	Horn	Husak
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Riordan	Varn	Wells
Welsh			

Nays, 11:

Gentleman	Hall	Hester	Holden
Holt	Hultman	Schwengels	Sturgeon
Taylor	Tieden	Vande Hoef	

Absent or not voting, 6:

Coleman	Kinley	Palmer	Rife
Scott	Soorholtz		

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

Senator Varn moved the adoption of Senate Concurrent Resolution 4 as amended by the House and further amended and concurred in by the Senate.

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

Ayes, 29:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger

Rensink Welsh	Riordan	Varn	Wells
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Nays, 16:

Coleman Gentleman Holden Sturgeon	Doyle Goodwin Holt Taylor	Drake Hall Hultman Tieden	Fuhrman Hester Schwengels Vande Hoef
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Absent or not voting, 5:

Kinley Soorholtz	Palmer	Rife	Scott
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The motion prevailed and the resolution as amended was adopted.

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

INTRODUCTION OF BILLS

Senate Concurrent Resolution 16, by committee on Natural Resources, a concurrent resolution urging the President of the United States and the Congress of the United States to enact the Mississippi River National Heritage Corridor Act of 1987.

Read first time and placed on calendar.

Senate Concurrent Resolution 17, by committee on Natural Resources, a concurrent resolution to double the acres of woodland in Iowa.

Read first time and placed on calendar.

Senate File 332, by committee on Natural Resources, a bill for an act relating to fish, plant life or wildlife species of special concern.

Read first time and placed on calendar.

Senate File 333, by committee on Education, a bill for an act relating to the use of telecommunications systems and services for educational instructional purposes and providing an effective date.

Read first time and placed on calendar.

APPENDIX

* COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 331 (SSB 127), a bill for an act relating to the state livestock industry by providing a property tax credit for certain facilities used in producing meat; providing an exemption from the sales, services, and use tax of the sale, furnishing, or service of utilities or fuel to be used in agricultural production for market and of equipment or its repair if used in the production of livestock; and establishing a cattle feeding program and loan guarantee program for cattle operations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Rensink, Scott, Soorholtz and Vande Hoef. Nays, 1: Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 122, a bill for an act to provide for an exemption from participation in physical education activities for students participating in marching band.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Murphy, Horn, Taylor, Bruner, Hannon, Lloyd-Jones, Riordan, Varn and Wells. Nays, 6: Corning, Dieleman, Holden, Lind, Rensink and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 333 (SSB 140), a bill for an act relating to the use of telecommunications systems and services for educational instructional purposes and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Murphy, Horn, Bruner, Dieleman, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells. Nays, 4: Taylor, Corning, Hannon and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 17, a bill for an act to increase the penalty for cruelty to animals to an aggravated misdemeanor.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3098.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Horn and Taylor. Nays, 2: Hester and Varn. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 330 (SSB 9), a bill for an act relating to the final report of a personal representative in probate.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 16 (SSB 112), a resolution urging the President of the United States and the Congress of the United States to enact the Mississippi River National Heritage Corridor Act of 1987.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Hall, Priebe, Schwengels, Doyle, Hannon, Husak, Peterson, Goodwin, Hester, Rensink and Tieden. Nays, none. Absent or not voting, 1: Scott.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 17 (SSB 68), a resolution to double the acres of woodland in Iowa.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 11: Hall, Priebe, Schwengels, Doyle, Hannon, Husak, Peterson, Goodwin, Hester, Rensink and Tieden. Nays, none. Absent or not voting, 1: Scott.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 332 (SSB 109), a bill for an act relating to fish, plant life or wildlife species of special concern.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hall, Priebe, Doyle, Hannon, Husak, Peterson, Schwengels, Goodwin, Tieden and Rensink. Nays, 1: Hester. Absent or not voting, 1: Scott.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3098	S.F.	17	Judiciary
S—3099	S.F.	298	Joe J. Welsh

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:50 p.m., until 9:00 a.m., Thursday, March 5, 1987.

JOURNAL OF THE SENATE

FIFTY-THIRD CALENDAR DAY
THIRTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 5, 1987

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

Prayer was offered by the Reverend Suzanne Peterson, Program Coordinator of the Iowa Interchurch Agency for Peace and Justice, Des Moines, Iowa.

The Journal of Wednesday, March 4, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Cerro Gordo for the morning and Senator Miller of Des Moines for the day on request of Senator Hutchins; 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 3, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 371, a bill for an act authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, providing penalties, and providing an effective date.

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

House File 373, a bill for an act relating to the division of deaf services of the department of human rights.

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

House File 375, a bill for an act relating to the crime of conspiracy, and providing penalties.

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

INTRODUCTION OF BILLS

Senate Joint Resolution 11, by Varn, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the requirements for elected state officers.

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

Senate File 334, by Drake and Gentleman, a bill for an act relating to the charging of interest prior to judgment or decree.

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

Senate File 335, by Varn, a bill for an act relating to the requirement of the wildlife habitat stamp.

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

Senate File 336, by Boswell, a bill for an act relating to the operation of state liquor stores.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 18, by committee on Education, a concurrent resolution emphasizing the importance of the arts in a complete education.

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

President pro tempore Kinley took the chair at 9:10 a.m.

CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 15.

Senate Concurrent Resolution 15

On motion of Senator Hutchins, Senate Concurrent Resolution 15, a resolution relating to a Biennial Memorial Session, was taken up for consideration.

Senator Hutchins offered amendment S—3097 filed by Senators Hutchins and Hultman on March 4, 1987, to page 1 of the resolution and moved its adoption.

Amendment S—3097 was adopted by a voice vote.

Senator Hutchins moved the adoption of Senate Concurrent Resolution 15 as amended, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent to take up out of order House Concurrent Resolution 6.

House Concurrent Resolution 6

On motion of Senator Hutchins, House Concurrent Resolution 6, a resolution relating to Pioneer Lawmakers, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins moved the adoption of House Concurrent Resolution 6, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 15** and **House Concurrent Resolution 6** be **immediately messaged** to the House.

DEFERRAL OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Welsh called up the appointment of Edward J. Stanek as Commissioner of the Lottery, placed on the Individual Confirmation Calendar on February 18, 1987.

Senator Boswell asked and received unanimous consent that action on the confirmation of Edward J. Stanek be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:37 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 4, 1987, 5:54 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 5:57 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 4, 1987, 2:31 p.m.

Members Present: Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Vande Hoef and Welsh.

Members Absent: Hultman and Palmer.

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:35 p.m.

EDUCATION

Convened: March 4, 1987, 3:40 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Approved LSB 6024 and SSBs 140 and 142 as committee bills; recommended passage of Senate File 122; assigned bills to subcommittees.

Adjourned: 4:33 p.m.

JUDICIARY

Convened: March 4, 1987, 1:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Coleman (excused).

Committee Business: Assigned bills to subcommittees; presentation by Bill Hager, Insurance Commissioner; approved SSB 9 as a committee bill; recommended passage of Senate File 17 as amended.

Adjourned: 2:30 p.m.

LOCAL GOVERNMENT

Convened: March 4, 1987, 8:10 a.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Goodwin, Hall, Jensen, Taylor and Wells.

Members Absent: Kinley, C. Miller (excused) and Vande Hoef, Ranking Member (excused).

Committee Business: Assigned bills to subcommittees; discussed and deferred action on Senate Files 113 and 43; recommended passage of Senate File 179; Senate File 129 failed recommendation for passage.

Adjourned: 8:37 a.m.

NATURAL RESOURCES

Convened: March 4, 1987, 2:35 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair (excused until 3:20 p.m.), Schwengels, Ranking Member; Doyle, Hannon, Husak, Peterson, Goodwin, Hester, Rensink and Tieden.

Members Absent: Scott (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 68, 109 and 112 as committee bills; amended and approved SSBs 78 and 138 as committee bills.

Adjourned: 3:30 p.m.

STATE GOVERNMENT

Convened: March 4, 1987, 10:42 a.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Gronstal, Gentleman, Drake, Nystrom, Lloyd-Jones, Horn, C. Miller, Rife, Schwengels and Soorholtz.

Members Absent: none.

Committee Business: Assigned bills to subcommittees and discussed SSB 73.

Adjourned: 11:00 a.m.

WAYS AND MEANS

Convened: March 4, 1987, 10:06 a.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed and amended SSB 29.

Adjourned: 10:40 a.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 203

NATURAL RESOURCES: Hall, Chair; Priebe and Hester

Senate File 206

NATURAL RESOURCES: Hall, Chair; Priebe and Hester

Senate File 280

HUMAN RESOURCES: Gentleman, Chair; Murphy and Hannon

Senate File 290

HUMAN RESOURCES: Taylor, Chair; Carr and Bruner

Senate File 296

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 302

HUMAN RESOURCES: Hannon, Chair; Corning and Coleman

Senate File 304

HUMAN RESOURCES: Bruner, Chair; Hannon and Lind

Senate File 305

HUMAN RESOURCES: Bruner, Chair; Coleman and Gentleman

Senate File 307

HUMAN RESOURCES: Murphy, Chair; Bruner and Taylor

Senate File 308

TRANSPORTATION: Lloyd-Jones, Chair; Hall and Goodwin

Senate File 309

TRANSPORTATION: Coleman, Chair; Scott and Nystrom

House File 138

NATURAL RESOURCES: Goodwin, Chair; Scott and Rensink

House File 258

HUMAN RESOURCES: Murphy, Chair; Coleman and Readinger

House File 315

STATE GOVERNMENT: Schwengels, Chair; Gentleman and C. Miller

SSB 158

NATURAL RESOURCES: Priebe, Chair; Fraise and Rensink

SSB 174

EDUCATION: Varn, Chair; Murphy and Rensink

SSB 175

EDUCATION: Murphy, Chair; Horn and Taylor

SSB 176

STATE GOVERNMENT: Bruner, Chair; Nystrom and Horn

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 18, a resolution emphasizing the importance of the arts in a complete education.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Bruner, Corning, Lloyd-Jones, Hannon, Holden, Riordan, Rensink, Lind, Tieden, Varn, Wells and Dieleman. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 337 (SSB 78), a bill for an act relating to the power of the director of the department of natural resources to grant variances for wastewater treatment.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Goodwin, Hall, Hannon, Hester, Husak, Peterson, Priebe, Rensink, Schwengels and Tieden. Nays, none. Absent or not voting, 1: Scott.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 338 (SSB 138), a bill for an act relating to environmental protection performance standards for coal mining and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Doyle, Goodwin, Hall, Hannon, Hester, Husak, Peterson, Priebe, Rensink, Schwengels and Tieden. Nays, none. Absent or not voting, 1: Scott.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which the Senate confirmed the appointment of Allan T. Thoms as Director of the Department of Economic Development on March 4, 1987.

RICHARD VARN

STUDY BILL RECEIVED

SSB 176 State Government

Relating to the public employees' retirement system by providing for a senior investment officer, revising provisions governing the appointment and duties of the administrator, providing for travel outside the state, and providing for other properly related matters.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	313	Agriculture
S. F.	314	Ways and Means
S. F.	315	State Government
S. F.	316	Transportation
S. F.	317	Ways and Means
S. F.	318	Environment & Energy Utilities
S. F.	319	Judiciary
S. F.	320	State Government
S. F.	321	Appropriations

S.F.	322	Environment & Energy Utilities
S.F.	324	Environment & Energy Utilities
S.F.	325	Judiciary
S.F.	326	Natural Resources
S.F.	328	Appropriations
S.F.	329	Education
H.F.	167	Transportation
H.F.	346	State Government

AMENDMENTS FILED

S-3100	S.F.	298	Donald V. Doyle
S-3101	S.F.	298	William W. Dieleman
S-3102	S.F.	298	William W. Dieleman
S-3103	S.F.	298	William W. Dieleman
S-3104	S.F.	298	Edgar H. Holden

AFTERNOON SESSION

The Senate reconvened at 4:30 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 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 298.

Senate File 298

On motion of Senator Horn, Senate File 298, a bill for an act relating to the sale of alcoholic beverages, by allowing the alcoholic beverages division to assess a split-case charge when alcoholic liquor is sold in quantities which require a case to be split, by lowering the maximum markup on liquor sold by the division to class "E" licensees from sixty to fifty percent, by allowing identifying markers to be placed on containers of alcoholic liquor in the manner prescribed by the division, by setting the bond for a class "E" license at a maximum of fifteen thousand dollars, by not requiring a bond from class "E" licensees who purchase alcoholic liquor from the division on a cash basis or through electronic funds transfer, by allowing the division to deposit all the license fees collected from class "E" licensees in the beer and liquor control fund, by allowing the advertisement of alcoholic liquor for sale, by repealing the fifty percent goods and services test to qualify for Sunday sales of alcoholic beverages or beer under a liquor control license or class "B" beer permit, by removing the beverage container deposit on containers of alcoholic liquor and wine, by striking a standing appropriation for the treatment of alcoholics, by allowing the division to sell liquor inventories in state stores to class "E" licensees at reduced prices as state stores are closed, and by allowing the division to continue sales of wine to class "A" and "B" wine permittees until inventories are depleted, was taken up for consideration.

Senator Doyle asked and received unanimous consent that action on amendment S—3100 filed by him from the floor to the title page of the bill be deferred.

Senator Dieleman offered amendment S—3102 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3102 lost by a voice vote.

Senator Dieleman offered amendment S—3103 filed by him from the floor to page 1 and the title page of the bill, moved its adoption and requested a non record roll call.

The ayes were 14, nays 27.

Amendment S—3103 lost.

Senator Welsh offered amendment S—3099 filed by him on March 4, 1987, to pages 1, 5 and the title page of the bill.

President pro tempore Kinley took the chair at 5:08 p.m.

Senator Welsh moved the adoption of amendment S—3099.

A non record roll call was requested.

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

The ayes were 23, nays 22.

Amendment S—3099 was adopted.

Senator Holden asked and received unanimous consent that action on amendment S—3111 filed by him from the floor to page 1 and the title page of the bill be deferred.

Senator Carr offered amendment S—3109 filed by Senators Carr and Horn from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—3109 was adopted by a voice vote.

Senator Doyle asked and received unanimous consent that action on amendment S—3094 filed by him on March 3, 1987, to page 2 of the bill be deferred.

Senator Dieleman offered amendment S—3101 filed by him from the floor to pages 2 through 4 and the title page of the bill.

Senator Coleman took the chair at 5:33 p.m.

Senator Dieleman moved the adoption of amendment S—3101 and requested a non record roll call.

The ayes were 17, nays 28.

Amendment S—3101 lost.

Senator Holden offered amendment S—3104 filed by him from the floor to pages 2 through 4 and the title page of the bill and requested a division:

Division S—3104A: lines 2 and 3.

Division S—3104B: lines 4, 7, 8 and 9.

Division S—3104C: lines 5 and 6 and 10 through 14.

The Chair ruled divisions S—3104A and S—3104C out of order because the same subject matter had been considered in amendment S—3101.

Senator Holden moved the adoption of division S—3104B.

A non record roll call was requested.

The ayes were 13, nays 31.

Division S—3104B lost.

Senator Hannon withdrew amendment S—3115 filed by her from the floor to page 3 and the title page of the bill.

Senator Taylor offered amendment S—3106 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3106 lost by a voice vote.

Senator Drake offered amendment S—3107 filed by Senators Drake, et al., from the floor to pages 4, 5 and the title page of the bill.

Senator Gronstal raised the point of order that amendment S—3107 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3107 in order.

Senator Drake moved the adoption of amendment S—3107.

A non record roll call was requested.

The ayes were 28, nays 13.

Amendment S—3107 was adopted.

Senator Peterson offered amendment S—3108 filed by him from the floor to pages 4, 5 and the title page of the bill.

Senator Gentleman offered amendment S—3119 filed by Senators Gentleman, Horn and Carr from the floor to amendment S—3108 and called for a division:

Division S—3119A: lines 3 through 10.

Division S—3119B: lines 11 through 21.

The Chair ruled division S—3119A out of order.

Senator Gentleman moved the adoption of division S—3119B which motion prevailed by a voice vote.

Senator Peterson moved the adoption of amendment S—3108 as amended which motion prevailed by a voice vote.

Senator Bruner withdrew amendment S—3113 filed by him from the floor to page 1 of the bill.

Senator Carr offered amendment S—3114 filed by him from the floor to page 5 and the second title page of the bill and moved its adoption.

Amendment S—3114 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3094 by Senator Doyle to page 2 of the bill, previously deferred.

Senator Holden offered amendment S—3116 filed by him from the floor to amendment S—3094 and called for a division:

Division S—3116A: lines 3 through 6.

Division S—3116B: lines 7 through 13.

Division S—3116C: lines 14 through 20.

Senator Holden moved the adoption of division S—3116A to amendment S—3094.

A non record roll call was requested.

The ayes were 16, nays 27.

Division S—3116A lost.

Senator Holden moved the adoption of division S—3116B to amendment S—3094, which motion lost by a voice vote.

Senator Holden moved the adoption of division S—3116C to amendment S—3094.

A non record roll call was requested.

The ayes were 23, nays 20.

Division S—3116C was adopted.

Senator Doyle moved the adoption of amendment S—3094 as amended, which motion prevailed by a voice vote.

Senator Doyle moved the adoption of amendment S—3100 to the title page of the bill, previously deferred.

Amendment S—3100 was adopted by a voice vote.

Senator Holden withdrew amendment S—3111 to page 1 and the title page of the bill, previously deferred.

Senator Carr offered amendment S—3117 filed by Senators Carr and Horn from the floor to page 2 and the title page of the bill and moved its adoption.

Amendment S—3117 was adopted by a voice vote.

Senator Hannon offered amendment S—3118 filed by her from the floor to page 3 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 26.

Amendment S—3118 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. 298) the vote was:

Ayes, 32:

Boswell	Carr	Coleman	Deluhery
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Lloyd-Jones	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Scott	Sturgeon
Tieden	Varn	Wells	Welsh

Nays, 11:

Bruner	Corning	Dieleman	Goodwin
Gronstal	Hester	Holden	Jensen
Rensink	Taylor	Vande Hoef	

Absent or not voting, 7:

Holt	Kinley	Lind	Mann
Miller, C.P.	Schwengels	Soorholtz	

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

Senator Hutchins asked and received unanimous consent that **Senate File 298** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 4, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 262, a bill for an act relating to the number of days wherein a vehicle shall not be considered abandoned.

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

House File 374, a bill for an act relating to eligibility for a mobile home reduced tax rate, a military service property tax exemption, the filing of late claims for a homestead tax credit and military service property tax exemption, an exemption from the real estate transfer tax, continuing education for assessors and deputy assessors, the length of board of review sessions, and appeal rights.

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

House File 378, a bill for an act relating to the dissemination and redissemination of criminal history data to the Iowa department of public health for purposes of employment screening for juvenile substance abuse treatment programs, and providing a penalty.

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

House File 380, a bill for an act relating to the contracting of indebtedness for county conservation purposes.

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

INTRODUCTION OF BILLS

Senate File 337, by committee on Natural Resources, a bill for an act relating to the power of the director of the department of natural resources to grant variances for wastewater treatment.

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

Senate File 338, by committee on Natural Resources, a bill for an act relating to environmental protection performance standards for coal mining and providing an effective date.

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

Senate File 339, by Goodwin, a bill for an act relating to and making appropriations to the department of public safety.

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

Senate File 340, by Fraise, a bill for an act relating to the testing of blood or other bodily specimens of persons committed to an institution under the control of the Iowa department of corrections, and providing a penalty.

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

Senate File 341, by Mann, a bill for an act relating to the standard of proof required under forfeiture of property law.

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

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 19, by committee on Education, a concurrent resolution directing the state board of education to include specific named topics in its study of restructuring.

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

APPENDIX

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 170, a bill for an act to authorize the sale of the corporate shell of an insolvent insurance company.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3105.

Final Vote: Ayes, 13: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 2: Kinley and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 265, a bill for an act relating to the regulation of industrial loan companies.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 2: Kinley and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 19 (SSB 142), a resolution directing the state board of education to include specific named topics in its study of restructuring.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 288, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3112.

Final Vote: Ayes, 11: Carr, Dieleman, Nystrom, Coleman, Gentleman, Gronstal, Lloyd-Jones, Horn, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 4: Bruner, Drake, C. Miller and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITOR

The Chair welcomed the Honorable Milo Colton, former member of the Senate from Woodbury County, who was present in the Senate chamber.

AMENDMENTS FILED

S-3105	H.F.	170	Commerce
S-3106	S.F.	298	Ray Taylor
S-3107	S.F.	298	Richard F. Drake Calvin O. Hultman Wally E. Horn Jack Rife
S-3108	S.F.	298	John A. Peterson
S-3109	S.F.	298	Bob Carr Wally E. Horn
S-3110	S.F.	180	Leonard Boswell
S-3111	S.F.	298	Edgar H. Holden
S-3112	S.F.	288	State Government
S-3113	S.F.	298	Charles Bruner
S-3114	S.F.	298	Bob Carr
S-3115	S.F.	298	Beverly Hannon
S-3116	S.F.	298	Edgar H. Holden
S-3117	S.F.	298	Bob Carr Wally E. Horn
S-3118	S.F.	298	Beverly Hannon

S—3119

S.F. 298

Julia B. Gentleman
Wally E. Horn
Bob Carr

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:03 p.m., until 10:00 a.m., Monday, March 9, 1987.

JOURNAL OF THE SENATE

FIFTY-SEVENTH CALENDAR DAY
THIRTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 9, 1987

The Senate met in regular session at 10:01 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Hume Ward, pastor of the Windsor Presbyterian Church, Des Moines, Iowa.

The Journal of Thursday, March 5, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lloyd-Jones for the morning and Senator Mann for the day on request of Senator Hutchins; Senator 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 3, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 328, a bill for an act relating to the licensure and regulation of birth centers and providing penalties.

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

House File 334, a bill for an act relating to cigarette and tobacco tax assessment periods, penalties and appeal periods, offsetting of claims against the state with a person's liabilities to the state, tax return confidentiality, the filing of sales and services tax refund claims, audit periods for sales, services, and use tax returns, use tax penalty, and penalties for interfering with department of

revenue and finance employees in the performance of their duties and providing effective dates.

This bill was read first time and passed on file.

ALSO: That the House has on March 4, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 47, a bill for an act relating to the appointment of township officers.

This bill was read first time and passed on file.

House File 188, a bill for an act relating to the possession of high-power, centerfire cartridge rifles during the shotgun hunting season for deer and subjecting violators to a penalty.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 342, by Priebe, a bill for an act relating to the assessment of costs to the owner of real estate subject to tax sale.

Read first time and passed on file.

Senate File 343, by Horn, a bill for an act relating to the investment of moneys by certificated employees of school districts and area education agencies in the Iowa public employees' retirement system fund.

Read first time and passed on file.

Senate File 344, by Taylor and Nystrom, a bill for an act relating to unemployment compensation benefits by recomputing the weekly benefit amount, modifying the attachment and reattachment eligibility requirements, changing certain requirements for a disqualified individual to become qualified for benefits, disqualifying certain seasonal employees from benefits, making the waiting period permanent, requiring employee contributions in certain instances, reducing the amount of taxable wages, and providing penalties.

Read first time and passed on file.

ADOPTION OF RESOLUTIONS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 14.

Senate Concurrent Resolution 14

On motion of Senator Gettings, Senate Concurrent Resolution 14, a resolution congratulating Deere & Company on its 150th anniversary, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved the adoption of Senate Concurrent Resolution 14, which motion prevailed by a voice vote.

House Concurrent Resolution 5

On motion of Senator Drake, House Concurrent Resolution 5, a resolution calling upon the Congress of the United States to reauthorize the Federal-aid Highway Act at the earliest possible time, with report of committee recommending passage, was taken up for consideration.

Senator Drake moved the adoption of House Concurrent Resolution 5, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 239.

Senate File 239

On motion of Senator Scott, Senate File 239, a bill for an act relating to certain minor speeding violations by prohibiting their inclusion in abstracts of court records maintained by the state department of transportation, by prohibiting their inclusion in operating records provided by the director of transportation or sheriffs, and by prohibiting their consideration when establishing rates for motor vehicle insurance, was taken up for consideration.

Senator Drake asked and received unanimous consent that action on **Senate File 239** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order **Senate File 265**.

Senate File 265

On motion of Senator Fraise, **Senate File 265**, a bill for an act relating to the publication of notices of public hearings, bond sales, adopted regulations, and elections, 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. 265) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Holden	Lind	Lloyd-Jones	Mann
Miller, C.P.	Taylor		

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

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

The Senate resumed session, President Zimmerman 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 for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

MOTION TO RECONSIDER DEFERRED

Senator Hultman called up the motion to reconsider the vote by which the Senate refused to confirm the appointment of Karen L. Tynes as Executive Director of the Department of Elder Affairs, filed by him on March 2, 1987, and found on page 520 of the Senate Journal.

Senator Readinger asked and received unanimous consent that action on the motion to reconsider be **deferred**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:55 a.m., until 4:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

Convened: March 5, 1987, 9:50 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member and Welsh (arrived 10:05 a.m.).

Members Absent: Soorholtz.

Committee Business: Presentation by the Department of Revenue; committee reviewed proposed bill draft.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: March 5, 1987, 9:35 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Tieden and Priebe.

Members Absent: none.

Committee Business: Budget recommendations.

Adjourned: 11:35 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 5, 1987, 9:50 a.m.

Members Present: Sturgeon, Chair; Scott, Vice Chair; Readinger, Ranking Member and Gentleman.

Members Absent: A. Miller.

Committee Business: Budget recommendations on the Department of Public Health, Department of Human Rights and Department of Elder Affairs.

Adjourned: 11:40 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: February 5, 1987, 10:04 a.m.

Members Present: Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Adopted goals and objectives of legislative oversight of family centered services (POS); adopted Governor's proposal for block grants; discussed intent language.

Adjourned: 10:57 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: March 5, 1987, 9:45 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member; Palmer and Schwengels.

Members Absent: none.

Committee Business: Budget recommendations.

Adjourned: 11:45 a.m.

COMMERCE

Convened: March 5, 1987, 1:35 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh.

Members Absent: Kinley and Lind (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 170 and 265; approved SSB 101 as a committee bill.

Adjourned: 1:50 p.m.

EDUCATION

Convened: March 5, 1987, 3:30 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Lind.

Committee Business: Assigned bill to subcommittee.

Adjourned: 4:33 p.m.

STATE GOVERNMENT

Convened: March 5, 1987, 2:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Coleman, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels and Welsh.

Members Absent: C. Miller (excused), Drake, Bruner and Soorholtz (excused).

Committee Business: Assigned bills to subcommittees and discussed S.F. 288.

Adjourned: 3:00 p.m.

SUBCOMMITTEE ASSIGNMENTS**Senate File 287**

WAYS AND MEANS: Riordan, Chair; Boswell, Holden, Mann and Soorholtz

Senate File 306

WAYS AND MEANS: Bruner, Chair; Readinger, Drake, Boswell and Murphy

Senate File 314

WAYS AND MEANS: Gronstal, Chair; Hester, Holt, Husak and Palmer

Senate File 315

STATE GOVERNMENT: Dieleman, Chair; Gentleman and Bruner

Senate File 317

WAYS AND MEANS: Gronstal, Chair; Holt, Hester, Husak and Palmer

Senate File 318

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Schwengels

Senate File 319

JUDICIARY: Horn, Chair; Deluhery and Taylor

Senate File 320

STATE GOVERNMENT: Dieleman, Chair; Nystrom and Coleman

Senate File 321

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 322

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Soorholtz

Senate File 324

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Soorholtz

Senate File 325

JUDICIARY: Varn, Chair; Mann and Gentleman

Senate File 328

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

House File 181

JUDICIARY: Coleman, Chair; Drake and Carr

House File 266

WAYS AND MEANS: Riordan, Chair; Soorholtz and Murphy

House File 346

STATE GOVERNMENT: Lloyd-Jones, Chair; Gronstal and Nystrom

SSB 184

JUDICIARY: Mann, Chair; Doyle and Holt

LSB 2614

EDUCATION: Lloyd-Jones, Chair; Bruner and Holden

CERTIFICATE OF RECOGNITION

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

Jeannie Demers — For being the highest scoring woman in the history of NCAA basketball. Senator Fuhrman (March 5, 1987).

PETITIONS

The following petitions opposing legislation legalizing riverboat gambling were presented and placed on file by:

Senator Goodwin from fifty-two residents of Clinton County.
Senator Holden from twelve residents of Scott County.

The following petitions were presented and placed on file by:

Senator Husak from fifty residents of Benton County favoring legislation to initiate and support a good comprehensive long-term health care and community based services bill for the elderly of Iowa.

Senator Priebe from forty-one residents of Kossuth, Humboldt and Pocahontas Counties favoring legislation changing the maximum speed limit on Iowa highways from 55 mph to 65 mph.

Senator Wells from thirty-three residents of Linn County supporting Senate File 169 relating to pornography.

BILLS ASSIGNED TO COMMITTEE

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

S. J. R.	11	State Government
S. F.	334	Judiciary

S. F.	335	Natural Resources
S. F.	336	State Government
S. F.	339	Appropriations
S. F.	340	Judiciary
S. F.	341	Judiciary
H. F.	262	Transportation
H. F.	373	State Government
H. F.	374	Ways and Means
H. F.	375	Judiciary
H. F.	378	Judiciary
H. F.	380	Natural Resources

COMMITTEE REPORT

JUDICIARY

Final Bill Action: HOUSE FILE 64, a bill for an act relating to jury lists.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 177 Human Resources

Relating to advocates for certain individuals involuntarily hospitalized.

SSB 178 Human Resources

Relating to the disclosure of information by continuing care facilities and senior adult congregate living facilities, and providing penalties.

SSB 179 Agriculture

Appropriating funds for multiflora rose research.

SSB 180 Agriculture

Relating to agricultural development by permitting a property tax exemption for cattle facilities and appropriating moneys from the general fund of the state to the agricultural development authority of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to provide assistance to Iowa farmers under the agricultural loan assistance program, and related programs, and providing an effective date.

SSB 181 Small Business and Economic Development

Relating to the creation of a statewide network of small business economic development corporations to assist in providing financing for small businesses in the state.

SSB 182 Small Business and Economic Development

To authorize the imposition of a property tax levy by a city or county for economic development purposes.

SSB 183 Agriculture

Authorizing certain expenditures from the depositors and sellers indemnity fund, and providing an effective date.

SSB 184 Judiciary

Relating to the issuance of temporary restricted licenses after revocation under the law prohibiting operating a motor vehicle while intoxicated.

SSB 185 State Government

Relating to the administration of the campaign finance disclosure laws.

PRESENTATION OF VISITORS

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

Thirty-one sixth grade students from Lenox Elementary School, Lenox, Iowa, accompanied by Mrs. Reed. Senator Boswell.

AMENDMENT FILED

S—3120

S.F.

101

William W. Dieleman

AFTERNOON SESSION

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

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 6, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 79, a bill for an act prohibiting smoking in certain public places and providing a penalty.

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

House File 316, a bill for an act relating to park user permits and providing a penalty and an effective date.

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

ALSO: That the House has on March 9, 1987, passed the following joint resolution in which the concurrence of the Senate is asked:

House Joint Resolution 14, a joint resolution to nullify an administrative rule of the department of employment services relating to lockouts and providing an effective date.

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

INTRODUCTION OF BILLS

Senate File 345, by Riordan, a bill for an act creating a state advisory committee on hunger and homelessness, and making an appropriation.

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

Senate File 346, by Murphy, a bill for an act relating to the determination of salaries or compensation of elected county officers.

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

Senate File 347, by Sturgeon, a bill for an act relating to the violation of a law or rule by a health care facility.

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

Senate File 348, by Schwengels, Nystrom, Tieden, Gettings, Dieleman, Drake and Jensen, a bill for an act authorizing a state agency or a political subdivision of the state to contract to provide medical services.

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

Senate File 349, by Jensen, a bill for an act making retroactive certain state individual income tax provisions 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, providing for the time for filing claims for income tax refunds, and providing an effective date.

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

Senate File 350, by committee on Education, a bill for an act relating to the membership on the boards of directors of merged areas and area education agencies.

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

Senate File 351, by committee on Commerce, a bill for an act relating to the acquisition of an interest in banks conducting a banking business in Iowa or bank holding companies controlling one or more banks conducting a banking business in Iowa by an out-of-state bank holding company.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 7, by Wells, Horn and Lloyd-Jones, a resolution relating to the Iowa Hawkeyes Basketball Team.

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the afternoon session 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 47 present, 3 absent and a quorum present.

BUSINESS PENDING (Motion to Reconsider)

The Senate resumed consideration of Senator Hultman's motion to reconsider the vote by which the Senate refused to confirm the appointment of Karen L. Tynes as Executive Director of the Department of Elder Affairs, previously deferred.

Senator Hultman moved the adoption of the motion to reconsider.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" the vote was:

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

Ayes, 22:

Bruner	Corning	Deluhery	Drake
Fuhrman	Gentleman	Goodwin	Hester
Hultman	Husak	Jensen	Kinley
Lind	Nystrom	Readinger	Rensink
Rife	Riordan	Schwengels	Soorholtz
Sturgeon	Taylor		

Nays, 25:

Boswell	Carr	Coleman	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Holt	Horn

Hutchins	Lloyd-Jones	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Scott
Tieden	Vande Hoef	Varn	Wells
Welsh			

Absent or not voting, 3:

Holden	Mann	Miller, C.P.
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The motion lost.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 272, 273, 173, 283 and 284.

Senate File 272

On motion of Senator Coleman, Senate File 272, a bill for an act repealing a pilot program regarding second opinions on elective surgery for medical assistance recipients, 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. 272) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Gettings Holden Mann 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 273

On motion of Senator Readinger, Senate File 273, a bill for an act relating to the definition of foster care, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 273) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none:

Absent or not voting, 4:

Holden Mann Miller, C.P. Palmer

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

Senate File 173

On motion of Senator Murphy, Senate File 173, a bill for an act establishing priorities for deductions from the earnings of residents of community-based correctional facilities, 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?" (S.F. 173) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Lind

Absent or not voting, 4:

Holden	Mann	Miller, C.P.	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 283

On motion of Senator Varn, Senate File 283, a bill for an act relating to the duties of a trustee upon appointment by requiring the filing of an inventory of the property of the trust, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that further action on **Senate File 283** be deferred.

Senate File 284

On motion of Senator Varn, Senate File 284, a bill for an act relating to the transfers to minors, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 284) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Holden	Mann	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

INTRODUCTION OF BILLS

Senate File 352, by committee on Judiciary, a bill for an act relating to the payment and collection of the criminal penalty surcharge.

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

Senate File 353, by committee on Judiciary, a bill for an act relating to property exempt from execution.

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

APPENDIX

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 351 (SSB 101), a bill for an act relating to the acquisition of an interest in banks conducting a banking business in Iowa or bank holding companies controlling one or more banks conducting a banking business in Iowa by an out-of-state bank holding company.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 8: Palmer, Deluhery, Carr, Gronstal, Holden, Mann, Nystrom and Sturgeon. Nays, 5: Jensen, Priebe, Rife, Tieden and Welsh. Absent or not voting, 2: Kinley and Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 350 (SSB 175), a bill for an act relating to the membership on the boards of directors of merged areas and area education agencies.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Murphy, Horn, Taylor, Bruner, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells. Nays, 2: Corning and Tieden. Absent or not voting, 1: Holden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 352 (SSB 149), a bill for an act relating to the payment and collection of the criminal penalty surcharge.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 353 (SSB 144), a bill for an act relating to property exempt from execution.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 273 passed the Senate on March 9, 1987.

CHARLES BRUNER

AMENDMENT FILED

S—3121

S. F.

148

Jean Lloyd-Jones

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:31 p.m., until 9:00 a.m., Tuesday, March 10, 1987.

JOURNAL OF THE SENATE

FIFTY-EIGHTH CALENDAR DAY
THIRTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 10, 1987

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

Prayer was offered by Denise Shipler, who vocally performed "The Lord's Prayer". Denise, who was the 1982 Iowa Easter Seal Child, is a 17-year-old junior at Burt High School with future plans to attend college and develop a singing career.

The Journal of Monday, March 9, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning session on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 6, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 360, a bill for an act relating to the decisions of guardians regarding life-sustaining procedures.

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

INTRODUCTION OF BILLS

Senate File 354, by Rensink, a bill for an act allowing, under certain circumstances, the holder of a school license to operate a motor vehicle to and from the licensee's place of employment.

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

Senate File 355, by Jensen and Kinley, a bill for an act relating to the determination of salaries or compensation of elected county officers.

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

Senate File 356, by Murphy, a bill for an act relating to the exemptions from regulation of a home used to prepare food for a cafe.

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

Senate File 357, by Bruner, a bill for an act relating to financial institutions, providing for community reinvestment standards for and reports from state banks, state savings and loan associations, and state credit unions; conditioning permission for certain actions, participation in certain state programs, and eligibility for deposit of public funds on a financial institution's rating under a community reinvestment rating system; authorizing the director of the department of commerce to adopt rules for the reports and a community reinvestment rating system; and establishing a community reinvestment task force.

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

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 331** be referred from the Regular Calendar to the committee on **Ways and Means**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 285, 148, 299 and 219.

Senate File 285

On motion of Senator Mann, Senate File 285, a bill for an act relating to the lapse of stale mineral interests, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 285** be deferred.

Senate File 148

On motion of Senator Bruner, Senate File 148, a bill for an act relating to gender balance in the appointment of judicial nominating commissioners, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—3121 filed by Senator Lloyd-Jones on March 9, 1987, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3121 was adopted by a voice vote.

Senator Drake offered amendment S—3093 filed by him on March 2, 1987, to page 4 of the bill and moved its adoption.

Amendment S—3093 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. 148) the vote was:

Ayes, 42:

Boswell	Bruner	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells		

Nays, 5:

Coleman
Welsh

Fraise

Fuhrman

Tieden

Absent or not voting, 3:

Carr

Miller, C.P.

Priebe

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Corning for the remainder of the morning session on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 299

On motion of Senator Soorholtz, Senate File 299, a bill for an act relating to podiatry by broadening the scope of practice of podiatry, by including podiatrists in the definition of "physician" for certain purposes, by broadening provisions relating to temporary certificates, by providing for coverage of podiatrists' services under prepaid group plans of health maintenance organizations and providing for data collection and utilization review, and by providing for other properly related matters, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 299) the vote was:

Ayes, 37:

Boswell
Dieleman
Fuhrman
Hall

Bruner
Doyle
Gentleman
Hannon

Coleman
Drake
Gettings
Holden

Deluhery
Fraise
Gronstal
Holt

Horn	Hultman	Husak	Hutchins
Kinley	Lind	Mann	Miller, A. V.
Murphy	Palmer	Rensink	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Varn	Wells
Welsh			

Nays, 9:

Goodwin	Hester	Jensen	Lloyd-Jones
Nystrom	Peterson	Readinger	Rife
Vande Hoef			

Absent or not voting, 4:

Carr	Corning	Miller, C.P.	Priebe
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 219

On motion of Senator Hannon, Senate File 219, a bill for an act providing for public grants and public education relating to adolescent pregnancy prevention and services by establishing a task force on adolescent pregnancy prevention and services, providing for pilot project grants relating to adolescent pregnancy prevention and services, and establishing a local advisory committee to public school boards regarding the inclusion or exclusion of human growth and development instruction in the school curriculum, with report of committee on Education recommending passage, was taken up for consideration.

President pro tempore Kinley took the chair at 10:25 a.m.

Senator Dieleman offered amendment S—3086 filed by him on February 25, 1987, to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 39, nays 6.

Amendment S—3086 was adopted.

President Zimmerman took the chair at 10:48 a.m.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hultman and Jensen for the remainder of the morning on request of Senator Nystrom; Senator Hutchins for the remainder of the morning on request of Senator Husak.

BUSINESS PENDING

Senate File 219

The Senate resumed consideration of Senate File 219.

Senator Dieleman offered amendment S—3125 filed by him from the floor to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3125 be adopted?" (S.F. 219) the vote was:

Ayes, 18:

Coleman	Dieleman	Doyle	Fraise
Gettings	Goodwin	Husak	Kinley
Lind	Nystrom	Palmer	Peterson
Rensink	Schwengels	Scott	Taylor
Tieden	Vande Hoef		

Nays, 22:

Boswell	Bruner	Deluhery	Drake
Fuhrman	Gentleman	Gronstal	Hall
Hannon	Hester	Horn	Lloyd-Jones
Mann	Miller, A. V.	Readinger	Rife
Riordan	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Absent or not voting, 10:

Carr	Corning	Holden	Holt
Hultman	Hutchins	Jensen	Miller, C.P.
Murphy	Priebe		

Amendment S—3125 lost.

Senator Taylor offered amendment S—3126 filed by him from the floor to pages 2 through 4 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 26.

Amendment S—3126 lost.

Senator Taylor offered amendment S—3127 filed by him from the floor to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 24, nays 16.

Amendment S—3127 was adopted.

Senator Dieleman withdrew amendment S—3087 filed by him on February 25, 1987, to page 6 of the bill.

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. 219) the vote was:

Ayes, 32:

Boswell	Bruner	Deluhery	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Horn	Husak	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Palmer	Peterson	Readinger
Rife	Riordan	Soorholtz	Sturgeon
Taylor	Varn	Wells	Welsh

Nays, 11:

Coleman	Dieleman	Fuhrman	Holden
Holt	Nystrom	Rensink	Schwengels
Scott	Tieden	Vande Hoef	

Absent or not voting, 7:

Carr	Corning	Hultman	Hutchins
Jensen	Miller, C.P.	Priebe	

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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 407, a bill for an act relating to violations of 321J.2 and retention of records of motor vehicle violations.

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

INTRODUCTION OF BILL

Senate File 358, by Hannon, a bill for an act prohibiting surrogate mother arrangements and providing penalties.

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

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate File 219** be **immediately messaged** to the House.

RECESS

On motion of Senator Husak, the Senate recessed at 11:46 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: March 9, 1987, 12:00 noon.

Members Present: Welsh, Chair; Tieden, Ranking Member; Boswell, Corning, Fraise, Gettings, Holt, Jensen, Peterson, Readinger, Riordan and Varn.

Members Absent: Husak, Vice Chair; Dieleman, Lind, Lloyd-Jones, Schwengels and Sturgeon.

Committee Business: Discussed House File 355.

Recessed: 12:05 p.m.

Reconvened: March 9, 1987, 1:12 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Discussed House File 355.

Recessed: 1:40 p.m.

Reconvened: March 9, 1987, 5:40 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

Members Absent: Holt and Schwengels.

Committee Business: Recommended passage of House File 355 as amended.

Adjourned: 6:25 p.m.

EDUCATION

Convened: March 9, 1987, 3:30 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Holden.

Committee Business: Approved SSB 175 as a committee bill; assigned bills to subcommittees.

Adjourned: 3:45 p.m.

JUDICIARY

Convened: March 9, 1987, 1:45 p.m.

Members Present: Doyle, Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Mann, Vice Chair (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 87 and 88 and ordered redrafted for final approval as committees bills; approved SSBs 144 and 149 as committee bills; recommended passage of House File 64.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: March 9, 1987, 2:42 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Bruner (arrived 2:48 p.m.), Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels (arrived 2:48 p.m.), Soorholtz and Welsh.

Members Absent: Nystrom, Ranking Member and C. Miller (both excused).

Committee Business: Assigned bills to subcommittees.

Adjourned: 2:50 p.m.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3123.

Final Vote: Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Holt and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 38, a bill for an act relating to conservation easements.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Husak, Hannon, Hall, Rensink, Goodwin, Schwengels and Priebe. Nays, 2: Peterson and Hester. Absent or not voting, 3: Doyle, Scott and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 114, a bill for an act to provide that the liquidated damages provision for the unlawful taking of animals applies to violations of chapters 111 and 111A as well as chapter 109.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hall, Hannon, Hester, Doyle, Schwengels, Rensink, Goodwin, Peterson and Priebe. Nays, 2: Husak and Tieden. Absent or not voting, 1: Scott.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 142, a bill for an act relating to the operation of motorboats.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hannon, Rensink, Hester, Hall, Peterson, Goodwin, Schwengels and Scott. Nays, none. Absent or not voting, 4: Husak, Doyle, Priebe and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 316, a bill for an act to provide that a leased motor vehicle shall be registered in the county of the lessee's residence.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall and Lloyd-Jones. Nays, none. Absent or not voting, 2: Jensen and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 359 (SSB 75), a bill for an act relating to movement of vehicles of excess size, weight, and load.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS**Senate File 316**

TRANSPORTATION: Gettings, Chair; Nystrom and Lloyd-Jones

Senate File 326

NATURAL RESOURCES: Tieden, Chair; Hall and Hester

Senate File 329

EDUCATION: Murphy, Chair; Horn, Dieleman, Taylor and Corning

Senate File 335

NATURAL RESOURCES: Husak, Chair; Scott and Priebe

House File 167

TRANSPORTATION: Coleman, Chair; Scott and Nystrom

House File 262

TRANSPORTATION: Jensen, Chair; Goodwin and Lloyd-Jones

House File 380

NATURAL RESOURCES: Rensink, Chair; Peterson and Hester

SSB 151

STATE GOVERNMENT: Schwengels, Chair; Horn and Drake

SSB 185

STATE GOVERNMENT: Carr, Chair; Drake and Bruner

SSB 188

COMMERCE: Tieden, Chair; Deluhery and Priebe

SSB 189

COMMERCE: Gronstal, Chair; Mann and Holden

SSB 190

COMMERCE: Gronstal, Chair; Carr and Jensen

LSB 2319

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Schwengels

LSB 2769

EDUCATION: Varn, Chair; Murphy, Dieleman, Corning and Taylor

LSB 2770

EDUCATION: Wells, Chair; Murphy and Corning

STUDY BILLS RECEIVED

SSB 186 Education

Relating to teachers, including the creation of a board of educational examiners and prescribing its duties relating to the certification of teachers, administrators, and supervisors;

requiring that teachers pass examinations; offering teaching assistantships to teachers; the issuance of temporary certificates; the waiver of tuition at state board of regents institutions; and the appointment of a task force to study teacher preparation and the role of teachers.

SSB 187 Education

Relating to certain educational programs in school districts for at-risk students.

SSB 188 Commerce

Relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available, providing for direct payment or reimbursement, and providing for data collection and utilization review.

SSB 189 Commerce

Relating to the regulation of risk retention groups and providing penalties.

SSB 190 Commerce

Relating to including consumer rental purchase agreements in the consumer credit code.

AMENDMENTS FILED

S—3122	S. F.	17	James Riordan
S—3123	H. F.	355	Appropriations
S—8124	S. F.	263	William W. Dieleman
S—3125	S. F.	219	William W. Dieleman
S—3126	S. F.	219	Ray Taylor
S—3127	S. F.	219	Ray Taylor
S—3128	S. F.	333	Larry Murphy

AFTERNOON SESSION

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

INTRODUCTION OF BILLS

Senate File 359, by committee on Transportation, a bill for an act relating to movement of vehicles of excess size, weight, and load.

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

Senate File 360, by committee on Education, a bill for an act relating to school financing including providing for a capital projects and equipment levy, for a liability levy, for the approval of bond issues by majority vote, for additional allowable growth for school districts, for calculating enrollment and budget guarantees under the school foundation formula, 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**.

INTRODUCTION OF RESOLUTION

Senate Resolution 8, by Lloyd-Jones, Wells and Horn, a resolution relating to the Iowa Hawkeyes Women's Basketball Team.

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

CONSIDERATION OF BILL

(Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House File 163, Senate Concurrent Resolutions 16, 17, 18 and Senate File 17.

House File 163

On motion of Senator Corning, House File 163, a bill for an act relating to health-related duties within the department of inspections and appeals and the Iowa department of public health, 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. 163) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Hultman	Hutchins	Jensen	Murphy
Priebe	Vande Hoef	Wells	

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

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senate Concurrent Resolution 16

On motion of Senator Goodwin, Senate Concurrent Resolution 16, a resolution urging the President of the United States and the Congress of the United States to enact the Mississippi River

National Heritage Corridor Act of 1987, was taken up for consideration.

Senator Goodwin moved the adoption of Senate Concurrent Resolution 16, which motion prevailed by a voice vote.

Senate Concurrent Resolution 17

On motion of Senator Schwengels, Senate Concurrent Resolution 17, a resolution to double the acres of woodland in Iowa, was taken up for consideration.

Senator Schwengels moved the adoption of Senate Concurrent Resolution 17, which motion prevailed by a voice vote.

Senate Concurrent Resolution 18

On motion of Senator Lloyd-Jones, Senate Concurrent Resolution 18, a resolution emphasizing the importance of the arts in a complete education, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of Senate Concurrent Resolution 18, which motion prevailed by a voice vote.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 17

On motion of Senator Riordan, Senate File 17, a bill for an act to increase the penalty for cruelty to animals to an aggravated misdemeanor, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—3098 filed by the committee on Judiciary on March 4, 1987, to page 1 of the bill.

Senator Riordan offered amendment S—3122 filed by him from the floor to amendment S—3098 and moved its adoption.

Amendment S—3122 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—3098 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. 17) the vote was:

Ayes, 29:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Gettings	Gronstal	Hannon
Holt	Horn	Husak	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Rensink	Riordan	Scott	Taylor
Wells			

Nays, 20:

Coleman	Corning	Fraise	Goodwin
Hall	Hester	Holden	Hultman
Jensen	Lind	Peterson	Readinger
Rife	Schwengels	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Welsh

Absent or not voting, 1:

Hutchins

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

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate File 338** be referred from the Regular Calendar to the committee on **Natural Resources**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

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

S. R.	7	Rules and Administration
S. F.	342	Local Government
S. F.	343	State Government
S. F.	344	Business and Labor Relations
S. F.	345	State Government
S. F.	346	Local Government
S. F.	347	Human Resources
S. F.	348	State Government
S. F.	349	Ways and Means
H. J. R.	14	Business and Labor Relations
H. F.	47	Local Government
H. F.	79	State Government
H. F.	188	Natural Resources
H. F.	316	Natural Resources
H. F.	328	Human Resources

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 138, a bill for an act relating to the extension of the foreclosure moratorium as provided in the Governor's declaration of economic emergency made on October 1, 1985.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 177, a bill for an act relating to the disposal of dead animals.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Goodwin, Hall, Hester, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 274, a bill for an act relating to the exporting of Iowa grain, by providing for the establishment of an Iowa agricultural export trading company; establishing a certified Iowa grain program; a new division of agriquality inspection within the department of agriculture and land stewardship; a state grain terminal and shippers program; a foreign sale facilitation system; and a sealed carrier receptable program; and imposing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, A. Miller, Hester, Fraise, Boswell, Fuhrman, Goodwin, Hall, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 360 (SSB 5), a bill for an act relating to school financing including providing for a capital projects and equipment levy, for a liability levy, for the approval of bond issues by majority vote, for additional allowable growth for school districts, for calculating enrollment and budget guarantees under the school foundation formula, 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, 8: Murphy, Horn, Bruner, Hannon, Lloyd-Jones, Riordan, Varn and Wells. Nays, 6: Taylor, Dieleman, Holden, Lind, Rensink and Tieden. Absent or not voting, 1: Corning.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 134, a bill for an act relating to the delegation of the authority to prevent, abate, or control air pollution.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Deluhery, Gronstal, A. Miller, Murphy, Rife, Schwengels and Sturgeon. Nays, none. Voting present, 1: Varn. Absent or not voting, 2: Soorholtz and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3129	S. F.	311	Don E. Gettings Richard F. Drake
S—3130	S. F.	323	Beverly A. Hannon
S—3131	S. F.	323	Beverly A. Hannon
S—3132	H. F.	355	Richard F. Drake Joe J. Welsh
S—3133	H. F.	355	Jim Lind
S—3134	H. F.	355	Emil J. Husak Joe J. Welsh
S—3135	H. F.	355	Emil J. Husak
S—3136	S. F.	69	Edgar H. Holden
S—3137	S. F.	197	Ray Taylor
S—3138	H. F.	355	Leonard L. Boswell
S—3139	H. F.	355	John Jensen

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:20 p.m., until 9:00 a.m., Wednesday, March 11, 1987.

JOURNAL OF THE SENATE

FIFTY-NINTH CALENDAR DAY
THIRTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 11, 1987

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

Prayer was offered by the Reverend Gene Schippel, pastor of the St. Johns Lutheran Church, Madrid, Iowa.

The Journal of Tuesday, March 10, 1987, 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 9, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 176, a bill for an act relating to the requirements for the loaning by a library of library materials or equipment having a value of five hundred dollars or more.

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

House File 394, a bill for an act relating to nonlocal business entities, particularly transient merchants and out-of-state contractors and providing penalties.

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

INTRODUCTION OF BILLS

Senate File 361, by Gronstal, Bruner and Sturgeon, a bill for an act relating to financial institutions, by providing for the acquisition of an interest in one or more banks located in Iowa or bank holding companies controlling one or more banks located in Iowa by an out-of-state bank holding company located in a midwestern state, including civil penalties, and conditioned upon community reinvestment standards, net new funds requirements, and other conditions; providing community reinvestment standards applicable to financial institutions; and establishing a community reinvestment task force.

Read first time and passed on file.

Senate File 362, by Vande Hoef, a bill for an act relating to proof of financial responsibility and requiring certain motor vehicles operated in this state to have liability insurance coverage, as defined in the Act, and providing a penalty and effective dates.

Read first time and passed on file.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 360** be referred from the Regular Calendar to committee on **Ways and Means**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 355.

House File 355

On motion of Senator Varn, House File 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3123 filed by the committee on Appropriations on March 10, 1987, to pages 1 through 4 of the bill.

Senator Boswell offered amendment S—3138 filed by him on March 10, 1987, to page 1 of amendment S—3123 and moved its adoption.

Amendment S—3138 was adopted by a voice vote.

Senator Husak offered amendment S—3134 filed by Senators Husak and Welsh on March 10, 1987, to page 2 of amendment S—3123 and moved its adoption.

Amendment S—3134 was adopted by a voice vote.

Senator Lind withdrew amendment S—3133 filed by him on March 10, 1987, to page 2 of amendment S—3123.

President pro tempore Kinley took the chair at 9:55 a.m.

Senator Jensen offered amendment S—3139 filed by him on March 10, 1987, to page 2 of amendment S—3123, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3139 to amendment S—3123 be adopted?" (H.F. 355) the vote was:

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

Ayes, 22:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Jensen	Kinley
Lind	Nystrom	Palmer	Readinger
Rensink	Rife	Schwengels	Soorholtz
Tieden	Vande Hoef		

Nays, 26:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Peterson	Priebe
Riordan	Scott	Taylor	Varn
Wells	Welsh		

Absent or not voting, 2:

Miller, C.P. Sturgeon

Amendment S—3139 lost.

President Zimmerman took the chair at 10:17 a.m.

Senator Gentleman offered amendment S—3143 filed by her from the floor to page 2 of amendment S—3123 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3143 to amendment S—3123 be adopted?" (H.F. 355) the vote was:

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Readinger	Rensink	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 1:

Miller, C.P.

Amendment S—3143 lost.

Senator Husak offered amendment S—3135 filed by him on March 10, 1987, to page 2 of amendment S—3123 and moved its adoption.

Amendment S—3135 was adopted by a voice vote.

(House File 355 and amendment S—3123 as amended, pending on recess.)

RECESS

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

APPENDIX

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 10, 1987, 1:30 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member (arrived 1:38 p.m.); Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman, Goodwin, Rensink, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; approved SSBs 180, 152, 157, 129 and LSB 2233 as committee bills; recommended passage of Senate Files 138, 177 and 274; presentation by Bill Greiner, Director of the Agriculture Development Authority.

Adjourned: 2:25 p.m.

EDUCATION

Convened: March 10, 1987, 3:35 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Corning (excused).

Committee Business: Approved SSB 5 as a committee bill.

Adjourned: 3:43 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 10, 1987, 2:40 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member (arrived 2:45 p.m.); A. Miller, Murphy, Rife, Schwengels, Sturgeon and Varn.

Members Absent: Hultman (excused).

Committee Business: Recommended passage of House File 134; approved LSB 2319 as a committee bill; approved Senate File 85 as amended and ordered redrafted as a committee bill.

Adjourned: 3:15 p.m.

NATURAL RESOURCES

Convened: March 10, 1987, 8:06 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair (arrived 8:08 a.m.); Schwengels, Ranking Member; Doyle (arrived 8:27 a.m.), Hannon, Husak (arrived 8:14 a.m.), Peterson, Goodwin, Scott (arrived 8:12 a.m.), Hester, Rensink and Tieden.

Members Absent: none.

Committee Business: Recommended passage of Senate File 38 and House Files 114 and 142; Senate File 138 failed recommendation for passage.

Adjourned: 8:43 a.m.

TRANSPORTATION

Convened: March 10, 1987, 2:35 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Hall, Lloyd-Jones and Nystrom.

Members Absent: Jensen (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 75 as a committee bill; suspended rules and recommended passage of Senate File 316; discussed and deferred action on SSB 159.

Adjourned: 2:45 p.m.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 364 (SSB 180), a bill for an act relating to agricultural development by permitting a property tax exemption for cattle facilities and appropriating moneys from the general fund of the state to the agricultural development authority of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to provide assistance to Iowa farmers under the agricultural loan assistance program, and related programs, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 365 (SSB 152), a bill for an act relating to eliminating sales, services and use tax on veterinary tests.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 366 (SSB 129), a bill for an act relating to the transfer of all, or substantially all, the property or assets of a cooperative association by sale, other disposition, or by merger.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 76, a bill for an act relating to third-party payor reimbursements for patient charges at a mental institute.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, Taylor and Wells. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 90, a bill for an act relating to the county responsible for payment of costs for commitment or admission to a state hospital for the mentally ill.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Fraise, Goodwin, Hall, Jensen, Kinley, Taylor and Wells. Nays, none. Voting present, 1: Vande Hoef. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 132, a bill for an act relating to the payment of delinquent property taxes.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Fraise, Vande Hoef, Goodwin, Jensen, Taylor and Wells. Nays, 3: A. Miller, Hall and Kinley. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 214, a bill for an act authorizing a city with a population of five thousand or less to reduce council membership to three by referendum.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, Taylor and Wells. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 171, a bill for an act relating to the limiting of the funds that can be used to benefit a business or industry that does not pay the prevailing rate.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan and Scott. Nays, 5: Rife, Fuhrman, Holt, Rensink and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 301, a bill for an act relating to a pilot program of the department of economic development to build all-Iowa shops along the state's highways for tourism information.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Joint Resolution 11

STATE GOVERNMENT: Coleman, Chair; Gronstal and Drake

Senate File 291

AGRICULTURE: Goodwin, Chair; Vande Hoef and Soorholtz

Senate File 295

AGRICULTURE: Hall, Chair; Soorholtz and Fraise

Senate File 301

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Hannon, Chair; Riordan and Rensink

Senate File 303

AGRICULTURE: Boswell, Chair; Rensink and Vande Hoef

Senate File 310

AGRICULTURE: Peterson, Chair; Rensink and Hall

Senate File 313

AGRICULTURE: Hall, Chair; Rensink and Boswell

Senate File 336

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

Senate File 339

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 342

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Goodwin

Senate File 343

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn and Bruner

Senate File 345

STATE GOVERNMENT: Dieleman, Chair; Nystrom and Carr

Senate File 346

LOCAL GOVERNMENT: Vande Hoef, Chair; Hall and Wells

Senate File 347

HUMAN RESOURCES: Sturgeon, Chair; Corning and Carr

Senate File 348

STATE GOVERNMENT: Drake, Chair; Bruner and Dieleman

Senate File 360

WAYS AND MEANS: Murphy, Chair; Holden and Riordan

House File 47

LOCAL GOVERNMENT: Hall, Chair; Vande Hoef and Fraise

House File 79

STATE GOVERNMENT: Lloyd-Jones, Chair; Coleman and Schwengels

House File 318

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

House File 328

HUMAN RESOURCES: Hannon, Chair; Lind and Murphy

House File 373

STATE GOVERNMENT: Lloyd-Jones, Chair; C. Miller and Gentleman

SSB 179

AGRICULTURE: Fraise, Chair; Boswell and Goodwin

SSB 180

AGRICULTURE: Husak, Chair; Scott and Soorholtz

SSB 182

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Peterson, Chair; Scott and Rensink

SSB 183

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

SSB 192

LOCAL GOVERNMENT: A. Miller, Chair; Wells and Vande Hoef

SSB 193

LOCAL GOVERNMENT: Wells, Chair; Jensen and Kinley

BILLS ASSIGNED TO COMMITTEE

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

S. F.	354	Transportation
S. F.	355	Local Government
S. F.	356	Agriculture
S. F.	357	Commerce
S. F.	358	Human Resources
S. R.	8	Rules & Administration
H. F.	360	Judiciary
H. F.	407	Transportation

STUDY BILLS RECEIVED

SSB 191 Education

Relating to educational reform and efficiency, including collective bargaining, emergency certification of school district employees, provision for postsecondary enrollment options for high school students, provision of certain services to school districts by area education agencies, secession of territory from a school district, election of school board directors, elimination of prohibition of employment of spouses of school board directors, organization meeting of a school board, contract length and span of control of superintendents, sharing athletic programs, employment of an autism coordinator for the department of education, publication of school district proceedings, definition of whole grade sharing and providing for payment of costs under two-way whole grade sharing, weighting of administrators provided by an area education agency, and supplemental sharing for certain principals, and providing an effective date.

SSB 192 Local Government

Relating to the abatement of taxes by the county.

SSB 193 Local Government

Authorizing a city to establish an administrative agency to manage and control a city airport.

SSB 194 Small Business and Economic Development

Relating to investment pools for raising funds to be used for investment in certain small businesses by authorizing the boards of directors of area schools to approve the plans for organizing such investment pools and providing an individual income tax credit for taxpayers who place funds into such investment pools.

SSB 195 Judiciary

Relating to the confinement and treatment of persons convicted of a violation of operating a motor vehicle while intoxicated.

PRESENTATION OF VISITORS

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

Members of the Moravia High School Girls' State tournament basketball team. Senators Gettings and Peterson.

AMENDMENTS FILED

S—3140	S. F.	101	William W. Dieleman
S—3141	S. F.	337	Forrest Schwengels
S—3142	S. F.	285	Michael Gronstal
S—3143	H. F.	355	Julia Gentleman
S—3144	S. F.	4	Tom Mann, Jr.
S—3145	S. F.	4	Beverly Hannon
S—3146	S. F.	297	Tom Mann, Jr.
S—3147	H. F.	355	Eugene Fraise
S—3148	H. F.	355	Leonard Boswell David Readinger
S—3149	H. F.	355	Michael Gronstal
S—3150	H. F.	355	Michael Gronstal
S—3151	S. F.	311	Don Gettings Richard F. Drake
S—3152	S. F.	77	Jean Lloyd-Jones
S—3153	S. F.	4	Jim Lind
S—3154	H. F.	355	Richard F. Drake

AFTERNOON SESSION

The Senate reconvened at 4:45 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 363, by Nystrom, a bill for an act relating to periodic adjustments in monthly pensions under the public safety peace officers' retirement, accident, and disability system and city retirement systems for police officers and fire fighters.

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

Senate File 364, by committee on Agriculture, a bill for an act relating to agricultural development by permitting a property tax exemption for cattle facilities and appropriating moneys from the general fund of the state to the agricultural development authority of the department of agriculture and land stewardship for the fiscal year beginning July 1, 1986, and ending June 30, 1987, to provide assistance to Iowa farmers under the agricultural loan assistance program, and related programs, and providing an effective date.

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

Senate File 365, by committee on Agriculture, a bill for an act eliminating the sales, services, and use tax on veterinary tests.

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

Senate File 366, by committee on Agriculture, a bill for an act relating to the transfer of all, or substantially all, the property or assets of a cooperative association by sale, other disposition, or by merger.

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

Senate File 367, by Horn, a bill for an act to provide additional weighting under the state school foundation program for school districts that jointly employ all school administrators under a plan approved by the department of education.

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

Senate File 368, by Husak, a bill for an act to provide for the appropriation and payment of moneys for the costs of educating Indian children on the Sac and Fox Indian settlement.

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

Senate File 369, by Boswell, a bill for an act relating to regional venture capital companies, providing certain tax credits, and providing for retroactive applicability.

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

Senate File 370, by Vande Hoef and Lloyd-Jones, a bill for an act relating to museums, providing for the disposition of loaned or undocumented property in the possession of a museum, notice, reclamation of loaned or undocumented property and statutes of limitations for actions against museums; prescribing museum obligations; prescribing lender and claimant obligations to museums; and providing for the retroactive applicability of certain sections of the Act.

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

Senate File 371, by Gettings, a bill for an act relating to installation and use of safety belts and safety harnesses in motor vehicles owned, leased, rented, or primarily used by physically handicapped persons.

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

Senate File 372, by committee on Agriculture, a bill for an act relating to the grain indemnity fund, by further defining the term "grain dealer", providing minimum net worth requirements for grain dealers, limiting financial reporting by grain dealers and warehouse operators, eliminating credit sale contracts from its protection, providing for distribution of receivership assets by excluding proceeds of the fund, raising minimum net worth requirements for warehouse operators, and providing definitions, eliminating participation by federally licensed warehouses, and providing a penalty for late payment of fees, eligibility standards, for the appointment of additional members to the Iowa grain indemnity fund board, the adjustment of fees, a procedure for determining the value of losses, requirements for recovery from

the fund, and the retroactive applicability of certain of its provisions.

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.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 330** be referred from the Regular Calendar to the committee on **Judiciary**.

BUSINESS PENDING

House File 355

The Senate resumed consideration of House File 355 and amendment S—3123 as amended by the committee on Appropriations, pending on recess.

Senator Gronstal withdrew amendment S—3150 filed by him from the floor to pages 1, 4, 5 and 6 of amendment S—3123.

Senator Bruner offered amendment S—3155 filed by Senators Bruner and Welsh from the floor to page 1 of amendment S—3123 and moved its adoption.

Amendment S—3155 was adopted by a voice vote.

Senator Boswell offered amendment S—3148 filed by Senators Boswell and Readinger from the floor to page 1 of amendment S—3123 and moved its adoption.

Amendment S—3148 was adopted by a voice vote.

Senator Fraise offered amendment S—3147 filed by him from the floor to page 1 of amendment S—3123 and moved its adoption.

Amendment S—3147 was adopted by a voice vote.

Senator Gronstal offered amendment S—3149 filed by him from the floor to page 1 of amendment S—3123 and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 32.

Amendment S—3149 lost.

Senator Drake offered amendment S—3132 filed by Senators Drake and Welsh on March 10, 1987, to page 3 of amendment S—3123 and moved its adoption.

Amendment S—3132 was adopted by a voice vote.

Senator Drake offered amendment S—3154 filed by him from the floor to page 3 of amendment S—3123 and moved its adoption.

Amendment S—3154 was adopted by a voice vote.

Senator Gentleman offered amendment S—3157 filed by her from the floor to pages 1, 4, 5 and 6 of amendment S—3123 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3157 to amendment S—3123 be adopted?" (H.F. 355) the vote was:

Ayes, 23:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Gentleman	Gronstal
Hannon	Hester	Holden	Hultman
Jensen	Lloyd-Jones	Mann	Miller, C.P.
Murphy	Nystrom	Riordan	Schwengels
Soorholtz	Taylor	Tieden	

Nays, 26:

Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Hall
Horn	Husak	Hutchins	Kinley
Lind	Miller, A.V.	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Scott	Sturgeon	Vande Hoef	Varn
Wells	Welsh		

Absent or not voting, 1:

Holt

Amendment S—3157 lost.

Senator Welsh offered amendment S—3158 filed by him from the floor to page 2 of amendment S—3123 and moved its adoption.

Amendment S—3158 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—3123 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 355) the vote was:

Ayes, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Horn
Husak	Hutchins	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Varn	Wells
Welsh			

Nays, 20:

Corning	Gentleman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Hultman	Jensen	Kinley	Lind
Readinger	Rensink	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

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.

Senator Hutchins asked and received unanimous consent that **House File 355** be **immediately messaged** to the House.

INTRODUCTION OF BILLS

Senate File 373, by committee on Judiciary, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities.

Read first time and placed on calendar.

Senate File 374, by committee on Judiciary, a bill for an act relating to statutory corrections of a noncontroversial and nonsubstantive nature.

Read first time and placed on calendar.

APPENDIX

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 372, a bill for an act relating to the grain indemnity fund, by further defining the term "grain dealer", providing minimum net worth requirements for grain dealers, limiting financial reporting by grain dealers and warehouse operators, eliminating credit sale contracts from its protection, providing for distribution of receivership assets by excluding proceeds of the fund, raising minimum net worth requirements for warehouse operators, and providing definitions, eliminating participation by federally licensed warehouses, and providing a penalty for late payment of fees, eligibility standards, for the appointment of additional members to the Iowa grain indemnity fund board, the adjustment of fees, a procedure for determining the value of losses, requirements for recovery from the fund, and the retroactive applicability of certain of its provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman, Goodwin, Rensink, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 132, a bill for an act relating to the final report of a personal representative in probate.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 340, a bill for an act relating to the testing of blood or other bodily specimens of persons committed to an institution under the control of the Iowa department of corrections, and providing a penalty.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 341, a bill for an act relating to the standard of proof required under forfeiture of property law.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 373 (SSB 87), a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities.

Recommendation: APPROVED COMMITTEE BILL WITH AMENDMENTS—3161.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 374 (SSB 88), a bill for an act relating to statutory corrections of a noncontroversial and nonsubstantive nature.

Recommendation: APPROVED COMMITTEE BILL WITH AMENDMENTS—3160.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 194, a bill for an act repealing the prohibition of use of toxic halogenated fire extinguishers in public buildings.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

President Zimmerman welcomed the following exchange students attending Iowa schools, who were present in the Senate gallery as the guests of Senator Priebe:

Christian Baschab, West Germany and Kathryn Sia, Manilla, Phillipines, both attending Corwith-Wesley-Lu Verne High School; Claudia Rueckert, West Germany, attending Burt High School; Gloria Molina, Colombia, South America, attending Lakota High School; and George Vlachos, Athens, Greece, attending Central High School Fenton.

AMENDMENTS FILED

S—3155	H.F.	355	Charles Bruner Joe J. Welsh
S—3156	S.F.	4	Jim Lind
S—3157	H.F.	355	Julia Gentleman
S—3158	H.F.	355	Joe J. Welsh
S—3159	S.F.	221	C. Joseph Coleman
S—3160	S.F.	374	Judiciary
S—3161	S.F.	373	Judiciary

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:03 p.m., until 9:00 a.m., Thursday, March 12, 1987.

JOURNAL OF THE SENATE

SIXTIETH CALENDAR DAY
THIRTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 12, 1987

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

Prayer was offered by the Honorable John W. Jensen, member of the Senate from Bremer County, Plainfield, Iowa.

The Journal of Wednesday, March 11, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Des Moines for the day and Senators Doyle and Mann for the remainder of the week on request of Senator Hutchins; Senator Schwengels for the remainder of the week and Senator Hultman for the afternoon session and March 13, 1987, on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 158, a bill for an act relating to the time within which an application for crime victim reparation may be filed.

ALSO: That the House has on March 10, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 410, a bill for an act relating to the interest of a city officer or employee in contracts for the purchase of goods and services by a city.

This bill was read first time and passed on file.

INTRODUCTION OF BILLS

Senate File 375, by Gentleman, a bill for an act relating to vital statistics records, by providing for limitations on the inspection and copying of certain vital statistics records, expanding the lists of violations of the law related to vital statistics records, and providing increased penalties.

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

Senate File 376, by Palmer, a bill for an act relating to state banks by permitting a state bank to engage in securities activities and to organize, acquire, or invest in a subsidiary to engage in nondepository activities permitted by state or federal law, and to invest in certain financial contracts and mutual funds for its own account.

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

Senate File 377, by Taylor, a bill for an act prohibiting the outdoor advertising of cigarettes and tobacco products.

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

Senate File 378, by Peterson, a bill for an act authorizing the establishment of a benefited recreation district and its dissolution, the election of trustees, the levy of a tax, and the contract of indebtedness.

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

Senate File 379, by Holden, Holt, Fuhrman, Corning, Goodwin, Gentleman, Lind, Vande Hoef, Readinger and Rensink, a bill for an act authorizing local government reorganization by the establishment of an alternative form of county government or city-county government, or by consolidating county governments, and making corresponding amendments to the Code.

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

Senate File 380, by Schwengels, a bill for an act relating to the establishment of a farmer guide advisory committee by the department of natural resources and a farmer guide program for nonresident hunters, authorizing the issuance of nonresident

hunting licenses, providing license fees, and subjecting violators to penalties.

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

Senate File 381, by Welsh, a bill for an act to legalize the payment of a sales tax refund claim to the city of Epworth, Iowa, by the department of revenue and finance.

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

Senate File 382, by committee on Agriculture, a bill for an act relating to soil conservation districts, by changing the name to soil and water conservation districts.

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

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

The Senate resumed session, President Zimmerman presiding.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 300.

Senate File 300

On motion of Senator Fraise, Senate File 300, a bill for an act relating to procedures upon violation of probation when the probationer is supervised within this state pursuant to the interstate probation and parole compact, 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. 300) the vote was:

Ayes, 40:

- | | | | |
|-----------|-----------|----------|---------|
| Boswell . | Bruner | Carr | Coleman |
| Corning | Deluhery | Dieleman | Fraise |
| Fuhrman | Gentleman | Gettings | Goodwin |

Gronstal	Hall	Hannon	Hester
Holden	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Doyle	Drake	Holt	Hultman
Lloyd-Jones	Mann	Miller, C.P.	Schwengels
Soorholtz	Varn		

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 Hultman asked and received unanimous consent that **Senate Files 364 and 365** be referred from the Regular Calendar to the committee on **Ways and Means**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:36 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 11, 1987, 3:35 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Discussed SSBs 186 and 187.

Adjourned: 4:36 p.m.

HUMAN RESOURCES

Convened: March 11, 1987, 11:10 a.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, Murphy, Readinger and Sturgeon.

Members Absent: C. Miller (excused) and Taylor.

Committee Business: Assigned bills to subcommittees; presentation by Rosemary Hillman, Hospice Consultant, regarding Senate File 221; discussed and deferred action on Senate File 104.

Adjourned: 12:01 p.m.

JUDICIARY

Convened: March 11, 1987, 1:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Deluhery (excused).

Committee Business: Assigned bills to subcommittees; approved SSBs 87 and 88 as committee bills with committee amendments; approved SSB 167 as a committee bill; recommended passage of Senate Files 340 and 341 and House File 132; approved SSBs 91 and 117 and ordered redrafted for final approval as committee bills.

Adjourned: 2:30 p.m.

LOCAL GOVERNMENT

Convened: March 11, 1987, 10:38 a.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Kinley, Taylor (arrived 10:41 a.m.) and Wells.

Members Absent: C. Miller (excused).

Committee Business: Approved SSBs 19 and 172 as committee bills; recommended passage of Senate Files 90, 76, 214 and 132; discussed and deferred action on Senate File 139.

Adjourned: 11:09 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 11, 1987, 8:05 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 301 and 171; approved SSB 182 as a committee bill; Mr. and Mrs. Nesbit of Newell presented a small business enterprise.

Adjourned: 9:00 a.m.

STATE GOVERNMENT

Convened: March 11, 1987, 2:40 p.m.

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

Members Absent: Lloyd-Jones (excused).

Committee Business: Assigned bills to subcommittees; approved SSB 185 as a committee bill; recommended passage of Senate Files 55 and 292 as amended and House File 194.

Adjourned: 3:30 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 7

RULES AND ADMINISTRATION: Jensen, Chair; Gettings and Gronstal

Senate Resolution 8

RULES AND ADMINISTRATION: Jensen, Chair; Gettings and Gronstal

Senate File 331

WAYS AND MEANS: Riordan, Chair; Holden, Mann, Soorholtz and Boswell

Senate File 334

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

Senate File 340

JUDICIARY: Fraise, Chair; Mann and Taylor

Senate File 341

JUDICIARY: Mann, Chair; Varn, Drake

Senate File 344

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Horn and Hultman

Senate File 349

WAYS AND MEANS: Bruner, Chair; Dieleman, Drake, Murphy and Readinger

Senate File 358

HUMAN RESOURCES: Hannon, Chair; Bruner and Taylor

House Joint Resolution 14

BUSINESS AND LABOR RELATIONS: Mann, Chair; Gettings and Fuhrman

House File 316

NATURAL RESOURCES: Husak, Chair; Hannon and Hester

House File 374

WAYS AND MEANS: Dieleman, Chair; Readinger and Boswell

House File 375

JUDICIARY: Varn, Chair; Mann and Holt

House File 378

JUDICIARY: Varn, Chair; Gentleman and Mann

SSB 195

JUDICIARY: Doyle, Chair; Mann and Holt

LSB 2762

BUSINESS AND LABOR RELATIONS: Wells, Chair; Palmer and Holden

LSB 2781

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Schwengels and Sturgeon

LSB 2791

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Welsh and Vande Hoef

LSB 4143

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Soorholtz and Varn

COMMITTEE REPORTS**AGRICULTURE**

Final Bill Action: SENATE FILE 382 (SSB 157), a bill for an act relating to soil conservation districts, by changing the name to soil and water conservation districts.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 154, a bill for an act relating to the merger or consolidation of bank affiliates.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Palmer, Deluhery, Jensen, Gronstal, Holden, Lind, Nystrom and Sturgeon. Nays, 3: Priebe, Rife and Tieden. Absent or not voting, 4: Carr, Kinley, Mann and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 384 (SSB 167), a bill for an act relating to section 321.445 of the Code.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Doyle, Mann, Holt, Carr, Coleman, Fuhrman, Gentleman, Horn and Varn. Nays, 3: Drake, Fraise and Taylor. Absent or not voting, 2: Deluhery and Hester.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 387 (SSB 19), 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, 6: A. Miller, Goodwin, Hall, Kinley, Taylor and Wells. Nays, 2: Fraise and Vande Hoef. Absent or not voting, 2: Jensen and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 388 (SSB 172), a bill for an act relating to the filing time for nomination petitions for a special election to elect a member of a board of directors of a school district.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, Taylor and Wells. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 338, a bill for an act relating to environmental protection performance standards for coal mining and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hall, Priebe, Doyle, Hannon, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, none. Absent or not voting, 2: Schwengels and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 389 (SSB 158), a bill for an act relating to free landowner and tenant licenses for taking deer or wild turkey.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hall, Priebe, Doyle, Hannon, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, none. Absent or not voting, 2: Schwengels and Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE RESOLUTION 7, a resolution relating to the Iowa Hawkeyes Basketball Team.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 8, a resolution relating to the Iowa Hawkeyes Women's Basketball Team.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 55, a bill for an act to remove the requirement that a gambling license cannot be issued for a period of two years for a location for which a gambling license was revoked.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3162.

Final Vote: Ayes, 10: Carr, Bruner, Coleman, Gronstal, Horn, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, 3: Dieleman, Drake and Gentleman. Absent or not voting, 2: Lloyd-Jones and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 292, a bill for an act relating to establishment of a building materials fire toxicity filing system.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3165.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

- S. F. 361 Commerce
- S. F. 362 Transportation
- S. F. 363 State Government
- S. F. 367 Education
- S. F. 368 Education

S. F.	369	Small Business & Economic Development
S. F.	370	Judiciary
S. F.	371	Transportation
H. F.	176	Local Government
H. F.	394	Commerce

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate on March 11, 1987:

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

A copy of the bi-annual report of the Commission on Compensation, Expenses, and Salaries of Elected State Officials, pursuant to Chapter 2A of the Code of Iowa.

STUDY BILLS RECEIVED

SSB 196 Ways and Means

Relating to the federal low-income housing credit by providing for its allocation and designating the Iowa finance authority as the housing credit agency.

SSB 197 Agriculture

Relating to assets of a mortgagor that must be set aside to delay the enforcement of a deficiency judgment and providing for the set-off of the amount of the deficiency judgment in certain cases.

AMENDMENTS FILED

S-3162	S. F.	55	State Government
S-3163	S. F.	122	Jim Lind
S-3164	S. F.	282	Donald V. Doyle
S-3165	S. F.	292	State Government

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., Senator Varn presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 10, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 412, a bill for an act relating to child abuse.

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

House File 416, a bill for an act relating to consumer frauds and providing penalties.

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

ALSO: That the House has on March 11, 1987, passed the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 15, a resolution relating to a Biennial Memorial Session.

ALSO: That the House has on March 11, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 209, a bill for an act relating to the enforcement of protective orders and orders to vacate the homestead in dissolution cases, and providing for the application of penalties.

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

House File 408, a bill for an act to authorize the parties to a dissolution to waive the filing of a financial statement only after approval by the court.

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

House File 409, a bill for an act relating to the procedures used for the taking of property for public transportation purposes.

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

President Zimmerman took the chair at 4:41 p.m.

INTRODUCTION OF BILLS

Senate File 383, by Hultman, a bill for an act relating to health care providers and patients and providing for the creation of an excess liability fund for health care providers, establishing a surcharge to be deposited in the fund, establishing a special surcharge, establishing qualifications for a health care provider or a patient to be protected by the fund, establishing a maximum limitation on the liability of the fund, creation of a compensation review board, authorization of the fund to procure reinsurance to protect the fund, authorization of the fund to provide primary insurance coverage to health care providers and providing for structured settlements.

Read first time and passed on file.

Senate File 384, by committee on Judiciary, a bill for an act relating to section 321.445 of the Code.

Read first time and placed on calendar.

Senate File 385, by Vande Hoef, a bill for an act relating to the real estate transfer tax on the transfer of property by certain federal agencies and instrumentalities.

Read first time and passed on file.

Senate File 386, by Vande Hoef and Holt, a bill for an act relating to and making appropriations to the department of corrections.

Read first time and passed on file.

Senate File 387, 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 388, by committee on Local Government, a bill for an act relating to the filing time for nomination petitions for a special election to elect a member of a board of directors of a school district.

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

Senate File 389, by committee on Natural Resources, a bill for an act relating to free landowner and tenant licenses for taking deer or wild turkey.

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

Senate File 390, by Gronstal, a bill for an act exempting a city electric light and power franchise ordinance from required submission to the voters at an election.

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

Senate File 391, by Hall, a bill for an act relating to the age at retirement and years of service for certain peace officers and correctional officers under the Iowa public employees' retirement system.

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

Senate File 392, by Miller of Des Moines, a bill for an act relating to the practice of chiropractic by providing for the issuance of limited licenses for students and recent graduates participating in a preceptor program.

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

Senate File 393, by Miller of Des Moines, a bill for an act relating to fishing by persons in substance abuse centers.

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

Senate File 394, by Riordan and Dieleman, a bill for an act relating to care of animals in commercial establishments.

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

Senate File 395, by committee on Small Business and Economic Development, a bill for an act to authorize the imposition of a property tax levy by a city or county for economic development purposes.

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

Senate File 396, by committee on Environment and Energy Utilities, a bill for an act relating to the creation of a waste management authority within the environmental protection division of the department of natural resources.

Read first time and placed on calendar.

Senate File 397, by committee on Environment and Energy Utilities, a bill for an act requiring each gas and electric public utility to create a utility shutoff fund.

Read first time and placed on calendar.

Senate File 398, by Dieleman, a bill for an act relating to dissolution of marriage and custody of a minor child as a result of the dissolution.

Read first time and passed on file.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for the remainder of the day on request of Senator Husak.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 263

On motion of Senator Dieleman, Senate File 263, a bill for an act relating to cigarette and tobacco tax assessment periods, penalties and appeal periods, offsetting of claims against the state with a person's liabilities to the state, tax return confidentiality, the filing of sales and services tax refund claims, audit periods for sales, services, and use tax returns, use tax penalty, and penalties for interfering with department of revenue and finance employees in the performance of their duties and providing effective dates, was taken up for consideration.

Senator Dieleman offered amendment S—3124 filed by him on March 10, 1987, to pages 9 and 10 of the bill and moved its adoption.

Amendment S—3124 was adopted by a voice vote.

Senator Dieleman asked and received unanimous consent that **House File 334** be substituted for **Senate File 263** as amended.

The following amendments to Senate File 263 were out of order:

S—3088 filed by Senator Holden on February 26, 1987, to the title page of the bill.

S—3089 filed by Senator Taylor on February 26, 1987, to page 7 of the bill.

S—3090 filed by Senator Bruner on March 2, 1987, to pages 9 and 10 and the title page of the bill.

Senator Dieleman asked and received unanimous consent that further action on **House File 334** be deferred and that the bill be placed on the calendar under **unfinished business**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Carr for the afternoon on request of Senator Husak and Senator Holt for the remainder of the day and March 13, 1987, on request of Senator Holden.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senate File 264

On motion of Senator Gronstal, Senate File 264, a bill for an act relating to revocation of a property tax exemption, 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. 264) the vote was:

Ayes, 43:

Boswell
Dieleman
Gentleman
Hall

Coleman
Drake
Gettings
Hannon

Corning
Fraise
Goodwin
Hester

Deluhery
Fuhrman
Gronstal
Holden

Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner	Carr	Doyle	Holt
Hultman	Mann	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 399, by Riordan, a bill for an act establishing a motorcycle rider education fund, increasing fees for certain operator's licenses, crediting moneys to the fund, and appropriating moneys from the fund to the department of education to reimburse school districts for the costs of motorcycle education courses.

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

Senate File 400, by Hannon, a bill for an act relating to the exemption from levy by execution or attachment of insurance or other benefit plan proceeds.

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

APPENDIX

COMMITTEE REPORTS

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 396, a bill for an act relating to the creation of a waste management authority within the environmental protection division of the department of natural resources.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Deluhery, Gronstal, Soorholtz, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Hultman and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 397, a bill for an act requiring each gas and electric public utility to create a utility shutoff fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Deluhery, Gronstal, Soorholtz, A. Miller, Murphy, Sturgeon and Varn. Nays, 1: Rife. Absent or not voting, 2: Hultman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 129, a bill for an act relating to the sale of unused highway right of way by the county board of supervisors.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 183, a bill for an act authorizing a tax levy for city libraries by petition and referendum.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, C. Miller, Taylor and Wells. Nays, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 395 (SSB 182), a bill for an act to authorize the imposition of a property tax levy by a city or county for economic development purposes.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Peterson, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, 1: Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition at the request of Senator Hannon on February 22, 1987, as follows:

Lavern and Marie Guhl, Olin — Celebrating their 50th wedding anniversary.
Grover and Irene Benischek, Olin — Celebrating their 50th wedding anniversary.

The Secretary of the Senate issued the following certificate of recognition at the request of Senator Jensen on February 28, 1987:

Vince Miller, Plainfield — 1987 Iowa State Wrestling Champion, class 1A, weight 138.

The Secretary of the Senate issued the following certificates of recognition at the request of President Zimmerman and the respective Senator on March 3, 1987, to winners of the essay contest of the Iowa Commission on the Status of Women to "Write Women Back Into History":

Amy Elizabeth Kujac, Madrid — First Place. Senator Nystrom.
J.C. Dann, Camanche — Second Place. Senator Goodwin.
Koren Lea Schemmel, Farley — Third Place. Senator Welsh.
Jenny Urbain, Epworth — Honorable Mention. Senator Welsh.
Kathryn Miller, Des Moines — Honorable Mention. Senator Gentleman.
Sarah Stanton, Spencer — Honorable Mention. Senator Holt.
Jenny Synhorst, Spencer — Honorable Mention. Senator Holt.
Linda Sinclair, Melrose — Honorable Mention. Senator Peterson.

AMENDMENT FILED

S—3166

H.F.

334

Edgar H. Holden

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:00 p.m., until 9:00 a.m., Friday, March 13, 1987.

JOURNAL OF THE SENATE

SIXTY-FIRST CALENDAR DAY
THIRTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, March 13, 1987

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

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

The Journal of Thursday, March 12, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Peterson, Bruner and Carr for the day on request of Senator Hutchins; Senator Nystrom for the day on request of Senator Jensen.

ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Resolutions 7 and 8.

Senate Resolution 7

On motion of Senator Wells, Senate Resolution 7, a resolution relating to the Iowa Hawkeyes Basketball Team, with report of committee recommending passage, was taken up for consideration.

Senator Wells moved the adoption of Senate Resolution 7, which motion prevailed by a voice vote.

Senate Resolution 8

On motion of Senator Lloyd-Jones, Senate Resolution 8, a resolution relating to the Iowa Hawkeyes Women's Basketball Team, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved the adoption of Senate Resolution 8, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lloyd-Jones for the remainder of the day on request of Senator Gronstal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 257.

Senate File 257

On motion of Senator Taylor, Senate File 257, a bill for an act relating to the payment for crop damages within the right-of-way of drainage improvements, 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. 257) the vote was:

Ayes, 40:

Boswell	Coleman	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Bruner	Carr	Doyle	Holt
Hultman	Lloyd-Jones	Mann	Nystrom
Peterson	Schwengels		

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 314.

House File 314

On motion of Senator Drake, House File 314, a bill for an act relating to the obstruction of emergency communications and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 314) the vote was:

Ayes, 39:

Boswell	Coleman	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Murphy
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 11:

Bruner	Carr	Doyle	Holt
Hultman	Lloyd-Jones	Mann	Miller, C.P.
Nystrom	Peterson	Schwengels	

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

Senate File 311

On motion of Senator Gettings, Senate File 311, a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system, and providing a conditional effective date, was taken up for consideration.

Senator Gettings asked and received unanimous consent to withdraw amendment S—3129 filed by Senators Gettings and Drake on March 10, 1987, to page 1 of the bill.

Senator Gettings offered amendment S—3151 filed by Senators Gettings and Drake to page 1 of the bill and moved its adoption.

Amendment S—3151 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 311) the vote was:

Ayes, 35:

Boswell	Coleman	Corning	Deluhery
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holden	Horn	Husak
Hutchins	Jensen	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Varn	Wells	Welsh	

Nays, 4:

Dieleman	Hannon	Rife	Vande Hoef
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Voting present, 1:

Lind

Absent or not voting, 10:

Bruner	Carr	Doyle	Holt
Hultman	Lloyd-Jones	Mann	Nystrom
Peterson	Schwengels		

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

LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 179.

Senate File 179

On motion of Senator Riordan, Senate File 179, a bill for an act to provide that a single person may claim a homestead exempt from judicial sale, 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?" (S.F. 179) the vote was:

Ayes, 37:

Boswell	Coleman	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hester	Holden	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells			

Nays, none.

Absent or not voting, 13:

Bruner	Carr	Doyle	Hannon
Holt	Hultman	Lloyd-Jones	Mann

Nystrom
Welsh

Peterson

Schwengels

Vande Hoef

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 332.

Senate File 332

On motion of Senator Goodwin, Senate File 332, a bill for an act relating to fish, plant life or wildlife species of special concern, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 332) the vote was:

Ayes, 38:

Boswell	Coleman	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Holden	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, 1:

Hester

Absent or not voting, 11:

Bruner	Carr	Doyle	Holt
Hultman	Lloyd-Jones	Mann	Nystrom
Peterson	Schwengels	Vande Hoef	

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 170.

House File 170

On motion of Senator Jensen, House File 170, a bill for an act to authorize the sale of the corporate shell of an insolvent insurance company, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Jensen offered amendment S—3105 filed by the committee on Commerce on March 5, 1987, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3105 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 170) the vote was:

Ayes, 39:

Boswell	Coleman	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 11:

Bruner	Carr	Doyle	Holt
Hultman	Lloyd-Jones	Mann	Nystrom
Peterson	Schwengels	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 265

On motion of Senator Jensen, House File 265, a bill for an act relating to the regulation of industrial loan companies, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 265) the vote was:

Ayes, 38:

Boswell	Coleman	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Miller, C.P.
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Bruner	Carr	Doyle	Holt
Hultman	Lloyd-Jones	Mann	Murphy
Nystrom	Peterson	Schwengels	Vande Hoef

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 194.

House File 194

On motion of Senator Coleman, House File 194, a bill for an act repealing the prohibition of use of toxic halogenated fire extinguishers in public buildings, 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. 194) the vote was:

Ayes, 38:

Boswell	Coleman	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Gettings	Gronstal	Hall
Hannon	Hester	Holden	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A. V.	Miller, C.P.	Murphy
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Bruner	Carr	Doyle	Goodwin
Holt	Hultman	Lloyd-Jones	Mann
Nystrom	Peterson	Schwengels	Vande Hoef

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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 11, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 427, a bill for an act relating to reprisals and orders with respect to certain disclosures of information by state employees, and providing a penalty.

This bill was read first and passed on file.

INTRODUCTION OF BILL

Senate File 401, by committee on Environment and Energy Utilities, a bill for an act relating to and making appropriations to the department of natural resources to pay assessments to the midwest interstate low-level radioactive waste compact, 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 Varn presiding.

HOUSE MESSAGES RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 1987, concurred in the Senate amendment to the House Amendment and adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 4, a resolution relating to the board of regents ten-year building program.

ALSO: That the House has on March 13, 1987, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and providing an effective date.

INTRODUCTION OF BILLS

Senate File 402, by committee on Local Government, a bill for an act relating to the purposes for which community economic betterment funds may be expended.

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

Senate File 403, by committee on Environment and Energy Utilities, a bill for an act relating to fees charged for hazardous wastes and deposited in the hazardous waste remedial fund.

Read first time and placed on calendar.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: March 12, 1987, 9:50 a.m.

Members Present: Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Soorholtz and Welsh.

Members Absent: none.

Committee Business: Approved proposed Appropriations bill.

Adjourned: 10:50 a.m.

APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

Convened: March 12, 1987, 9:40 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Budget recommendations.

Adjourned: 11:25 p.m.

APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

Convened: March 12, 1987, 10:02 a.m.

Members Present: Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

Members Absent: none.

Committee Business: Video presentation of DED Ambassador Program; final approval of oversight for CEBA and DED's Ag-Marketing Programs; subcommittee approved and submitted appropriations bills for the Department of Economic Development and lottery revenues (Iowa Plan) to the full Appropriations Committee; approved proposed governor's budget bill appropriating federal block grants.

Adjourned: 11:17 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 12, 1987, 10:00 a.m.

Members Present: Sturgeon, Chair; Scott, Vice Chair; Readinger, Ranking Member and Gentleman.

Members Absent: A. Miller (excused).

Committee Business: Budget recommendations.

Adjourned: 11:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

Convened: March 12, 1987, 10:12 a.m.

Members Present: Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

Members Absent: none.

Committee Business: Discussed proposed Appropriations bill.

Adjourned: 11:30 a.m.

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: March 12, 1987, 9:40 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member.

Members Absent: Schwengels (excused) and Palmer.

Committee Business: Discussed proposed Appropriations bill and adopted amendments.

Adjourned: 10:45 a.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: March 12, 1987, 9:58 a.m.

Members Present: Gettings, Chair; Holt, Ranking Member; Holden and Husak.

Members Absent: Coleman, Vice Chair (excused until his arrival).

Committee Business: Discussed proposed Transportation and Safety Appropriations bill.

Adjourned: 11:15 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 12, 1987, 8:50 a.m.

Members Present: Wells, Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman, Vande Hoef and Welsh.

Members Absent: Mann, Vice Chair (excused) and Palmer.

Committee Business: Assigned bills to subcommittees.

Adjourned: 8:57 a.m.

COMMERCE

Convened: March 12, 1987, 1:40 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Holden, Lind, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh.

Members Absent: Carr, Kinley and Mann (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 154.

Adjourned: 1:50 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 12, 1987, 2:45 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; A. Miller, Murphy, Rife, Sturgeon and Varn.

Members Absent: Schwengels and Hultman (both excused).

Committee Business: Recommended passage of Senate Files 396 and 397; approved LSBs 2781 and 4143 as committee bills; discussed and deferred action on Senate File 209.

Adjourned: 3:05 p.m.

LOCAL GOVERNMENT

Convened: March 12, 1987, 3:34 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; discussed and deferred action on Senate File 113 as amended; recommended passage of Senate Files 183 and 129; approved SSB 169 as a committee bill.

Adjourned: 4:11 p.m.

NATURAL RESOURCES

Convened: March 12, 1987, 8:09 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Hannon, Peterson, Goodwin (arrived 8:22 a.m.), Scott, Hester, Rensink and Tieden.

Members Absent: Schwengels, Ranking Member (excused) and Husak.

Committee Business: Assigned bills to subcommittees; approved SSB 158 as a committee bill; recommended passage of Senate File 338.

Adjourned: 8:32 a.m.

RULES AND ADMINISTRATION

Convened: March 12, 1987, 9:20 a.m.

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

Members Absent: none.

Committee Business: Recommended passage of Senate Resolutions 7 and 8.

Adjourned: 9:25 a.m.

WAYS AND MEANS

Convened: March 11, 1987, 10:40 a.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

Members Absent: none.

Committee Business: Assigned bills to subcommittees.

Adjourned: 10:58 a.m.

WAYS AND MEANS

Convened: March 12, 1987, 3:39 p.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Drake, Readinger, Riordan, Hester, Soorholtz, Palmer, Murphy, Dieleman and Gronstal.

Members Absent: Mann (excused), Holt and Boswell.

Committee Business: Amended and approved Senate File 360 as a committee bill; assigned bills to subcommittees.

Adjourned: 4:06 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 346
(Additional Members)

LOCAL GOVERNMENT: Jensen and Kinley

Senate File 354

TRANSPORTATION: Lloyd-Jones, Chair; Hall and Goodwin

Senate File 355

LOCAL GOVERNMENT: Vande Hoef, Chair; Hall, Wells, Jensen and Kinley

House File 407

TRANSPORTATION: Hall, Chair; Gettings and Jensen

SSB 196

WAYS AND MEANS: Palmer, Chair; Soorholtz and Riordan

COMMITTEE REPORTS**ENVIRONMENT AND ENERGY UTILITIES**

Final Bill Action: SENATE FILE 401, a bill for an act relating to and making appropriations to the department of natural resources to pay assessments to the midwest interstate low-level radioactive waste compact, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Deluhery, Gronstal, Soorholtz, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Hultman and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 403, a bill for an act relating to fees charged for hazardous wastes and deposited in the hazardous waste remedial fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Deluhery, Gronstal, A. Miller, Murphy, Sturgeon and Varn. Nays, 2: Soorholtz and Rife. Absent or not voting, 2: Hultman and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 402 (SSB 169), a bill for an act relating to the purposes for which community economic betterment funds may be expended.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, Taylor and Wells. Nays, none. Voting present, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S.F.	375	State Government
S.F.	376	Commerce
S.F.	377	Transportation
S.F.	378	Local Government
S.F.	379	Local Government
S.F.	380	Natural Resources
S.F.	381	Judiciary
S.F.	383	Judiciary
S.F.	385	Ways and Means
S.F.	386	Appropriations
S.F.	390	Local Government
S.F.	391	State Government
S.F.	392	State Government
S.F.	393	Natural Resources
S.F.	394	Local Government
S.F.	398	Judiciary
S.F.	399	Transportation
S.F.	400	Commerce
H.F.	209	Judiciary
H.F.	408	Judiciary
H.F.	409	Local Government
H.F.	410	Local Government
H.F.	412	Human Resources
H.F.	416	Judiciary

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber when the final vote was taken on Senate File 179.

Had I been present, I would have voted "aye".

BEVERLY A. HANNON

STUDY BILLS RECEIVED**SSB 198 Small Business and Economic Development**

Relating to the creation of a statewide regional network of small business economic development corporations to assist in providing financing for small businesses in the state.

SSB 199 Environment and Energy Utilities

Defining and establishing redemption centers, dealer agents, and territory of service between dealer agents and distributors, and subjecting violators to a penalty.

SSB 200 Agriculture

Relating to the Iowa state fair by creating an independent Iowa state fair authority, authorizing the issuance of bonds and notes, and exempting tickets from the sales, services, and use tax.

SSB 201 Small Business and Economic Development

Relating to motor fuel and special fuel marketing and distribution and security deposits required of dealers.

SSB 202 Small Business and Economic Development

Relating to motor fuel and special fuel marketing and distribution.

SSB 203 Small Business and Economic Development

Relating to motor fuel and special fuel marketing and distribution by defining unfair trade practices for motor fuel and special fuel franchise agreements.

SSB 204 Local Government

Relating to contract letting procedures of cities.

PRESENTATION OF VISITORS

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

Forty-five seventh and eighth grade students from Holy Trinity School, Templeton, Iowa, accompanied by Sister Phyllis, Duane Siepker, Mary Jo Wickman and Sally Hodne. Senator Hutchins.

AMENDMENTS FILED

S-3167	S.F.	122	Larry Murphy
S-3168	S.F.	239	Kenneth Scott

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 12:02 p.m., until 10:00 a.m., Monday, March 16, 1987.

JOURNAL OF THE SENATE

SIXTY-FOURTH CALENDAR DAY
THIRTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 16, 1987

The Senate met in regular session at 10:11 a.m., Senator Coleman presiding.

Prayer was offered by Father Kevin Cameron, pastor of the St. Pius X Catholic Church, Urbandale, Iowa.

The Journal of Friday, March 13, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Fraise and Gettings for the morning on request of Senator Hutchins; Senator Fuhrman for the day on request of Senator Hultman.

INTRODUCTION OF BILLS

Senate File 404, by Taylor, a bill for an act relating to the protection of human life, including the protection of unborn children and the prohibition of abortion and related actions affecting unborn children, providing penalties, and providing an effective date.

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

Senate File 405, by Rensink, a bill for an act relating to an employer who employs an individual claiming benefits under the state's unemployment compensation law and providing that the employer will be dismissed from any further proceedings on that claim before the division of job service once the employer has certified that the individual is employed by the employer, and providing a penalty.

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, 9 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the morning on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 333.

Senate File 333

On motion of Senator Riordan, Senate File 333, a bill for an act relating to the use of telecommunications systems and services for educational instructional purposes and providing an effective date, was taken up for consideration.

Senator Murphy offered amendment S—3128 filed by him on March 10, 1987, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3128 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. 333) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe

Reader	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, 5:

Gentleman Welsh	Jensen	Peterson	Schwengels
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Absent or not voting, 5:

Deluhery Lind	Fraise	Fuhrman	Gettings
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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 162

Senator Horn withdrew the motion to reconsider Senate File 162, a bill for an act to provide for the establishment of the Iowa corporation for public telecommunications to plan, establish and operate educational radio and television facilities and other educational telecommunications systems and services including narrowcast and broadcast systems to serve the educational and economic development needs of the state and to provide an effective date, filed by him on February 24, 1987, and found on page 453 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 162 and 333 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 4.

Senate File 4

On motion of Senator Mann, Senate File 4, a bill for an act relating to the offense of prostitution and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Lind offered amendment S—3156 filed by him on March 11, 1987, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 29.

Amendment S—3156 lost.

Senator Lind offered amendment S—3153 filed by him on March 11, 1987, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 13.

Amendment S—3153 was adopted.

Senator Mann offered amendment S—3144 filed by him on March 11, 1987, to page 1 of the bill.

Senator Taylor asked and received unanimous consent that further action on amendment S—3144 and **Senate File 4** be deferred.

Senate File 282

On motion of Senator Doyle, Senate File 282, a bill for an act to revise provisions relating to dangerous weapons and the carrying of dangerous weapons and knives, and providing penalties, was taken up for consideration.

President pro tempore Kinley took the chair at 11:14 a.m.

Senator Doyle withdrew amendment S—3092 filed by him on March 2, 1987, to page 1 of the bill.

Senator Doyle offered amendment S—3164 filed by him on March 12, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3164 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. 282) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Gentleman	Goodwin	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Deferred March 5, 1987)

The Senate resumed consideration of the appointment of Edward J. Stanek as Commissioner of the Lottery, deferred on March 5, 1987.

Senator Welsh moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Boswell	Bruner	Coleman	Corning
Deluhery	Doyle	Drake	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Priebe	Readinger	Rensink	Rife
Riordan	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, 6:

Carr	Dieleman	Peterson	Schwengels
Scott	Varn		

Absent or not voting, 4:

Fraise	Fuhrman	Gettings	Palmer
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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 House File 168.

House File 168

On motion of Senator Holt, House File 168, a bill for an act to prohibit a person who intentionally and unjustifiably causes or procures the death of another from receiving any property, benefit, or other interest by reason of the death, 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. 168) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle

Drake	Gentleman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Prieke	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Fraise Fuhrman Gettings

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

UNFINISHED BUSINESS (Deferred February 25, 1987)

Senate File 201

The Senate resumed consideration of Senate File 201, a bill for an act related to the senate's review and confirmation of gubernatorial appointments, deferred on February 25, 1987.

Senator Gentleman offered amendment S—3084 filed by her on February 25, 1987, to page 1 of the bill.

Senator Deluhery asked and received unanimous consent that further action on amendment S—3084 and Senate File 201 be deferred.

INTRODUCTION OF BILLS

Senate File 406, by Schwengels, a bill for an act relating to educational improvement, including superintendent evaluation and reduction, distribution of moneys saved, course requirements, and area school vocational technical programs.

Read first time and passed on file.

Senate File 407, by Mann, a bill for an act relating to the admissibility of evidence obtained as a result of an illegal search or seizure.

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

Senate File 408, by Lloyd-Jones, a bill for an act to establish an Iowa peace institute, to prescribe its duties, and to make an appropriation.

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

Senate File 409, by Gronstal, a bill for an act relating to deposits for retention of existing service from public utilities furnishing gas or electricity.

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

Senate File 410, by Priebe, a bill for an act relating to water pollution control by providing for a sewage treatment grant program for private sewage treatment facilities, and providing penalties.

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

Senate File 411, by Murphy, a bill for an act relating to the rate of reimbursement of mileage expenses for certain state employees.

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

Senate File 412, by Murphy, a bill for an act relating to the Iowa title guaranty program.

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

Senate File 413, by Murphy, a bill for an act to include public school teachers under the special retirement provisions of the Iowa public employees' retirement system, and providing for payment of the costs of the additional benefits.

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

Senate File 414, by Murphy, a bill for an act relating to the public employees' retirement system by including state fire marshal inspectors and department of transportation peace officers under special retirement provisions, and making appropriations.

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

Senate File 415, by Riordan, a bill for an act relating to foreclosure and redemption of real property, by removing certain restrictions on redemption in certain cases, providing a cause of action against the receiver in certain cases, permitting the use of independent appraisers to determine the value of the homestead, providing for the right of a former owner to repurchase or lease a farmstead, establishing the applicability of the various provisions, and providing an effective date.

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

Senate File 416, by Gentleman, a bill for an act to provide for the recognition of foreign money-judgments.

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

Senate File 417, by Gentleman, a bill for an act relating to sexual abuse in the third degree, and providing penalties.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Mr. Dwyer:

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

January 6, 1987

Robert J. Martin, Davenport, Scott County, Iowa, for appointment to the Commission for the Blind pursuant to Section 601K.122, 1987 Code of Iowa, for an unexpired term beginning immediately and ending April 30, 1988.

March 15, 1987

Gaylon Halverson, Cedar Falls, Black Hawk County, Iowa, for appointment to the Accountancy Examining Board pursuant to Section 116.3, 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

Warren Lawson, Grimes, Polk County, Iowa, for appointment as Adjutant General pursuant to Section 29A.11, 1987 Code of Iowa, for a four-year term beginning May 1, 1987, and ending April 30, 1991.

To the Architectural Examining Board pursuant to Section 118.1, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Gwen Boeke, Cresco, Howard County, Iowa, and Barbara Welander, Mt. Pleasant, Henry County, Iowa, for appointments.

To the Barber Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Carroll Anderson, Waterloo, Black Hawk County, Iowa, and Karen Ann Voecks, West Des Moines, Polk County, Iowa, for appointments.

To the Board of Corrections pursuant to Section 246.104, 1987 Code of Iowa, for four-year terms beginning May 1, 1987, and ending April 30, 1991:

Gary Baugher, Ankeny, Polk County, Iowa, Harold McCormick, Manchester, Delaware County, Iowa, and Donald Vold, Forest City, Winnebago County, Iowa, for appointments.

To the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers pursuant to Section 154A.2, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Robert Klopp, Cedar Rapids, Linn County, Iowa, and Mary Smith, Onawa, Monona County, Iowa, for appointments.

Kenneth Pride, Humboldt, Humboldt County, Iowa, for appointment to the Chiropractic Examining Board pursuant to Section 147.14(8), 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

Margaret Kolck, Dubuque, Dubuque County, Iowa, for appointment to the Commission for the Blind pursuant to Section 601K.122, 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

George Strait, Iowa City, Johnson County, Iowa, for appointment to the Commission of Elder Affairs pursuant to Section 249D.11, 1987 Code of Iowa, for a four-year term beginning May 1, 1987, and ending April 30, 1991.

To the Commission on the Deaf pursuant to Section 601K.112, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Jill Bouslog, Des Moines, Polk County, Iowa, and Jack Purcell, Algona, Kossuth County, Iowa, for appointments.

To the Cosmetology Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

James O'Neill, Pocahontas, Pocahontas County, Iowa, and Margaret Turk, Creston, Union County, Iowa, for appointments.

To the Council on Human Services pursuant to Section 217.2, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Lewis Rich, Glidden, Carroll County, Iowa, and J.T. Watson, West Des Moines, Polk County, Iowa, for appointments.

To the Credit Union Review Board pursuant to Section 533.53, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Margaret Chadwell, Urbandale, Polk County, Iowa, and James McCue, Cedar Rapids, Linn County, Iowa, for appointments.

To the Dental Examining Board pursuant to Section 147.14(4), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Pamela DeMoss, Hampton, Franklin County, Iowa, and Carmen Miller, Des Moines, Polk County, Iowa, for appointments.

To the Dietetic Examining Board pursuant to Section 147.14(11), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Connie Freese, Waverly, Bremer County, Iowa, and Jeannette Miller, Fort Dodge, Webster County, Iowa, for appointments.

Virginia Ruark, Oelwein, Fayette County, Iowa, for appointment to the Engineering and Land Surveying Examining Board pursuant to Section 114.3, 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

To the Environmental Protection Commission pursuant to Section 455A.6, 1987 Code of Iowa, for four-year terms beginning May 1, 1987, and ending April 30, 1991:

Charlotte Mohr, Eldridge, Scott County, Iowa, Gary Priebe, Algona, Kossuth County, Iowa, Nancy Lee Siebenmann, Cedar Rapids, Linn County, Iowa, and Clark Yeager, Ottumwa, Wappello County, Iowa, for appointments.

To the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Donald Byers, Newton, Jasper County, Iowa, and William Lepley, Council Bluffs, Pottawattamie County, Iowa, for appointments.

To the Investment Board (IPERS) pursuant to Section 97B.8, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Anita Seitsinger, Oskaloosa, Mahaska County, Iowa, and Lynda Zachar, Cedar Rapids, Linn County, Iowa, for appointments.

Earl Yoder, Iowa City, Johnson County, Iowa, for appointment to the Iowa Finance Authority pursuant to Section 220.2, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

To the Iowa High Technology Council pursuant to Section 28.51, 1987 Code of Iowa, for four-year terms beginning May 1, 1987, and ending April 30, 1991:

Jean Adams, Ames, Story County, Iowa, George Benning, Cedar Rapids, Linn County, Iowa, Joseph Borgen, Des Moines, Polk County, Iowa, and Rex Montgomery, Iowa City, Johnson County, Iowa, for appointments.

Burtwin Day, Norway, Benton County, Iowa, for appointment to the Iowa Higher Education Loan Authority pursuant to Section 261A.6, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

To the Iowa Product Development Corporation pursuant to Section 28.83, 1987 Code of Iowa, for four-year terms beginning May 1, 1987, and ending April 30, 1991:

Keith Briscoe, Storm Lake, Buena Vista County, Iowa, Arthur Dahl, Muscatine, Muscatine County, Iowa, Daniel Dittmore, Dubuque, Dubuque County, Iowa, and Don Gingerich, Parnell, Iowa County, Iowa, for appointments.

Ruby Abebe, Waterloo, Black Hawk County, Iowa, for appointment to the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1987 Code of Iowa, for a four-year term beginning May 1, 1987, and ending April 30, 1991.

Mary Ann Stange, Muscatine, Muscatine County, Iowa, for appointment to the Job Service Advisory Council pursuant to Section 96.11(5), 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

To the Landscape Architectural Examining Board pursuant to Section 118A.3, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Jeffrey Benson, Ames, Story County, Iowa, Cecelia Burnett, Ames, Story County, Iowa, and Steve Schroeder, Des Moines, Polk County, Iowa, for appointments.

Marian Bourek, Farley, Dubuque County, Iowa, for appointment to the Medical Examining Board pursuant to Section 147.14(2), 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Mary L. Leonard, Iowa City, Johnson County, Iowa, Phyllis Osborn, Carroll, Carroll County, Iowa, and Phyllis J. Priest, Diagonal, Ringgold County, Iowa, for appointments.

To the Mortuary Science Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Alvin E. Bremer, Mason City, Cerro Gordo County, Iowa, and Cornelia V. Hoy, Adel, Dallas County, Iowa, for appointments.

Edna Eaton, Sidney, Fremont County, Iowa, for appointment to the Nursing Examining Board pursuant to Section 147.14(3), 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

To the Optometry Examining Board pursuant to Section 147.14(6), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

John A. Gazaway, Eagle Grove, Wright County, Iowa, and Edward Winger, Urbandale, Polk County, Iowa, for appointments.

To the Pharmacy Examining Board pursuant to Section 147.14(5), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Alan M. Shepley, Mt. Vernon, Linn County, Iowa, and Gale W. Stapp, Oskaloosa, Mahaska County, Iowa, for appointments.

To the Physical and Occupational Therapy Examining Board pursuant to Section 147.14(10), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Lois G. Campbell, Ankeny, Polk County Iowa, and Steven R. Clark, Storm Lake, Buena Vista County Iowa, for appointments.

To the Podiatry Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

James D. Heddens, Marshalltown, Marshall County Iowa, and Marjorie E. Rodgers, Indianola, Warren County Iowa, for appointments.

To the Psychology Examining Board pursuant to Section 147.14(7), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Joan Grant, Boone, Boone County Iowa, and Gerald T. Jorgensen, Dubuque, Dubuque County Iowa, for appointments.

To the Real Estate Examining Board pursuant to Section 117.8, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Robert H. Christensen, Humboldt, Humboldt County Iowa, and E. Joe Ann Lutz, Des Moines, Polk County Iowa, for appointments.

To the Respiratory Care Advisory Committee pursuant to Section 135F.13, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Greg A. Hicklin, Des Moines, Polk County, Iowa, and Joan Treirvieler, Dubuque, Dubuque County, Iowa, for appointments.

To the Social Work Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Francis Hellert, Dubuque, Dubuque County, Iowa, and Leonard Larsen, Urbandale, Polk County, Iowa, for appointments.

To the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Murray D. Berggren, Buffalo Center, Winnebago County, Iowa, and Phyllis Crouse, Ames, Story County, Iowa, for appointments.

To the State Foster Care Review Board pursuant to Section 237.16, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Ruth DeVries, West Des Moines, Polk County, Iowa, and Kathryn Youberg, Sac City, Sac County, Iowa, for appointments.

To the Title Guaranty Division Board pursuant to Section 220.2, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Robert W. DeCook, Oskaloosa, Mahaska County, Iowa, and Robert Friedrich, Ames, Story County, Iowa, for appointments.

Very truly yours,
TERRY E. BRANSTAD
Governor

COMMUNICATION FROM THE ATTORNEY GENERAL

The following communication from the Attorney General was presented:

March 4, 1987

John F. Dwyer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Mr. Dwyer:

It is my pleasure to submit to the Senate for its consideration the name of James R. Maret, Des Moines, Polk County, Iowa, for appointment to the office of Consumer Advocate pursuant to Section 475A.1, 1987 Code of Iowa, for a term of four years beginning May 1, 1987, and ending April 30, 1991.

Very truly yours,
THOMAS J. MILLER
Attorney General

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:52 a.m., until 4:30 p.m.

APPENDIX

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 360, a bill for an act relating to school financing including providing for a capital projects and equipment levy, for a liability levy, for the approval of bond issues by majority vote, for additional allowable growth for school districts, for calculating enrollment and budget guarantees under the school foundation formula, for the execution and continuation of loan agreements for anticipating the collection of certain levies, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3169.

Final Vote: Ayes, 7: Holden, Riordan, Readinger, Hester, Drake, Soorholtz and Husak, Nays, 4: Bruner, Gronstal, Palmer and Murphy. Voting present, 1: Dieleman. Absent or not voting, 3: Boswell, Mann and Holt.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate File 357

COMMERCE: Gronstal, Chair; Welsh, Kinley, Rife and Holden

Senate File 361

COMMERCE: Gronstal, Chair; Welsh, Kinley, Rife and Holden

Senate File 362

TRANSPORTATION: Coleman, Chair; Doyle and Nystrom

Senate File 363

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Bruner and Schwengels

Senate File 370

JUDICIARY: Fraise, Chair; Horn and Drake

Senate File 371

TRANSPORTATION: Gettings, Chair; Drake and Scott

Senate File 375

STATE GOVERNMENT: Dieleman, Chair; Gentleman and Bruner

Senate File 376

COMMERCE: Holden, Chair; Rife, Kinley, Gronstal and Welsh

Senate File 377

TRANSPORTATION: Coleman, Chair; Doyle and Drake

Senate File 381

JUDICIARY: Carr, Chair; Deluhery and Drake

Senate File 383

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

Senate File 391

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Bruner and Schwengels

Senate File 392

STATE GOVERNMENT: Dieleman, Chair; C. Miller and Schwengels

Senate File 398

JUDICIARY: Horn, Chair; Gentleman and Coleman

Senate File 399

TRANSPORTATION: Coleman, Chair; Gettings and Jensen

Senate File 400

COMMERCE: Priebe, Chair; Tieden and Kinley

House File 209

JUDICIARY: Horn, Chair; Gentleman and Coleman

House File 360

JUDICIARY: Varn, Chair; Gentleman and Coleman

House File 394

COMMERCE: Sturgeon, Chair; Gronstal and Lind

House File 408

JUDICIARY: Horn, Chair; Gentleman and Coleman

House File 416

JUDICIARY: Varn, Chair; Mann and Drake

SSB 199

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Soorholtz

SSB 205

JUDICIARY: Mann, Chair; Doyle and Holt

SSB 206

JUDICIARY: Mann, Chair; Doyle and Holt

SSB 207

JUDICIARY: Fuhrman, Chair; Taylor and Mann

SSB 208

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

SSB 209

STATE GOVERNMENT: Nystrom, Chair; Carr and Rife

SSB 211

COMMERCE: Sturgeon, Chair; Mann and Nystrom

SSB 212

COMMERCE: Kinley, Chair; Priebe, Welsh, Rife and Jensen

SSB 213

COMMERCE: Lind, Chair; Sturgeon and Deluhery

SSB 214

COMMERCE: Rife, Chair; Priebe and Carr

PETITIONS

The following petitions were presented and placed on file by:

Senator Drake from eighty-seven residents of Iowa opposing legislation legalizing riverboat gambling.

Senator Fuhrman from three thousand one hundred ninety-nine residents of Iowa favoring legislation on liability tort reform.

Senator Schwengels from seventeen residents of Mahaska County opposing legislation eliminating federal income tax deductibility and any other increase in taxes.

Senator Drake from one hundred sixteen residents of Iowa favoring Senate File 166, providing under certain circumstances that the owner of a vehicle which fails to obey warning lamps or stop arm of a school bus shall be deemed the driver and liable for the violation.

The following petitions opposing Senate File 219, providing for public grants and public education relating to adolescent pregnancy prevention and services, were presented and placed on file by:

Senator Dieleman from one hundred forty-six residents of Lyon and Osceola Counties.

Senator Dieleman from four hundred twenty-three residents of Palo Alto County.

Senator Dieleman from one hundred thirty residents of Emmet County.

Senator Dieleman from fifty residents of Osceola and Dickinson County.

Senator Vande Hoef from two hundred thirty-three residents of Osceola County.

The following petitions favoring legislation to initiate and support a good comprehensive long-term health care and community-based services bill for the elderly of Iowa were presented and placed on file by:

Senator Hannon from thirty-one residents of Polk County.

Senator Kinley from fifty residents of Polk County.

Senator Murphy from thirty-seven residents of Buchanan County.

Senator Palmer from one hundred twenty-three residents of Polk County.

Senator Readinger from thirty-seven residents of Polk County.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bill and resolution 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 16th day of March, 1987.

Senate File 158 and Senate Concurrent Resolution 4.

JOHN F. DWYER
Secretary of the Senate

STUDY BILLS RECEIVED

SSB 205 Judiciary

Providing that a person who disarms a peace officer who is in the course of performance of official duties commits a class "D" felony.

SSB 206 Judiciary

To classify the crime of killing a peace officer who is in the course of performance of official duties as murder in the first degree and making a penalty applicable.

SSB 207 Judiciary

Relating to mortgage foreclosures by establishing an alternative mortgage foreclosure proceeding with final judicial sale and rights in lieu of redemption, and establishing nonjudicial foreclosure proceedings upon waiver of deficiency judgments.

SSB 208 Judiciary

Relating to civil liability and liability insurance by establishing reporting requirements for the division of insurance, authorizing the appointment of actuaries, establishing regulations concerning the cancellation or nonrenewal of an insurance policy or contract, establishing standards of review for rate filings of competitive and noncompetitive lines of insurance, establishing a process and procedure for awarding interest on civil judgments and decrees, providing for the itemization of judgments and verdicts, establishing subrogation payment restrictions, allowing the consideration of previous payments for medical expenses, providing for notice of an action to certain parties, establishing a standard for determining whether a sufficient burden of proof has been met for the awarding of punitive damages, and requiring the judicial department to compile certain information.

SSB 209 State Government

Relating to issuance of certificates of inspection for boilers used on tourist railroads or tourist trains and providing an effective date.

SSB 210 Agriculture

Relating to judgments against mortgagors and vendees of agricultural land.

SSB 211 Commerce

Relating to the regulating of health clubs and providing penalties.

SSB 212 Commerce

Relating to financial guaranty insurance.

SSB 213 Commerce

Relating to issuance of collision damage waivers in motor vehicle rental agreements, making penalties applicable, and providing and effective date.

SSB 214 Commerce

To grant the commissioner of insurance the authority to approve discretionary group insurance.

SSB 215 State Government

To provide that the appointment of judges is subject to senate confirmation.

SSB 216 Agriculture

Relating to the development and implementation by the agricultural development authority of programs to provide economic assistance on behalf of agricultural producers within the state and providing an effective date.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F. 427 State Government

PRESENTATION OF VISITORS

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

Twelve members of the De Witt Central Community High School Student Council, De Witt, Iowa, accompanied by Mr. Kastler and Mr. Mundt. Senator Goodwin.

Five students from the Timothy Christian School, Wellsburg, Iowa, accompanied by Curt and Pam Anderson. Senator Taylor.

AMENDMENTS FILED

S-3169	S.F.	360	Ways and Means
S-3170	S.F.	301	Jim Lind
S-3171	S.F.	340	Jim Lind
S-3172	S.F.	353	Jim Lind

S-3173

H.F.

334

Donald V. Doyle
William W. Dieleman
Tom Mann, Jr.

AFTERNOON SESSION

The Senate reconvened at 4:37 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 418, by Murphy, a bill for an act relating to dissolution of marriage by requiring an annual review of child custody orders and creating a family court pilot project.

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

Senate File 419, by Murphy, a bill for an act relating to the Iowa public employees' retirement system by broadening the applicability of provisions for the purchase of prior service under a public retirement system in another state.

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

Senate File 420, by Hannon, Wells, Gettings, Fraise, Riordan, Doyle, Boswell, Lind, Soorholtz, Coleman, Dieleman, Welsh and Deluhery, a bill for an act relating to the method to be used by the job service division for reporting unemployment statistics.

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

Senate File 421, by Hultman, a bill for an act relating to civil liability and liability insurance, and providing penalties.

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

Senate File 422, by committee on Judiciary, a bill for an act relating to presentence investigations.

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

Senate File 423, by committee on Judiciary, a bill for an act relating to the subcontractor's right to file a mechanic's lien against the property for which labor is performed or material is furnished.

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

Senate File 424, by committee on State Government, a bill for an act relating to the administration of the campaign finance disclosure laws.

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

Senate File 425, by Gentleman, Vande Hoef and Miller of Cerro Gordo, a bill for an act relating to notice by an injured party.

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 46 present, 4 absent and a quorum present.

SENATE INSISTS

House File 355

Senator Varn called up for consideration House File 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987 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.

MOTION TO RECONSIDER WITHDRAWN

Senator Varn withdrew the motion to reconsider the vote by which the Senate confirmed the appointment of Allan T. Thoms as Director of the Department of Economic Development, filed by him on March 5, 1987, and found on page 572 of the Senate Journal.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the afternoon on request of Senator Hutchins.

REFUSAL OF GOVERNOR'S APPOINTMENT
(Individual Confirmation Calendar)

Senator Carr called up the appointment of Nancy Norman as Commissioner of the Department of Human Services, placed on the Individual Confirmation Calendar on February 11, 1987.

Senator Carr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 24:

Bruner	Coleman	Corning	Deluhery
Doyle	Drake	Goodwin	Hall
Hannon	Hester	Holden	Holt
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Nystrom	Readinger	Rensink
Schwengels	Sturgeon	Taylor	Vande Hoef

Nays, 23:

Boswell	Carr	Dieleman	Fraise
Gentleman	Gronstal	Horn	Hultman
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Rife
Riordan	Scott	Soorholtz	Tieden
Varn	Wells	Welsh	

Absent or not voting, 3:

Fuhrman	Gettings	Husak
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The appointee not having received a two-thirds vote, the Chair declared the Senate **refused to confirm** the appointment of Nancy Norman.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 355** on the part of the Senate: Senators Welsh, Chair; Husak, Varn, Tieden and Jensen.

APPENDIX

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 11, a resolution to petition the Federal Communications Commission to increase the wattage of KWDM.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Murphy, Horn, Taylor, Bruner, Corning, Hannon, Lloyd-Jones, Lind, Riordan, Tieden, Varn and Wells. Nays, 3: Dieleman, Holden and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 5, a bill for an act relating to the violation of or interference with civil rights, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Hester, Horn and Varn. Nays, 1: Gentleman. Absent or not voting, 2: Fuhrman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 381, a bill for an act to legalize the payment of a sales tax refund claim to the city of Epworth, Iowa, by the department of revenue and finance.

Recommendation: DO PASS.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 422 (SSB 91), a bill for an act relating to presentence investigations.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 423 (SSB 117), a bill for an act relating to the subcontractor's right to file a mechanic's lien against the property for which labor is performed or material is furnished.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 424 (SSB 185), a bill for an act relating to the administration of the campaign finance disclosure laws.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Lloyd-Jones.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

PETITION

The following petition was presented and placed on file by:

Senator Drake from one thousand eighty residents of Iowa opposing legislation raising the Iowa cigarette tax ten cents per pack.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the appointment of Nancy Norman as Commissioner of the Department of Human Services on March 16, 1987.

CALVIN O. HULTMAN

AMENDMENTS FILED

S—3174	S.F.	360	Edgar H. Holden James R. Riordan
S—3175	H.F.	334	Ray Taylor

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:36 p.m., until 9:00 a.m., Tuesday, March 17, 1987.

JOURNAL OF THE SENATE

SIXTY-FIFTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 17, 1987

The Senate met in regular session at 9:06 a.m., Senator Priebe presiding.

Prayer was offered by Harriet Vande Hoef, Senate secretary, Harris, Iowa, who vocally performed "An Evening Prayer".

The Journal of Monday, March 16, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Gettings and 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 13, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 411, a bill for an act relating to the grain indemnity fund, by eliminating credit sale contracts from its protection, providing for distribution of receivership assets excluding proceeds of the fund, raising minimum net worth requirements, and providing definitions, eliminating participation by federally licensed warehouses, and providing a penalty for late payment of fees, eligibility standards, for the appointment of additional members to the Iowa grain indemnity fund board, the adjustment of fees, a procedure for determining the value of losses, requirements for recovery from the fund, and the retroactive applicability of certain of its provisions.

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

DISTINGUISHED GUEST

Senator Priebe presented Mike Grimes, a businessman from Cork, Ireland, who was the first Grand Marshall of the celebrated St. Patrick's Day Parade in Emmetsburg, Iowa, twenty-six years ago. Mr. Grimes also was a teacher at Iowa State University for ten years.

Mr. Grimes commented on the friendliness and hospitality shown by the people of Iowa and encouraged the Senate to continue promoting tourism in the state.

Senator Priebe accepted an Irish porcelain shamrock on behalf of the President of the Senate and members of the Senate from Mr. Grimes.

INTRODUCTION OF BILLS

Senate File 426, by Kinley, a bill for an act relating to insurance, and providing for mandatory offers of coverage for hearing aids, corrective vision devices, and related examinations and prescriptions, by group accident or health policies, nonprofit health service subscribers, individual accident and health insurance policies, and health maintenance organization subscribers.

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

Senate File 427, by Scott, a bill for an act relating to a real estate sales disclosure agreement and liability of a broker to the parties to a real estate transaction.

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

Senate File 428, by Varn, a bill for an act relating to the protection of buyers of fine art and providing a penalty.

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

Senate File 429, by Varn and Vande Hoef, a bill for an act relating to notice requirements for commencing an action for damages from a municipality.

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

Senate File 430, by Taylor, a bill for an act relating to abortions, requiring parental notification under certain circumstances, providing procedures for obtaining a waiver of the requirement, and providing a penalty.

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

Senate File 431, by Murphy, a bill for an act relating to insurance, requiring coverage under group policies of accident and health insurance, group hospital or medical and surgical service contracts, and health maintenance organization health care services plans, and requiring the offering of coverage under individual policies of accident and health insurance, for the treatment of chemical dependency and mental disorders on substantially the same basis as other physical health care coverages, with certain limitations.

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

SPECIAL HONOR

Senator Boswell announced that on March 16, 1987, Senate Page Susan Priest from Diagonal, Iowa, was crowned Union County Pork Queen.

President pro tempore Kinley took the chair at 9:18 a.m.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Files 395 and 403** be referred from the Regular Calendar to the committee on **Ways and Means** and that **Senate File 401** be referred from the Regular Calendar to the committee on **Appropriations**.

UNFINISHED BUSINESS
(Deferred March 3, 1987)

Senate File 69

The Senate resumed consideration of Senate File 69, a bill for an act relating to the investment of idle public funds by authorizing investment in drainage district warrants, bonds, or improvement certificates and by correcting an error, deferred on March 3, 1987.

Senator Holden offered amendment S—3136 filed by him on March 10, 1987, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3136 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. 69) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Peterson

Absent or not voting, 2:

Gettings

Miller, C.P.

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

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 146.

Senate File 146

On motion of Senator Scott, Senate File 146, a bill for an act relating to the agricultural loan assistance program of the Iowa agricultural development authority, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 146) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, 1:

Holden

Absent or not voting, 3:

Gettings	Miller, C.P.	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 out of order Senate File 327.

Senate File 327

On motion of Senator Husak, Senate File 327, a bill for an act requiring lenders and other secured parties to provide to debtors copies of documents signed by the debtors, 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. 327) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gettings	Miller, C.P.	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 138.

Senate File 138

On motion of Senator Husak, Senate File 138, a bill for an act relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 138) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gettings	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 274.

Senate File 274

On motion of Senator Boswell, Senate File 274, a bill for an act relating to the exporting of Iowa grain, by providing for the establishment of an Iowa agricultural export trading company; establishing a certified Iowa grain program; a new division of

agriquality inspection within the department of agriculture and land stewardship; a state grain terminal and shippers program; a foreign sale facilitation system; and a sealed carrier receptacle program; and imposing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 9:57 a.m.

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

On the question "Shall the bill pass?" (S.F. 274) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Tieden	Varn
Wells			

Nays, 13:

Corning	Gentleman	Goodwin	Hester
Holden	Holt	Hultman	Lind
Readinger	Rensink	Rife	Taylor
Vande Hoef			

Absent or not voting, 4:

Gettings	Miller, C.P.	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.

INTRODUCTION OF BILLS

Senate File 432, by Palmer and Rife, a bill for an act relating to the creation of an Iowa small business guaranty fund.

Read first time and passed on file.

Senate File 433, by committee on State Government, a bill for an act to provide that the appointment of judges is subject to senate confirmation.

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

Senate File 434, by committee on State Government, a bill for an act relating to issuance of certificates of inspection for boilers used on tourist railroads or tourist trains and providing an effective date.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:23 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 16, 1987, 3:42 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Concurrent Resolution 11; discussed SSB 186.

Recessed: 4:46 p.m.

Reconvened: March 16, 1987, 5:44 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells.

Members Absent: Tieden (excused).

Committee Business: Amended and approved SSB 186 and ordered redrafted for final approval as a committee bill.

Adjourned: 5:49 p.m.

JUDICIARY

Convened: March 16, 1987, 1:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Gentleman, Hester, Horn and Varn.

Members Absent: Fuhrman and Taylor.

Committee Business: Assigned bills to subcommittees; approved SSBs 91, 117 and 155 as committee bills; recommended passage of Senate Files 5 and 381.

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: March 16, 1987, 2:40 p.m.

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

Members Absent: none.

Committee Business: Approved SSB 185 as a committee bill; discussed SSB 124 and 151; assigned bills to subcommittees.

Adjourned: 3:40 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 367

EDUCATION: Wells, Chair; Murphy and Corning

Senate File 368

EDUCATION: Lloyd-Jones, Chair; Wells and Corning

Senate File 386

APPROPRIATIONS: Welsh, Chair; Tieden and Varn

Senate File 393

NATURAL RESOURCES: Hannon, Chair; Schwengels and Husak

SSB 207
(Corrected)

JUDICIARY: Taylor, Chair; Fuhrman and Mann

SSB 219

HUMAN RESOURCES: Carr, Chair; Bruner and Lind

SSB 220

HUMAN RESOURCES: Carr, Chair; Hannon and Gentleman

SSB 221

WAYS AND MEANS: Palmer, Chair; Riordan and Soorholtz

SSB 223

COMMERCE: Palmer, Chair; Gronstal and Holden

COMMITTEE REPORTS**COMMERCE**

Final Bill Action: SENATE FILE 276, a bill for an act relating to the regulation of long-term care insurance.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Palmer, Deluhery, Jensen, Gronstal, Holden, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 2: Carr and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 104, a bill for an act requiring certain persons to report suspected dependent adult abuse.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3179.

Final Vote: Ayes, 8: Hannon, Carr, Bruner, Coleman, Lind, Murphy, Readinger and Sturgeon. Nays, 2: Gentleman and Taylor. Voting present, 1: Corning. Absent, 1: C. Miller.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 222, a bill for an act to prohibit the sale or gift of smokeless tobacco to a minor and providing for application of a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Carr, Bruner, Coleman, Corning, Lind, Murphy, Readinger, Sturgeon and Taylor. Nays, 1: Gentleman. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 290, a bill for an act relating to the requirement for foster parents training, and incorporating a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Murphy, Sturgeon and Taylor. Nays, 1: Readinger. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: SENATE FILE 436 (SSB 115), a bill for an act authorizing the department of natural resources to establish a system of certificates of title for vessels.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hall, Priebe, Schwengels, Doyle, Hannon, Husak, Goodwin, Scott, Hester and Rensink. Nays, 2: Peterson and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 433 (SSB 215), a bill for an act to provide that the appointment of judges is subject to senate confirmation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Carr, Bruner, Coleman, Gronstal, Horn, C. Miller, Schwengels, Soorholtz and Welsh. Nays, 6: Dieleman, Nystrom, Drake, Gentleman, Lloyd-Jones and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 434 (SSB 209), a bill for an act relating to issuance of certificates of inspection for boilers used on tourist railroads or tourist trains and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 15: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife, Schwengels, Soorholtz and Welsh. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 437 (SSB 151), a bill for an act relating to anesthesia services, care, and procedures provided by certified registered nurse anesthetists, providing for insurance coverage and payment for services provided to recipients of medical assistance, providing other properly related matters, and providing for the applicability of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Horn, Lloyd-Jones, Gronstal, Gentleman, C. Miller, Schwengels, Soorholtz and Welsh. Nays, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF 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 17, 1987: .

BUSINESS AND LABOR RELATIONS

Mary Ann Stange — Job Service Advisory Council.

COMMERCE

Robert Friedrich and Robert W. DeCook — Title Guaranty Division Board.

Margaret Chadwell and James McCue — Credit Union Review Board.

EDUCATION

Burtwin Day — Iowa Higher Education Loan Authority.

William Lepley and Donald Byers — First in the Nation in Education Foundation Governing Board.

ENVIRONMENT AND ENERGY UTILITIES COMMITTEE

James R. Maret — Consumer Advocate.

Gary Priebe, Clark Yeager, Nancy Lee Siebenmann and Charlotte Mohr — Environmental Protection Commission.

HUMAN RESOURCES

George Strait — Commission of Elder Affairs.

Phyllis J. Priest, Phyllis Osborn and Mary L. Leonard — Mental Health and Mental Retardation Commission.

J.T. Watson and Lewis Rich — Council on Human Services.

Kathryn Youberg and Ruth DeVries — State Foster Care Review Board.

Jack Purcell and Jill Bouslog — Commission on the Deaf.

Margaret Kolck and Robert J. Martin — Commission for the Blind.

JUDICIARY

Donald Vold, Harold McCormick and Gary Baugher — Board of Corrections.

Ruby Abebe — Iowa State Civil Rights Commission.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Keith Briscoe, Don Gingerich, Daniel Dittmore and Arthur Dahl — Iowa Product Development Corporation.

Jean Adams, George Benning, Joseph Borgen and Rex Montgomery — Iowa High Technology Council.

STATE GOVERNMENT

Lynda Zachar and Anita Seitsinger — Investment Board (IPERS).

Leonard Larsen and Francis Hellert — Social Work Examining Board.

Joan Treirvieler and Greg A. Hicklin — Respiratory Care Advisory Committee.

E. Joe Ann Lutz and Robert H. Christensen — Real Estate Examining Board.

Gerald T. Jorgensen and Joan Grant — Psychology Examining Board.

Mary Smith and Robert Klopp — Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Virginia Ruark — Engineering and Land Surveying Examining Board.

Jeannette Miller and Connie Freese — Dietetic Examining Board.

Carmen Miller and Pamela DeMoss — Dental Examining Board.

Margaret Turk and James O'Neill — Cosmetology Examining Board.

Kenneth Pride — Chiropractic Examining Board.

Karen Ann Voecks and Carroll Anderson — Barber Examining Board.

Barbara Welander and Gwen Boeke — Architectural Examining Board.

Warren Lawson — Adjutant General.

Gaylon Halverson — Accountancy Examining Board.

Marjorie E. Rodgers and James D. Heddens — Podiatry Examining Board.

Steven R. Clark and Lois G. Campbell — Physical and Occupational Therapy Examining Board.

Gale W. Stapp and Alan M. Shepley — Pharmacy Examining Board.

Edward Winger and John A. Gazaway — Optometry Examining Board.

Phyllis Crouse and Murray D. Berggren — State Board of Examiners for Nursing Home Administrators.

Edna Eaton — Nursing Examining Board.

Cornelia V. Hoy and Alvin E. Bremer — Mortuary Science Examining Board.

Marian Bourek — Medical Examining Board.

Steve Schroeder, Cecelia Burnett and Jeffrey Bensen — Landscape Architectural Examining Board.

WAYS AND MEANS

Earl Yoder — Iowa Finance Authority.

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of the standing committees (reports filed March 17, 1987):

COMMERCE

As members of the Credit Union Review Board:

MARGARET CHADWELL: Deluhery, Chair; Kinley and Rife
 JAMES McCUE: Deluhery, Chair; Kinley and Rife

As members of the Title Guaranty Division Board:

ROBERT W. DeCOOK: Jensen, Chair; Lind and Carr
 ROBERT FRIEDRICH: Jensen, Chair; Lind and Carr

ENVIRONMENT AND ENERGY UTILITIES

As Consumer Advocate:

JAMES R. MARET: Varn, Chair; Hultman and Sturgeon

As members of the Environmental Protection Commission:

CHARLOTTE MOHR: Rife, Chair; Schwengels and Varn
 GARY PRIEBE: A. Miller, Chair; Gronstal and Rife
 NANCYLEE SIEBENMANN: Soorholtz, Chair; Murphy and Rife
 CLARK YEAGER: Sturgeon, Chair; Murphy and Soorholtz

STUDY BILLS RECEIVED

SSB 217 Small Business and Economic Development

Relating to the area school job training fund under chapter 280C and the appropriation made to the advance account and making an appropriation.

SSB 218 Education

Relating to physical education activities for students enrolled in grades nine through twelve.

SSB 219 Human Resources

Relating to the bill of rights for the mentally retarded, developmentally disabled, and the chronically mentally ill.

SSB 220 Human Resources

Relating to the bill of rights of persons with mental retardation, developmental disabilities, or chronic mental illness by establishing regional governing boards, regional monitoring

boards, and specifying responsibilities of the division of mental health, mental retardation, and developmental disabilities of the department of human services.

SSB 221 Ways and Means

Relating to the allocation of the state ceiling on private activity bonds for tax exempt purposes and providing an effective date.

SSB 222 Commerce

Relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all satellite terminals in this state or their data processing centers be directly connected to a central routing unit.

SSB 223 Commerce

Relating to investments of Iowa life insurance companies.

SSB 224 Transportation

Relating to transportation services for the elderly.

SSB 225 Judiciary

Relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce.

SSB 226 Judiciary

Relating to the civil process and procedure for awarding interest on civil judgments and decrees, determining whether a sufficient burden of proof has been met for the awarding of punitive damages, and for allowing the consideration for previous payments for medical damages, and providing an effective date.

SSB 227 Judiciary

Relating to the authority of the department of inspections and appeals to issue citations to food establishments, hotels or motels,

and vending machine operators for public health violations, and providing civil penalties.

SSB 228 Judiciary

Relating to corporate takeovers.

PRESENTATION OF VISITORS

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

Coach Mike Koelker and members of the Marquette High School Class A Boys' State tournament basketball team, West Point, Iowa.
Senator Fraise.

AMENDMENTS FILED

S—3176	S. F.	13	John Peterson
S—3177	S. F.	4	Al Sturgeon
S—3178	S. F.	397	Richard Varn Al Sturgeon

AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., President Zimmerman presiding.

INTRODUCTION OF BILLS

Senate File 435, by Wells, a bill for an act to provide for registration of all-terrain vehicles in the manner provided for snowmobiles.

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

Senate File 436, by committee on Natural Resources, a bill for an act authorizing the department of natural resources to establish a system of certificates of title for vessels.

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

Senate File 437, by committee on State Government, a bill for an act relating to anesthesia services, care, and procedures provided by certified registered nurse anesthetists, providing for insurance coverage and payment for services provided to recipients of medical assistance, providing other properly related matters, and providing for the applicability of the Act.

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

COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Mr. Dwyer:

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

March 15, 1987

Julie Bulkeley, Red Oak, Montgomery County, Iowa, for appointment to the Accountancy Examining Board pursuant to Section 116.3, 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

Mark Leonard, Holstein, Ida County, Iowa, for appointment to the Agricultural Development Authority pursuant to Section 175.3, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

Edward Seitzinger, Des Moines, Polk County, Iowa, for appointment to the Alcoholic Beverages Commission pursuant to Section 123.5, 1987 Code of Iowa, for a five-year term beginning May 1, 1987, and ending April 30, 1992.

Kenneth Steffen, Ottumwa, Wapello County, Iowa, for appointment to the Architectural Examining Board pursuant to Section 118.1, 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

To the Board of Corrections pursuant to Section 246.104, 1987 Code of Iowa, for four-year terms beginning May 1, 1987, and ending April 30, 1991:

William Dowell, Burlington, Des Moines County, Iowa, and Cynthia J. Officer, Cedar Falls, Black Hawk County, Iowa, for appointments.

Geraldine Eitter, Dubuque, Dubuque County, Iowa, for appointment to the Campaign Finance Disclosure Commission pursuant to Section 56.9, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

To the Chiropractic Examining Board pursuant to Section 147.14(8), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Marge Askew, Thurman, Fremont County, Iowa and Floyd Dow Bates, Des Moines, Polk County, Iowa, for appointments.

Russell Cross, Des Moines, Polk County, Iowa, for appointment to the Commission on the Judicial Qualifications pursuant to Section 602.2102, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

Marian Roberts, Laurens, Pocahontas County, Iowa, for appointment to the Commission on the Deaf pursuant to Section 601K.112, 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

Catherine Williams, Des Moines, Polk County, Iowa, for appointment to the Council on Human Services pursuant to Section 217.2, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

To the County Finance Committee pursuant to Section 333A.2, 1987 Code of Iowa, for four-year terms beginning May 1, 1987, and ending April 30, 1991:

James E. Benbow, Des Moines, Polk County, Iowa; John Fischer, Pomeroy, Calhoun County, Iowa; Donald Lawrenson, Sioux City, Mills County, Iowa, and Betty Markham, Harlan, Shelby County, Iowa, for appointments.

Marilyn May, Des Moines, Polk County, Iowa, for appointment to the Dental Examining Board pursuant to Section 147.14(4), 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

To the Engineering and Land Surveying Examining Board pursuant to Section 114.3, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Gary Darland, Charles City, Floyd County, Iowa, and Harold Wight, Denison, Crawford County, Iowa, for appointments.

Barbara Higdon, Lamoni, Decatur County, Iowa, for appointment to the First in the Nation in Education Foundation Governing Board pursuant to Section 257A.2, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

To the Iowa Board of Veterinary Medicine pursuant to Section 169.5, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Michael K. Eberle, Des Moines, Polk County, Iowa, and Jan Stillman, Emmetsburg, Palo Alto County, Iowa, for appointments.

To the Iowa Finance Authority pursuant to Section 220.2, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Clayton Mowers, Algona, Kossuth County, Iowa, and Neil Ronfeldt, Council Bluffs, Pottawattamie County, Iowa, for appointments.

Larry Tuel, Des Moines, Polk County, Iowa, for appointment as Executive Director of the Iowa Finance Authority pursuant to Section 220.6, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

To the Iowa High Technology Council pursuant to Section 28.51, 1987 Code of Iowa, for four-year terms beginning May 1, 1987, and ending April 30, 1991:

Perry Chapin, Des Moines, Polk County, Iowa; Khalil Kingsbury, Waterloo, Black Hawk County, Iowa and Victoria Wittgraf, Cherokee, Cherokee County, Iowa, for appointments.

Gerald Donovan, Sioux City, Woodbury County, Iowa, for appointment to the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1987 Code of Iowa, for a four-year term beginning May 1, 1987, and ending April 30, 1991.

To the Iowa State Civil Rights Commission pursuant to Section 601A.3, 1987 Code of Iowa, for four-year terms beginning May 1, 1987, and ending April 30, 1991:

Abigail Pumroy, Marion, Linn County, Iowa, and Kenneth Robinson, Bayard, Guthrie County, Iowa, for appointments.

To the Job Service Advisory Council pursuant to Section 96.11(5), 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Jerry Hughes, Waterloo, Black Hawk County, Iowa, and Lois Miller, Sac City, Sac County, Iowa, for appointments.

Allen Meier, Cedar Rapids, Linn County, Iowa, for appointment as Labor Commissioner pursuant to Section 91.2, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

To the Medical Examining Board pursuant to Section 147.14(2), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

John Olds, Des Moines, Polk County, Iowa, and Cecil Peterson, Davenport, Scott County, Iowa, for appointments.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Mona Bond, Grinnell, Poweshiek County, Iowa, and Robert D. Hoogeveen, Sheldon, O'Brien County, Iowa, for appointments.

To the Natural Resource Commission pursuant to Section 455A.5, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Marion Patterson, Cedar Rapids, Linn County, Iowa; Douglas Smalley, Des Moines, Polk County, Iowa, and Rick Young, Waterloo, Black Hawk County, Iowa, for appointments.

To the Nursing Examining Board pursuant to Section 147.14(3), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Wilhelmina McFee, Dysart, Tama County, Iowa, and Cherie Oetker, Marshalltown, Marshall County, Iowa, for appointments.

Merle Kjonaas, Iowa City, Johnson County, Iowa, for appointment to the Optometry Examining Board pursuant to Section 147.14(6), 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

To the Personnel Commission pursuant to Section 19A.6, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Elizabeth Burmeister, Des Moines, Polk County, Iowa; Carol McCarty, Sheldon, O'Brien County, Iowa, and Kathleen McCoy, Waterloo, Black Hawk County, Iowa, for appointments.

Donna Flower, Oelwein, Fayette County, Iowa for appointment to the Pharmacy Examining Board pursuant to Section 147.14(5), 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

Martha Thien, West Des Moines, Polk County, Iowa, for appointment to the Physical and Occupational Therapy Examining Board pursuant to Section 147.14(10), 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

Rick Jennings, Independence, Buchanan County, Iowa, for appointment to the Psychology Examining Board pursuant to Section 147.14(7), 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

To the Speech Pathology and Audiology Examining Board pursuant to Section 147.14(9), 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Katherine J. Howe, Spencer, Clay County, Iowa, and Colette Kunkel, Baxter, Jasper County, Iowa, for appointments.

To the State Board of Regents pursuant to Section 262.2, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

John Fitzgibbon, Des Moines, Polk County, Iowa; Marvin Pomerantz, Des Moines, Polk County, Iowa, and Mary Williams, Davenport, Scott County, Iowa, for appointments.

Carl A. Selden, Des Moines, Polk County, Iowa, for appointment to the State Board of Tax Review pursuant to Section 521.1, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

Thomas Lansworth, Des Moines, Polk County, Iowa, for appointment to the State Foster Care Review Board pursuant to Section 237.16, 1987 Code of Iowa, for a three-year term beginning May 1, 1987, and ending April 30, 1990.

To the State Health Facilities Council pursuant to Section 135.62, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Robert E. Lee, Centerville, Appanoose County, Iowa, and James V. Sarcone, Sr., Des Moines, Polk County, Iowa, for appointments.

To the State Judicial Nominating Commission pursuant to Section 46.1, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Doris Almelien, Fertile, Worth County, Iowa, and Mary Ann Kenkel, Defiance, Shelby County, Iowa, for appointments.

To the State Racing Commission pursuant to Section 99D.5, 1987 Code of Iowa, for three-year terms beginning May 1, 1987, and ending April 30, 1990:

Leo K. Monaghan, Manchester, Delaware County, Iowa, and Lavonne Mydland, Rock Rapids, Lyon County, Iowa, for appointments.

To the State Soil Conservation Committee pursuant to Section 467A.4, 1987 Code of Iowa, for six-year terms beginning May 1, 1987, and ending April 30, 1993:

Linda Appelgate, Des Moines, Polk County, Iowa; Kenneth Kassel, Ayrshire, Palo Alto County, Iowa, and John Robert Miller, Cedar Falls, Black Hawk County, Iowa, for appointments.

Roger Fair, Davenport, Scott County, Iowa, for appointment to the State Transportation Commission pursuant to Section 307.3, 1987 Code of Iowa, for a four-year term beginning May 1, 1987, and ending April 30, 1991.

Nancy Shimanek, Des Moines, Polk County, Iowa, for appointment to the Utilities Board pursuant to Section 474.1, 1987 Code of Iowa, for a six-year term beginning May 1, 1987, and ending April 30, 1993.

Andy Varley, Stuart, Guthrie County, Iowa, for appointment as Chairman of the Utilities Board pursuant to Section 474.1, 1987 Code of Iowa, for a term beginning May 1, 1987, and ending April 30, 1989.

March 16, 1987

Pursuant to Section 2.32(4), 1987 Code of Iowa, I submit the deferral of a term commencing May 1, 1987, and ending April 30, 1991, on the Commission of Elder Affairs.

A final candidate has not been chosen.

Sincerely,
TERRY E. BRANSTAD
Governor

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

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

EDUCATION

As members of the First in the Nation in Education Foundation Governing Board:

DONALD BYERS: Lloyd-Jones, Chair; Varn and Taylor

WILLIAM LEPLEY: Corning, Chair; Hannon and Lind

As a member of the Iowa Higher Education Loan Authority:

BURTWIN DAY: Rensink, Chair; Horn and Varn

WAYS AND MEANS

As a member of the Iowa Finance Authority:

EARL YODER: Holden, Chair; Husak and Holt

COMMITTEE REPORTS

TRANSPORTATION

Final Bill Action: SENATE FILE 208, a bill for an act pertaining to aircraft registration fees for aircraft owned and operated by nonprofit hospitals.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Scott, Drake, Doyle, Goodwin, Hall, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 2: Gettings and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 262, a bill for an act relating to the number of days wherein a vehicle shall not be considered abandoned.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Coleman, Scott, Drake, Doyle, Goodwin, Hall, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 2: Gettings and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	404	Human Resources
S. F.	405	Business and Labor Relations
S. F.	406	Education
S. F.	407	Judiciary
S. F.	408	State Government
S. F.	409	Environment & Energy Utilities
S. F.	410	Environment & Energy Utilities
S. F.	411	State Government
S. F.	412	State Government
S. F.	413	State Government
S. F.	414	State Government
S. F.	415	Agriculture
S. F.	416	Judiciary
S. F.	417	Judiciary
S. F.	418	Judiciary
S. F.	419	State Government
S. F.	420	Business & Labor Relations
S. F.	421	Judiciary
S. F.	425	Judiciary

AMENDMENTS FILED

S-3179	S. F.	104	Human Resources
S-3180	S. F.	360	Larry Murphy Wally Horn Charles Bruner
S-3181	S. F.	424	Edgar Holden
S-3182	S. F.	201	Patrick Deluhery

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:48 p.m., until 9:00 a.m., Wednesday, March 18, 1987.

JOURNAL OF THE SENATE

SIXTY-SIXTH CALENDAR DAY
 FORTY-FIRST SESSION DAY

Senate Chamber
 Des Moines, Iowa, Wednesday, March 18, 1987

The Senate met in regular session at 9:04 a.m., President pro tempore Kinley presiding.

Prayer was offered by the Dr. Gordon Shipp, President of the Faith Baptist Bible College, Ankeny, Iowa.

The Journal of Tuesday, March 17, 1987, was approved.

HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the members of the **conference committee**, appointed March 17, 1987, on **House File 355**, a bill for an Act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987, on the part of the House are: The Representative from Dubuque, Mr. Jochum, chair; the Representative from Webster, Mr. Halvorson, the Representative from Carroll, Mr. Peterson, the Representative from Kossuth, Mrs. Mullins and the Representative from Mahaska, Mr. Van Maanen.

INTRODUCTION OF BILLS

Senate File 438, by Hannon, a bill for an act relating to personnel and personnel hours of an intermediate care facility.

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

Senate File 439, by Varn, a bill for an act to providing that persons who volunteer services to the state or a municipality, or a nonprofit organization or persons working for the organization, are not liable for civil damages in tort cases.

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

Senate File 440, by committee on Human Resources, a bill for an act relating to grandparent visitation rights in the case of a child born out of wedlock.

Read first time and placed on calendar.

Senate File 441, by committee on Education, a bill for an act relating to teachers, including the creation of a board of educational examiners and prescribing its duties relating to the certification of teachers, administrators, and supervisors; requiring that teachers pass examinations; offering teaching assistantships to teachers; the issuance of temporary certificates; and the appointment of a task force to study teacher preparation and the role of teachers.

Read first time and placed on calendar.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Gettings called up the appointment of Richard G. Freeman as Director of the Department of Employment Services, placed on the Individual Confirmation Calendar on February 5, 1987.

Senator Gettings moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, none.

Absent or not voting, 6:

Gronstal
Soorholtz

Mann
Welsh

Miller, C.P.

Murphy

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

UNFINISHED BUSINESS
(Deferred February 25, 1987)

Senate File 200

The Senate resumed consideration of Senate File 200, a bill for an act authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, and providing penalties, deferred on February 25, 1987.

Senator Coleman offered amendment S—3082 filed by Senators Coleman, Doyle and Priebe on February 25, 1987, to page 3 of the bill and moved its adoption.

Amendment S—3082 was adopted by a voice vote.

Senator Coleman asked and received unanimous consent that **House File 371** be substituted for **Senate File 200** as amended.

(Amendment S—3083 filed by Senators Priebe and Coleman on February 25, 1987, to Senate File 200 was out of order).

House File 371

On motion of Senator Coleman, House File 371, a bill for an act authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, providing penalties, and providing an effective date, was taken up for consideration.

Senator Coleman asked and received unanimous consent that further action on **House File 371** be deferred.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:21 a.m.,
until 4:30 p.m.

APPENDIX

REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointments to state boards and commissions to standing committees as indicated for investigation on March 18, 1987:

AGRICULTURE

Mark Leonard — Agricultural Development Authority.

Linda Appelgate, Kenneth Kassel and John Robert Miller — State Soil Conservation Committee.

BUSINESS AND LABOR RELATIONS

Jerry Hughes and Lois Miller — Job Service Advisory Council.

Allen Meier — Labor Commissioner.

EDUCATION

Barbara Higdon — First in the Nation in Education Foundation Governing Board.

John Fitzgibbon, Marvin Pomerantz and Mary Williams — State Board of Regents.

ENVIRONMENT AND ENERGY UTILITIES

Andy Varley — Chairman of the Utilities Board.

Nancy Shimanek — Utilities Board.

HUMAN RESOURCES

Marian Roberts — Commission on the Deaf.

Thomas Lansworth — State Foster Care Review Board.

Robert E. Lee and James V. Sarcone — State Health Facilities Council.

Catherine Williams — Council on Human Services.

Mona Bond and Robert D. Hoogeveen — Mental Health and Mental Retardation Commission.

JUDICIARY

Abigail Pumroy and Kenneth Robinson — Iowa State Civil Rights Commission.

William Dowell and Cynthia J. Officer — Board of Corrections.

Doris Almelién and Mary Ann Kenkel — State Judicial Nominating Commission.

Russell Cross — Commission on Judicial Qualifications.

LOCAL GOVERNMENT

James E. Benbow, John Fischer, Donald Lawrenson and Betty Markham — County Finance Committee.

NATURAL RESOURCES

Marion Patterson, Rick Young and Douglas Smalley — Natural Resource Commission.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Perry Chapin, Khalil Kingsbury and Victoria Wittgraf — Iowa High Technology Council.

STATE GOVERNMENT

Katherine J. Howe and Colette Kunkel — Speech Pathology and Audiology Examining Board.

Michael E. Eberle and Jan Stillman — Iowa Board of Veterinary Medicine.

Julie Bulkeley — Accountancy Examining Board.

Edward Seitzinger — Alcoholic Beverages Commission.

Kenneth Steffen — Architectural Examining Board.

Geraldine Eitter — Campaign Finance Disclosure Commission.

Marge Askew and Floyd Dow Bates — Chiropractic Examining Board.

Marilyn May — Dental Examining Board.

Gary Darland and Harold Wight — Engineering and Land Surveying Examining Board.

John Olds and Cecil Peterson — Medical Examining Board.

Wilhelmina McFee and Cherie Oetker — Nursing Examining Board.

Merle Kjonaas — Optometry Examining Board.

Elizabeth Burmeister, Carol McCarty and Kathleen McCoy — Personnel Commission.

Donna Flower — Pharmacy Examining Board.

Martha Thien — Physical and Occupational Therapy Examining Board.

Rick Jennings — Psychology Examining Board.

Lavonne Mydland and Leo K. Monaghan — State Racing Commission.

TRANSPORTATION

Roger Fair — State Transportation Commission.

Gerald Donovan — Iowa Law Enforcement Academy Council.

WAYS AND MEANS

Carl A. Selden — State Board of Tax Review.

Larry Tuel — Executive Director of the Iowa Finance Authority.

Clayton Mowers and Neil Ronfeldt — Iowa Finance Authority.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 17, 1987, 8:00 a.m.

Members Present: Sturgeon, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller.

Members Absent: none.

Committee Business: Budget recommendations.

Adjourned: 9:00 a.m.

COMMERCE

Convened: March 17, 1987, 1:35 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking

Member; Gronstal, Holden, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh.

Members Absent: Carr and Kinley.

Committee Business: Recommended passage of Senate File 276; approved SSBs 211, 106 and 222 as committee bills.

Adjourned: 2:20 p.m.

EDUCATION

Convened: March 17, 1987, 3:35 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Assigned bills and Governor's appointments to subcommittees; amended and approved SSB 187 and ordered redrafted for final approval as a committee bill; approved SSB 186 as a committee bill; discussed and deferred action on SSB 191.

Adjourned: 4:52 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 17, 1987, 2:40 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Hultman, A. Miller, Murphy, Rife, Schwengels, Sturgeon and Varn.

Members Absent: Soorholtz, Ranking Member.

Committee Business: Recommended passage of Senate File 209 as amended; approved SSB 199 as a committee bill; discussed and deferred action on SSB 94A.

Adjourned: 3:30 p.m.

HUMAN RESOURCES

Convened: March 17, 1987, 10:36 a.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking

Member; Bruner, Coleman, Corning, Lind, Murphy, Readinger, Sturgeon and Taylor.

Members Absent: C. Miller (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 104 as amended; recommended passage of Senate Files 222 and 290; approved SSB 148 as a committee bill; discussed and deferred action on Senate File 280.

Adjourned: 11:59 a.m.

NATURAL RESOURCES

Convened: March 17, 1987, 8:04 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair (arrived 8:03 a.m.); Schwengels, Ranking Member; Doyle, Hannon (arrived 8:08 a.m.), Peterson, Goodwin, Scott, Hester, Rensink and Tieden.

Members Absent: none.

Committee Business: Approved SSB 115 as a committee bill and Senate File 380 failed recommendation for passage.

Adjourned: 8:26 a.m.

TRANSPORTATION

Convened: March 17, 1987, 2:37 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Goodwin, Hall, Jensen and Lloyd-Jones.

Members Absent: Gettings (excused) and Nystrom.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate File 208 and House File 262; approved SSB 159 and ordered redrafted as a committee bill; discussed and deferred action on Senate Files 234 and 308.

Adjourned: 3:10 p.m.

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 17, 1987, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 158 — Relating to the time within which an application for crime victim reparation may be filed.

COMMITTEE REPORTS

EDUCATION

Final Bill Action: SENATE FILE 441 (SSB 186), a bill for an act relating to teachers, including the creation of a board of educational examiners and prescribing its duties relating to the certification of teachers, administrators, and supervisors; requiring that teachers pass examinations; offering teaching assistantships to teachers; the issuance of temporary certificates and the appointment of a task force to study teacher preparation and the role of teachers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Murphy, Horn, Taylor, Dieleman, Hannon, Lloyd-Jones, Lind, Riordan, Varn and Wells. Nays, 4: Holden, Rensink, Tieden and Corning.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 209, a bill for an act exempting gas public utilities having less than two thousand customers from the rate regulation authority of the utilities board and defining the areas in which such utilities remain subject to regulation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3186.

Final Vote: Ayes, 9: Deluhery, Gronstal, Hultman, A. Miller, Murphy, Rife, Schwengels, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 443 (SSB 199), a bill for an act defining and establishing redemption centers, dealer agents, and territory of service between dealer agents and distributors, and subjecting violators to a penalty.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Deluhery, Gronstal, Hultman, A. Miller, Murphy, Rife, Schwengels, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 440 (SSB 148), a bill for an act relating to grandparent visitation rights in the case of a child born out of wedlock.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hannon, Carr, Bruner, Coleman, Murphy, Sturgeon and Taylor. Nays, 4: Gentleman, Corning, Lind and Readinger. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 444 (SSB 155), a bill for an act relating to the appointment of court appointed special advocates, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

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

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

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

S. F.	426	Commerce
S. F.	427	Commerce
S. F.	428	Judiciary
S. F.	429	Judiciary
S. F.	430	Human Resources
S. F.	431	Human Resources
S. F.	432	Commerce
S. F.	435	Transportation
S. F.	438	Human Resources

STUDY BILLS RECEIVED**SSB 229 Agriculture**

Relating to payments of certain taxes upon certain sales of agricultural land.

SSB 230 Judiciary

Relating to indemnification and limitation on liability of directors and officers and to liability of persons who volunteer services to the state or a municipality or a nonprofit organization.

**SUBCOMMITTEE ASSIGNMENTS FOR
APPOINTMENTS TO BOARDS AND COMMISSIONS**

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

BUSINESS AND LABOR RELATIONS

As members of the Job Service Advisory Council:

JERRY HUGHES: Horn, Chair; Palmer and Holden

LOIS MILLER: Vande Hoef, Chair; Wells and Holden

MARY ANN STANGE: Palmer, Chair; Horn and Vande Hoef

As Labor Commissioner:

ALLEN MEIER: Wells, Chair; Horn and Hultman

EDUCATION

As a member of the First in the Nation in Education Foundation Governing Board:

BARBARA HIGDON: Dieleman, Chair; Varn and Corning

As members of the State Board of Regents:

JOHN FITZGIBBON: Hannon, Chair; Riordan and Lind

MARVIN POMERANTZ: Murphy, Chair; Horn and Rensink

MARY WILLIAMS: Lloyd-Jones, Chair; Bruner and Holden

ENVIRONMENTAL AND ENERGY UTILITIES

As a member of the Utilities Board:

NANCY SHIMANEK: Schwengels, Chair; A. Miller and Sturgeon

As Chairman of the Utilities Board:

ANDY VARLEY: A. Miller, Chair; Schwengels and Gronstal

HUMAN RESOURCES

As members of the Commission for the Blind:

MARGARET KOLCK: Coleman, Chair; Taylor and Carr

ROBERT J. MARTIN: Gentleman, Chair; Hannon and Murphy

As a member of the Commission of Elder Affairs:

GEORGE STRAIT: Sturgeon, Chair; Lind and Hannon

As members of the Commission on the Deaf:

JILL BOUSLOG: Readinger, Chair; Bruner and Corning

JACK PURCELL: Lind, Chair; Bruner and Hannon

As members of the Council on Human Services:

LEWIS RICH: Taylor, Chair; Coleman and Carr

J.T. WATSON: Bruner, Chair; Carr and Readinger

As members of the Mental Health and Mental Retardation Commission:

MARY L. LEONARD: Gentleman, Chair; Bruner and Carr

PHYLLIS OSBORN: Readinger, Chair; Coleman and Carr

PHYLLIS J. PRIEST: Corning, Chair; C. Miller and Hannon

As members of the State Foster Care Review Board:

RUTH DeVRIES: Taylor, Chair; Bruner and Carr

KATHRYN YOUNBERG: Lind, Chair; Bruner and Coleman

JUDICIARY

As members of the Board of Corrections:

GARY BAUGHER: Gentleman, Chair; Hester and Coleman

HAROLD McCORMICK: Carr, Chair; Doyle and Holt

DONALD VOLD: Fraise, Chair; Carr and Drake

As a member of the Iowa State Civil Rights Commission:

RUBY ABEBE: Fuhrman, Chair; Mann and Deluhery

TRANSPORTATION

As a member of the Iowa Law Enforcement Academy Council:

GERALD DONOVAN: Gettings, Chair; Jensen and Nystrom

As a member of the State Transportation Commission:

ROGER FAIR: Lloyd-Jones, Chair; Hall and Goodwin

SUBCOMMITTEE ASSIGNMENTS**Senate File 226**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Boswell and Rife

Senate File 364

WAYS AND MEANS: Riordan, Chair; Boswell, Mann, Holden and Soorholtz

Senate File 365

WAYS AND MEANS: Gronstal, Chair; Hester, Holt, Palmer and Husak

Senate File 385

WAYS AND MEANS: Riordan, Chair; Boswell, Holden, Mann and Soorholtz

Senate File 404

HUMAN RESOURCES: Taylor, Chair; Hannon and Gentleman

Senate File 408

STATE GOVERNMENT: Bruner, Chair; Lloyd-Jones and Schwengels

Senate File 409

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Gronstal and Rife

Senate File 410

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; A. Miller and Schwengels

Senate File 411

STATE GOVERNMENT: Dieleman, Chair; Drake and Horn

Senate File 412

STATE GOVERNMENT: Gronstal, Chair; Rife and Bruner

Senate File 413

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Bruner and Schwengels

Senate File 414

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Bruner and Schwengels

Senate File 419

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Bruner and Schwengels

Senate File 420

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Wells and Hultman

Senate File 438

HUMAN RESOURCES: Hannon, Chair; Bruner and Corning

House File 427

STATE GOVERNMENT: Coleman, Chair; Gentleman and Bruner

SSB 139

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Holt and A. Miller

SSB 194

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; A. Miller and Holt

SSB 224

TRANSPORTATION: Goodwin, Chair; Lloyd-Jones and Nystrom

AMENDMENTS FILED

S—3183	S. F.	364	Berl E. Priebe
S—3184	S. F.	200	C. Joseph Coleman
S—3185	H. F.	371	Berl E. Priebe C. Joseph Coleman
S—3186	S. F.	209	Environment & Energy Utilities
S—3187	S. F.	350	Ray Taylor Larry Murphy

AFTERNOON SESSION

The Senate reconvened at 4:39 p.m., Senator Husak presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 16, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 136, a bill for an act relating to the disclosure of information concerning the family of a health care facility resident to a care review committee member.

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

House File 251, a bill for an act relating to advocates for certain individuals involuntarily hospitalized.

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

House File 395, a bill for an act relating to the taking of animals and subjecting violators to penalties.

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

House File 470, a bill for an act relating to the payment of expenses of merged area schools by the board secretary.

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

House File 491, a bill for an act relating to the crime of assault, and providing penalties.

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

INTRODUCTION OF BILLS

Senate File 442, by Bruner, a bill for an act relating to windshields and windows of motor vehicles and making penalties applicable.

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

Senate File 443, by committee on Environment and Energy Utilities, a bill for an act defining and establishing redemption centers, dealer agents, and territory of service between dealer agents and distributors, and subjecting violators to a penalty.

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

Senate File 444, by committee on Judiciary, a bill for an act relating to the appointment of court appointed special advocates, and providing an effective date.

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

Senate File 445, by committee on Human Resources, a bill for an act relating to advocates for certain individuals involuntarily hospitalized.

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

Senate File 446, by committee on State Government, a bill for an act relating to the regulation of pharmacists and pharmacies and to administration, dispensing, and distribution of certain drugs, and providing penalties.

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

Senate File 447, by Welsh, a bill for an act relating to cable television franchising, establishing a cable television franchising division in the department of commerce, creating a cable television franchising review commission, requiring approval of proposals of franchising authorities for the granting, modification, and renewal of cable television franchises, eliminating the requirement for submitting a city cable television franchise to the voters, and providing an effective date.

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

Senate File 448, by Scott and Miller of Cerro Gordo, a bill for an act relating to railroad acquisition and divestiture and providing a penalty.

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

Senate File 449, by committee on Business and Labor Relations, a bill for an act relating to the operation and administration of the department of employment services by correcting statutory omissions, inaccuracies, and inconsistencies to reflect or alter current practices, by limiting certain penalties, by continuing the reimbursable status of certain enterprises and businesses sold or transferred by reimbursable employers, and by authorizing the release of certain job service information to certain public or quasi-public officials and entities and certain business and labor organizations.

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

Senate File 450, by Wells and Soorholtz, a bill for an act relating to the safety of transportation of railroad company workers and providing a penalty and effective date.

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

INTRODUCTION OF RESOLUTION

Senate Resolution 9, by Miller of Cerro Gordo, a resolution honoring the Ventura High School girls' basketball team.

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

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

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

JUDICIARY

As members of the Board of Corrections:

WILLIAM DOWELL: Deluhery, Chair; Fraise and Drake
CYNTHIA J. OFFICER: Holt, Chair; Fuhrman and Carr

As a member of the Commission on Judicial Qualifications:

RUSSELL CROSS: Gentleman, Chair; Mann and Taylor

As members of the Iowa State Civil Rights Commission:

ABIGAIL PUMROY: Gentleman, Chair; Horn and Taylor
KENNETH ROBINSON: Coleman, Chair; Doyle and Hester

As members of the State Judicial Nominating Commission:

DORIS ALMELIEN: Gentleman, Chair; Holt and Varn
MARY ANN KENKEL: Varn, Chair; Carr and Drake

NATURAL RESOURCES

As members of the Natural Resource Commission:

MARION PATTERSON: Hannon, Chair; Doyle and Goodwin
DOUGLAS SMALLEY: Hester, Chair; Rensink and Peterson
RICK YOUNG: Hall, Chair; Tieden and Scott

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

As members of the Iowa High Technology Council:

JEAN ADAMS: Hannon, Chair; A. Miller and Holt
GEORGE BENNING: Peterson, Chair; Deluhery and Fuhrman
JOSEPH BORGES: Boswell, Chair; Riordan and Rensink
PERRY CHAPIN: Scott, Chair; Riordan and Vande Hoef
KHALIL KINGSBURY: Holt, Chair; Boswell and A. Miller
REX MONTGOMERY: Riordan, Chair; Scott and Holt
VICTORIA WITTGRAF: Hannon, Chair; Peterson and Rife

As members of the Iowa Product Development Corporation:

KEITH BRISCOE: Deluhery, Chair; Hannon and Holt
ARTHUR DAHL: Peterson, Chair; Rife and Fuhrman
DANIEL DITTEMORE: A. Miller, Chair; Riordan and Vande Hoef
DON GINGERICH: Hannon, Chair; A. Miller and Rensink

WAYS AND MEANS

As Executive Director of the Iowa Finance Authority:

LARRY TUEL: Riordan, Chair; Bruner and Drake

As members of the Iowa Finance Authority:

CLAYTON MOWERS: Holt, Chair; Murphy and Mann
NEIL RONFELDT: Hester, Chair; Husak and Holt

As a member of the State Board of Tax Review:

CARL A. SELDEN: Soorholtz, Chair; Drake and Palmer.

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE JOINT RESOLUTION 14, a joint resolution to nullify an administrative rule of the department of employment services relating to lockouts and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Wells, Mann, Gettings, Horn, Welsh and Palmer. Nays, 3: Holden, Hultman and Fuhrman. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 449, a bill for an act relating to the operation and administration of the department of employment services by correcting statutory omissions, inaccuracies, and inconsistencies to reflect or alter current practices, by limiting certain penalties, by continuing the reimbursable status of certain enterprises and businesses sold or transferred by reimbursable employers, and by authorizing the release of certain job service information to certain public or quasi-public officials and entities and certain business and labor organizations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Wells, Mann, Fuhrman, Gettings, Horn, Hultman, Holden, Palmer and Welsh. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 302, a bill for an act relating to the disability of brain injury.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3188.

Final Vote: Ayes, 10: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 2: Murphy and C. Miller.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 445 (SSB 177), a bill for an act relating to advocates for certain individuals involuntarily hospitalized.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 2: Murphy and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 44, a bill for an act relating to the membership of the Iowa economic development board.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Nystrom, Lloyd-Jones and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 77, a bill for an act relating to the investigation and preservation of native American holy places and providing a penalty for violations.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: C. Miller and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 156, a bill for an act relating to the exemption from liability of care review committee members and the state concerning actions undertaken by care review committee members in the performance of their duties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: C. Miller and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 187, a bill for an act relating to the purchase of sacramental wine.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels, Soorholtz and Welsh. Nays, 1: Dieleman. Absent or not voting, 2: C. Miller and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 446 (SSB 124), a bill for an act relating to the regulation of pharmacists and pharmacies and to administration, dispensing, and distribution of certain drugs, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Coleman, Drake, Gronstal, Rife, Schwengels, Soorholtz, Welsh, Dieleman, Bruner, Horn, Lloyd-Jones and Gentleman. Nays, none. Absent or not voting, 2: Nystrom and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3188	S.F.	302	Human Resources
S—3189	S.F.	104	Al Sturgeon
S—3190	S.F.	373	Judiciary
S—3191	S.F.	374	Judiciary
S—3192	S.F.	4	Ray Taylor Tom Mann, Jr.
S—3193	S.F.	5	Richard F. Drake Hurley W. Hall

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Thursday, March 19, 1987.

JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 19, 1987

The Senate met in regular session at 9:04 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Keith Kohlmeier, pastor of the First English Lutheran Church, Spencer, Iowa.

The Journal of Wednesday, March 18, 1987, was approved.

INTRODUCTION OF BILLS

Senate File 451, by committee on Local Government, a bill for an act relating to the acquisition of legal settlement in a county.

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

Senate File 452, by committee on Local Government, a bill for an act to cancel all personal property taxes not collected by July 1, 1988, including the removal of tax liens against personal property.

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

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:10 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 18, 1987, 8:00 a.m.

Members Present: Sturgeon, Chair; Readinger, Ranking Member and Gentleman.

Members Absent: Scott, Vice Chair and A. Miller (both excused).

Committee Business: Budget recommendations.

Adjourned: 9:10 a.m.

AGRICULTURE

Convened: March 18, 1987, 1:32 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair (arrived 1:41 p.m.); Hester, Ranking Member; Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman, Goodwin, Rensink, Soorholtz and Vande Hoef.

Members Absent: none.

Committee Business: Approved SSBs 200, 179, 216 and 229 as committee bills; amended and approved SSBs 128, 310 and 56 as committee bills; recommended passage of Senate Files 295, 303 and 356.

Adjourned: 3:36 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 18, 1987, 9:45 a.m.

Members Present: Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman, Palmer and Welsh.

Members Absent: Vande Hoef.

Committee Business: Assigned bills and Governor's appointees to subcommittees; recommended passage of House Joint Resolution 14; amended and approved LSB 1222 as a committee bill.

Adjourned: 10:25 a.m.

EDUCATION

Convened: March 18, 1987, 1:45 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Assigned bills and Governor's appointees to subcommittees; recommended confirmation of William Lepley; discussed SSB 191.

Adjourned: 2:45 p.m.

HUMAN RESOURCES

Convened: March 18, 1987, 9:45 a.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, Murphy, Readinger, Sturgeon and Taylor.

Members Absent: C. Miller.

Committee Business: Recommended passage of Senate Files 221 and 302 as amended; discussed and deferred action on Senate Files 280 and 358; approved SSB 177 as a committee bill; assigned bills to subcommittees.

Adjourned: 10:30 a.m.

JUDICIARY

Convened: March 18, 1987, 3:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; adopted committee amendments to Senate Files 373 and 374 (on calendar); recommended passage of Senate Files 370, 319 and 231; approved SSBs 146, 228 and 230 as committee bills; amended and approved SSBs 195 and 207 as committee bills.

Adjourned: 5:50 p.m.

LOCAL GOVERNMENT

Convened: March 18, 1987, 10:30 a.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills and Governor's appointees to subcommittees; recommended passage of Senate File 342; approved SSBs 192, 193, 170, 171 and 168 as committee bills.

Adjourned: 11:30 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 18, 1987, 8:07 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Approved SSBs 194 and 139 as committee bills; recommended passage of Senate File 226; presentation by Tom Morain representing Living History Farms.

Adjourned: 8:55 a.m.

STATE GOVERNMENT

Convened: March 18, 1987, 2:47 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair (arrived 2:50 p.m.); Bruner, Coleman, Drake, Gentleman (arrived 2:50 p.m.), Gronstal, Horn (arrived 2:50 p.m.); Lloyd-Jones (arrived 2:55 p.m.); Rife, Schwengels, Soorholtz and Welsh.

Members Absent: C. Miller and Nystrom, Ranking Member (excused).

Committee Business: Final approval of SSB 124 as a committee bill; assigned bills and Governor's appointments to subcommittees; recommended passage of Senate Files 77, 44, 156 and 187; recommended passage of Senate File 92 as amended; approved SSBs 73 and 137 as committee bills.

Adjourned: 3:35 p.m.

GOVERNOR'S VETO MESSAGE

March 18, 1987

The Honorable Jo Ann Zimmerman
President of the Senate
State Capitol Building
L O C A L

Dear Madam President:

I am unable to approve Senate Concurrent Resolution 4, a concurrent resolution relating to the Board of Regents Ten-Year Building Program, in accordance with Section 262A.4 of the Code of Iowa, 1987.

Senate Concurrent Resolution 4 gives the State Board of Regents the authority to issue bonds amounting to \$98,500,000 during the coming biennium. The proceeds from the debt would be used to fund numerous capital projects at the Regent institutions. Student tuition is pledged to repay these bonds. However, there is a long standing commitment from the state that the General Assembly will appropriate the dollars necessary to replace these tuition revenues. In effect, the state has a moral obligation in the future to pay the debt service for bonds. That obligation now exceeds \$17 million each year.

I have deep concerns about increasing the taxpayers' debt service obligations. These bonds would have to be paid off over the next 25 years -- thus obligating a future generation of Iowans.

I believe that the state ought to be cautious in its use of the bonding authority under Chapter 262A. In the future, this authority should be used for a demonstrated need which has the potential to pay the state back in jobs and research dollars more than the investment that is required.

I recommended to the General Assembly two projects which fit this criterion. These projects -- a laser research facility at the University of Iowa and a molecular biology building at Iowa State University -- have the potential to put Iowa on the cutting edge of technological change as we move into the 21st Century. I believe that with these projects Iowa would make a prominent place for itself in the economy of the future.

It is anticipated that the laser research facility would result in up to 12,000 spin-off jobs in the next decade and the molecular biology facility would attract over \$120 million of federal research dollars during the same time. Due to this enormous economic development potential, the laser and molecular biology projects meet the standards I have set for Chapter 262A financing. But many otherwise worthy projects do not.

I understand that my standards run contrary to traditional political wisdom. "Politics as usual" would dictate that each of the Regent universities receive a project or two, regardless of the economic development potential. I reject this approach because I do not believe that Iowans can afford it. I believe we must target our limited resources to areas that will have the greatest economic potential to create jobs for Iowans.

It is unfortunate that the legislature has succumbed to the temptation to play "Christmas tree" politics. Eighteen different ornaments have been hung on this resolution, ranging from building additional stairwells in some university buildings, to remodeling older facilities, to putting in a new boiler. Many of these projects are worthwhile and deserve attention, but Iowa taxpayers should not be saddled with extra debt for the next 25 years to pay for them. Instead, the worthy projects should be funded on a pay-as-you-go basis.

In fact, I have in the past recommended funding for some of these projects in that fashion.

In 1985 I recommended direct appropriations for the Home Economics building and the Latham Hall remodeling projects. Unfortunately, the General Assembly did not adopt that method of financing. I suggest we again review these possibilities if the legislature deems these projects to be of high priority. Moreover, we should work with the Regents to develop a long-term capitals plan that does meet some of their needs and does not overburden Iowa taxpayers.

The approach taken in this resolution is simply too costly and is fiscally unsound. The additional \$36.5 million of bonding authority granted above my recommendation would increase the state's total debt service cost over the next 25 years by more than \$81 million. It would mean that the total Regent debt service cost to be paid by taxpayers in the state through the year 2012 would climb to \$457 million. That is a debt load that is too large for the next generation of Iowans to carry.

In addition, I am concerned that a number of the projects included in the resolution are the first phase of a larger construction program which would then have to be bonded for in the future. It is estimated that the commitments made in this bonding resolution would require an additional \$37 million in construction costs in FY 89 or soon thereafter.

Finally, I am concerned about restrictions placed in SCR 4 or restrictions that may be considered in futuring bonding resolutions. Specifically, this resolution prohibits the regent universities for the next 25 years from engaging in any classified research. Members of Iowa's congressional delegation have warned me that if this prohibition stays in the bonding resolution, Iowa can forget about the possibility of obtaining large federal research grants in the future. Unless we strip this restriction on classified research from a future resolution, we will be playing a cruel hoax on Iowa taxpayers -- asking them to use their tax dollars to build a research facility that will have little likelihood of obtaining federal research grants.

In addition, serious consideration was given by the General Assembly to attaching a prevailing wage provision to the bond resolution. Such a provision would add at least 10 percent to the construction costs of each of the projects included in such a resolution. I have vetoed such proposals in the past and if they are attached in the future, I would have similar concerns. We should not build in higher costs for construction projects for the taxpayers of Iowa.

In summary, I cannot approve Senate Concurrent Resolution 4. It burdens Iowa taxpayers with far too much debt; it fails to limit the expenditure of Iowa resources to projects which have significant economic development potential; and, it contains a provision which could handicap Iowa's efforts to obtain federal research dollars.

As a result, Senate Concurrent Resolution 4 will not have my signature.

My refusal to sign Senate Concurrent Resolution 4 signifies my rejection of excessive debt for Iowa's taxpayers and a refusal to adopt a politics-as-usual approach to capital financing for the Regent universities. My commitment and support for immediate funding and approval of the laser facility and the molecular biology building remain steadfast. I will continue to work with the General Assembly to make certain that Iowa does not miss this chance to ride the next wave of technological change. I urge the General Assembly to singularly approve the laser biotechnology facilities.

Sincerely,
Terry E. Branstad
Governor

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. R.	9	Rules & Administration
S. F.	439	Judiciary
S. F.	442	Transportation
S. F.	447	State Government
S. F.	448	Transportation
S. F.	450	Business & Labor Relations
H. F.	136	Human Resources
H. F.	251	Human Resources
H. F.	395	Natural Resources
H. F.	470	Education
H. F.	491	Judiciary

STUDY BILLS RECEIVED**SSB 231 State Government**

Relating to the sale of alcoholic beverages by amending the definition of licensed premises, by providing for a bailment system for the alcoholic beverage division's liquor inventory, and by providing that notice of nonpayment and penalty from the division to class "E" licensees may be sent by certified mail.

SSB 232 State Government

Relating to the educational and experience requirements for registered professional engineers and registered land surveyors.

SSB 233 Small Business and Economic Development

Relating to the establishment of the Iowa reindustrialization training program and providing for an appropriation.

SSB 234 Environment and Energy Utilities

Providing for a pilot study on household radon contamination in Iowa and providing an appropriation.

SSB 235 Environment and Energy Utilities

Relating to the use and application of pesticides and making penalties applicable.

SSB 236 Ways and Means

A Concurrent Resolution urging the Congress of the United States to amend the Interstate Commerce Act to allow states to collect sales or use taxes from outstate sellers.

SSB 237 Ways and Means

Relating to state tax revenues and expenditures by altering the individual income tax rates, standard deductions, and personal exemptions and credits; increasing the state sales, services, and use tax and providing for refunds for certain contractors as a result of that increase; specifying the rate of the cigarette and little cigar and tobacco products taxes, when they may be altered and specifying when a cigarette and little cigar inventory tax is imposed; adjusting the homestead property tax credit and the

elderly and disabled credit and reimbursement schedule; decreasing the school foundation property tax levy; adjusting the allowable growth and state aid under the school foundation formula; and providing effective dates.

SSB 238 Ethics

Relating to things of value given to and received by public employees, officials, members of the general assembly, other persons serving in a public capacity, and candidates, mandating reporting of certain things of value, subjecting violators to penalties, and providing an effective date.

SSB 239 Ethics

A Resolution to provide a senate code of ethics for the Seventy-second General Assembly.

SSB 240 Ethics

A Resolution to provide senate rules governing lobbyists for the Seventy-second General Assembly.

SUBCOMMITTEE ASSIGNMENTS

Senate File 233

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair; A. Miller and Holt

Senate File 356

AGRICULTURE: Boswell, Chair; Hester and Fuhrman

Senate File 369

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; A. Miller and Holt

Senate File 401

APPROPRIATIONS: Varn, Chair; Schwengels and Sturgeon

Senate File 406

EDUCATION: Wells, Chair; Murphy and Corning

Senate File 407

JUDICIARY: Mann, Chair; Carr and Holt

Senate File 415

AGRICULTURE: Fraise, Chair; Husak and Vande Hoef

Senate File 416

JUDICIARY: Gentleman, Chair; Mann and Varn

Senate File 417

JUDICIARY: Gentleman, Chair; Coleman and Carr

Senate File 418

JUDICIARY: Horn, Chair; Gentleman and Varn

Senate File 421

JUDICIARY: Doyle, Chair; Gentleman, Drake, Mann and Coleman

Senate File 425

JUDICIARY: Doyle, Chair; Gentleman, Drake, Mann and Coleman

Senate File 426

COMMERCE: Mann, Chair; Carr and Rife

Senate File 427

COMMERCE: Mann, Chair; Gronstal and Jensen

Senate File 430

HUMAN RESOURCES: Taylor, Chair; Gentleman and Bruner

Senate File 431

HUMAN RESOURCES: Murphy, Chair; Bruner and Lind

Senate File 432

COMMERCE: Rife, Chair; Kinley and Priebe

Senate File 435

TRANSPORTATION: Coleman, Chair, Doyle and Goodwin

Senate File 450

BUSINESS AND LABOR RELATIONS: Wells, Chair; Gettings and Fuhrman

SSB 198

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: A. Miller, Chair; Deluhery and Rife

SSB 200

AGRICULTURE: Soorholtz, Chair; Husak and Fuhrman

SSB 201

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Hannon, Chair; Boswell and Fuhrman

SSB 202

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Hannon, Chair; Boswell and Fuhrman

SSB 216

AGRICULTURE: Hall, Chair; Boswell and Vande Hoef

SSB 217

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Peterson and Rife

SSB 225

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

SSB 226

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

SSB 227

JUDICIARY: Carr, Chair; Mann and Drake

SSB 228

JUDICIARY: Mann, Chair; Horn and Hester

SSB 229

AGRICULTURE: Priebe, Chair; Husak and Vande Hoef

SSB 230

JUDICIARY: Doyle, Chair; Gentleman, Drake, Mann and Coleman

SSB 233

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Riordan and Holt

SSB 234

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Deluhery and Soorholtz

SSB 235

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Deluhery and Soorholtz

SSB 237

WAYS AND MEANS: Bruner, Chair; Dieleman, Drake, Murphy and Readinger

LSB 2883

BUSINESS AND LABOR RELATIONS: Wells, Chair; Gettings and Fuhrman

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of a standing committee on May 18, 1987:

STATE GOVERNMENT

As a member of the Accountancy Examining Board:

GAYLON HALVERSON: Gentleman, Chair; Schwengels and Bruner

As Adjutant General:

WARREN LAWSON: Drake, Chair; Dieleman and Nystrom

As members of the Architectural Examining Board:

GWEN BOEKE: Schwengels, Chair; Nystrom and Gronstal

BARBARA WELANDER: Schwengels, Chair; Nystrom and Gronstal

As members of the Barber Examining Board:

CARROLL ANDERSON: Coleman, Chair; Bruner and Dieleman

KAREN ANN VOECKS: Lloyd-Jones, Chair; Drake and Gronstal

As members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers:

ROBERT KLOPP: Gronstal, Chair; Drake and Rife

MARY SMITH: Gronstal, Chair; Drake and Rife

As members of the Chiropractic Examining Board:

KENNETH PRIDE: Horn, Chair; C. Miller and Schwengels

As members of the Cosmetology Examining Board:

JAMES O'NEALL: Nystrom, Chair; C. Miller and Gentleman

MARGARET TURK: Rife, Chair; Welsh and Soorholtz

As members of the Dietetic Examining Board:

CONNIE FREESE: Horn, Chair; C. Miller and Soorholtz

JEANNETTE MILLER: Horn, Chair; C. Miller and Soorholtz

As members of the Dental Examining Board:

PAMELA DeMOSS: Soorholtz, Chair; C. Miller and Coleman

CARMEN MILLER: Soorholtz, Chair; C. Miller and Coleman

As a member of the Engineering and Land Surveying Examining Board:

VIRGINIA RUARK: Schwengels, Chair; Nystrom and Gronstal

As members of the Investment Board (IPERS):

ANITA SEITSINGER: Bruner, Chair; Drake and Horn

LYNDA ZACHAR: Bruner, Chair; Drake and Horn

As members of the Landscape Architectural Examining Board:

JEFFREY BENSON: Schwengels, Chair; Nystrom and Gronstal
CECELIA BURNETT: Schwengels, Chair; Nystrom and Gronstal
STEVE SCHROEDER: Schwengels, Chair; Nystrom and Gronstal

As a member of the Medical Examining Board:

MARIAN BOUREK: Nystrom, Chair; Coleman and C. Miller

As members of the Mortuary Science Examining Board:

ALVIN E. BREMER: Rife, Chair; Welsh and Horn
CORNELIA V. HOY: Rife, Chair; Welsh and Horn

As a member of the Nursing Examining Board:

EDNA EATON: Lloyd-Jones, Chair; Bruner and Rife

As members of the Optometry Examining Board:

JOHN A. GAZAWAY: Dieleman, Chair; Schwengels and C. Miller
EDWARD WINGER: Dieleman, Chair; Schwengels and C. Miller

As members of the Pharmacy Examining Board:

ALAN M. SHEPLEY: Gentleman, Chair; Schwengels and Bruner
GALE W. STAPP: Gentleman, Chair; Schwengels and Bruner

As members of the Physical and Occupational Therapy Examining Board:

LOIS G. CAMPBELL: Gentleman, Chair; Coleman and Lloyd-Jones
STEVEN R. CLARK: Gentleman, Chair; Coleman and Lloyd-Jones

As members of the Podiatry Examining Board:

JAMES D. HEDDENS: Soorholtz, Chair; Schwengels and C. Miller
MARJORIE E. RODGERS: Soorholtz, Chair; Schwengels and C. Miller

As members of the Psychology Examining Board:

JOAN GRANT: Coleman, Chair; Gronstal and Gentleman
GERALD T. JORGENSEN: Coleman, Chair; Gronstal and Gentleman

As members of the Real Estate Examining Board:

ROBERT H. CHRISTENSEN: Nystrom, Chair; Coleman and Horn
E. JOE ANN LUTZ: Nystrom, Chair; Coleman and Horn

As members of the Respiratory Care Advisory Committee:

GREG A. HICKLIN: Lloyd-Jones, Chair; Soorholtz and Gronstal
JOAN TREIRVIELER: Lloyd-Jones, Chair; Soorholtz and Gronstal

As members of the Social Work Examining Board:

FRANCIS HELLERT: Lloyd-Jones, Chair; Soorholtz and Gronstal
LEONARD LARSEN: Lloyd-Jones, Chair; Soorholtz and Gronstal

As members of the State Board of Examiners for Nursing Home Administrators:

MURRAY D. BERGGREN: Bruner, Chair; Gentleman and Soorholtz
PHYLLIS CROUSE: Lloyd-Jones, Chair; Bruner and Rife

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on March 19, 1987:

HUMAN RESOURCES

As a member of the Commission on the Deaf:

MARIAN ROBERTS: Corning, Chair; Coleman and Murphy

As a member of the Council on Human Services:

CATHERINE WILLIAMS: Bruner, Chair; Carr and Taylor

As members of the Mental Health and Mental Retardation Commission:

MONA BOND: Carr, Chair; Coleman and Corning
ROBERT D. HOOGEVEEN: Gentleman, Chair; Bruner and Coleman

As a member of the Senate Foster Care Review Board:

THOMAS LANSWORTH: Taylor, Chair; Gentleman and Bruner

As members of the State Health Facilities Council:

ROBERT E. LEE: Sturgeon, Chair; Corning and Murphy
JAMES V. SARCONI: Readinger, Chair; Sturgeon and Coleman

LOCAL GOVERNMENT

As members of the County Finance Committee:

JAMES E. BENBOW: Kinley, Chair; Wells and Taylor
JOHN FISCHER: Fraise, Chair; Jensen and Hall
DONALD LAWRENSON: A. Miller, Chair; C. Miller and Vande Hoef
BETTY MARKHAM: Wells, Chair; A. Miller and Vande Hoef

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 295, a bill for an act relating to the teaching of vocational agriculture in this state and providing an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Rensink, Scott, Soorholtz and Vande Hoef. Nays, 1: Peterson. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 303, a bill for an act relating to the merger and consolidation of cooperative associations, by defining the fair market value of assets held by an association and providing for determining the fair value of an equity interest held by a dissenting member.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Husak.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 310, a bill for an act relating to organic food, by providing for standards, the enforcement of the standards, and penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 356, a bill for an act relating to exemptions from regulation of a home used to prepare food for a cafe.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Priebe, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 462 (SSB 179), a bill for an act appropriating funds for multiflora rose research.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 463 (SSB 216), a bill for an act relating to development and implementation by the Agricultural Development Authority of programs to provide economic assistance on behalf of agricultural producers within the state and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 420, a bill for an act relating to the method to be used by the job service division for reporting unemployment statistics.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Wells, Mann, Fuhrman, Gettings, Holden, Hultman and Vande Hoef. Nays, none. Absent or not voting, 3: Welsh, Palmer and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: SENATE FILE 460, a bill for an act creating an Iowa life and health insurance guaranty association, protecting persons, within limits, against the failure of certain life, health, and annuity contracts because of impairment or insolvency, specifying the powers and duties of the association, and providing administrative procedures and methods for the operation and financing of the association, including but not limited to the assessment of member insurers and the provision of a partial premium tax liability credit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Palmer, Deluhery, Jensen, Gronstal, Holden, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 2: Carr and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 461, a bill for an act relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all satellite terminals in this state or their data processing centers be directly connected to a central routing unit.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Palmer, Deluhery, Jensen, Gronstal, Mann, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, 2: Holden and Lind. Absent or not voting, 3: Carr, Kinley and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 464 (SSB 211), a bill for an act relating to the regulation of health clubs and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Holden, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, 1: Lind. Absent or not voting, 2: Carr and Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 62, a bill for an act requiring school districts to offer or make available an approved driver education course to certain persons who have successfully completed the general educational development tests.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Murphy, Horn, Bruner, Corning, Dieleman, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells. Nays, 1: Hannon. Absent or not voting, 2: Taylor and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 368, a bill for an act to provide for the appropriation and payment of moneys for the costs of educating Indian children on the Sac and Fox Indian settlement.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Murphy, Horn, Dieleman, Hannon, Lloyd-Jones, Rensink, Riordan, Varn and Wells. Nays, 3: Corning, Holden and Lind. Absent or not voting, 2: Taylor and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 347, a bill for an act relating to the violation of a law or rule by a health care facility.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3199.

Final Vote: Ayes, 8: Hannon, Gentleman, Bruner, Corning, Lind, Murphy, Sturgeon and Taylor. Nays, none. Absent or not voting, 4: Carr, Coleman, C. Miller and Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 231, a bill for an act relating to the date on which a pleading is considered filed.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Holt, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 319, a bill for an act relating to the condition of a building as a basis for the filing of a petition or hearing procedures.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 370, a bill for an act relating to museums, providing for the disposition of loaned or undocumented property in the possession of a museum, notice, reclamation of loaned or undocumented property and statutes of limitations for actions against museums; prescribing museum obligations; prescribing lender and claimant obligations to museums; and providing for the retroactive applicability of certain sections of the Act.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 139, a bill for an act allowing moneys received from the county government assistance fund or the municipal assistance fund to be used for economic development projects.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3195.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 342, a bill for an act relating to the assessment of costs to the owner of real estate subject to tax sale.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3194.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 451 (SSB 170), a bill for an act relating to the acquisition of legal settlement in a county.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 452 (SSB 171), a bill for an act to cancel all personal property taxes not collected by July 1, 1987, including the removal of tax liens against personal property.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 453 (SSB 168), a bill for an act relating to the powers of certain counties by making chapters 403 and 404 applicable to counties having a population of two hundred thousand or more.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: A. Miller, Fraise, Goodwin, Hall, Jensen, Kinley, Taylor and Wells. Nays, 1: C. Miller. Voting present, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 454 (SSB 193), a bill for an act authorizing a city to establish an administrative agency to manage and control a city airport.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 458 (SSB 192), a bill for an act relating to the abatement of taxes by the county.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 226, a bill for an act relating to the creation of an Iowa heritage corps, providing for powers and duties of its director, and making an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Boswell, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, 1: Peterson.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 233, a bill for an act relating to the establishment of enterprise zones and providing tax credits, exemptions, refunds, and other incentives.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 369, a bill for an act relating to regional venture capital companies, providing certain tax credits, and providing for retroactive applicability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3200.

Final Vote: Ayes, 11: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt and Rensink. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 455 (SSB 137), a bill for an act relating to physical therapy by providing that physical therapy evaluation and treatment may be rendered without a prescription or referral.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Carr, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Nystrom and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: SENATE FILE 153, a bill for an act requiring a rural mail carrier to display a flashing light at designated times while delivering mail and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 308, a bill for an act relating to the issuance of a certificate of title for a vehicle for which a junking certificate has been issued.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3198.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 371, a bill for an act relating to installation and use of safety belts and safety harnesses in motor vehicles owned, leased, rented, or primarily used by physically handicapped persons.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 399, a bill for an act establishing a motorcycle rider education fund, increasing fees for certain operator's licenses, crediting moneys to the fund, and appropriating moneys from the fund to the department of education to reimburse school districts for the costs of motorcycle education courses.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3197.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 459 (SSB 159), a bill for an act relating to handicapped parking spaces and providing a penalty and effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AFTERNOON SESSION

The Senate reconvened at 4:58 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 17, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 90, a bill for an act relating to investigations of the cause and manner of death for patients enrolled in a hospice program.

This bill was read first time and **passed on file**.

House File 303, a bill for an act relating to notice given by a city of an election, hearing, or other official action.

This bill was read first time and **passed on file**.

House File 356, a bill for an act relating to the transfer of the property or assets of a cooperative association by sale, other disposition, or by merger.

This bill was read first time and **passed on file**.

House File 426, a bill for an act requiring lenders or other secured parties to provide to debtors copies of documents signed by the debtors.

This bill was read first time and **passed on file**.

House File 487, a bill for an act relating to the payment and collection of the criminal penalty surcharge.

This bill was read first time and **passed on file**.

House File 489, a bill for an act relating to ensuring that the title to agricultural land is not affected by the failure of a creditor to receive a mediation release, regardless of its validity.

This bill was read first time and **passed on file**.

House File 490, a bill for an act relating to interstate agreements for provision of medical assistance services to adoptive families who participate in the subsidized adoption or adoption assistance program.

This bill was read first time and **passed on file**.

House File 492, a bill for an act regarding schedule I and schedule IV controlled substances.

This bill was read first time and **passed on file**.

House File 493, a bill for an act to provide office space and other physical facilities for the district court administrator.

This bill was read first time and **passed on file**.

House File 494, a bill for an act requiring mobile home dealers to apply for a certificate of title for mobile homes received as a trade-in and making penalties applicable.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 453, by committee on Local Government, a bill for an act relating to the powers of certain counties by making chapters 403 and 404 applicable to counties having a population of two hundred thousand or more.

Read first time and **placed on calendar**.

Senate File 454, by committee on Local Government, a bill for an act authorizing a city to establish an administrative agency to manage and control a city airport.

Read first time and **placed on calendar**.

Senate File 455, by committee on State Government, a bill for an act relating to physical therapy by providing that physical therapy evaluation and treatment may be rendered without a prescription or referral.

Read first time and **placed on calendar**.

Senate File 456, by Holden, a bill for an act relating to support or service dogs for disabled or handicapped persons.

Read first time and **passed on file**.

Senate File 457, by Mann, a bill for an act relating to the purchase and possession of a nonmetal handgun and providing a penalty.

Read first time and **passed on file**.

Senate File 458, by committee on Local Government, a bill for an act relating to the abatement of taxes by the county.

Read first time and **placed on calendar**.

Senate File 459, by committee on Transportation, a bill for an act relating to handicapped parking spaces, making penalties applicable and providing effective dates.

Read first time and **placed on calendar**.

Senate File 460, by committee on Commerce, a bill for an act creating an Iowa life and health insurance guaranty association, protecting persons, within limits, against the failure of certain life, health, and annuity contracts because of impairment or insolvency, specifying the powers and duties of the association, and providing administrative procedures and methods for the operation and financing of the association, including but not limited to the assessment of member insurers and the provision of a partial premium tax liability credit.

Read first time and **placed on calendar**.

Senate File 461, by committee on Commerce, a bill for an act relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all satellite terminals in this state or their data processing centers be directly connected to a central routing unit.

Read first time and **placed on calendar**.

Senate File 462, by committee on Agriculture, a bill for an act appropriating funds for multiflora rose research.

Read first time and **placed on calendar**.

Senate File 463, by committee on Agriculture, a bill for an act relating to the development and implementation by the agricultural development authority of programs to provide economic assistance on behalf of agricultural producers within the state and providing an effective date.

Read first time and **placed on calendar**.

Senate File 464, by committee on Commerce, a bill for an act relating to the regulation of health clubs and providing penalties.

Read first time and **placed on calendar**.

Senate File 465, by committee on Small Business and Economic Development, a bill for an act providing that a corporation or trust may hold, lease, or acquire certain agricultural land for the purpose of raising poultry or producing eggs.

Read first time and **placed on calendar**.

Senate File 466, by Varn, a bill for an act relating to the operation and registration of motorcycles, including the segregation and appropriation of certain registration fees, and making penalties applicable.

Read first time and **passed on file**.

Senate File 467, by committee on Education, a bill for an act relating to education in local school districts, by specifying certain educational programs in qualifying school districts for at-risk students including dropouts, teenage parents, those in need of literacy programs, and prekindergarten programs, and child day care programs and transportation from the school district to and from a child day care center, and making appropriations.

Read first time and **placed on calendar**.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO BOARDS AND COMMISSIONS

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of standing committees on May 19, 1987:

AGRICULTURE

As a member of the Agricultural Development Authority:

MARK LEONARD: Fuhrman, Chair; Rensink and Vande Hoef

As members of the State Soil Conservation Commission:

LINDA APPELGATE: Priebe, Chair; Husak and Hester

JOHN ROBERT MILLER: Hall, Chair; Goodwin and Peterson

KENNETH KASSEL: Scott, Chair; Vande Hoef and Fuhrman

STATE GOVERNMENT

As a member of the Accountancy Examining Board:

JULIE BULKELEY: Rife, Chair; Schwengels and Coleman

As a member of the Alcoholic Beverages Commission:

EDWARD SEITZINGER: Horn, Chair; Rife and Welsh

As a member of the Architectural Examining Board:

KENNETH STEFFEN: Schwengels, Chair; Drake and Horn

As a member of the Campaign Finance Disclosure Commission:

GERALDINE EITTER: Lloyd-Jones, Chair; Bruner and Drake

As members of the Chiropractic Examining Board:

MARGE ASKEW: Soorholtz, Chair; C. Miller and Nystrom

FLOYD DOW BATES: Soorholtz, Chair; C. Miller and Nystrom

As a member of the Dental Examining Board:

MARILYN MAY: Gentleman, Chair; Lloyd-Jones and Horn

As members of the Engineering and Land Surveying Examining Board:

GARY DARLAND: Schwengels, Chair; Rife and Horn
HAROLD WIGHT: Schwengels, Chair; Rife and Horn

As members of the Iowa Board of Veterinary Medicine:

MICHAEL K. EBERLE: Gentleman, Chair; Rife and Dieleman
JAN STILLMAN: Gentleman, Chair; Rife and Dieleman

As members of the Medical Examining Board:

JOHN OLDS: Gentleman, Chair; Lloyd-Jones and Horn
CECIL PETERSON: Gentleman, Chair; Lloyd-Jones and Horn

As members of the Nursing Examining Board:

WILHELMINA McFEE: Nystrom, Chair; Lloyd-Jones and Welsh
CHERIE OETKER: Nystrom, Chair; Lloyd-Jones and Welsh

As a member of the Optometry Examining Board:

MERLE KJONAAS: Dieleman, Chair; Nystrom and Carr

As members of the Personnel Commission:

ELIZABETH BURMEISTER: Drake, Chair; Coleman and Bruner
CAROL McCARTY: Drake, Chair; Coleman and Bruner
KATHLEEN McCOY: Drake, Chair; Coleman and Bruner

As a member of the Pharmacy Examining Board:

DONNA FLOWER: Nystrom, Chair; Rife and C. Miller

As a member of the Physical and Occupational Therapy Examiners:

MARTHA THIEN: Gentleman, Chair; Lloyd-Jones and Horn

As a member of the Psychology Examining Board:

RICK JENNINGS: Gronstal, Chair; C. Miller and Rife

As members of the Speech Pathology and Audiology Examining Board:

KATHERINE J. HOWE: Gentleman, Chair; Rife and Dieleman
COLETTE KUNKEL: Gentleman, Chair; Rife and Dieleman

As members of the State Racing Commission:

LEO K. MONAGHAN: Welsh, Chair; Horn and Rife
LAVONNE MYDLAND: Welsh, Chair; Horn and Rife

REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the Governor's appointment of Robert W. DeCook and Robert Friedrich as members of the Title Guaranty Division Board, completed its investigation on March 17, 1987, and recommended the appointments be confirmed.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 149, a bill for an act relating to insurance by defining provider discrimination against persons licensed to practice dentistry as an unfair trade practice, if coverage is denied for a service rendered by a dentist within the lawful scope of the dentist's license, which would be a covered service if rendered by a person licensed to practice medicine and surgery.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Lind, Mann, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 4: Kinley, Rife, Sturgeon and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 376, a bill for an act relating to state banks by permitting a state bank to engage in securities activities and to organize, acquire, or invest in a subsidiary to engage in nondepository activities permitted by state or federal law, and to invest in certain financial contracts and mutual funds for its own account.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Lind, Mann, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 4: Kinley, Nystrom, Priebe and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 432, a bill for an act relating to the creation of an Iowa small business guaranty fund.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Lind, Mann, Nystrom, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 3: Kinley, Priebe and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 467 (SSB 187), a bill for an act relating to education in local school districts, by specifying certain educational programs in qualifying school districts for at-risk students including dropouts, teenage parents, those in need of literacy programs, and prekindergarten programs, and child day care programs and transportation from the school district to and from a child day care center, and making appropriations.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Murphy, Horn, Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells. Nays, none. Absent or not voting, 2: Taylor and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 221, a bill for an act relating to the licensing of hospice programs.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3202.

Final Vote: Ayes, 7: Hannon, Carr, Bruner, Coleman, Corning, Lind and Sturgeon. Nays, 3: Gentleman, Readinger and Taylor. Absent or not voting, 2: Murphy and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 2, a bill for an act relating to employment practices and employee rights, by providing civil damages for employees injured as a result of employer acts which violate public policy or result in the wrongful

discharge of an employee and restricting the use of polygraph examinations and drug tests, providing remedies, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3206.

Final Vote: Ayes, 8: Doyle, Mann, Carr, Coleman, Deluhery, Fraise, Horn and Varn. Nays, 3: Fuhrman, Hester and Taylor. Absent or not voting, 3: Holt, Drake and Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 198, a bill for an act relating to the payment of special assessments on property acquired by eminent domain and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 390, a bill for an act relating to exempting a city electric light and power franchise ordinance from required submission to the voters at an election.

Recommendation: WITHOUT RECOMMENDATION.

Final Vote: Ayes, 8: Fraise, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none. Absent or not voting, 2: A. Miller and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 394, a bill for an act relating to care of animals in commercial establishments.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, C. Miller, Taylor and Wells. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 409, a bill for an act relating to the procedures used for the taking of property for public transportation purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, C. Miller, Taylor and Wells. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 465 (SSB 139), a bill for an act providing that a corporation or trust may hold, lease, or acquire certain agricultural land for the purpose of raising poultry or producing eggs.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Boswell, Deluhery, A. Miller, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, 2: Peterson and Riordan. Absent or not voting, 1: Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 92, a bill for an act relating to the payments due to breeders of race-winning Iowa whelped dogs from the Iowa horse and dog breeders fund and providing a retroactive effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3201.

Final Vote: Ayes, 12: Carr, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, Rife, Schwengels, Soorholtz and Welsh. Nays, 1: Dieleman. Absent or not voting, 2: Nystrom and C. Miller.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3194	S.F.	342	Local Government
S—3195	S.F.	139	Local Government
S—3196	H.F.	371	C. Joseph Coleman

			Donald V. Doyle
			Berl Priebe
S—3197	S. F.	399	Transportation
S—3198	S. F.	308	Transportation
S—3199	S. F.	347	Human Resources
S—3200	S. F.	369	Small Business & Economic Development
S—3201	S. F.	92	State Government
S—3202	S. F.	221	Human Resources
S—3203	S. F.	373	Judiciary
S—3204	S. F.	373	Judiciary
S—3205	S. F.	373	Judiciary
S—3206	S. F.	2	Judiciary

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:05 p.m., until 9:00 a.m., Friday, March 20, 1987.

JOURNAL OF THE SENATE

SIXTY-EIGHTH CALENDAR DAY
 FORTY-THIRD SESSION DAY

Senate Chamber
 Des Moines, Iowa, Friday, March 20, 1987

The Senate met in regular session at 9:01 a.m., Senator Varn presiding.

Prayer was offered by the Reverend David Gaskill, pastor of the Denmark Congregational Church of Christ, Denmark, Iowa.

The Journal of Thursday, March 19, 1987, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 402, a bill for an act relating to state personnel administration by expressly providing for department of personnel supervision of salary, sick leave, and other personnel actions of certain state departments and agencies and by revising statutory provisions governing the administration of the state personnel system.

This bill was read first time and **passed on file**.

House File 498, a bill for an act to restrict the possession of ballistic knives and providing for the application of a penalty.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 468, by committee on Judiciary, a bill for an act relating to mortgage foreclosures by establishing an alternative mortgage foreclosure proceeding with final judicial sale and rights

in lieu of redemption, and establishing nonjudicial foreclosure proceedings upon waiver of deficiency judgments.

Read first time and placed on calendar.

Senate File 469, by committee on Judiciary, a bill for an act relating to the confinement and treatment of persons convicted of a violation of operating a motor vehicle while intoxicated by requiring counties to provide temporary confinement for offenders under the supervision of the department of corrections who violate the conditions of treatment programs, by providing that a work release program may include out-of-state work or treatment placement, by specifying that an offender committing a third offense shall serve the minimum thirty-day term in the county jail, and may be sentenced to up to one year in the county jail, by providing that a person convicted of a second or subsequent offense shall be ordered to undergo a substance abuse evaluation, by providing that a person convicted of a third or subsequent offense or an offender whose substance abuse evaluation recommended treatment may be sentenced to the custody of the department of corrections who shall assign the person to a facility pursuant to section 246.513 or to treatment in the community under supervision of the department, by requiring judicial district departments of correctional services to provide programs for offenders under chapter 321J, by providing that a requirement for a mandatory minimum sentence for repeat offenders shall not apply to offenders under chapter 321J, and by providing that an offender under chapter 321J who is under the supervision of the department of corrections shall receive a clothing allowance and expense money allotted to inmates when the offender is assigned to a community-based corrections program.

Read first time and placed on calendar.

Senate File 470, by committee on Judiciary, a bill for an act relating to corporate takeovers.

Read first time and placed on calendar.

Senate File 471, by committee on Judiciary, a bill for an act relating to indemnification and limitation on liability of directors and officers and to liability of persons who volunteer services to the state or a municipality or a nonprofit organization.

Read first time and **placed on calendar**.

Senate File 472, by committee on Judiciary, a bill for an act regarding schedule I and schedule IV controlled substances.

Read first time and **placed on calendar**.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Joint Resolution 14.

House Joint Resolution 14

On motion of Senator Mann, House Joint Resolution 14, a joint resolution to nullify an administrative rule of the department of employment services relating to lockouts and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that further action on **House Joint Resolution 14** 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 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.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Varn presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Murphy presiding.

INTRODUCTION OF BILLS

Senate File 473, by committee on Education, a bill for an act to establish an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the retention of quality teachers, and the enhancement of the quality and effectiveness of teachers, to provide appropriations, and to provide an effective date.

Read first time and **placed on calendar**.

Senate File 474, by committee on Agriculture, a bill for an act relating to the waiver of homestead exemptions, and providing dates for the effectiveness and applicability of the Act.

Read first time and **placed on calendar**.

Senate File 475, by committee on Agriculture, a bill for an act relating to the exemption from property taxation of certain grain storage facilities and making it retroactive.

Read first time and **placed on calendar**.

Senate File 476, by committee on Agriculture, a bill for an act relating to payments of certain taxes upon certain sales of agricultural land.

Read first time and **placed on calendar**.

Senate File 477, by committee on Agriculture, a bill for an act relating to the Iowa state fair by creating an independent Iowa state fair authority, authorizing the issuance of bonds and notes, and exempting tickets from the sales, services, and use tax.

Read first time and **placed on calendar**.

Senate File 478, by committee on Environment and Energy Utilities, a bill for an act providing for a pilot study on household radon contamination in Iowa and providing an appropriation.

Read first time and **placed on calendar**.

Senate File 479, by committee on Environment and Energy Utilities, a bill for an act relating to the use and application of pesticides and making penalties applicable.

Read first time and placed on calendar.

Senate File 480, by committee on Ethics, a bill for an act relating to things of value given to and received by public employees, officials, members of the general assembly, other persons serving in a public capacity, and candidates, mandating reporting of certain things of value, subjecting violators to penalties, and providing an effective date.

Read first time and placed on calendar.

Senate File 481, by committee on Ways and Means, a bill for an act relating to state tax revenues and expenditures by altering the individual income tax rates, standard deductions, and personal exemptions and credits; increasing the state sales, services, and use tax and providing for refunds for certain contractors as a result of that increase; specifying the rate of the cigarette and little cigar and tobacco products taxes, when they may be altered and specifying when a cigarette and little cigar inventory tax is imposed; adjusting the homestead property tax credit and the elderly and disabled credit and reimbursement schedule; decreasing the school foundation property tax levy; adjusting the allowable growth and state aid under the school foundation formula; and providing effective dates.

Read first time and placed on the Ways and Means Calendar.

Senate File 482, by committee on Commerce, a bill for an act relating to the civil process and procedure for awarding interest on civil judgments and decrees, determining whether a sufficient burden of proof has been met for the awarding of punitive damages, and for allowing the consideration for previous payments for medical damages, and providing an effective date.

Read first time and placed on calendar.

Senate File 483, by committee on Commerce, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce.

Read first time and placed on calendar.

Senate File 484, by committee on Commerce, a bill for an act relating to health care providers and patients and providing for the creation of an excess liability fund for health care providers, establishing a surcharge to be deposited in the fund, establishing a special surcharge, establishing qualifications for a health care provider or a patient to be protected by the fund, establishing a maximum limitation on the liability of the fund, creation of a compensation review board, authorization of the fund to procure reinsurance to protect the fund, authorization of the fund to provide primary insurance coverage to health care providers and providing for structured settlements.

Read first time and **placed on calendar**.

Senate File 485, by committee on State Government, a bill for an act relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available, providing for direct payment or reimbursement, and providing for data collection and utilization review.

Read first time and **placed on calendar**.

Senate File 486, by committee on State Government, a bill for an act relating to engineering services by providing for the educational and experience requirements for registered professional engineers and registered land surveyors and allowing boards of supervisors to contract for engineering services.

Read first time and **placed on calendar**.

Senate File 487, by committee on Small Business and Economic Development, a bill for an act relating to investment pools for raising funds to be used for investment in certain small businesses by authorizing the boards of directors of area schools to approve the plans for organizing such investment pools and providing an individual income tax credit for taxpayers who place funds into such investment pools.

Read first time and **placed on calendar**.

Senate File 488, by committee on Education, a bill for an act relating to physical education activities for students enrolled in grades nine through twelve.

Read first time and **placed on calendar**.

Senate File 489, by committee on State Government, a bill for an act relating to the licensing of marital and family therapists, mental health counselors, and school psychologists.

Read first time and **placed on calendar**.

Senate File 490, by committee on Small Business and Economic Development, a bill for an act relating to the area school job training fund under chapter 280C and the appropriation made to the advance account and making an appropriation.

Read first time and **placed on calendar**.

Senate File 491, by committee on Small Business and Economic Development, a bill for an act relating to the establishment of the Iowa reindustrialization training program and providing for an appropriation.

Read first time and **placed on calendar**.

Senate File 492, by committee on Small Business and Economic Development, a bill for an act relating to motor fuel and special fuel marketing and distribution and security deposits required of dealers.

Read first time and **placed on calendar**.

Senate File 493, by committee on Small Business and Economic Development, a bill for an act relating to the creation of a statewide regional network of small business economic development corporations to assist in providing financing for small businesses in the state.

Read first time and **placed on calendar**.

Senate File 494, by committee on Local Government, a bill for an act relating to the salaries of county sheriffs and their first and second deputies.

Read first time and **placed on calendar**.

Senate File 495, by committee on Education, a bill for an act relating to educational reform and efficiency, including collective bargaining, emergency certification of school district employees, provision for postsecondary enrollment options for high school students, provision of certain services to school districts and other

area education agencies by area education agencies, provision for pilot projects for modified block scheduling by school districts, election of school board directors, elimination of prohibition of employment of spouses of school board directors, organization meeting of a school board, contract length of superintendents, sharing interscholastic programs, publication of school district proceedings, definition of whole grade sharing and providing for payment of costs under whole grade sharing, weighting of administrators provided by an area education agency, and supplemental sharing for certain principals, and providing an effective date.

Read first time and **placed on calendar**.

Senate File 496, by committee on State Government, a bill for an act relating to the retirement benefits received by certain members of the Iowa public employees' retirement system.

Read first time and **placed on calendar**.

INTRODUCTION OF RESOLUTIONS

Senate Resolution 10, by committee on Ethics, a resolution to provide a senate code of ethics for the Seventy-second General Assembly.

Read first time and **placed on calendar**.

Senate Resolution 11, by committee on Ethics, a resolution to provide senate rules governing lobbyists for the Seventy-second General Assembly.

Read first time and **placed on calendar**.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON REGULATION

Convened: March 19, 1987, 8:15 a.m.

Members Present: Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

Members Absent: Palmer.

Committee Business: Subcommittee approved and submitted proposed Appropriations bill to the full Appropriations Committee.

Adjourned: 8:50 a.m.

BUSINESS AND LABOR RELATIONS

Convened: March 19, 1987, 8:10 a.m.

Members Present: Wells, Chair; Mann, Vice Chair (arrived 8:15 a.m.); Fuhrman, Ranking Member; Gettings, Holden, Hultman and Vande Hoef.

Members Absent: Welsh, Horn and Palmer.

Committee Business: Recommended passage of Senate File 420.

Adjourned: 8:20 a.m.

COMMERCE

Convened: March 19, 1987, 1:35 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Lind, Mann, Nystrom, Rife, Sturgeon and Tieden.

Members Absent: Kinley (excused), Priebe and Welsh.

Committee Business: Approved LSBs 2858, 2859 and 2860 as committee bills; recommended passage of Senate Files 432, 376 and 149; recommended confirmation of Governor's appointees to the En Bloc Calendar.

Adjourned: 2:00 p.m.

EDUCATION

Convened: March 19, 1987, 10:55 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Discussed SSB 191.

Recessed: 12:25 p.m.

Reconvened: 12:40 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells.

Members Absent: Taylor, Ranking Member and Tieden (both excused).

Committee Business: Amended and approved SSB 191 and ordered redrafted for final approval as a committee bill; approved SSBs 92 and 187 as committee bills; recommended passage of Senate Files 62 and 368.

Adjourned: 1:31 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 19, 1987, 2:45 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; A. Miller, Murphy, Rife, Schwengels and Varn.

Members Absent: Hultman and Sturgeon (excused).

Committee Business: Approved SSBs 234 and 235 as committee bills; discussed SSB 94A; assigned Governor's appointments to subcommittees.

Adjourned: 3:05 p.m.

ETHICS

Convened: March 19, 1987, 2:43 p.m.

Members Present: Mann, Chair; Gettings, Vice Chair; Taylor, Ranking Member; Drake, Husak and DeKoster (nonlegislative member).

Members Absent: Schantz (nonlegislative member).

Committee Business: Approved SSBs 238, 239 and 240 as committee bills.

Adjourned: 2:40 p.m.

HUMAN RESOURCES

Convened: March 19, 1987, 8:27 a.m.

Members Present: Hannon, Chair; Gentleman, Ranking Member; Bruner, Corning, Lind, Murphy, Sturgeon and Taylor.

Members Absent: C. Miller (excused), Carr, Vice Chair; Coleman and Readinger.

Committee Business: Senate File 438 failed recommendation for passage; recommended passage of Senate File 347 as amended.

Adjourned: 8:52 a.m.

JUDICIARY

Convened: March 19, 1987, 4:30 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Drake.

Committee Business: Assigned bills to subcommittees; approved SSBs 195 and 207 as committee bills; recommended passage of Senate Files 2 and 428.

Adjourned: 4:55 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 19, 1987, 9:50 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: none.

Committee Business: Recommended passage of Senate Files 233 and 369; approved SSBs 201, 198, 217, 233 and 202 as committee bills.

Adjourned: 10:45 a.m.

STATE GOVERNMENT

Convened: March 19, 1987, 5:12 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member (arrived 5:20 p.m.); Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones (arrived 5:20 p.m.), C. Miller and Welsh.

Members Absent: Rife, Schwengels and Soorholtz.

Committee Business: Recommended passage of Senate Files 195 and 408; approved SSB 162 as a committee bill; amended and approved SSB 232 as a committee bill.

Adjourned: 5:30 p.m.

TRANSPORTATION

Convened: March 19, 1987, 9:20 a.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Assigned Governor's appointments to subcommittees; assigned Senate File 435 to a subcommittee; approved SSB 159 as a committee bill; recommended passage of Senate Files 371 and 153; recommended passage of Senate Files 399 and 308 as amended; deferred action on Senate File 234.

Adjourned: 9:47 a.m.

WAYS AND MEANS

Convened: March 19, 1987, 3:42 p.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Palmer, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

Members Absent: Murphy.

Committee Business: Assigned bills and Governor's appointments to subcommittees; discussed SSB 237.

Adjourned: 4:10 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 428

JUDICIARY: Varn, Chair; Gentleman and Horn

Senate File 429

JUDICIARY: Doyle, Chair; Coleman, Mann, Gentleman and Drake

Senate File 447

STATE GOVERNMENT: Carr, Chair; Drake and Welsh

Senate File 482

COMMERCE: Palmer, Chair; Mann, Welsh, Lind and Holden

Senate File 483

COMMERCE: Palmer, Chair; Mann, Welsh, Lind and Holden

Senate File 484

COMMERCE: Palmer, Chair; Mann, Welsh, Lind and Holden

House File 395

NATURAL RESOURCES: Tieden, Chair; Peterson and Hall

SSB 231

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

SSB 232

STATE GOVERNMENT: Nystrom, Chair; Welsh and Schwengels

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: SENATE FILE 313, a bill for an act relating to the appointment of a person to administer the inspection of meat and poultry under Chapter 189A.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Priebe, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Rensink, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 4: A. Miller, Hester, Peterson and Scott.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 474 (SSB 128), a bill for an act relating to the waiver of homestead exemptions, and providing dates for the effectiveness and applicability of the Act.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 475 (SSB 56), a bill for an act relating to the exemption from property taxation of certain grain storage facilities, and making it retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 476 (SSB 229), a bill for an act relating to payments of certain taxes upon certain sales of agricultural land.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 477 (SSB 200), a bill for an act relating to the Iowa State Fair by creating an independent Iowa State Fair Authority, authorizing the issuance of bonds and notes, and exempting tickets from the sales, services and use tax.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Priebe, Hester, Boswell, Fraise, Hall, Husak, Fuhrman, Peterson, Scott, Goodwin, Rensink, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: A. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE (Corrected report on S.F. 149 from 3/19/87).

Final Bill Action: SENATE FILE 149, a bill for an act relating to insurance by defining provider discrimination against persons licensed to practice dentistry as an unfair trade practice, if coverage is denied for a service rendered by a dentist within the lawful scope of the dentist's license, which would be a covered service if rendered by a person licensed to practice medicine and surgery.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Lind, Mann, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 4: Kinley, Nystrom, Priebe and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 482, a bill for an act relating to the civil process and procedure for awarding interest on civil judgments and decrees, determining whether a sufficient burden of proof has been met for the awarding of punitive damages, and for allowing the consideration for previous payments for medical damages, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Lind, Mann, Nystrom, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 3: Kinley, Priebe and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 483, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Lind, Mann, Nystrom, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 3: Kinley, Priebe and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 484, a bill for an act relating to health care providers and patients and providing for the creation of an excess liability fund for health care providers, establishing a surcharge to be deposited in the fund, establishing a special surcharge, establishing qualifications for a health care provider or a patient to be protected by the fund, establishing a maximum limitation on the liability of the fund, creation of a compensation review board, authorization of the fund to procure reinsurance to protect the fund, authorization of the fund to provide primary insurance coverage to health care providers and providing for structured settlements.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Lind, Mann, Nystrom, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 3: Kinley, Priebe and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE FILE 473 (SSB 92), a bill for an act to establish an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the retention of quality teachers, and the enhancement of the quality and effectiveness of teachers, to provide appropriations, and to provide an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Murphy, Horn, Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells. Nays, 1: Holden. Absent or not voting, 2: Taylor and Tieden.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 488 (SSB 218), a bill for an act relating to physical education activities for students enrolled in grades nine through twelve.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 13: Murphy, Horn, Bruner, Corning, Dieleman, Holden, Lloyd-Jones, Rensink, Riordan, Tieden, Varn, Wells and Lind. Nays, none. Absent or not voting, 2: Hannon and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 495, a bill for an act relating to educational reform and efficiency, including collective bargaining, emergency certification of school district employees, provision for postsecondary enrollment options for high school students, provision of certain services to school districts and other area education agencies by area education agencies, provision for pilot projects for modified block scheduling by school districts, election of school board directors, elimination of prohibition of employment of spouses of school board directors, organization meeting of a school board, contract length of superintendents, sharing interscholastic programs, publication of school district proceedings, definition of whole grade sharing and providing for payment of costs under whole grade sharing, weighting of administrators provided by an area education agency, and supplemental sharing for certain principals, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Murphy, Horn, Bruner, Dieleman, Lloyd-Jones, Riordan, Varn, Wells and Rensink. Nays, 4: Corning, Holden, Lind and Tieden. Absent or not voting, 2: Hannon and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: SENATE FILE 478 (SSB 234), a bill for an act providing for a pilot study on household radon contamination in Iowa and providing an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Deluhery, Gronstal, Soorholtz, A. Miller, Murphy, Schwengels and Varn. Nays, none. Absent or not voting, 3: Hultman, Rife and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 479 (SSB 235), a bill for an act relating to the use and application of pesticides and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Deluhery, Gronstal, Soorholtz, A. Miller, Murphy, Rife, Schwengels and Varn. Nays, none. Absent or not voting, 2: Hultman and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ETHICS

Final Bill Action: SENATE FILE 480, a bill for an act relating to things of value given to and received by public employees, officials, members of the general assembly, other persons serving in a public capacity, and candidates, mandating reporting of certain things of value, subjecting violators to penalties, and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 6: Mann, Gettings, Husak, Drake, Taylor and DeKoster (nonlegislative member). Nays, none. Absent or not voting, 1: Schantz (nonlegislative member).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 10, a resolution to provide a senate code of ethics for the Seventy-second General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Mann, Gettings, Drake, Taylor, Husak and DeKoster (nonlegislative member). Nays, none. Absent or not voting, 1: Schantz (nonlegislative member).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE RESOLUTION 11, a resolution to provide senate rules governing lobbyists for the Seventy-second General Assembly.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 6: Mann, Gettings, Drake, Husak, Taylor and DeKoster (nonlegislative member). Nays, none. Absent or not voting, 1: Schantz (nonlegislative member).

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 280, a bill for an act relating to certain admissions to a county care facility.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3212.

Final Vote: Ayes, 8: Hannon, Carr, Gentleman, Corning, Lind, C. Miller, Murphy and Readinger. Nays, 2: Bruner and Sturgeon. Absent or not voting, 2: Coleman and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: SENATE FILE 428, a bill for an act relating to the protection of buyers of fine art and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 468 (SSB 207), a bill for an act relating to mortgage foreclosures by establishing an alternative mortgage foreclosure proceeding with final judicial sale and rights in lieu of redemption, and establishing nonjudicial foreclosure proceedings upon waiver of deficiency judgments.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Holt, Coleman, Deluhery, Mann, Carr, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Drake and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 469 (SSB 195), a bill for an act relating to the confinement and treatment of persons convicted of a violation of operating a motor vehicle while intoxicated by requiring counties to provide temporary confinement for offenders under the supervision of the department of corrections who violate the conditions of treatment programs, by providing that a work release program may include out-of-state work or treatment placement, by specifying that an offender committing a third offense shall serve the minimum thirty-day term in the county jail, and may be sentenced to up to one year in the county jail, by providing that a person convicted of a second or subsequent offense shall be ordered to undergo a substance abuse evaluation, by providing that a person convicted of a third or subsequent offense or an offender whose substance abuse evaluation recommended treatment may be sentenced to the custody of the department of corrections who shall assign the person to a facility pursuant to section 246.513 or to treatment in the community under supervision of the department, by requiring judicial district departments of correctional services to provide programs for offenders under chapter 321J, by providing that a requirement for a mandatory minimum sentence for repeat offenders shall not apply to offenders under chapter 321J, and by providing that an offender under chapter 321J who is under the supervision of the department of corrections shall receive a clothing allowance and expense money allotted to inmates when the offender is assigned to a community-based corrections program.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Drake and Fraise.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 470 (SSB 228), a bill for an act relating to corporate takeovers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 471 (SSB 230), a bill for an act relating to indemnification and limitation on liability of directors and officers and to liability of persons who volunteer services to the state or a municipality or a nonprofit organization.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Doyle, Holt, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Mann and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 472 (SSB 146), a bill for an act regarding schedule I and schedule IV controlled substances.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: SENATE FILE 494, a bill for an act relating to minimum salaries for the office of county sheriff.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: A. Miller, Vande Hoef, Goodwin, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, 2: Fraise and Hall.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 487 (SSB 194), a bill for an act relating to investment pools for raising funds to be used for investment in certain small businesses by authorizing the boards of directors of area schools to approve the plans for organizing such investment pools and providing an individual income tax credit for taxpayers who place funds into such investment pools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Boswell, Hannon, A. Miller, Riordan, Scott, Rife, Holt and Vande Hoef. Nays, 4: Peterson, Deluhery, Fuhrman and Rensink.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 490 (SSB 217), a bill for an act relating to the area school job training fund under chapter 280C and the appropriation made to the advance account and making an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 10: Boswell, Peterson, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt and Rensink. Nays, 1: Deluhery. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 491 (SSB 233), a bill for an act relating to the establishment of the Iowa reindustrialization training program and providing for an appropriation.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt and Rensink. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 492 (SSB 201), a bill for an act relating to motor fuel and special fuel marketing and distribution and scrunity deposits required of dealers.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 493 (SSB 198), a bill for an act relating to the creation of a statewide regional network of small business economic development corporations to assist in providing financing for small businesses in the state.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE FILE 195, a bill for an act relating to the duties of the state board of tax review.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Carr, Dieleman, Drake, Bruner, Horn, Coleman, Gentleman, C. Miller, Gronstal and Welsh. Nays, none. Absent or not voting, 5: Nystrom, Lloyd-Jones, Rife, Soorholtz and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 392, a bill for an act relating to the practice of chiropractic by providing for the issuance of limited licenses for students and recent graduates participating in a preceptor program.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, Dieleman, Bruner, Coleman, Horn, C. Miller, Gronstal and Welsh. Nays, 2: Gentleman and Drake. Absent or not voting, 5: Nystrom, Lloyd-Jones, Rife, Soorholtz and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 408, a bill for an act to establish an Iowa peace institute, to prescribe its duties and to make an appropriation.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Lloyd-Jones, C. Miller, Gronstal, Horn and Welsh. Nays, none. Absent or not voting, 3: Rife, Soorholtz and Schwengels.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 485 (SSB 162), a bill for an act relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available, providing for direct payment or reimbursement, and providing for data collection and utilization review.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Carr, Bruner, Dieleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Coleman, Nystrom and Welsh. Nays, none. Absent or not voting, 3: Rife, Soorholtz and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 486 (SSB 232), a bill for an act relating to engineering services by providing for the educational and experience requirements for registered professional engineers and registered land surveyors and allowing board of supervisors to contract for engineering services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Horn, Lloyd-Jones, C. Miller, Gronstal, Gentleman and Welsh. Nays, none. Absent or not voting, 3: Rife, Soorholtz and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 489 (SSB 73), a bill for an act relating to the licensing of marital and family therapists, mental health counselors, and school psychologists.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 8: Carr, Nystrom, Bruner, Gronstal, Lloyd-Jones, Horn, C. Miller and Schwengels. Nays, 3: Drake, Gentleman and Rife. Absent or not voting, 4: Dieleman, Coleman, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 496 (SSB 241), a bill for an act relating to the retirement benefits received by certain members of the Iowa public employees retirement system.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Carr, Nystrom, Bruner, Drake, Gronstal, Lloyd-Jones, Horn, C. Miller and Schwengels. Nays, 1: Gentleman. Voting present, 1: Rife. Absent, 4: Dieleman, Coleman, Soorholtz and Welsh.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE FILE 481 (SSB 237), a bill for an act relating to state tax revenues and expenditures by altering the individual income tax rates, standard deductions, and personal exemptions and credits; increasing the state sales, services, and use tax and providing for refunds for certain contractors as a result of that increase; specifying the rate of the cigarette and little cigar and tobacco products taxes, when they may be altered and specifying when a cigarette and little cigar inventory tax is imposed; adjusting the homestead property tax credit and the elderly and disabled credit and reimbursement schedule; decreasing the school foundation property tax levy; adjusting the allowable growth and state aid under the school foundation formula; and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer and Riordan. Nays, 5: Holden, Drake, Hester, Readinger and Soorholtz. Absent or not voting, 1: Holt.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

STUDY BILL RECEIVED

SSB 241 State Government

Relating to the retirement benefits received by certain members of the Iowa public employee's retirement system.

REPORTS OF STANDING COMMITTEE

(Place nominees on En Bloc Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the appointment of Jack Purcell as a member of the Commission on the Deaf, completed its investigation on March 20, 1987, and recommended the appointment be confirmed.

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the appointment of Kathryn Youberg as a member of the State Foster Care Review Board, completed its investigation on March 20, 1987, and recommended the appointment be confirmed.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. F.	456	Human Resources
S. F.	457	Judiciary
S. F.	466	Transportation
H. F.	90	Human Resources
H. F.	303	Local Government
H. F.	489	Judiciary
H. F.	490	Human Resources
H. F.	492	Human Resources
H. F.	493	Judiciary
H. F.	494	Transportation

AMENDMENTS FILED

S—3207	S. F.	370	Richard Vande Hoef
S—3208	S. F.	420	James D. Wells
S—3209	S. F.	360	Edgar H. Holden Larry Murphy
S—3210	S. F.	370	Tom Mann, Jr. Julia Gentleman
S—3211	S. F.	360	Edgar H. Holden Jack W. Hester
S—3212	S. F.	280	Human Resources
S—3213	S. F.	323	Joy Corning Beverly Hannon
S—3214	S. F.	323	Joy Corning Beverly Hannon
S—3215	S. F.	323	Joy Corning Beverly Hannon
S—3216	S. F.	323	Joy Corning Beverly Hannon
S—3217	S. F.	323	Joy Corning Beverly Hannon
S—3218	S. F.	323	Joy Corning Beverly Hannon
S—3219	S. F.	323	Joy Corning Beverly Hannon

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 2:00 p.m., until 10:00 a.m., Monday, March 23, 1987.

JOURNAL OF THE SENATE

SEVENTY-FIRST CALENDAR DAY
FORTY-FORTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 23, 1987

The Senate met in regular session at 10:06 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Chester Davis, pastor of the First United Methodist Church, Toledo, Iowa.

The Journal of Friday, March 20, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gettings for the day on request of Senator Hutchins and 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 141, a bill for an act relating to relief under bankruptcy for a judgment debtor from suspension of license, registration, or nonresident operating privilege under the motor vehicle financial responsibility requirements.

ALSO: That the House has on March 19, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 469, a bill for an act to regulate the circumstance and procedure under which an employer may request a drug test of an employee or an applicant for employment and providing a penalty.

This bill was read first time and **passed on file**.

House File 488, a bill for an act relating to the time period for a hearing on the revocation of a person's license for operating a motor vehicle while under the influence of alcohol or a drug.

This bill was read first time and **passed on file**.

House File 513, a bill for an act relating to interstate rendition of persons charged with failure to provide support.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 20, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 304, a bill for an act relating to the determination of annual salaries for elected county officers and their deputies.

This bill was read first time and **passed on file**.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Schwengels called up the appointment of Betty B. Sarcone as a member of the Engineering and Land Surveying Examining Board, placed on the Individual Confirmation Calendar on February 18, 1987.

Senator Schwengels moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Mann	Miller, A. V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott

Soorholtz
Vande Hoef

Sturgeon
Varn

Taylor
Wells

Tieden
Welsh

Nays, none.

Absent or not voting, 2:

Gettings

Lind

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

UNFINISHED BUSINESS (Deferred March 16, 1987)

Senate File 201

The Senate resumed consideration of Senate File 201, a bill for an act related to the senate's review and confirmation of gubernatorial appointments, and amendment S—3084 by Senator Gentleman to page 1 of the bill, deferred on March 16, 1987.

Senator Deluhery offered amendment S—3182 filed by him on March 17, 1987, to amendment S—3084 and moved its adoption.

Amendment S—3182 was adopted by a voice vote.

Senator Gentleman moved the adoption of amendment S—3084 as amended, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—3085 filed by him on February 25, 1987, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3085 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. 201) the vote was:

Ayes, 31:

Boswell
Deluhery
Gronstal

Bruner
Dieleman
Hall

Carr
Doyle
Hannon

Coleman
Fraise
Horn

Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hester	Holden	Holt
Hultman	Jensen	Nystrom	Readinger
Rensink	Rife	Taylor	Tieden
Vande Hoef			

Absent or not voting, 2:

Gettings	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.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:05 a.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

Convened: March 20, 1987, 8:15 a.m.

Members Present: Sturgeon, Chair; Scott, Vice Chair; Readinger, Ranking Member; Gentleman and A. Miller.

Members Absent: none.

Committee Business: Subcommittee approved and submitted proposed appropriations bill to the full Appropriations Committee.

Adjourned: 9:00 a.m.

AGRICULTURE

Convened: March 20, 1987, 8:33 a.m.

Members Present: Priebe, Chair; Boswell, Fraise, Hall, Husak, Fuhrman, Rensink, Soorholtz, Vande Hoef and Goodwin.

Members Absent: A. Miller, Vice Chair (excused), Peterson, Hester, Ranking Member and Scott.

Committee Business: Recommended passage of Senate File 313.

Adjourned: 8:40 a.m.

EDUCATION

Convened: March 20, 1987, 10:00 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Bruner, Corning, Dieleman, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Taylor, Ranking Member and Hannon.

Committee Business: Approved SSBs 218 and 191 as committee bills.

Adjourned: 10:09 a.m.

HUMAN RESOURCES

Convened: March 20, 1987, 11:35 a.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Corning, Lind, C. Miller, Murphy, Readinger and Sturgeon.

Members Absent: Taylor (excused) and Coleman.

Committee Business: Recommended passage of Senate File 280 as amended; approved SSB 220 as a committee bill; recommended confirmation of Governor's appointments to En Bloc Calendar.

Adjourned: 12:20 p.m.

STATE GOVERNMENT

Convened: March 20, 1987, 11:15 a.m.

Members Present: Carr, Chair; Nystrom, Ranking Member; Bruner, Horn, Drake, Gentleman, Gronstal, Lloyd-Jones, C. Miller, Rife and Schwengels.

Members Absent: Dieleman, Vice Chair (excused); Coleman, Soorholtz and Welsh.

Committee Business: Approved SSB 232, 73 and 241 as committee bills and assigned S.F. 447 to a subcommittee.

Adjourned: 11:25 a.m.

WAYS AND MEANS

Convened: March 20, 1987, 10:29 a.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Gronstal, Dieleman, Mann, Murphy, Palmer, Riordan, Hester, Drake, Readinger and Soorholtz.

Members Absent: Holt.

Committee Business: Approved SSB 237 as a committee bill.

Adjourned: 11:00 a.m.

PETITIONS

The following petitions favoring legislation to initiate and support a good comprehensive long-term health care and community-based services bill for the elderly of Iowa were presented and placed on file by:

Senator Hannon from thirty-two residents of Jones County.
Senator Scott from ninety residents of Howard County.

The following petition was presented and placed on file by:

Senator Dieleman from twenty-two residents of Palo Alto County opposing Senate File 219, providing for public grants and public education relating to adolescent pregnancy prevention and services.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventeen twelfth grade students from Clay Central High School, Royal, Iowa, accompanied by Harry Stimson. Senator Holt.

Forty-three sixth grade students from Twin Cedars Elementary School, Bussey, Iowa, accompanied by Mrs. Joan Anderson and Mr. Laws. Senator Dieleman.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

To the Western Dubuque County girls' basketball team — For winning the 1987 Girls' State five-on-five player high school basketball tournament. Senator Welsh (March 14, 1987).

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MADAM PRESIDENT: The committee on memorial resolutions has ascertained the names of former members of the Senate who have become deceased and appoints the following committees to prepare memorial resolutions:

LOUIS P. CULVER, Dunlap: Hester, Chair; Hutchins and Gronstal.

ELVIE L. DREESZEN, Cushing: Doyle, Chair; Rensink and Sturgeon.

C. JOSEPH COLEMAN, Chair
 DONALD V. DOYLE
 LEE W. HOLT
 FORREST V. SCHWENGELS

AMENDMENTS FILED

S—3220	S. F.	312	Jean Lloyd-Jones
S—3221	S. F.	440	Donald V. Doyle David Readinger
S—3222	S. F.	441	Edgar H. Holden
S—3223	S. F.	441	Edgar H. Holden
S—3224	S. F.	323	Ray Taylor
S—3225	S. F.	441	Joy Corning

AFTERNOON SESSION

The Senate reconvened at 1:48 p.m., President Zimmerman 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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lloyd-Jones for the afternoon session on request of Senator Hutchins.

UNFINISHED BUSINESS

(Deferred March 18, 1987)

House File 371

The Senate resumed consideration of House File 371, a bill for an act authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, providing penalties, and providing an effective date, deferred on March 18, 1987 (substituted for Senate File 200 on March 18, 1987).

Senator Coleman moved to reconsider the request for unanimous consent by him on March 18, 1987, to substitute House File 371 for Senate File 200 as amended.

The motion prevailed by a voice vote and Senate File 200 was taken up for further consideration.

Senator Coleman filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3082 to Senate File 200 was adopted by the Senate on March 18, 1987.

The motion prevailed by a voice vote and amendment S—3082 by Senators Coleman, Doyle and Priebe to page 3 of the bill, was taken up for reconsideration.

Senator Coleman asked and received unanimous consent to withdraw amendment S—3082.

Senator Coleman offered amendment S—3184 filed by him on March 18, 1987, to the title page of Senate File 200 and moved its adoption.

Amendment S—3184 was adopted by a voice vote.

Senator Coleman asked and received unanimous consent that **House File 371** be substituted for **Senate File 200** as amended.

Senator Coleman offered amendment S—3196 filed by Senators Coleman, Doyle and Priebe on March 19, 1987, to page 3 of House File 371 and moved its adoption.

Amendment S—3196 was adopted by a voice vote.

Senator Priebe offered amendment S—3185 filed by Senators Priebe and Coleman on March 18, 1987, to page 5 of House File 371 and moved its adoption.

Amendment S—3185 was adopted by a voice vote.

Senator Kinley took the chair at 2:00 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?" (H.F. 371) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels

Scott
Tieden
Welsh

Soorholtz
Vande Hoef

Sturgeon
Varn

Taylor
Wells

Nays, none.

Absent or not voting, 5:

Gettings
Miller, C.P.

Lind

Lloyd-Jones

Miller, A.V.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 2, 1987)

Senate File 56

The Senate resumed consideration of Senate File 56, a bill for an act relating to the regulation of firearms by a political subdivision, and amendment S—3065 by Senator Gronstal to page 1 of the bill, deferred on March 2, 1987.

Senator Mann offered amendment S—3058 filed by him on February 19, 1987, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 27.

Amendment S—3058 lost.

Senator Gronstal moved the adoption of amendment S—3065.

A non record roll call was requested.

The ayes were 12, nays 31.

Amendment S—3065 lost.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 56) the vote was:

Ayes, 33:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Fuhrman	Goodwin
Hall	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 11:

Bruner	Carr	Corning	Deluhery
Gentleman	Gronstal	Kinley	Mann
Miller, A.V.	Peterson	Sturgeon	

Absent or not voting, 6:

Gettings	Hannon	Holden	Lind
Lloyd-Jones	Miller, C.P.		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 323.

Senate File 323

On motion of Senator Murphy, Senate File 323, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of contiguous school districts without cost to the parents or guardians and to provide an effective date, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 323** be deferred.

**ADOPTION OF RESOLUTION
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 19.

Senate Concurrent Resolution 19

On motion of Senator Murphy, Senate Concurrent Resolution 19, a concurrent resolution directing the state board of education to include specific named topics in its study of restructuring, was taken up for consideration.

Senator Murphy moved the adoption of Senate Concurrent Resolution 19.

A non record roll call was taken.

The ayes were 42, nays 4.

The motion prevailed 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 360.

Senate File 360

On motion of Senator Horn, Senate File 360, a bill for an act relating to school financing including providing for a capital projects and equipment levy, for a liability levy, for the approval of bond issues by majority vote, for additional allowable growth for school districts, for calculating enrollment and budget guarantees under the school foundation formula, for the execution and continuation of loan agreements for anticipating the collection of certain levies, and providing an effective date, with report of committee on Ways and Means recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—3169 filed by the committee on Ways and Means on March 16, 1987, to pages 1, 4, 7, 12, 13 and the title page of the bill.

Senator Holden called for a division of amendment S—3169: lines 2, 18 and 19 as division S—3169A and lines 3 through 17 as division S—3169B.

Senator Holden asked and received unanimous consent to withdraw division S—3169B.

The Chair ruled amendment S—3174 filed by Senators Holden and Riordan on March 16, 1987, to division S—3169B, out of order.

Senator Taylor asked and received unanimous consent that further action on division S—3169A be deferred.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 360** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 177.

Senate File 177

On motion of Senator Boswell, Senate File 177, a bill for an act relating to the disposal of dead animals, 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. 177) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gronstal	Hall
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rensink	Riordan	Soorholtz	Sturgeon
Taylor	Varn	Wells	Welsh

Nays, 9:

Drake	Fuhrman	Goodwin	Hultman
Peterson	Rife	Scott	Tieden
Vande Hoef			

Absent or not voting, 5:

Gettings	Hannon	Lind	Lloyd-Jones
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Zimmerman took the chair at 2:50 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 214.

Senate File 214

On motion of Senator Taylor, Senate File 214, a bill for an act authorizing a city with a population of five thousand or less to reduce council membership to three by referendum, 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. 214) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gettings

Hultman

Lind

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 374

On motion of Senator Doyle, Senate File 374, a bill for an act relating to statutory corrections of a noncontroversial and nonsubstantive nature, with report of committee recommending amendments and passage, was taken up for consideration.

Senator Doyle offered amendment S—3160 filed by the committee on Judiciary on March 11, 1987, to pages 8, 11 and 25 of the bill and moved its adoption.

Amendment S—3160 was adopted by a voice vote.

Senator Doyle offered amendment S—3191 filed by the committee on Judiciary on March 18, 1987, to pages 11 and 16 of the bill and moved its adoption.

Amendment S—3191 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. 374) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gettings	Lind	Lloyd-Jones	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 129

On motion of Senator Fraise, Senate File 129, a bill for an act relating to the sale of unused highway right of way by the county 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?" (S.F. 129) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gettings	Lind	Lloyd-Jones	Mann
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 441** be referred from the Regular Calendar to committee on **State Government**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 382

On motion of Senator Fraise, Senate File 382, a bill for an act relating to soil conservation districts, by changing the name to soil and water conservation districts, 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. 382) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Dieleman

Absent or not voting, 5:

Lind	Lloyd-Jones	Mann	Murphy
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 388

On motion of Senator Jensen, Senate File 388, a bill for an act relating to the filing time for nomination petitions for a special election to elect a member of a board of directors of a school district, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 388) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Lind	Lloyd-Jones	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 402.

Senate File 402

On motion of Senator Miller of Cerro Gordo, Senate File 402, a bill for an act relating to the purposes for which community

economic betterment funds may be expended, was taken up for consideration.

Senator Boswell asked and received unanimous consent that further action on **Senate File 402** be deferred.

Senate File 381

On motion of Senator Welsh, Senate File 381, a bill for an act to legalize the payment of a sales tax refund claim to the city of Epworth, Iowa, by the department of revenue and finance, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 381) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Priebe

Absent or not voting, 3:

Corning	Lind	Lloyd-Jones
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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 422

Senate File 422

On motion of Senator Varn, Senate File 422, a bill for an act relating to presentence investigations, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 422) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	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	Rensink	Rife
Riordan	Schwengels	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Coleman	Lind	Lloyd-Jones	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 222

On motion of Senator Hannon, Senate File 222, a bill for an act to prohibit the sale or gift of smokeless tobacco to a minor and providing for application of a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 222) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rensink
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 5:

Fuhrman	Gentleman	Peterson	Rife
Tieden			

Absent or not voting, 3:

Coleman	Lind	Lloyd-Jones
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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 276

On motion of Senator Sturgeon, Senate File 276, a bill for an act relating to the regulation of long-term care insurance, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, 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, 46:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	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	Rensink	Rife
Riordan	Schwengels	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Coleman	Lind	Lloyd-Jones	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 434

On motion of Senator Nystrom, Senate File 434, a bill for an act relating to issuance of certificates of inspection for boilers used on tourist railroads or tourist trains and providing an effective date, was taken up for consideration.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 434) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	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	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Coleman	Lind	Lloyd-Jones	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 to take up out of order Senate File 156.

Senate File 156

On motion of Senator Carr, Senate File 156, a bill for an act relating to the exemption from liability of care review committee members and the state concerning actions undertaken by care review committee members in the performance of their duties, 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?" (S.F. 156) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Lloyd-Jones	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 187

On motion of Senator Soorholtz, Senate File 187, a bill for an act relating to the purchase of sacramental wine, with report of committee recommending passage, was taken up for consideration.

Senator Soorholtz moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 187) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Tieden	Varn	Wells
Welsh			

Nays, 6:

Corning	Dieleman	Gentleman	Jensen
Taylor	Vande Hoef		

Absent or not voting, 3:

Lind	Lloyd-Jones	Sturgeon
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Files 183, 369, 475 and 487** be referred from the Regular Calendar to the committee on **Ways and Means**.

Senator Hutchins asked and received unanimous consent that **Senate File 432** be referred from the Regular Calendar to the committee on **Small Business and Economic Development**.

Senator Hutchins asked and received unanimous consent that **Senate Files 226, 295, 368, 462, 408, 478, 490 and 491** 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 359.

Senate File 359

On motion of Senator Scott, Senate File 359, a bill for an act relating to movement of vehicles of excess size, weight, and load, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that further action on **Senate File 359** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 231.

Senate File 231

On motion of Senator Welsh, Senate File 231, a bill for an act relating to the date on which a pleading is considered filed, with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 231) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife

Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, none

Absent or not voting, 4:

Jensen	Lind	Lloyd-Jones	Vande Hoef
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 303

On motion of Senator Boswell, Senate File 303, a bill for an act relating to the merger and consolidation of cooperative associations, by defining the fair market value of assets held by an association and providing for determining the fair value of an equity interest held by a dissenting member, 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. 303) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	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	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, none

Absent or not voting, 3:

Lind	Lloyd-Jones	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.

Senate File 308

On motion of Senator Hall, Senate File 308, a bill for an act relating to the issuance of a certificate of title for a vehicle for which a junking certificate has been issued, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hall offered amendment S—3198 filed by the committee on Transportation on March 19, 1987, to strike everything after the enacting clause of the bill.

Senator Welsh offered amendment S—3232 filed by Senator Welsh and Drake from the floor to amendment S—3198 and moved its adoption.

Amendment S—3232 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that further action on amendment S—3198 as amended and **Senate File 308** be deferred.

Senate File 319

On motion of Senator Palmer, Senate File 319, a bill for an act relating to the condition of a building as a basis for the filing of a petition or hearing procedures, 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?" (S.F. 319) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	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	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 342

On motion of Senator Fraise, Senate File 342, a bill for an act relating to the assessment of costs to the owner of real estate subject to tax sale, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent to withdraw amendment S—3194 filed by the committee on Local Government on March 19, 1987, to strike everything after the enacting clause of the bill.

Senator Fraise offered amendment S—3229 filed by Senators Fraise, Priebe and Miller of Cerro Gordo from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3229 was adopted by a voice vote.

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. 342) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	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	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Lind	Lloyd-Jones
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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 370

On motion of Senator Vande Hoef, Senate File 370, a bill for an act relating to museums, providing for the disposition of loaned or undocumented property in the possession of a museum, notice, reclamation of loaned or undocumented property and statutes of limitations for actions against museums; prescribing museum obligations; prescribing lender and claimant obligations to museums; and providing for the retroactive applicability of certain sections of the Act, with report of committee recommending passage, was taken up for consideration.

Senator Vande Hoef offered amendment S—3207 filed by him on March 20, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3207 was adopted by a voice vote.

Senator Mann offered amendment S—3210 filed by Senators Mann and Gentleman on March 20, 1987, to page 6 of the bill and moved its adoption.

Amendment S—3210 was adopted by a voice vote.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 370) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Lloyd-Jones	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 for consideration Senate File 451.

Senate File 451

On motion of Senator Wells, Senate File 451, a bill for an act relating to the acquisition of legal settlement in a county, 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. 451) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	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	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 454

On motion of Senator Wells, Senate File 454, a bill for an act authorizing a city to establish an administrative agency to manage and control a city airport, 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. 454) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	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	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Sturgeon

Absent or not voting, 2:

Lind Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 459

On motion of Senator Doyle, Senate File 459, a bill for an act relating to handicapped parking spaces, making penalties applicable and providing effective dates, was taken up for consideration.

Senator Doyle asked and received unanimous consent that further action on **Senate File 459** be **deferred**.

BUSINESS PENDING

Senate File 359

The Senate resumed consideration of Senate File 359, previously deferred.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 359** be **deferred**.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 316

On motion of Senator Gettings, Senate File 316, a bill for an act to provide that a leased motor vehicle shall be registered in the county of the lessee's resident, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3235 filed by Senators Drake, et al., from the floor to page 1 of the bill and moved its adoption.

Amendment S—3235 was adopted by a voice vote.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 316) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	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	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Lind Lloyd-Jones

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 233** be referred from the Regular Calendar to the committee on **Ways and Means**.

INTRODUCTION OF BILL

Senate File 497, by committee on Human Resources, a bill for an act relating to the bill of rights of persons with mental retardation, developmental disabilities, or chronic mental illness by establishing regional governing boards, and specifying responsibilities of the division of mental health, mental retardation, and developmental disabilities of the department of human services.

Read first time and **placed on calendar**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILL

Senate File 498, by committee on Appropriations, a bill for an act relating to the financing of primary road projects by permitting the borrowing of RISE funds and the issuance of anticipatory certificates and providing an effective date.

Read first time and **placed on the Appropriations Calendar.**

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 498 (SSB 242), a bill for an act relating to the financing of primary road projects by permitting the borrowing of RISE funds and the issuance of anticipatory certificates and providing an effective date.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 11: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Gettings, Holt, Peterson, Riordan and Schwengels. Nays, none. Absent or not voting, 7: Fraise, Jensen, Lind, Lloyd-Jones, Readinger, Sturgeon and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE FILE 497 (SSB 220), a bill for an act relating to the bill of rights of persons with mental retardation, developmental disabilities, or chronic mental illness by establishing regional boards, and specifying responsibilities of the division of mental health, mental retardation, and developmental disabilities of the department of human services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 7: Hannon, Carr, Bruner, Corning, C. Miller, Murphy and Sturgeon. Nays, 3: Gentleman, Lind and Readinger. Absent or not voting, 2: Coleman and Taylor.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEE (Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on March 19, 1987, and recommended the appointees be confirmed:

Carroll Anderson as a member of the Barber Examining Board.

Steven R. Clark as a member of the Physical and Occupational Therapy Examining Board.

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the Attorney General's appointment of Warren Lawson as Adjutant General, completed its investigation on March 20, 1987, and recommended the appointee be confirmed.

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on March 20, 1987, and recommended the appointees be confirmed:

Gwen Boeke and Barbara Welander as members of the Architectural Examining Board.

Elizabeth Burmeister, Carol McCarty and Kathleen McCoy as members of the Personnel Commission.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 214 passed the Senate on March 23, 1987.

MICHAEL E. GRONSTAL

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 451 passed the Senate on March 23, 1987.

JULIA GENTLEMAN

BILL ASSIGNED TO COMMITTEE (March 20, 1987)

President Zimmerman announced the assignment of the following bill to committee:

H.F. 426 Agriculture

BILLS ASSIGNED TO COMMITTEE (March 23, 1987)

President Zimmerman announced the assignment of the following bills to committee:

H.F. 402 State Government
H.F. 498 Judiciary

AMENDMENTS FILED

S—3226	S. F.	441	Edgar Holden
S—3227	S. F.	424	Edgar Holden Bob Carr
S—3228	S. F.	453	George R. Kinley
S—3229	S. F.	342	Eugene Fraise Berl Priebe Alvin V. Miller
S—3230	S. F.	360	Ray Taylor
S—3231	S. F.	13	Berl E. Priebe
S—3232	S. F.	308	Joe J. Welsh Richard F. Drake
S—3233	S. F.	360	Ray Taylor
S—3234	S. F.	359	Julia Gentleman
S—3235	S. F.	316	Richard Drake Joe Welsh John Nystrom Lee Holt
S—3236	S. F.	497	Bob Carr
S—3237	S. F.	285	Richard Varn
S—3238	S. F.	323	Richard Varn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Tuesday, March 24, 1987.

JOURNAL OF THE SENATE

SEVENTY-SECOND CALENDAR DAY
FORTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 24, 1987

The Senate met in regular session at 9:07 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Leonard L. Boswell, member of the Senate from Decatur County, Davis City, Iowa.

The Journal of Monday, March 23, 1987, 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.

UNFINISHED BUSINESS (Deferred March 23, 1987)

Senate File 323

The Senate resumed consideration of Senate File 323, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of contiguous school districts without cost to the parents or guardians and to provide an effective date, deferred on March 23, 1987.

Senator Corning asked and received unanimous consent that action on amendment S—3216 filed by Senators Corning and Hannon on March 20, 1987, to pages 1 and 2 of the bill be deferred.

Senator Varn offered amendment S—3238 filed by him on March 23, 1987, to pages 1 and 2 of the bill and called for a division: lines 2 through 15 as division S—3238A and line 16 as division S—3238B.

Senator Taylor called for a further division of amendment S—3238: lines 2 through 9 as division S—3238A; line 16 as division S—3238B; and lines 10 through 15 as division S—3238C.

Senator Varn moved the adoption of division S—3238A.

A record roll call was requested.

On the question “Shall division S—3238A be adopted?” (S.F. 323) the vote was:

Ayes, 23:

Boswell	Corning	Drake	Fraise
Fuhrman	Goodwin	Hannon	Hester
Holt	Hultman	Hutchins	Jensen
Kinley	Lloyd-Jones	Nystrom	Palmer
Peterson	Readinger	Rife	Sturgeon
Taylor	Tieden	Varn	

Nays, 26:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Gentleman	Gettings
Gronstal	Hall	Holden	Horn
Husak	Lind	Mann	Miller, A.V.
Murphy	Priebe	Rensink	Riordan
Schwengels	Scott	Soorholtz	Vande Hoef
Wells	Welsh		

Absent or not voting, 1:

Miller, C.P.

Division S—3238A lost.

Senator Varn asked and received unanimous consent that action on division S—3238B be deferred.

Senator Varn moved the adoption of division S—3238C.

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 24.

The Chair voted "nay" to break the tie and division S—3238C lost.

Senator Corning offered amendment S—3219 filed by Senators Corning and Hannon on March 20, 1987, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 28.

Amendment S—3219 lost.

Senator Corning offered amendment S—3213 filed by Senators Corning and Hannon on March 20, 1987, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3213 be adopted?" (S.F. 323) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Corning	Fuhrman	Goodwin	Hall
Hannon	Holt	Hultman	Jensen
Kinley	Lind	Lloyd-Jones	Nystrom
Palmer	Peterson	Readinger	Rife
Schwengels	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	

Nays, 25:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gentleman	Gettings	Gronstal	Hester
Holden	Horn	Husak	Hutchins
Mann	Miller, A.V.	Murphy	Priebe
Rensink	Riordan	Scott	Wells
Welsh			

Absent or not voting, 2:

Drake	Miller, C.P.
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Amendment S—3213 lost.

Senator Taylor offered amendment S—3224 filed by him on March 23, 1987, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3224 be adopted?” (S.F. 323) the vote was:

Ayes, 21:

Coleman	Corning	Drake	Fuhrman
Goodwin	Hall	Hannon	Hester
Holden	Holt	Hultman	Jensen
Nystrom	Palmer	Peterson	Rife
Schwengels	Scott	Taylor	Tieden
Vande Hoef			

Nays, 28:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Gentleman
Gettings	Gronstal	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Priebe
Readinger	Rensink	Riordan	Soorholtz
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 1:

Miller, C.P.

Amendment S—3224 lost.

Senator Corning offered amendment S—3217 filed by Senators Corning and Hannon on March 20, 1987, to page 1 of the bill.

Senator Corning asked and received unanimous consent that action on amendment S—3217 be deferred.

Senator Corning offered amendment S—3215 filed by Senators Corning and Hannon on March 20, 1987, to page 2 of the bill and moved its adoption.

Amendment S—3215 was adopted by a voice vote.

Senator Hannon offered amendment S—3131 filed by her on March 10, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3131 was adopted by a voice vote.

Senator Hannon offered amendment S—3130 filed by her on March 10, 1987, to page 1 of the bill.

Senator Murphy offered amendment S—3248 filed by him from the floor to amendment S—3130 and moved its adoption.

Amendment S—3248 was adopted by a voice vote.

Senator Hannon moved the adoption of amendment S—3130 as amended.

A non record roll call was requested.

The ayes were 6, nays 28.

Amendment S—3130 as amended lost.

Senator Corning offered amendment S—3218 filed by Senators Corning and Hannon on March 20, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3218 was adopted by a voice vote.

Senator Corning offered amendment S—3214 filed by Senators Corning and Hannon on March 20, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3214 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3217 by Senators Corning and Hannon to page 1 of the bill, previously deferred.

Senator Corning offered amendment S—3249 filed by her from the floor to amendment S—3217 and moved its adoption.

Amendment S—3249 was adopted by a voice vote.

Senator Corning moved the adoption of amendment S—3217 as amended.

A non record roll call was requested.

The ayes were 10, nays 30.

Amendment S—3217 as amended lost.

Senator Varn withdrew division S—3238B to page 2 of the bill, previously deferred.

Senator Corning asked and received unanimous consent to withdraw amendment S—3216 to pages 1 and 2 of the bill, previously deferred.

Senator Carr offered amendment S—3250 filed by Senators Carr and Murphy from the floor to page 1 and to the title page of the bill.

Senator Holden raised the point of order that amendment S—3250 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3250 in order.

Senator Carr moved the adoption of amendment S—3250, which motion prevailed by a voice vote.

(Senate File 323 pending on recess).

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 20, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 269, a bill for an act affirming and reenacting certain provisions affecting the criminal laws, and providing an effective date.

ALSO: That the House has on March 20, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 506, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:15 p.m., until 4:00 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: March 23, 1987, 5:05 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Gettings, Holt, Peterson, Riordan and Schwengels.

Members Absent: Readinger, Sturgeon, Varn, Fraise, Jensen, Lind (excused) and Lloyd-Jones (excused).

Committee Business: Approved SSB 242 as a committee bill.

Adjourned: 5:10 p.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 56 passed the Senate on March 23, 1987.

JAMES R. RIORDAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 214 passed the Senate on March 23, 1987.

RAY TAYLOR

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3232 to Senate File 308 was adopted by the Senate on March 23, 1987.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3215 to Senate File 323 was adopted by the Senate on March 24, 1987.

JAMES RIORDAN

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 9

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate File 226

APPROPRIATIONS: Riordan, Chair; Boswell and Jensen

Senate File 295

APPROPRIATIONS: Welsh, Chair; Peterson and Jensen

Senate File 368

APPROPRIATIONS: Lloyd-Jones, Chair; Varn and Corning

Senate File 369

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

Senate File 378

LOCAL GOVERNMENT: Fraise, Chair; Hall and Taylor

Senate File 379

LOCAL GOVERNMENT: Kinley, Chair; Wells and Vande Hoef

Senate File 395

WAYS AND MEANS: Gronstal, Chair; Soorholtz and Murphy

Senate File 403

WAYS AND MEANS: Gronstal, Chair; Soorholtz and Murphy

Senate File 408

APPROPRIATIONS: Husak, Chair; Welsh and Tieden

Senate File 441

STATE GOVERNMENT: Horn, Chair; Carr and Nystrom

Senate File 462

APPROPRIATIONS: Fraise, Chair; Boswell and Schwengels

Senate File 478

APPROPRIATIONS: Varn, Chair; Lloyd-Jones and Corning

Senate File 487

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

Senate File 490

APPROPRIATIONS: Peterson, Chair; Varn and Lind

Senate File 491

APPROPRIATIONS: Peterson, Chair; Varn and Readinger

House File 176

LOCAL GOVERNMENT: Vande Hoef, Chair; Kinley and Wells

House File 402

STATE GOVERNMENT: Nystrom, Chair; Bruner and Carr

House File 410

LOCAL GOVERNMENT: A. Miller, Chair; Taylor and Goodwin

House File 412

HUMAN RESOURCES: Bruner, Chair; Hannon and Corning

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty twelfth grade students from Rudd-Rockford-Marble Rock High School, Rockford, Iowa. Senator Scott.

Twelve twelfth grade students from Sioux Valley High School, Linn Grove, Iowa, accompanied by Dean Miller. Senators Fuhrman and Holt.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	304	Local Government
H.F.	488	Judiciary
H.F.	506	Commerce

AMENDMENTS FILED

S—3239	S. F.	340	Eugene Fraise
S—3240	S. F.	424	Forrest Schwengels Joe J. Welsh John Nystrom
S—3241	S. F.	360	Larry Murphy Wally Horn
S—3242	S. F.	360	Richard Varn Larry Murphy
S—3243	S. F.	5	Tom Mann, Jr.
S—3244	S. F.	290	Charles Bruner
S—3245	S. F.	420	James D. Wells
S—3246	S. F.	195	James Riordan Emil J. Husak Donald V. Doyle
S—3247 .	S. F.	13	Emil Husak Leonard L. Boswell John A. Peterson Berl E. Priebe John E. Soorholtz
S—3248	S. F.	323	Larry Murphy
S—3249	S. F.	323	Joy Corning
S—3250	S. F.	323	Bob Carr Larry Murphy
S—3251	S. F.	497	Bob Carr
S—3252	S. F.	372	Alvin V. Miller
S—3253	H.F.	411	Alvin V. Miller
S—3254	S. F.	360	Ray Taylor James Riordan
S—3255	S. F.	298	House amendment

S—3256	S. F.	465	Leonard L. Boswell
S—3257	S. F.	323	Larry Murphy
			Richard Varn

AFTERNOON SESSION

The Senate reconvened at 4:05 p.m., President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 298, a bill for an act relating to the sale of alcoholic beverages, by allowing the alcoholic beverages division to assess a split-case charge when alcoholic liquor is sold in quantities which require a case to be split, by lowering the maximum markup on liquor sold by the division to class "E" licensees from sixty to fifty percent, by setting the bond for a class "E" license at a maximum of fifteen thousand dollars, by not requiring a bond from class "E" licensees who purchase alcoholic liquor from the division on a cash basis or by means that ensures that the division will receive full payment in advance of delivery, by providing for the issuance of a class "E" liquor control license to a city council in certain circumstances, by further restricting the issuance of a class "E" license to premises on or near which gasoline is sold, by allowing the division to deposit all the license fees collected from class "E" licensees in the beer and liquor control fund, by allowing the advertisement of alcoholic liquor for sale, by repealing the fifty percent goods and services test to qualify for Sunday sales of alcoholic beverages or beer under a liquor control license or class "B" beer permit, by providing that a corporation only placing alcoholic liquor in bailment with the division is not doing business in Iowa for the purpose of determining its tax liability and making the provision retroactive, by requiring class "E" licensees to collect and refund the beverage container deposit on containers of alcoholic liquor, by striking a standing appropriation for the treatment of alcoholics, by allowing the division to sell liquor inventories in state stores to class "E" licensees at reduced prices as state stores are closed, and by allowing the division to continue sales of wine to class "A" and "B" wine permittees until

inventories are depleted, and providing an effective date. (S—3255).

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 372** and **House File 411** (companion to Senate File 372) be referred from the Regular Calendar to the committee on **Agriculture**.

Senator Hutchins asked and received unanimous consent that **Senate File 497** be referred from the Regular Calendar to the committee on **Appropriations**.

Senator Hutchins asked and received unanimous consent that **Senate Files 471, 482, 483 and 484** be referred from the Regular Calendar to the committee on **Commerce**.

WITHDRAWN

Senator Coleman asked and received unanimous consent that **Senate File 200** be **withdrawn** from further consideration of the Senate.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 47 present, 3 absent and a quorum present.

BUSINESS PENDING

Senate File 323

The Senate resumed consideration of Senate File 323, pending on recess.

Senator Murphy called up the following motion to reconsider filed by him from the floor and moved its adoption.

MADAM PRESIDENT: I move to reconsider the vote by which division S—3238C to Senate File 323 failed to be adopted by the Senate on March 24, 1987.

The motion prevailed by a voice vote and division S—3238C to page 1 of the bill, was taken up for reconsideration.

Senator Murphy offered amendment S—3257 filed by Senators Murphy and Varn from the floor to division S—3238C and moved its adoption.

Amendment S—3257 was adopted by a voice vote.

Senator Varn moved the adoption of division S—3238C as amended, which motion prevailed by a voice vote.

Senator Riordan called up the motion to reconsider the vote by which amendment S—3215 to Senate File 323 was adopted by the Senate on March 24, 1987, filed by him on March 24, 1987, found on page 879 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 amendment S—3215 to page 2 of the bill was taken up for reconsideration.

Senator Corning asked and received unanimous consent to withdraw amendment S—3215 to page 2 of the bill.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 323** be **deferred**.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 498.

Senate File 498

On motion of Senator Welsh, Senate File 498, a bill for an act relating to the financing of primary road projects by permitting the borrowing of RISE funds and the issuance of anticipatory certificates and providing an effective date, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 498) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Fuhrman 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 that **Senate File 498** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 20, 1987)

House Joint Resolution 14

The Senate resumed consideration of House Joint Resolution 14, a joint resolution to nullify an administrative rule of the department of employment services relating to lockouts and providing an effective date, deferred March 20, 1987.

Senator Mann moved that the resolution be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the resolution was read the last time.

On the question "Shall the resolution be adopted?" (H.J.R. 14) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Bruner	Carr	Coleman	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A. V.
Miller, C.P.	Murphy	Palmer	Peterson
Riordan	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 24:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Holt	Hultman
Jensen	Lind	Nystrom	Priebe
Readinger	Rensink	Rife	Schwengels
Scott	Taylor	Tieden	Vande Hoef

The resolution having received a constitutional majority was declared to have been adopted by the Senate and the title was agreed to.

APPENDIX**STUDY BILL RECEIVED****SSB 242 Appropriations**

Relating to the financing of primary road projects by permitting the borrowing of RISE funds and the issuance of anticipatory certificates and providing an effective date.

COMMITTEE REPORT**STATE GOVERNMENT**

Final Bill Action: SENATE FILE 441, a bill for an act relating to teachers, including the creation of educational examiners and prescribing its duties relating to the certification of teachers, administrators, and supervisors; requiring that teachers pass examinations; offering teaching assistantships to teachers; the issuance of temporary certificates; and the appointment of a task force to study teacher preparation and the role of teachers.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Drake, Schwengels and Soorholtz. Nays, 2: Gentleman and Welsh. Absent or not voting, 1: Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)**ENVIRONMENT AND ENERGY UTILITIES**

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following Governor's appointments, completed its investigations on March 24, 1987, and recommended the appointees be confirmed:

Charlotte Mohr, Gary Priebe and Clark Yeager as members of the Environmental Protection Commission.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the Governor's appointment of Gerald P. Donovan as a member of

the Iowa Law Enforcement Academy Council, completed its investigation on March 24, 1987, and recommended the appointee be confirmed.

AMENDMENTS FILED

S—3258	S. F.	323	James Riordan
S—3259	S. F.	471	Richard Varn
S—3260	S. F.	397	Richard Varn
S—3261	S. F.	489	Julia Gentleman
S—3262	S. F.	493	Leonard L. Boswell Alvin V. Miller
S—3263	S. F.	226	Leonard Boswell Kenneth D. Scott

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:47 p.m., until 9:00 a.m., Wednesday, March 25, 1987.

JOURNAL OF THE SENATE

SEVENTY-THIRD CALENDAR DAY
FORTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, March 25, 1987

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by Father Robert Schoemann, pastor of the Visitation Catholic Church, Des Moines, Iowa.

The Journal of Tuesday, March 24, 1987, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 185, a bill for an act to prohibit the instruction in and demonstration of the use of dangerous weapons, offensive weapons, and explosives for use in or in furtherance of a civil disorder and providing a penalty.

This bill was read first time and **passed on file**.

House File 241, a bill for an act requiring Iowa state university of science and technology to use resources connected with institutions of the Iowa department of corrections, in order to conduct agricultural research, development, and testing projects.

This bill was read first time and **passed on file**.

House File 464, a bill for an act relating to the receipt and sale of protected game by a nonprofit corporation.

This bill was read first time and **passed on file**.

House File 514, a bill for an act relating to the issuance of a preliminary injunction in actions for dissolution of marriage, annulment, or separate maintenance, and making penalties applicable.

This bill was read first time and **passed on file**.

House File 515, a bill for an act relating to the appointment of court appointed special advocates, and providing an effective date.

This bill was read first time and **passed on file**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Kinley for the morning on request of Senator Horn and Senator Mann for the morning on request of Senator Gronstal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 493.

Senate File 493

On motion of Senator Miller of Cerro Gordo, Senate File 493, a bill for an act relating to the creation of a statewide regional network of small business economic development corporations to assist in providing financing for small businesses in the state, was taken up for consideration.

Senator Boswell offered amendment S—3262 filed by Senators Boswell and Miller of Cerro Gordo on March 24, 1987, to pages 1, 2, 4 and 5 of the bill and moved its adoption.

Amendment S—3262 was adopted by a voice vote.

Senator Coleman took the chair at 10:14 a.m.

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. 493) the vote was:

Ayes, 36:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Holt	Hultman
Husak	Hutchins	Jensen	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef

Nays, 12:

Carr	Corning	Hall	Hester
Holden	Horn	Lind	Readinger
Schwengels	Varn	Wells	Welsh

Absent or not voting, 2:

Kinley	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 23, 1987)

Senate File 359

The Senate resumed consideration of Senate File 359, a bill for an act relating to movement of vehicles of excess size, weight, and load, deferred on March 23, 1987.

Senator Gentleman withdrew amendment S—3234 filed by her on March 23, 1987, to page 2 of the bill.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 359) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Holden

Absent or not voting, 2:

Kinley

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 Files 359 and 493 be immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred March 24, 1987)

Senate File 323

The Senate resumed consideration of Senate File 323, a bill for an act to provide a procedure for parents or guardians to enroll their children in the public schools of contiguous school districts without cost to the parents or guardians and provide an effective date, deferred on March 24, 1987.

Senator Hutchins asked and received unanimous consent that division S—3238C be eligible for reconsideration by the Senate.

Senator Murphy filed the following motion to reconsider from the floor and moved its adoption.

MADAM PRESIDENT: I move to reconsider the vote by which division S—3238C to Senate File 323 was adopted by the Senate on March 24, 1987.

The motion prevailed by a voice vote and division S—3238C to page 1 of the bill was taken up for reconsideration.

The Chair ruled division S—3238C out of order.

The following motion to reconsider filed by Senator Murphy from the floor was out of order:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3257 to division S—3238C to Senate File 323 was adopted by the Senate on March 24, 1987.

Amendment S—3257 to division S—3238C by Senators Murphy and Varn was out of order.

Senator Murphy filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3218 to Senate File 323 was adopted by the Senate on March 24, 1987.

A non record roll call was requested.

The ayes were 27, nays 16.

The motion prevailed and amendment S—3218 to page 1 of the bill was taken up for reconsideration.

Senator Corning moved the adoption of amendment S—3218.

A non record roll call was requested.

The ayes were 18, nays 26.

Amendment S—3218 lost.

Senator Murphy offered amendment S—3268 filed by Senators Murphy and Varn from the floor to page 1 of the bill and moved its adoption.

Amendment S—3268 was adopted by a voice vote.

Senator Riordan offered amendment S—3258 filed by him on March 24, 1987, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3258 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. 323) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Gentleman
Gronstal	Hall	Holden	Holt
Horn	Husak	Hutchins	Lind
Miller, A.V.	Miller, C.P.	Murphy	Priebe
Rensink	Riordan	Schwengels	Scott
Soorholtz	Vande Hoef	Wells	Welsh

Nays, 20:

Boswell	Drake	Fraise	Fuhrman
Gettings	Goodwin	Hannon	Hester
Hultman	Jensen	Lloyd-Jones	Nystrom
Palmer	Peterson	Readinger	Rife
Sturgeon	Taylor	Tieden	Varn

Absent or not voting, 2:

Kinley	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked unanimous consent that **Senate File 323** be **immediately messaged** to the House.

Senator Hutchins withdrew his request.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:07 p.m., until 4:00 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: March 24, 1987, 3:35 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Bruner (excused).

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointments to the En Bloc Calendar.

Adjourned: 4:00 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: March 24, 1987, 2:35 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Hultman, A. Miller, Murphy (arrived 2:50 p.m.), Rife, Schwengels, Sturgeon and Varn.

Members Absent: Soorholtz, Ranking Member.

Committee Business: Recommended confirmation of Governor's appointees to En Bloc Calendar; discussed House File 606 and SSB 94A (groundwater bill).

Adjourned: 3:25 p.m.

STATE GOVERNMENT

Convened: March 24, 1987, 1:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Drake (arrived 1:38 p.m.), Gentleman (arrived 1:38 p.m.), Gronstal, Horn, Lloyd-Jones, C. Miller, Rife (arrived 1:48 p.m.), Schwengels (arrived 1:38 p.m.), Soorholtz and Welsh.

Members Absent: none.

Committee Business: Assigned Senate File 441 and House File 402 to subcommittees; recommended passage of Senate File 441; recommended confirmation of Governor's appointments.

Adjourned: 1:57 p.m.

TRANSPORTATION

Convened: March 24, 1987, 2:30 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Hall, Jensen and Nystrom.

Members Absent: Lloyd-Jones.

Committee Business: Assigned House File 494 to a subcommittee; recommended confirmation of Governor's appointment to the En Bloc Calendar.

Adjourned: 2:40 p.m.

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 169, a bill for an act creating a lead abatement program within the Iowa department of public health.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Hannon, Carr, Gentleman, Bruner, Corning, C. Miller and Sturgeon. Nays, none. Absent or not voting, 5: Coleman, Lind, Murphy, Readinger and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 258, a bill for an act relating to program grants under the Iowa department of public health for substance abuse programs.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hannon, Carr, Gentleman, Bruner, Corning, C. Miller, Murphy, Readinger and Sturgeon. Nays, none. Absent or not voting, 3: Coleman, Lind and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the Governor's appointment of Allen Meier as Labor Commissioner, completed its investigation on March 25, 1987, and recommended the appointee be confirmed.

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the following Governor's appointments, completed its investigations on March 24, 1987, and recommended the appointees be confirmed:

Donald Byers and Barbara Higdon as members of the First in the Nation in Education Foundation Governing Board.

Burtwin Day as a member of the Iowa Higher Education Loan Authority.

Mary Williams as a member of the State Board of Regents.

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the appointment of James R. Maret as Consumer Advocate, completed its investigation on March 24, 1987, and recommended the appointee be confirmed.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on March 24, 1987, as recommended the appointees be confirmed:

Julie Bulkeley and Gaylon Halverson as members of the Accountancy Examining Board.

Kenneth Steffen as a member of the Architectural Examining Board.

Robert Klopp and Mary Smith as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Marge Askew and Floyd Dow Bates as members of the Chiropractic Examining Board.

James O'Neill and Margaret Turk as members of the Cosmetology Examining Board.

Anita Seitsinger and Lynda Zachar as members of the Investment Board (IPERS).

Jeffrey Benson and Cecelia Burnett as members of the Landscape Architectural Examining Board.

Alvin E. Bremer and Cornelia V. Hoy as members of the Mortuary Science Examining Board.

Edna Eaton as a member of the Nursing Examining Board.

Merle Kjonaas as a member of the Optometry Examining Board.

Donna Flower, Alan M. Shepley and Gale W. Stapp as members of the Pharmacy Examining Board.

James D. Heddens and Marjorie E. Rodgers as members of the Podiatry Examining Board.

Robert H. Christensen and E. Joe Ann Lutz as members of the Real Estate Examining Board.

Colette Kunkel as a member of the Speech Pathology and Audiology Examining Board.

Murray D. Berggren as a member of the State Board of Examiners for Nursing Home Administrators.

SUBCOMMITTEE ASSIGNMENTS

Senate File 456

HUMAN RESOURCES: Carr, Chair; Readinger and Sturgeon

House File 90

HUMAN RESOURCES: Taylor, Chair; Bruner and C. Miller

House File 136

HUMAN RESOURCES: Hannon, Chair; Corning and Sturgeon

House File 251

HUMAN RESOURCES: Gentleman, Chair; Carr and Sturgeon

House File 470

EDUCATION: Horn, Chair; Varn and Rensink

House File 492

HUMAN RESOURCES: Lind, Chair; Carr and Bruner

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 323 passed the Senate on March 25, 1987.

JOY CORNING

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 323 passed the Senate on March 25, 1987.

LARRY MURPHY

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twelfth grade students from Audubon High School, Audubon, Iowa, accompanied by Don Kristensen. Senator Hutchins.

Thirty-eight twelfth grade students from Midland High School Wyoming, Iowa, accompanied by Gary Heiar. Senator Hannon.

Twelve fifth grade students from Glenwood Community Schools, Glenwood, Iowa, accompanied by Mary Crum. Senator Hultman.

Sixty fourth grade students from West Elementary School, Norwalk, Iowa, accompanied by Deb Blanchard and Gail Beerman. Senator Peterson.

AMENDMENTS FILED

S—3264	S.F.	13	Emil J. Husak Leonard L. Boswell John A. Peterson Berl E. Priebe
S—3265	S.F.	290	Richard Vande Hoef
S—3266	S.F.	180	Richard Varn
S—3267	S.F.	423	Richard Varn

S—3268	S.F.	323	Larry Murphy Richard Varn
S—3269	S.F.	481	Edgar Holden

AFTERNOON SESSION

The Senate reconvened at 4:12 p.m., President Zimmerman presiding.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March 24, 1987

Mr. John Dwyer
Secretary of the Senate
State Capitol Building
L O C A L

Dear Mr. Dwyer:

It is my pleasure to submit to the Senate for their consideration the name of Elmer Vermeer, Sioux Center, Sioux County, Iowa, for appointment to the Commission of Elder Affairs pursuant to Section 249D.11, 1987 Code of Iowa, for a four-year term beginning May 1, 1987, and ending April 30, 1991.

Very truly yours,
TERRY E. BRANSTAD
Governor

Communication was 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 429, a bill for an act providing that under certain circumstances the owner of a vehicle which is violating the warning lamps or stop arm of a school bus shall be deemed to be the driver and making penalties applicable.

This bill was read first time and **passed on file.**

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 13

On motion of Senator Priebe, Senate File 13, a bill for an act relating to the protection of buyers of farm products against the enforcement of liens by secured parties and providing dates for the effectiveness and applicability of the Act, was taken up for consideration.

Senator Priebe withdrew amendment S—3002 filed by him on January 13, 1987, to pages 1 and 3 of the bill.

Senator Peterson withdrew amendment S—3176 filed by him on March 17, 1987, to pages 1 through 5 of the bill.

Senator Priebe offered amendment S—3231 filed by him on March 23, 1987, to strike everything after the enacting clause of the bill.

Senator Husak asked and received unanimous consent to withdraw amendment S—3247 to amendment S—3231 filed by Senators Husak, et al., on March 24, 1987.

Senator Husak offered amendment S—3264 filed by Senators Husak, et al., from the floor to amendment S—3231 and moved its adoption.

Amendment S—3264 was adopted by a voice vote.

Senator Priebe moved the adoption of amendment S—3231 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. 13) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall

Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

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.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Nystrom for the afternoon on request of Senator Hultman and Senator Riordan for the remainder of the afternoon on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 290.

Senate File 290

On motion of Senator Vande Hoef, Senate File 290, a bill for an act relating to the requirement for foster parent training and incorporating a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—3244 filed by him on March 24, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3244 was adopted by a voice vote.

Senator Vande Hoef offered amendment S—3265 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—3265 was adopted by a voice vote.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 290) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, 3:

Gentleman	Schwengels	Soorholtz
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Absent or not voting, 3:

Nystrom	Riordan	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 449.

Senate File 449

On motion of Senator Gettings, Senate File 449, a bill for an act relating to the operation and administration of the department of employment services by correcting statutory omissions, inaccuracies, and inconsistencies to reflect or alter current practices, by limiting certain penalties, by continuing the

reimbursable status of certain enterprises and businesses sold or transferred by reimbursable employers, and by authorizing the release of certain job service information to certain public or quasi-public officials and entities and certain business and labor organizations, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Nystrom Riordan

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 420.

Senate File 420

On motion of Senator Gettings, Senate File 420, a bill for an act relating to the method to be used by the job service division for reporting unemployment statistics, with report of committee recommending passage, was taken up for consideration.

Senator Wells offered amendment S—3245 filed by him on March 24, 1987, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3245 was adopted by a voice vote.

Senator Wells offered amendment S—3208 filed by him on March 20, 1987, to page 1 and to the title page of the bill and called for a division: lines 2 through 5 as division S—3208A and lines 6 through 9 as division S—3208B.

Senator Wells withdrew division S—3208A.

Senator Wells moved the adoption of division S—3208B, which motion prevailed by a voice vote.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 420) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Holden

Absent or not voting, 3:

Murphy

Nystrom

Riordan

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 the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 214

Senator Gronstal withdrew the motion to reconsider Senate File 214, a bill for an act authorizing a city with a population of five thousand or less to reduce council membership to three by referendum, filed by him on March 23, 1987, and found on page 871 of the Senate Journal.

Senator Taylor withdrew the motion to reconsider Senate File 214 filed by him on March 24, 1987, and found on page 879 of the Senate Journal.

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominee on En Bloc Confirmation Calendar)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the appointments of Jerry Hughes and Lois Miller as members of the Job Service Advisory Council, completed its investigations on March 25, 1987, and recommended the appointees be confirmed.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the following Governor's appointments, completed its investigations on March 25, 1987, and recommended the appointees be confirmed:

George Benning, Perry Chapin, Khalil Kingsbury and Rex Montgomery as members of the Iowa High Technology Council.

Arthur Dahl and Daniel Dittmore as members of the Iowa Product Development Corporation.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F. 513 Judiciary

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery as the guests of Senator Rensink:

Hans Blom from Sweden, attending Granville-Spalding School, Granville, Iowa, and Sergio Martinez from Chile, attending Sheldon High School, Sheldon, Iowa.

AMENDMENTS FILED

S—3270	S. F.	481	John Nystrom
S—3271	S. F.	2	Tom Mann, Jr.
S—3272	S. F.	2	Tom Mann, Jr.
S—3273	S. F.	459	Donald V. Doyle
S—3274	S. F.	467	Jean Lloyd-Jones Beverly Hannon
S—3275	S. F.	481	Calvin O. Hultman Edgar H. Holden John W. Jensen Richard Vande Hoef Lee W. Holt Norman J. Goodwin Julia Gentleman Linn Fuhrman Forrest Schwengels Jack W. Hester Ray Taylor
S—3276	S. F.	487	Leonard Boswell
S—3277	S. F.	481	Wilmer Rensink Joy Corning Jack W. Hester Ray Taylor Edgar H. Holden
S—3278	S. F.	489	Julia Gentleman

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 5:43 p.m., until 9:00 a.m., Thursday, March 26, 1987.

JOURNAL OF THE SENATE

SEVENTY-FOURTH CALENDAR DAY
 FORTY-SEVENTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Thursday, March 26, 1987

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Dr. Edward C. Meyer, pastor of the First United Methodist Church, Boone, Iowa.

The Journal of Wednesday, March 25, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Des Moines for the morning and Senator Dieleman for the day and March 27, 1987, on request of Senator Hutchins; Senator Schwengels for the day and March 27, 1987, on request of Senator Hultman.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 38.

Senate File 38

On motion of Senator Priebe, Senate File 38, a bill for an act relating to conservation easements, 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. 38) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Peterson

Absent or not voting, 4:

Dieleman	Miller, C.P.	Schwengels	Sturgeon
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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 took the chair at 9:27 a.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 76.

Senate File 76

On motion of Senator Holt, Senate File 76, a bill for an act relating to third-party payor reimbursements for patient charges at a mental institute, 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. 76) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Fraise

Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Dieleman	Drake	Lloyd-Jones	Miller, C.P.
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 90

On motion of Senator Holt, Senate File 90, a bill for an act relating to the county responsible for payment of costs for commitment or admission to a state hospital for the mentally ill, 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. 90) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Dieleman Miller, C.P. Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 132

On motion of Senator Holt, Senate File 132, a bill for an act relating to the payment of delinquent property taxes, 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. 132) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Dieleman 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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 301.

Senate File 301

On motion of Senator Hannon, Senate File 301, a bill for an act relating to a pilot program of the department of economic development to build all-Iowa shops along the state's highways for tourism information, with report of committee recommending passage, was taken up for consideration.

Senator Boswell asked and received unanimous consent that further action on **Senate File 301** be deferred.

Senate File 340

On motion of Senator Fraise, Senate File 340, a bill for an act relating to the testing of blood or other bodily specimens of persons committed to an institution under the control of the Iowa department of corrections, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Fraise offered amendment S—3239 filed by him on March 24, 1987, to strike everything after the enacting clause of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendment S—3239 and **Senate File 340** be deferred.

UNFINISHED BUSINESS (Deferred March 9, 1987)

Senate File 283

The Senate resumed consideration of Senate File 283, a bill for an act relating to the duties of a trustee upon appointment by requiring the filing of an inventory of the property of the trust, deferred on March 9, 1987.

Senator Varn offered amendment S—3280 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3280 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 283) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Dieleman	Miller, C.P.	Palmer	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Varn took the chair at 10:11 a.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 341.

Senate File 341

On motion of Senator Mann, Senate File 341, a bill for an act relating to the standard of proof required under forfeiture of property law, 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. 341) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Dieleman	Drake	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 55.

Senate File 55

On motion of Senator Welsh, Senate File 55, a bill for an act to remove the requirement that a gambling license cannot be issued for a period of two years for a location for which a gambling license was revoked, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S—3162 filed by the committee on State Government on March 12, 1987, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3162 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. 55) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Varn	Wells	Welsh	

Nays, 8:

Gentleman	Goodwin	Hannon	Jensen
Readinger	Rensink	Taylor	Vande Hoef

Absent or not voting, 3:

Dieleman	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 as amended was agreed to.

Senate File 154

On motion of Senator Holden, Senate File 154, a bill for an act relating to the merger or consolidation of bank affiliates, 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. 154) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Fraise	Fuhrman
Gentleman	Gronstal	Hall	Holden
Holt	Horn	Hultman	Husak
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Nystrom	Palmer	Readinger
Rensink	Rife	Riordan	Sturgeon
Wells	Welsh		

Nays, 17:

Boswell	Drake	Gettings	Goodwin
Hannon	Hester	Hutchins	Jensen
Murphy	Peterson	Priebe	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn			

Absent or not voting, 3:

Dieleman	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.

Senate File 384

On motion of Senator Coleman, Senate File 384, a bill for an act relating to section 321.445 of the Code, was taken up for consideration.

President Zimmerman took the chair at 11:00 a.m.

Senator Coleman offered amendment S—3285 filed by him from the floor to strike everything after the enacting clause of the bill.

Senator Corning raised the point of order that amendment S—3285 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3285 in order.

Senator Coleman asked and received unanimous consent that action on amendment S—3285 be deferred for immediate consideration of amendment S—3291.

Senator Welsh offered amendment S—3291 filed by Senators Welsh, et al., 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—3291 be adopted?” (S.F. 384) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Boswell	Coleman	Doyle	Gentleman
Gettings	Gronstal	Holden	Holt
Horn	Hultman	Husak	Hutchins
Mann	Murphy	Palmer	Rife
Scott	Soorholtz	Tieden	Varn
Wells			

Nays, 27:

Bruner	Carr	Corning	Deluhery
Drake	Fraise	Fuhrman	Goodwin
Hall	Hannon	Hester	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Nystrom	Peterson	Priebe
Readinger	Rensink	Riordan	Sturgeon
Taylor	Vande Hoef	Welsh	

Absent or not voting, 2:

Dieleman	Schwengels
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Amendment S—3291 lost.

(Senate File 384 and amendment S—3285 pending on recess).

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 24, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 579, a bill for an act allowing issuance of personalized registration plates for travel trailers and for trailers regardless of the trailers' gross weight registrations.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 26, 1987, passed the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 20, a concurrent resolution recognizing the Iowa State University wrestling team as the 1987 National Collegiate Athletic Association Champions.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 20, by committee on Rules and Administration, a concurrent resolution urging the postmaster general to issue a special commemorative stamp to honor Harry Lloyd Hopkins.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 21, by Lloyd-Jones, a concurrent resolution relating to an interim study committee to review certain state-operated institutions.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:00 noon, until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: March 25, 1987, 2:00 p.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member; Vande Hoef and Mann.

Members Absent: none.

Committee Business: Discussed proposed appropriations bill.

Adjourned: 3:20 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 25, 1987, 8:53 a.m.

Members Present: Wells, Chair; Gettings, Holden, Horn, Vande Hoef and Welsh.

Members Absent: Mann, Vice Chair; Fuhrman, Ranking Member; Hultman and Palmer.

Committee Business: Recommended confirmation of Governor's appointees to En Bloc Calendar.

Adjourned: 8:57 a.m.

COMMERCE

Convened: March 26, 1987, 1:30 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Holden (arrived 1:34 p.m.), Lind, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh.

Members Absent: Carr, Kinley and Mann.

Committee Business: Recommended confirmation of Governor's appointments; recommended passage of House File 394.

Adjourned: 1:37 p.m.

HUMAN RESOURCES

Convened: March 25, 1987, 1:45 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Corning, Lind, C. Miller, Murphy, Readinger (arrived 2:10 p.m.) and Sturgeon.

Members Absent: Coleman and Taylor.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 169 and 258; recommended confirmation of Governor's appointees to the En Bloc Calendar.

Adjourned: 2:21 p.m.

JUDICIARY

Convened: March 25, 1987, 4:35 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Taylor and Varn.

Members Absent: Horn.

Committee Business: Assigned bills to subcommittees; considered Governor's appointments.

Adjourned: 4:55 p.m.

RULES AND ADMINISTRATION

Convened: March 26, 1987, 8:55 a.m.

Members Present: Hutchins, Chair; Gronstal, Vice Chair; Hultman, Ranking Member; Gettings and Jensen.

Members Absent: Kinley.

Committee Business: Approved committee resolution relating to a commemorative postage stamp; approved employment of Carolann Jensen as Research Analyst to the Republican Caucus Staff effective March 18, 1987.

Adjourned: 9:05 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 25, 1987, 2:35 p.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt and Resink.

Members Absent: Vande Hoef (excused).

Committee Business: Recommended confirmation of Governor's appointees to En Bloc Calendar; assigned Senate File 432 to a subcommittee.

Adjourned: 3:45 p.m.

**REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointment to a state commission to a standing committee as indicated for investigation on March 26, 1987:

HUMAN RESOURCES

Elmer Vermeer — Commission of Elder Affairs.

BILL HUTCHINS, Chair

COMMITTEE REPORT

COMMERCE

Final Bill Action: HOUSE FILE 394, a bill for an act relating to nonlocal business entities, particularly transient merchants and out-of-state contractors and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Deluhery, Jensen, Gronstal, Lind, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 4: Carr, Holden, Kinley and Mann.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

RULES AND ADMINISTRATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 20, a resolution urging the postmaster general to issue a special commemorative stamp to honor Harry Lloyd Hopkins.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 5: Hutchins, Hultman, Gronstal, Gettings and Jensen. Nays, none. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the Governor's appointments of Margaret Chadwell and James McCue as members of the Credit Union Review Board, completed its investigations on March 24, 1987, and recommended the appointees be confirmed.

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigations on March 25, 1987, and recommended the appointees be confirmed:

George Strait as a member of the Commission of Elder Affairs.

Jill Bouslog and Marian Roberts as members of the Commission on the Deaf.

J.T. Watson and Catherine Williams as members of the Council on Human Services.

Mona Bond, Phyllis Osborn and Phyllis J. Priest as members of the Mental Health and Mental Retardation Commission.

Robert E. Lee and James V. Sarcone as members of the State Health Facilities Council.

JUDICIARY

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigation on March 25, 1987, and recommended the appointees be confirmed:

Gary Baugher, William Dowell, Harold McCormick, Cynthia J. Officer and Donald Vold as members of the Board of Corrections.

Russell Cross as a member of the Commission on Judicial Qualifications.

Ruby Abebe, Abigail Pumroy and Kenneth Robinson as members of the Iowa State Civil Rights Commission.

Doris Almelen and Mary Ann Kenkel as members of the State Judicial Nominating Commission.

SUBCOMMITTEE ASSIGNMENTS

Senate File 432

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: A. Miller, Chair; Riordan and Rife

Senate File 439

JUDICIARY: Doyle, Chair; Mann, Varn, Drake and Gentleman

Senate File 457

JUDICIARY: Doyle, Chair; Mann and Taylor

Senate File 497

APPROPRIATIONS: Dieleman, Chair; Lloyd-Jones and Corning

House File 489

JUDICIARY: Varn, Chair; Mann and Drake

House File 491

JUDICIARY: Mann, Chair; Doyle and Gentleman

House File 493

JUDICIARY: Fraise, Chair; Mann and Fuhrman

House File 498

JUDICIARY: Doyle, Chair; Mann and Holt

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 154 passed the Senate on March 26, 1987.

JACK RIFE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 154 passed the Senate on March 26, 1987.

EDGAR H. HOLDEN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 154 passed the Senate on March 26, 1987.

EMIL J. HUSAK

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty fourth grade students from West Elementary School, Norwalk, Iowa. Senator Peterson.

Thirty-six fifth grade students from Seymour Elementary School, Seymour, Iowa, accompanied by Mrs. Olson. Senator Peterson.

AMENDMENTS FILED

S—3279	S. F.	356	Larry Murphy
S—3280	S. F.	283	Richard Varn
S—3281	S. F.	384	Jean Lloyd-Jones
S—3282	S. F.	312	Don Gettings
S—3283	S. F.	180	Richard Varn
S—3284	S. F.	180	Calvin O. Hultman
S—3285	S. F.	384	C. Joseph Coleman
S—3286	S. F.	397	Richard Varn
			Edgar H. Holden
S—3287	S. F.	384	Joy Corning
S—3288	S. F.	384	Joy Corning
S—3289	S. F.	384	Joy Corning

S—3290	S. F.	467	Jean Lloyd-Jones
S—3291	S. F.	384	Joe Welsh
			Tom Mann, Jr.
			Eugene S. Fraise
			George R. Kinley
			William Palmer
			Wally E. Horn
			Don Gettings
			Larry Murphy
			C. Joseph Coleman
			Berl E. Priebe
			Emil Husak
			James Wells
			Michael Gronstal
			Dale L. Tieden
			Jack Rife
			Linn Fuhrman
			Jim Lind
			John E. Soorholtz
			Kenneth Scott
			John W. Jensen
			Edgar H. Holden
			Bob Carr
			Richard Varn
			Jim Riordan
			Leonard Boswell
			Don Doyle
S—3292	S. F.	384	Joe Welsh
S—3293	S. F.	472	Wally Horn
			Donald V. Doyle
S—3294	S. F.	384	Julia Gentleman
			Richard Varn
			Richard Drake
S—3295	S. F.	464	Al Sturgeon

AFTERNOON SESSION

The Senate reconvened at 4:39 p.m., President Zimmerman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wells for the afternoon and March 27, 1987, on request of Senator Hutchins.

BUSINESS PENDING

Senate File 384

The Senate resumed consideration of Senate File 384 and amendment S—3285, pending on recess.

Senator Varn offered amendment S—3301 filed by Senators Varn and Gentleman from the floor to amendment S—3285.

Senator Mann raised the point of order that amendment S—3301 to amendment S—3285 was not in order under Senate Rule 12.

The Chair ruled the point not well taken and amendment S—3301 in order.

Senator Varn moved the adoption of amendment S—3301 to amendment S—3285 and requested a non record roll call.

A record roll call was requested.

On the question "Shall amendment S—3301 to amendment S—3285 be adopted?" (S.F. 384) the vote was:

Ayes, 15:

Corning	Fuhrman	Gentleman	Goodwin
Hall	Hannon	Hester	Jensen
Lind	Lloyd-Jones	Miller, C.P.	Readinger
Sturgeon	Vande Hoef	Varn	

Nays, 32:

Boswell	Bruner	Carr	Coleman
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Deluhery	Doyle	Drake	Fraise
Gettings	Gronstal	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Taylor	Tieden	Welsh

Absent or not voting, 3:

Dieleman	Schwengels	Wells
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Amendment S—3301 lost.

Senator Coleman moved the adoption of amendment S—3285 and requested a record roll call.

On the question “Shall amendment S—3285 be adopted?” (S.F. 384) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Carr	Coleman	Doyle	Fuhrman
Gettings	Gronstal	Holden	Holt
Horn	Hultman	Husak	Mann
Palmer	Rife	Scott	Soorholtz
Tieden	Vande Hoef	Varn	Welsh

Nays, 26:

Boswell	Bruner	Corning	Deluhery
Drake	Fraise	Gentleman	Goodwin
Hall	Hannon	Hester	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Riordan
Sturgeon	Taylor		

Voting present, 1:

Miller, C.P.

Absent or not voting, 3:

Dieleman	Schwengels	Wells
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Amendment S—3285 lost.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 77** be referred from the Regular Calendar to the committee on **State Government**.

BILL DEFERRED

Senator Hutchins asked and received unanimous consent that further action on **Senate File 384** be deferred.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JUDICIARY

Convened: March 26, 1987, 3:20 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Taylor.

Members Absent: Carr and Varn.

Committee Business: Assigned bills to subcommittees; amended Senate File 373.

Adjourned: 3:25 p.m.

LOCAL GOVERNMENT

Convened: March 26, 1987, 3:30 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, C. Miller and Taylor.

Members Absent: Wells and Kinley (both excused).

Committee Business: Assigned bills to subcommittees and recommended confirmation of Governor's appointees.

Adjourned: 3:40 p.m.

NATURAL RESOURCES

Convened: March 26, 1987, 2:36 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Hannon (arrived 2:38 p.m.), Husak, Peterson, Goodwin, Scott (arrived 2:38 p.m.), Hester, Rensink (arrived 2:40 p.m.) and Tieden.

Members Absent: Schwengels, Ranking Member (excused).

Committee Business: Discussed House File 316; motion to return Governor's appointments of Rick Young and Douglas Smalley for confirmation to the Governor's office failed; motion to have Chairman Hall discuss appointments of Rick Young and Douglas Smalley with the Governor was adopted.

Adjourned: 3:00 p.m.

REPORT OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the Governor's appointments of James E. Benbow, Donald Lawrenson and Betty Markham as members of the County Finance Committee, completed its investigations on March 24, 1987, and recommended the appointees be confirmed.

SUBCOMMITTEE ASSIGNMENTS

Senate File 183

WAYS AND MEANS: Riordan, Chair; Boswell, Holden, Mann and Soorholtz.

Senate File 233

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

House File 488

JUDICIARY: Mann, Chair; Doyle and Holt

House File 513

JUDICIARY: Mann, Chair; Gentleman and Carr

BILLS ASSIGNED TO COMMITTEE

H.F.	185	Judiciary
H.F.	241	Agriculture
H.F.	429	Transportation
H.F.	464	Natural Resources
H.F.	514	Judiciary

NOTICE OF HEARING

Marvin Pomerantz, appointed by the Governor as a member of the State Board of Regents, will appear before the Senate Education investigating committee on April 1, 1987, at 11:30 a.m., Room 22, State Capitol Building.

LARRY MURPHY, Chair
SENATE INVESTIGATING COMMITTEE

AMENDMENTS FILED

S—3296	S. F.	384	Joe Welsh
S—3297	S. F.	423	Richard Varn
S—3298	S. F.	373	Judiciary
S—3299	S. F.	423	Richard Varn
S—3300	S. F.	384	Julia Gentleman Richard Varn Richard F. Drake
S—3301	S. F.	384	Richard Varn Julia Gentleman
S—3302	H. F.	395	Ray Taylor
S—3303	S. F.	390	Joe J. Welsh
S—3304	S. F.	443	Patrick J. Deluhery

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:00 p.m., until 9:00 a.m., Friday, March 27, 1987.

JOURNAL OF THE SENATE

SEVENTY-FIFTH CALENDAR DAY
 FORTY-EIGHTH SESSION DAY

Senate Chamber
 Des Moines, Iowa, Friday, March 27, 1987

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Joy Corning, member of the Senate from Black Hawk County, Cedar Falls, Iowa.

The Journal of Thursday, March 26, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 500, a bill for an act relating to the state civil rights law and the civil rights commission.

This bill was read first time and **passed on file**.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Hultman called up the appointment of Barbara Binnie as a member of the Board of Parole, placed on the Individual Confirmation Calendar on February 19, 1987.

Senator Hultman 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	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn		

Nays, 1:

Welsh

Absent or not voting, 7:

Dieleman	Lind	Peterson	Readinger
Rife	Schwengels	Wells	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

UNFINISHED BUSINESS (Deferred March 26, 1987)

Senate File 384

The Senate resumed consideration of Senate File 384, a bill for an act relating to section 321.445 of the Code, deferred on March 26, 1987.

Senator Welsh offered amendment S—3292 filed by him on March 26, 1987, to strike everything after the enacting clause of the bill.

Senator Welsh offered amendment S—3296 filed by him on March 26, 1987, to amendment S—3292 and moved its adoption.

Amendment S—3296 was adopted by a voice vote.

Senator Gentleman offered amendment S—3300 filed by Senators Gentleman, Varn and Drake on March 26, 1987, to amendment S—3292.

Senator Coleman raised the point of order that amendment S—3300 to amendment S—3292 was out of order because the subject had previously been discussed in amendment S—3301 on March 26, 1987.

The Chair ruled the point well taken and amendment S—3300 out of order.

Senator Welsh moved the adoption of amendment S—3292 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3292 as amended, the Chair ruled the following amendments to page 1 of the bill, out of order:

S—3281 filed by Senator Lloyd-Jones on March 26, 1987.

S—3287 filed by Senator Corning on March 26, 1987.

S—3288 filed by Senator Corning on March 26, 1987.

S—3289 filed by Senator Corning on March 26, 1987.

S—3294 filed by Senators Gentleman, Varn and Drake on March 26, 1987.

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. 384) the vote was:

Ayes, 30:

Boswell	Carr	Coleman	Deluhery
Doyle	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hall	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann

Miller, C.P.	Nystrom	Priebe	Riordan
Scott	Soorholtz	Taylor	Tieden
Varn	Welsh		

Nays, 13:

Bruner	Corning	Drake	Goodwin
Hester	Holden	Lloyd-Jones	Miller, A.V.
Murphy	Palmer	Rensink	Sturgeon
Vande Hoef			

Absent or not voting, 7:

Dieleman	Hannon	Peterson	Readinger
Rife	Schwengels	Wells	

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 384** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 180

On motion of Senator Riordan, Senate File 180, a bill for an act relating to economic crisis relief by providing for a small business legal services program and a small business mediation program, making appropriations, and providing an effective date, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Varn withdrew amendment S—3266 filed by him on March 25, 1987, to page 4 of the bill.

Senator Hultman offered amendment S—3284 filed by him on March 26, 1987, to page 4 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 20.

Amendment S—3284 was adopted.

Senator Husak offered amendment S—3055 filed by the committee on Appropriations on February 19, 1987, to page 10 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 11.

Amendment S—3055 was adopted.

President pro tempore Kinley took the chair at 10:26 a.m.

Senator Varn offered amendment S—3283 filed by him on March 26, 1987, to page 5 of the bill and moved its adoption.

Amendment S—3283 was adopted by a voice vote.

With the adoption of amendment S—3055, the Chair ruled amendment S—3042 filed by Senators Boswell and Riordan on February 16, 1987, to page 10 of the bill, out of order.

Senator Riordan offered amendment S—3307 filed by Senators Boswell and Riordan from the floor to page 10 and the title page of the bill and moved its adoption.

Amendment S—3307 was adopted by a voice vote.

With the adoption of amendment S—3307, the Chair ruled amendment S—3110 filed by Senator Boswell on March 5, 1987, to page 10 of the bill, out of order.

With the adoption of amendment S—3055, the Chair ruled amendment S—3030 filed by Senator Boswell on February 12, 1987, to page 10 of the bill, out of order.

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. 180) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 2:

Gentleman	Lind
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Absent or not voting, 7:

Dieleman	Murphy	Peterson	Readinger
Rife	Schwengels	Wells	

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 387.

Senate File 387

On motion of Senator Miller of Cerro Gordo, Senate File 387, a bill for an act directing certain political subdivisions of the state to consider joint purchases of equipment, 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. 387) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak

Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Varn	Welsh		

Nays, 5:

Fraise	Hester	Rensink	Riordan
Vande Hoef			

Absent or not voting, 7:

Dieleman	Murphy	Peterson	Readerger
Rife	Schwengels	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery 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 Senate File 389.

Senate File 389

On motion of Senator Priebe, Senate File 389, a bill for an act relating to free landowner and tenant licenses for taking deer or wild turkey, 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. 389) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Drake	Fraise

Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Priebe	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 10:

Deluhery	Dieleman	Hultman	Jensen
Murphy	Peterson	Readinger	Rife
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 that **Senate Files 180, 387, and 389** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 209.

Senate File 209

On motion of Senator Gronstal, Senate File 209, a bill for an act exempting gas public utilities having less than two thousand customers from the rate regulation authority of the utilities board and defining the areas in which such utilities remain subject to regulation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3186 filed by the committee on Environment and Energy Utilities on March 18, 1987, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3186 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. 209) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 10:

Deluhery	Dieleman	Hall	Hutchins
Jensen	Peterson	Readinger	Rife
Schwengels	Wells		

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 467.

Senate File 467

On motion of Senator Lloyd-Jones, Senate File 467, a bill for an act relating to education in local school districts, by specifying certain educational programs in qualifying school districts for at-risk students including dropouts, teenage parents, those in need of literacy programs, and prekindergarten programs, and child day care programs and transportation from the school district to and from a child day care center, and making appropriations, was taken up for consideration.

Senator Tieden raised a point of order that Senate File 467 should be referred to the committee on Appropriations.

The Chair ruled the point well taken and **Senate File 467** was referred to the committee on **Appropriations**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 469.

Senate File 469

On motion of Senator Doyle, a bill for an act relating to the confinement and treatment of persons convicted of a violation of operating a motor vehicle while intoxicated by requiring counties to provide temporary confinement for offenders under the supervision of the department of corrections who violate the conditions of treatment programs, by providing that a work release program may include out-of-state work or treatment placement, by specifying that an offender committing a third offense shall serve the minimum thirty-day term in the county jail, and may be sentenced to up to one year in the county jail, by providing that a person convicted of a second or subsequent offense shall be ordered to undergo a substance abuse evaluation, by providing that a person convicted of a third or subsequent offense or an offender whose substance abuse evaluation recommended treatment may be sentenced to the custody of the department of corrections who shall assign the person to a facility pursuant to section 246.513 or to treatment in the community under supervision of the department, by requiring judicial district departments of correctional services to provide programs for offenders under chapter 321J, by providing that a requirement for a mandatory minimum sentence for repeat offenders shall not apply to offenders under chapter 321J, and by providing that an offender under chapter 321J who is under the supervision of the department of corrections shall receive a clothing allowance and expense money allotted to inmates when the offender is assigned to a community-based corrections program, was taken up for consideration.

Senator Doyle offered amendment S—3308 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3308 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. 469) the vote was:

Ayes, 38:

Bruner	Carr	Coleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Varn	Welsh		

Nays, 3:

Corning	Jensen	Tieden
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Absent or not voting, 9:

Boswell	Deluhery	Dieleman	Peterson
Readinger	Rife	Schwengels	Vande Hoef
Wells			

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 209** be **immediately messaged** to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Vande Hoef for the remainder of the day on request of Senator Hultman and Senator Coleman for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 397.

Senate File 397

On motion of Senator Varn, Senate File 397, a bill for an act requiring each gas and electric public utility to create a utility shutoff fund, was taken up for consideration.

Senator Priebe took the chair at 11:12 a.m.

Senator Varn offered amendment S—3178 filed by Senators Varn and Sturgeon on March 17, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3178 was adopted by a voice vote.

Senator Varn withdrew amendment S—3260 filed by him on March 24, 1987, to page 1 of the bill.

Senator Varn offered amendment S—3286 filed by Senators Varn and Holden on March 26, 1987, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3286 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, 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, 27:

Boswell	Bruner	Carr	Corning
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Readinger	Riordan	Soorholtz
Sturgeon	Varn	Welsh	

Nays, 13:

Drake	Fuhrman	Gentleman	Goodwin
Hester	Holden	Jensen	Nystrom
Priebe	Rensink	Scott	Taylor
Tieden			

Absent or not voting, 10:

Coleman	Deluhery	Dieleman	Holt
Hultman	Peterson	Rife	Schwengels
Vande Hoef	Wells		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hutchins for the remainder of the day on request of Senator Husak and Senator Lloyd-Jones for the remainder of the day on request of Senator Gronstal.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 423

On motion of Senator Varn, Senate File 423, a bill for an act relating to the subcontractor's right to file a mechanic's lien against the property for which labor is performed or material is furnished, was taken up for consideration.

Senator Varn withdrew amendment S—3297 filed by him on March 26, 1987, to page 1 of the bill.

Senator Varn offered amendment S—3299 filed by him on March 26, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3299 was adopted by a voice vote.

Senator Varn offered amendment S—3267 filed by him on March 25, 1987, to page 3 of the bill.

Senator Gentleman asked and received unanimous consent that further action on amendment S—3267 and **Senate File 423** be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Boswell for the remainder of the day on request of Senator Horn and Senator Taylor for the remainder of the day on request of Senator Jennsen.

CONSIDERATION OF BILLS
(Regular Calendar)

Senate File 104

On motion of Senator Sturgeon, Senate File 104, a bill for an act requiring certain persons to report suspected dependent adult abuse to the department of human services and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3179 filed by the committee on Human Resources on March 17, 1987, to pages 1, 2 and the title page of the bill.

President pro tempore Kinley took the chair at 11:40 a.m.

Senator Hannon offered amendment S—3310 filed by her from the floor to amendment S—3179 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 13, nays 22.

Amendment S—3310 lost.

Senator Husak asked and received unanimous consent that further action on amendment S—3179 and **Senate File 104** be **deferred**.

Senator Husak asked and received unanimous consent to take up out of order Senate File 62.

Senate File 62

On motion of Senator Sturgeon, Senate File 62, a bill for an act requiring school districts to offer or make available an approved driver education course to certain persons who have successfully completed the general educational development tests, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 62) the vote was:

Ayes, 35:

Bruner	Carr	Corning	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Varn	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 14:

Boswell	Coleman	Deluhery	Dieleman
Hultman	Hutchins	Jensen	Lloyd-Jones
Peterson	Rife	Schwengels	Taylor
Vande Hoef	Wells		

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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 472, a bill for an act to authorize the funding of state park and institutional road projects and county conservation parkway projects from RISE funds.

This bill was read first time and **passed on file**.

House File 612, a bill for an act relating to appeal of a magistrate's decision.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 499, by committee on Ways and Means, a bill for an act relating to the federal low-income housing credit by providing for its allocation and designating the Iowa finance authority as the housing credit agency.

Read first time and **placed on the Ways and Means Calendar**.

APPENDIX

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 499 (SSB 196), a bill for an act relating to the federal low-income housing credit by providing for its allocation and designating the Iowa finance authority as the housing credit agency.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Bruner, Husak, Holden, Boswell, Hester, Holt, Palmer, Readinger and Soorholtz. Nays, none. Absent or not voting, 6: Dieleman, Drake, Gronstal, Mann, Murphy and Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on Friday, March 27, 1987.

Had I been present, I would have voted "aye" on Senate Files 180, 209, 387 and 389. I would have voted "nay" on Senate File 384.

DAVID READINGER

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 469 passed the Senate on March 27, 1987.

JULIE GENTLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 397 passed the Senate on March 27, 1987.

JOY CORNING

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighteen sixth grade students from Orient Elementary School, Orient, Iowa, accompanied by Mr. Dunlevy. Senators Riordan and Boswell.

REPORT OF THE COMMITTEE
ON RULES AND ADMINISTRATION

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 6, the committee on Rules and Administration submits the following changes:

Research Analyst	Carolann Jensen	Grade 27 Step 1 Effective 3/18/87
Legislative Secretary	Carol Zeigler	Grade 16 Step 1 to Step 3 Effective 3/20/87

BILL HUTCHINS, Chair

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Father Joseph Pound — For his “Golden Jubilee” in celebration of 50 years in the priesthood. Senator Miller of Des Moines (March 27, 1987).

Willard L. “Sandy” Boyd — Notwithstanding his ill-advised decision to take up temporary residence in the fair state of Illinois, and to work among the remains of dinosaurs, the Iowa Senate wishes to extend its congratulations to Willard L. “Sandy” Boyd on the occasion of his 60th Birthday. Senator Lloyd-Jones (March 29, 1987).

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	21	Rules and Administration
H. C. R.	20	Rules and Administration
H. F.	579	Transportation

AMENDMENTS FILED

S—3305	S. F.	403	Joy Corning Jim Lind Calvin O. Hultman Donald Gettings
S—3306	S. F.	340	Eugene Fraise Tom Mann, Jr. Larry Murphy Donald V. Doyle
S—3307	S. F.	180	Leonard L. Boswell Jim Riordan
S—3308	S. F.	469	Donald V. Doyle
S—3309	S. F.	292	Patrick Deluhery Michael Gronstal Richard F. Drake
S—3310	S. F.	104	Beverly Hannon
S—3311	S. R.	10	Tom Mann, Jr.
S—3312	S. F.	104	Julia Gentleman
S—3313	S. R.	11	Tom Mann, Jr.
S—3314	S. F.	104	Julia Gentleman

ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 11:57 a.m., until 10:00 a.m., Monday, March 30, 1987.

JOURNAL OF THE SENATE

SEVENTY-EIGHTH CALENDAR DAY
FORTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, March 30, 1987

The Senate met in regular session at 10:08 a.m., President pro tempore Kinley presiding.

Prayer was offered by Father James Goedken, pastor of the Sacred Heart Catholic Church, Oelwein, Iowa.

The Journal of Friday, March 27, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 25, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 499, a bill for an act relating to education including salary increases, efficiencies, and education enhancement, relating to the establishment of an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the retention of quality teachers, and the enhancement of the quality and effectiveness of teachers; activities of the state board of education relating to the accreditation process; duration of a superintendent's contract; open enrollment of pupils in contiguous school districts; postsecondary enrollment options for certain high school students; redrawing boundary lines of area education agencies; plans for a governance structure for merged area schools; majority vote for school district bond issues under

certain conditions; date of the organizational meeting of school corporations; annual publication of financial statements; sharing interscholastic activity programs; adoption of student achievement goals; provision for intercollegiate athletic activities at merged area schools; procedure for opting out of whole grade sharing; calculation of enrollment of school districts; weighting for non-English-speaking students; and provide effective dates.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 26, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 565, a bill for an act relating to the issuance of teaching certificates by the board of educational examiners to certain applicants holding teacher's certificates issued by the national board for professional teaching standards.

This bill was read first time and **passed on file**.

House File 568, a bill for an act relating to the distribution of federal funds under Title III of the Job Training Partnership Act of 1982.

This bill was read first time and **passed on file**.

House File 573, a bill for an act relating to the levying of property taxes in portions of school districts affected by school reorganizations or dissolutions and providing an effective date.

This bill was read first time and **passed on file**.

House File 578, a bill for an act providing for the use of vintage Iowa registration plates.

This bill was read first time and **passed on file**.

House File 585, a bill for an act relating to including consumer rental purchase agreements in the consumer credit code.

This bill was read first time and **passed on file**.

House File 596, a bill for an act relating to the time for designating the period for which certain employer payments shall be allocated.

This bill was read first time and **passed on file**.

House File 607, a bill for an act relating to the maximum age for participation in an organized amateur boxing contest.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 27, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 517, a bill for an act relating to requirements for lender reporting to the title guaranty division.

This bill was read first time and **passed on file**.

House File 536, a bill for an act relating to public bonds by specifying requirements for the issuance of certain bonds, providing for the use of bond proceeds, and providing for the security of certain bonds.

This bill was read first time and **passed on file**.

House File 586, a bill for an act relating to the federal low-income housing credit allowance.

This bill was read first time and **passed on file**.

House File 588, a bill for an act relating to child in need of assistance proceedings.

This bill was read first time and **passed on file**.

House File 610, a bill for an act to grant the commissioner of insurance the authority to approve discretionary group insurance.

This bill was read first time and **passed on file**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 338.

Senate File 338

On motion of Senator Peterson, Senate File 338, a bill for an act relating to environmental protection performance standards for coal mining and providing an effective date, 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?" (S.F. 338) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Deluhery	Hester	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 208.

Senate File 208

On motion of Senator Wells, Senate File 208, a bill for an act pertaining to aircraft registration fees for aircraft owned and operated by nonprofit hospitals, 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?" (S.F. 208) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Lind	Readinger
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Absent or not voting, 4:

Boswell	Hester	Jensen	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 92.

Senate File 92

On motion of Senator Welsh, Senate File 92, a bill for an act relating to the payments due to breeders of race-winning Iowa-whelped dogs from the Iowa horse and dog breeders fund and providing a retroactive effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S-3201 filed by the committee on State Government on March 19, 1987, to page 1 and to the title page of the bill.

Senator Riordan asked and received unanimous consent that further action on amendment S—3201 and **Senate File 92** be deferred.

Senate File 139

On motion of Senator Miller of Cerro Gordo, Senate File 139, a bill for an act allowing moneys received from the county government assistance fund or the municipal assistance fund to be used for economic development projects, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—3195 filed by the committee on Local Government on March 19, 1987, 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 34, nays 9.

Amendment S—3195 was adopted.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 139) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 4:

Dieleman	Gentleman	Mann	Sturgeon
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Absent or not voting, 2:

Boswell

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 20.

Senate Concurrent Resolution 20

On motion of Senator Gronstal, Senate Concurrent Resolution 20, a concurrent resolution urging the postmaster general to issue a special commemorative stamp to honor Harry Lloyd Hopkins, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 20, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 338, 208, and 139** and **Senate Concurrent Resolution 20** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 26, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 576, a bill for an act providing for the grading and marking of Iowa seal agricultural products, and providing penalties.

This bill was read first time and **passed on file**.

House File 574, a bill for an act relating to the crime of forgery and related fraudulent criminal acts, and providing penalties.

This bill was read first time and **passed on file**.

House File 583, a bill for an act relating to the procedures for adopting or amending county zoning ordinances.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 27, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 324, a bill for an act authorizing the joint investment of funds by counties, cities, and city utilities.

This bill was read first time and **passed on file**.

House File 505, a bill for an act relating to adoption decrees for children born outside of the United States.

This bill was read first time and **passed on file**.

House File 591, a bill for an act relating to domestic abuse, assaults involving an act of domestic abuse, and court orders issued and enforced pursuant to the domestic abuse law, and providing penalties.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 500, by Hutchins and Hultman, a bill for an act relating to retirement benefits for part-time county attorneys.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:19 a.m., until 3:00 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENT TO A STATE COMMISSION

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee:

HUMAN RESOURCES

As a member of the Commission of Elder Affairs:

ELMER VERMEER: Sturgeon, Chair; Coleman and Readinger

SUBCOMMITTEE ASSIGNMENTS

Senate File 475

WAYS AND MEANS: Bruner, Chair; Holden and Mann

House File 490

HUMAN RESOURCES: Coleman, Chair; Hannon and Gentleman

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: March 26, 1987, 3:50 p.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Murphy, Palmer, Hester, Holt, Readinger and Soorholtz.

Members Absent: Dieleman (excused), Gronstal, Mann, Riordan and Drake.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointments to the En Bloc Calendar; approved SSB 196 as a committee bill.

Adjourned: 4:05 p.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

BUSINESS AND LABOR RELATIONS

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the Governor's appointment of Mary Ann Stange as a member of the Job Service Advisory Council, completed its investigation on March 30, 1987, and recommended the appointee be confirmed.

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following Governor's appointments, completed its investigations on March 26, 1987, and recommended the appointees be confirmed:

Clayton Mowers as a member of the Iowa Finance Authority.

Carl A. Selden as a member of the State Board of Tax Review.

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Marquette boys' basketball team — Second Place in the 1987 Class 1-A Boy's State high school basketball tournament. Senator Fraise (March 23, 1987).

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 26 and 27, 1987.

Had I been present, I would have voted "aye" on Senate Files 38, 62, 76, 90, 132, 180, 209, 283, 341, 387, 389 and 469. I would have voted "nay" on Senate Files 55, 154, 384 and 397 and amendments S—3301, S—3285 and S—3291 to Senate File 384.

WILLIAM W. DIELEMAN

AMENDMENTS FILED

S—3315	S.F.	473	Wilmer Rensink
S—3316	S.F.	465	Patrick J. Deluhery

S—3317	S. F.	298	Wally E. Horn Bob Carr Richard Drake
S—3318	S. F.	390	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 3:07 p.m., President pro tempore Kinley 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.

MOTION TO RECONSIDER WITHDRAWN

Senate File 469

Senator Gentleman withdrew the motion to reconsider Senate File 469, a bill for an act relating to the confinement and treatment of persons convicted of a violation of operating a motor vehicle while intoxicated by requiring counties to provide temporary confinement for offenders under the supervision of the department of corrections who violate the conditions of treatment programs, by providing that a work release program may include out-of-state work or treatment placement, by specifying that an offender committing a third offense shall serve the minimum thirty-day term in the county jail, and may be sentenced to up to one year in the county jail, by providing that a person convicted of a second or subsequent offense shall be ordered to undergo a substance abuse evaluation, by providing that a person convicted of a third or subsequent offense or an offender whose substance abuse evaluation recommended treatment may be sentenced to the custody of the department of corrections who shall assign the person to a facility pursuant to section 246.513 or to treatment in the community under supervision of the department, by requiring judicial district departments of correctional services to provide programs for offenders under chapter 321J, by providing that a requirement for a mandatory minimum sentence for repeat offenders shall not apply to offenders under chapter 321J, and by providing that an offender under chapter 321J who is under the supervision of the department of corrections shall receive a clothing allowance and expense money allotted to inmates when the offender is assigned to a community-based corrections

program, filed by her on March 27, 1987, and found on page 952 of the Senate Journal.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Gettings for the afternoon on request of Senator Hutchins; Senators Jensen and Taylor for the afternoon on request of Senator Hultman.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 153.

Senate File 153

On motion of Senator Hall, Senate File 153, a bill for an act requiring a rural mail carrier to display a flashing light at designated times while delivering mail and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 153) the vote was:

Ayes, 42:

- | | | | |
|--------------|----------|-------------|--------------|
| Boswell | Bruner | Carr | Coleman |
| Corning | Deluhery | Dieleman | Doyle |
| Drake | Fraise | Goodwin | Gronstal |
| Hall | Hannon | Hester | Holt |
| Horn | Hultman | Husak | Hutchins |
| Kinley | Lind | Lloyd-Jones | Miller, A.V. |
| Miller, C.P. | Murphy | Nystrom | Palmer |
| Peterson | Priebe | Readinger | Rensink |
| Rife | Riordan | Schwengels | Scott |
| Soorholtz | Sturgeon | Vande Hoef | Varn |
| Wells | Welsh | | |

Nays, 4:

Fuhrman	Gentleman	Holden	Tieden
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Absent or not voting, 4:

Gettings	Jensen	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 394.

Senate File 394

On motion of Senator Fraise, Senate File 394, a bill for an act relating to care of animals in commercial establishments, 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?" (S.F. 394) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Miller, A. V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readerger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Coleman	Gentleman
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Absent or not voting, 4:

Gettings	Jensen	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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 455.

Senate File 455

On motion of Senator Horn, Senate File 455, a bill for an act relating to physical therapy by providing that physical therapy evaluation and treatment may be rendered without a prescription or referral, 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. 455) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Miller, A. V.	Miller, C.P.
Murphy	Palmer	Priebe	Rensink
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Nays, 9:

Drake	Goodwin	Holden	Nystrom
Peterson	Readinger	Rife	Tieden
Vande Hoef			

Absent or not voting, 5:

Gettings	Holt	Jensen	Mann
Taylor			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 458

On motion of Senator Miller of Cerro Gordo, Senate File 458, a bill for an act relating to the abatement of taxes by the county, 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. 458) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gettings	Hultman	Jensen	Mann
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 149.

Senate File 149

On motion of Senator Tieden, Senate File 149, a bill for an act relating to insurance by defining provider discrimination against persons licensed to practice dentistry as an unfair trade practice, if coverage is denied for a service rendered by a dentist within the lawful scope of the dentist's license, which would be a covered service if rendered by a person licensed to practice medicine and

surgery, with report of committee recommending passage, was taken up for consideration.

Senator Drake offered amendment S—3321 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3321 was adopted by a voice vote.

Senator Drake offered amendment S—3320 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3320 lost by a voice vote.

Senator Coleman withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I moved to reconsider the vote by which amendment S—3321 to Senate File 149 was adopted by the Senate on March 30, 1987.

Senator Tieden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 149) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hannon	Holden	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Schwengels	Soorholtz
Sturgeon	Tieden	Varn	Wells
Welsh			

Nays, 10:

Drake	Fuhrman	Goodwin	Hall
Hester	Holt	Rensink	Rife
Scott	Vande Hoef		

Absent or not voting, 3:

Jensen	Murphy	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.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 469, 149, 153, 394 and 458** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 345, a bill for an act relating to the procedures for authorization of drainage district improvements.

This bill was read first time and **passed on file**.

House File 520, a bill for an act relating to the regulation of membership campgrounds, membership camping operators, and membership camping contracts, requiring registration and disclosures, providing for cancellation of membership camping contracts, providing remedies, providing penalties, and providing properly related matters.

This bill was read first time and **passed on file**.

House File 533, a bill for an act relating to weight restrictions for vehicles on bridges and culverts and including a penalty.

This bill was read first time and **passed on file**.

House File 595, a bill for an act to establish a system of certificates of title for vessels.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 30, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 629, a bill for an act relating to the self-inflicted injury or death of persons being held in a city or county jail or detention facility.

This bill was read first time and **passed on file**.

House File 636, a bill for an act relating to international trade by establishing the Iowa export business finance program, directing the department of economic development, to the extent funds are available, to provide for certain economic development activities and services, and suggesting the legislative council study the feasibility of establishing a world trade institute and its programs and activities.

This bill was read first time and **passed on file**.

House File 639, a bill for an act relating to investments of Iowa life insurance companies.

This bill was read first time and **passed on file**.

House File 640, a bill for an act relating to revenue adjustments and revised revenue requirements to be reflected in rates and charges to customers of certain public utilities based on the federal Tax Reform Act of 1986, with civil penalties applicable and providing an effective date.

This bill was read first time and **passed on file**.

House File 641, a bill for an act relating to the wastewater treatment facility and making variances granted subject to the review of the environmental protection commission.

This bill was read first time and **passed on file**.

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 20, a resolution recognizing the Iowa State University wrestling team as the 1987 National Collegiate Athletic Association Champions.

Recommendation: DO PASS.

Final Vote: Ayes, 4: Hutchins, Gronstal, Hultman and Kinley. Nays, none. Absent or not voting, 2: Gettings and Jensen.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Husak asked and received unanimous consent to take up for immediate consideration House Concurrent Resolution 20.

House Concurrent Resolution 20

On motion of Senator Gronstal, House Concurrent Resolution 20, a concurrent resolution recognizing the Iowa State University wrestling team as the 1987 National Collegiate Athletic Association Champions, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 20, which motion prevailed by a voice vote.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 195.

Senate File 195

On motion of Senator Gronstal, Senate File 195, a bill for an act relating to the duties of the state board of tax review, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal offered amendment S—3246 filed by Senators Riordan, Husak and Doyle on March 24, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3246 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. 195) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Jensen	Murphy	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 280

On motion of Senator Gentleman, Senate File 280, a bill for an act relating to certain admissions to county care facilities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that further action on **Senate File 280** be deferred.

Senator Husak asked and received unanimous consent to take up out of order Senate File 428.

Senate File 428

On motion of Senator Varn, Senate File 428, a bill for an act relating to the protection of buyers of fine art and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 428) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Fuhrman	Jensen	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husak asked and received unanimous consent to take up out of order Senate File 373.

Senate File 373

On motion of Senator Doyle, Senate File 373, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities, with report of committee recommending amendments and passage, was taken up for consideration.

Senator Doyle asked and received unanimous consent to withdraw amendment S—3204 filed by the committee on Judiciary on March 19, 1987, to page 1 of the bill.

Senator Doyle offered amendment S—3298 filed by the committee on Judiciary on March 26, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3298 was adopted by a voice vote.

Senator Doyle offered amendment S—3190 filed by the committee on Judiciary on March 18, 1987, to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3190 was adopted by a voice vote.

Senator Doyle offered amendment S—3161 filed by the committee on Judiciary on March 11, 1987, to page 5 of the bill.

Senator Holden raised the point of order that amendment S—3161 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3161 in order.

Senator Doyle moved the adoption of amendment S—3161.

A non record roll call was requested.

The ayes were 27, nays 19.

Amendment S—3161 was adopted.

Senator Doyle offered amendment S—3203 filed by the committee on Judiciary on March 19, 1987, to page 6 of the bill and moved its adoption.

Amendment S—3203 was adopted by a voice vote.

Senator Doyle offered amendment S—3205 filed by the committee on Judiciary on March 19, 1987, to page 7 of the bill.

Senator Holden raised the point of order that amendment S—3205 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3205 out of order.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 373) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Jensen	Murphy	Sturgeon	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.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolution 20** and **Senate Files 195, 428** and **373** be **immediately messaged** to the House.

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

AGRICULTURE

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the following Governor's appointments, completed its investigations on March 30, 1987, and recommended the appointees be confirmed:

Mark Leonard as a member of the Agricultural Development Authority.

Kenneth Kassel and John Robert Miller as members of the State Soil Conservation Committee.

Pursuant to Senate Rule 59, the committee on Agriculture assigned to investigate the Governor's appointment of Linda Appelgate as a member of the State Soil Conservation Committee, completed its investigation on March 26, 1987, and **made no recommendation.**

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the following Governor's appointments, completed its investigation on March 30, 1987, and recommended the appointees be confirmed:

Margaret Kolck and Robert J. Martin as members of the Commission for the Blind.

Lewis Rich as a member of the Council on Human Services.

Robert D. Hoogeveen and Mary L. Leonard as members of the Mental Health and Mental Retardation Commission.

Ruth DeVries and Thomas Lansworth as members of the State Foster Care Review Board.

NATURAL RESOURCES

Pursuant to Senate Rule 59, the committee on Natural Resources assigned to investigate the Governor's appointments of Marion Patterson, Douglas Smalley and Rick Young as members of the Natural Resource Commission, completed its investigations on March 30, 1987, and recommended the appointees be confirmed.

SUBCOMMITTEE ASSIGNMENT

Senate Concurrent Resolution 21

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings.

PETITIONS

The following petitions favoring support for the Iowa Medical Society's proposed 1987 liability reform were presented and placed on file by:

Senator Goodwin from twenty-seven residents of Clinton County.
Senator Scott from twenty-four residents of Hancock, Winnebago, Cerro Gordo, Floyd and Worth Counties.

The following petitions were presented and placed on file by:

Senator Schwengels from sixteen residents of Mahaska County opposing Senate File 481, relating to altering individual income tax rates, standard deductions and personal exemptions and credits.

Senator Rife from three thousand seven hundred seventy residents of Iowa opposing raising the state cigarette tax ten cents per pack.

Senator Scott from seven residents of Cerro Gordo County opposing budget cuts in regional library funding.

Senator Schwengels from fourteen residents of Mahaska County opposing House Joint Resolution 14, relating to workers unemployment compensation for "lockout" workers.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Pocahontas Community School — Champion of the 1987 Class 1A Boys' State high school basketball tournament. Senator Fuhrman (March 23, 1987).

Palmer High School — Champion of the 1987 Class A Boys' State high school basketball tournament. Senator Fuhrman (March 23, 1987).

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 455 passed the Senate on March 30, 1987.

JIM LIND

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3310 to Senate File 104 failed to be adopted by the Senate on March 27, 1987.

JULIA GENTLEMAN

COMMITTEE REPORTS

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 90, a bill for an act relating to investigations of the cause and manner of death for patients enrolled in a hospice program.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Readinger, and Sturgeon. Nays, none. Absent or not voting, 3: Taylor, C. Miller and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 207, a bill for an act relating to the approval of chemical substitutes and antagonists programs.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Readinger and Sturgeon. Nays, none. Absent or not voting, 3: C. Miller, Murphy and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 492, a bill for an act regarding schedule I and schedule IV controlled substances.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3324.

Final Vote: Ayes, 9: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Readinger and Sturgeon. Nays, none. Absent or not voting, 3: Taylor, C. Miller and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. F.	500	State Government
H. F.	324	Local Government
H. F.	472	Transportation
H. F.	499	Education
H. F.	505	Human Resources
H. F.	517	Commerce
H. F.	520	Commerce
H. F.	536	Local Government
H. F.	565	Education
H. F.	568	Small Business & Economic Development
H. F.	573	Education
H. F.	574	Judiciary
H. F.	576	Agriculture
H. F.	578	Transportation
H. F.	583	Local Government
H. F.	585	Commerce
H. F.	588	Judiciary
H. F.	591	Judiciary
H. F.	596	Business & Labor Relations
H. F.	610	Commerce
H. F.	612	Judiciary
H. F.	636	Small Business & Economic Development
H. F.	640	Environment & Energy Utilities

AMENDMENTS FILED

S—3319	S. F.	423	Richard Varn
S—3320	S. F.	149	Richard F. Drake

S—3321	S. F.	149	Richard F. Drake
S—3322	S. F.	477	John E. Soorholtz
S—3323	S. F.	440	Donald V. Doyle
			David M. Readinger
			Al Sturgeon
			Bill Hutchins
			Calvin O. Hultman
S—3324	H. F.	492	Human Resources
S—3325	S. F.	477	John E. Soorholtz
S—3326	S. F.	494	Hurley W. Hall
			Eugene S. Fraise
S—3327	S. F.	479	Richard Varn
S—3328	S. F.	459	Richard Drake
			Charles Bruner
			Donald Doyle
			William W. Dieleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:55 p.m., until 9:00 a.m., Tuesday, March 31, 1987.

JOURNAL OF THE SENATE

SEVENTY-NINTH CALENDAR DAY
FIFTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 31, 1987

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Jack W. Hester, member of the Senate from Pottawattamie County, Honey Creek, Iowa, who vocally performed "I Believe".

The Journal of Monday, March 30, 1987, 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 27, 1987, passed the following bill in which the concurrence of the House was asked:

Senate Concurrent Resolution 14, a concurrent resolution congratulating Deere & Company on its 150th anniversary.

ALSO: That the House has on March 27, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 244, a bill for an act relating to progress payments, final payments, and retention from payments made to subcontractors on public improvement construction projects.

This bill was read first time and **passed on file.**

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 472** and **House File 492** be referred from the Regular Calendar to the committee on **Judiciary**.

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.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Taylor called up the appointment of Mary L. Ellis as Director of the Department of Public Health, placed on the Individual Confirmation Calendar on February 4, 1987.

Senator Taylor moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 3:

Fraise	Husak	Murphy
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Absent or not voting, 3:

Dieleman	Mann	Miller, C.P.
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

MOTION TO RECONSIDER ADOPTED
(Governor's Appointee)

Senator Priebe called up the motion to reconsider the vote by which the Senate refused to confirm the appointment of Larry J. Wilson as Director of the Department of Natural Resources, filed by him on March 4, 1987, found on page 529 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 34:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Fraise	Fuhrman
Gentleman	Goodwin	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Schwengels	Scott	Sturgeon	Taylor
Vande Hoef	Welsh		

Nays, 12:

Boswell	Gronstal	Husak	Hutchins
Mann	Murphy	Peterson	Riordan
Soorholtz	Tieden	Varn	Wells

Absent or not voting, 4:

Dieleman Drake Gettings Miller, C.P.

The motion prevailed and the appointment of Larry J. Wilson as Director of the Department of Natural Resources was taken up for reconsideration.

Senator Priebe moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 40:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Schwengels	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, 7:

Boswell	Gronstal	Hutchins	Mann
Riordan	Soorholtz	Wells	

Absent or not voting, 3:

Gettings Husak Miller, C.P.

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

The motion to reconsider the vote by which the Senate refused to confirm the appointment of Larry J. Wilson as Director of the Department of Natural Resources, filed by Senator Hultman on March 3, 1987, and found on page 529 of the Senate Journal, was out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the remainder of the day on request of Senator Hutchins.

MOTION TO RECONSIDER ADOPTED (Governor's Appointee)

Senator Hultman called up the motion to reconsider the vote by which the Senate refused to confirm the appointment of Nancy Norman as Commissioner of the Department of Human Services, filed by him on March 16, 1987, found on page 720 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 28:

Bruner	Coleman	Corning	Deluhery
Doyle	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Jensen	Lind	Lloyd-Jones	Mann
Nystrom	Readinger	Rensink	Riordan
Schwengels	Sturgeon	Taylor	Vande Hoef

Nays, 20:

Boswell	Carr	Dieleman	Fraise
Gronstal	Husak	Hutchins	Kinley
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Rife	Scott	Soorholtz
Tieden	Varn	Wells	Welsh

Absent or not voting, 2:

Gettings	Miller, C.P.
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The motion prevailed and the appointment of Nancy Norman as Commissioner of the Department of Human Services, was taken up for reconsideration.

Senator Hultman asked and received unanimous consent that action on the confirmation of Nancy Norman be temporarily deferred until 4:30 p.m., Tuesday, March 31, 1987.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:45 a.m., until 4:30 p.m.

APPENDIX

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR (March 30, 1987)

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the names of Rick Young and Douglas Smalley be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

BEVERLY A. HANNON

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

The Catholic Archdiocese of Dubuque — Celebrating the One Hundred Fiftieth anniversary of its establishment. Senator Carr (March 23, 1987).

Burlington Grayhound boys' high school basketball team — Champion of the 1987 Class 3A Boys' State high school basketball tournament. Senator Charles Miller (March 23, 1987).

Coach Tom Murr and the Dike Bobcats girls' high school basketball team — For participation in the 1987 Girls' State Class 1A six-player high school basketball tournament. Senator Jensen (March 21, 1987).

Coach Steven Moon and the Denver Cyclones girls' high school basketball team — For participation in the 1987 Girls' State Class 2A six-player high school basketball tournament. Senator Jensen (March 21, 1987).

Coach Kevin Ubbelohde and the Wellsburg-Steamboat Rock Warriors boys' high school basketball team — Third place in the 1987 Class A Boys' State high school basketball tournament. Senator Jensen (March 21, 1987).

Coach David Lee and the Beaman-Conrad-Liscomb-Union-Whitten Comets boys' high school basketball team — For participation in the 1987 Boys' State Class 1A high school basketball tournament. Senator Jensen (March 21, 1987).

Coach Chuck Bredlow and the Ventura Lady Vikes girls' high school basketball team — Champion of the 1987 Girls' State six-player high school basketball tournament. Senator Alvin Miller (March 31, 1987).

Coach Jim Mann and the Carroll Kemper Lady Knights girls' high school basketball team — For participation in the 1987 Girls' State six-player high school basketball tournament. Senator Hutchins (March 14, 1987).

Coach Dwight Widen and the Denison Lady Monarchs girls' high school basketball team — For participation in the 1987 Girls' State six-player high school basketball tournament. Senator Hutchins (March 14, 1987).

Coach Rod Hoegh and the Elk Horn-Kimballton girls' high school basketball team — For participation in the 1987 Girls' State six-player high school basketball tournament. Senator Hutchins (March 14, 1987).

Coach Bill Henkenius and the Audubon Wheelers boys' high school basketball team — For participation in the 1987 Class 2A Boys' State high school basketball tournament. Senator Hutchins (March 21, 1987).

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MADAM PRESIDENT: The committee on memorial resolutions has ascertained the name of a former member of the Senate who has become deceased and appoints the following committee to prepare a memorial resolution:

Richard Turner, Council Bluffs

Gronstal, Chair
Hester
Hultman

C. JOSEPH COLEMAN
DONALD V. DOYLE
LEE W. HOLT
FORREST V. SCHWENGELS

REPORTS OF COMMITTEE MEETINGS

AGRICULTURE

Convened: March 30, 1987, 1:10 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell (arrived 1:28 p.m.), Fraise, Hall, Husak (arrived 1:15 p.m.), Peterson, Scott, Fuhrman, Goodwin, Rensink, Soorholtz (arrived 1:25 p.m.) and Vande Hoef.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Kenneth Kassel, John Robert Miller and Mark Leonard to the En Bloc Calendar; placed Linda Applegate on the En Bloc Calendar without recommendation; Dr. Charles Hurburgh, Associate Professor at Iowa State University, spoke on grain quality.

Adjourned: 1:35 p.m.

BUSINESS AND LABOR RELATIONS

Convened: March 30, 1987, 1:37 p.m.

Members Present: Wells, Chair; Mann, Vice Chair; Gettings, Holden, Horn, Palmer and Welsh.

Members Absent: Fuhrman, Ranking Member; Hultman and Vande Hoef.

Committee Business: Recommended confirmation of Mary Ann Stange to En Bloc Calendar.

Adjourned: 1:40 p.m.

HUMAN RESOURCES

Convened: March 30, 1987, 2:40 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, Readinger and Sturgeon.

Members Absent: Taylor (excused), Murphy and C. Miller.

Committee Business: Recommended passage of House File 492 as amended; recommended passage of House Files 90 and 207; assigned bills to subcommittees; recommended confirmation of Governor's appointments to En Bloc Calendar.

Adjourned: 2:57 p.m.

NATURAL RESOURCES

Convened: March 30, 1987, 1:45 p.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Doyle, Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden.

Members Absent: Schwengels, Ranking Member (excused).

Committee Business: Recommended confirmation of Governor's appointments to En Bloc Calendar; recommended passage of House File 380.

Adjourned: 2:29 p.m.

RULES AND ADMINISTRATION

Convened: March 30, 1987, 3:00 p.m.

Members Present: Hutchins, Chair; Gronstal, Vice Chair; Hultman, Ranking Member and Kinley.

Members Absent: Gettings and Jensen (both excused).

Committee Business: Recommended passage of House Concurrent Resolution 20; assigned Senate Concurrent Resolution 21 to a subcommittee.

Adjourned: 3:05 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 442

TRANSPORTATION: Coleman, Chair; Scott and Drake

Senate File 448

TRANSPORTATION: Coleman, Chair; Scott and Drake

Senate File 466

TRANSPORTATION: Coleman, Chair; Scott and Drake

Senate File 471

COMMERCE: Palmer, Chair; Mann, Lind, Welsh and Holden

House File 188

NATURAL RESOURCES: Hall, Chair; Priebe and Rensink

House File 241

AGRICULTURE: Hester, Chair; Hall and Vande Hoef

House File 411

AGRICULTURE: A. Miller, Chair; Hester, Fraise, Husak and Soorholtz

House File 426

AGRICULTURE: Hester, Chair; Hall and Vande Hoef

House File 429

TRANSPORTATION: Jensen, Chair; Hall and Scott

House File 464

NATURAL RESOURCES: Rensink, Chair; Hester and Scott

House File 472

TRANSPORTATION: Lloyd-Jones, Chair; Hall and Goodwin

House File 499

EDUCATION: Horn, Chair; Bruner, Rensink, Hannon and Lind

House File 506

COMMERCE: Palmer, Chair; Mann, Lind, Welsh and Holden

House File 565

EDUCATION: Varn, Chair; Dieleman, Murphy, Corning and Taylor

House File 573

EDUCATION: Horn, Chair; Bruner, Rensink, Hannon and Lind

House File 578

TRANSPORTATION: Lloyd-Jones, Chair; Hall and Goodwin

House File 579

TRANSPORTATION: Lloyd-Jones, Chair; Hall and Drake

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM 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 31st day of March, 1987:

Senate Files 141 and 269.

JOHN F. DWYER
Secretary of the Senate

EXPLANATION OF VOTE

MADAM PRESIDENT: Because of a malfunction of the voting machine on March 31, 1987, my vote on the confirmation of Mary Ellis was not recorded. I asked that my vote be recorded as "aye" on the confirmation.

WILLIAM W. DIELEMAN

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which the Senate confirmed the appointment of Mary Ellis as Director of the Department of Public Health on March 31, 1987.

JOE J. WELSH

COMMITTEE REPORT

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 380, a bill for an act relating to the contracting of indebtedness for county conservation purposes.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Hall, Doyle, Hannon, Goodwin, Hester, Rensink and Tieden. Nays, 3: Priebe, Husak and Scott. Voting present, 1: Peterson. Absent, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF STANDING COMMITTEE

(Place nominee on En Bloc Confirmation Calendar)

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the Governor's appointment of Andy Varley as Chairman of the Utilities Board, completed its investigation on March 24, 1987, and recommended the appointee be confirmed.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twelfth grade students from Klemme High School, Klemme, Iowa, accompanied by Alan Jensen. Senator Taylor.

The following visitors were present in the Senate gallery:

Thirty student council members from Holmes Junior High School, Cedar Falls, Iowa, accompanied by Delsie Hoffey and Dave Andreasen. Senator Corning.

Fifty-five fifth grade students from West Marshall Elementary School, State Center, Iowa, accompanied by Carol Eddy and Pat Maxwell. Senator Soorholtz.

AMENDMENTS FILED

S—3329	S. F.	488	Larry Murphy
S—3330	S. F.	390	Joe J. Welsh
S—3331	S. F.	496	John N. Nystrom Charles Bruner
S—3332	S. F.	496	John N. Nystrom
S—3333	H. F.	79	Edgar H. Holden
S—3334	H. F.	79	Edgar H. Holden
S—3335	S. F.	488	Jim Lind
S—3336	S. F.	360	Larry Murphy
S—3337	S. F.	464	Edgar H. Holden
S—3338	S. F.	489	Michael E. Gronstal
S—3339	S. F.	461	Edgar H. Holden

AFTERNOON SESSION

The Senate reconvened at 5:00 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 16, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 221, a bill for an act to increase the fee for the wildlife habitat stamp.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 27, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 600, a bill for an act relating to elections and political activity and subjecting violators to a penalty.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 30, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 210, a bill for an act relating to certain admissions to health care facilities.

This bill was read first time and **passed on file**.

House File 382, a bill for an act to reserve a specific amount of a claim payable on an insurance policy on property located within the corporate limits of a city for the cost of demolition of the property by a city.

This bill was read first time and **passed on file**.

House File 617, a bill for an act relating to financial institutions.

This bill was read first time and **passed on file**.

House File 630, a bill for an act relating to state liability for torts committed by juveniles while performing community service assignments pursuant to an order of the juvenile court.

This bill was read first time and **passed on file**.

House File 653, a bill for an act relating to issuance of collision damage waivers in motor vehicle rental agreements, making penalties applicable, and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 31, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 443, a bill for an act to authorize games of skill, games of chance, or raffles to be conducted by a qualified organization on the premises of a liquor control licensee or beer permittee in cities with a population of twenty-five hundred or less subject to certain restrictions.

This bill was read first time and **passed on file**.

House File 518, a bill for an act relating to powers and duties of certain political subdivisions in relation to their operational procedures and financial arrangements, and providing an effective date.

This bill was read first time and **passed on file**.

House File 602, a bill for an act providing for the appointment of a person to administer the inspection of meat and poultry under chapter 189A.

This bill was read first time and **passed on file**.

House File 658, a bill for an act relating to the allocation of the state ceiling on private activity bonds for tax-exempt purposes and providing an effective date.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 501, by Hutchins and Hultman, a bill for an act relating to the organization and procedures of state government,

by making modifications to the authority for and procedures relating to governmental budget and finance administration, by making modifications in the authority for and procedures relating to state personnel administration, by making modifications to the powers, procedures, and structure of certain state governmental agencies, by making adjustments to the 1986 legislation reorganizing state government, by making other related adjustments and modifications, and by providing an effective date.

Read first time and **passed on file.**

INTRODUCTION OF RESOLUTIONS

Senate Resolution 12, by Miller of Des Moines, a resolution honoring the Burlington High School boys' basketball team.

Read first time and **passed on file.**

Senate Concurrent Resolution 22, by Miller of Des Moines, a concurrent resolution relating to the expansion of the state mental health institute at Mount Pleasant.

Read first time and **passed on file.**

Senate Concurrent Resolution 23, by committee on State Government, a concurrent resolution requesting an interim study of third party payments for the services of licensed health care professionals.

Read first time and **placed on calendar.**

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 45 present, 5 absent and a quorum present.

SPECIAL GUEST

Senator Coleman presented Dr. June Gabler, Superintendent of Fort Dodge Schools. Dr. Gabler was recognized as the first Iowan and first woman to serve as national President of the American Association of School Administrators.

BUSINESS PENDING
(Governor's Appointment)

The Senate resumed consideration of the appointment of Nancy Norman as Commissioner of the Department of Human Services, previously deferred.

Senator Carr moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 35:

Bruner	Coleman	Corning	Deluhery
Doyle	Drake	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Priebe	Readinger	Rensink
Riordan	Schwengels	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	

Nays, 15:

Boswell	Carr	Dieleman	Fraise
Gettings	Husak	Kinley	Miller, C.P.
Palmer	Peterson	Rife	Soorholtz
Varn	Wells	Welsh	

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 474.

Senate File 474

On motion of Senator Peterson, Senate File 474, a bill for an act relating to the waiver of homestead exemptions, and providing dates for the effectiveness and applicability of the Act, 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?" (S.F. 474) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 476

On motion of Senator Priebe, Senate File 476, a bill for an act relating to payments of certain taxes upon certain sales of agricultural land, was taken up for consideration.

Senator Hultman raised the point of order that Senate File 476 should be referred to the committee on Ways and Means under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 476) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Boswell	Bruner	Deluhery	Doyle
Fraise	Fuhrman	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Lloyd-Jones	Mann	Miller, A. V.	Priebe
Riordan	Scott	Sturgeon	Varn
Wells			

Nays, 26:

Carr	Corning	Dieleman	Drake
Gentleman	Gettings	Goodwin	Hester
Holden	Holt	Hultman	Jensen
Lind	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Readinger	Rensink
Rife	Schwengels	Taylor	Tieden
Vande Hoef	Welsh		

Voting present, 1:

Coleman

Absent or not voting, 2:

Kinley Soorholtz

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hannon for the remainder of 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 Senate File 479.

Senate File 479

On motion of Senator Varn, Senate File 479, a bill for an act relating to the use and application of pesticides and making penalties applicable, was taken up for consideration.

Senator Varn offered amendment S—3327 filed by him on March 30, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3327 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 479) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Fraise	Gettings
Gronstal	Horn	Husak	Hutchins
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Palmer	Priebe	Riordan
Scott	Sturgeon	Tieden	Welsh

Nays, 22:

Dieleman	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Jensen	Miller, C.P.
Nystrom	Peterson	Readinger	Rensink
Rife	Schwengels	Taylor	Vande Hoef
Varn	Wells		

Absent or not voting, 4:

Coleman	Hannon	Kinley	Soorholtz
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

MOTION TO RECONSIDER WITHDRAWN

Senate File 455

Senator Lind withdrew the motion to reconsider Senate File 455, a bill for an act relating to physical therapy by providing that physical therapy evaluation and treatment may be rendered without a prescription or referral, filed by him on March 30, 1987, and found on page 981 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 455** be **immediately messaged** to the House.

APPENDIX

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate on March 31, 1987:

DEPARTMENT OF HUMAN RIGHTS

A copy of the 1986 Annual report on Community Action Programs in Iowa by the Division of Community Action Agencies, in accordance with 1986 Iowa Acts, Senate File 2175, Section 1249.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 482, a bill for an act relating to the civil process and procedure for awarding interest on civil judgments and decrees, determining whether a sufficient burden of proof has been met for the awarding of punitive damages, and for allowing the consideration for previous payments for medical damages, the providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 483, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 484, a bill for an act relating to health care providers and patients and providing for the creation of an excess liability fund for health care providers, establishing a surcharge to be deposited in the fund, establishing a special surcharge, establishing qualifications for a health care provider or a patient to be protected by the fund, establishing a maximum limitation on the liability of the fund, creation of a compensation review board, authorization of the fund to procure reinsurance to protect the fund, authorization of the fund to provide primary insurance coverage to health care providers and providing for structured settlements.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3346.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Carr, Holden, Kinley, Lind, Mann, Priebe, Rife, Tieden and Welsh. Nays, 2: Gronstal and Sturgeon. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: SENATE CONCURRENT RESOLUTION 23, a resolution requesting an interim study of third party payments for the services of licensed health care professionals.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, Rife, Schwengels and Soorholtz. Nays, none. Absent or not voting, 2: C. Miller and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: House File 315, a bill for an act relating to the indemnification of eligible special exhibit items and the limitations of indemnity coverage of these items.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: C. Miller,

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 402, a bill for an act relating to state personnel administration by expressly providing for department of personnel supervision of salary, sick leave, and other personnel actions of certain state departments and agencies and by revising statutory provisions governing the administration of the state personnel system.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, Rife, Schwengels, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUPPLEMENTAL REPORT OF THE COMMITTEE ON MEMORIAL RESOLUTIONS

MADAM PRESIDENT: The committee on memorial resolutions has ascertained the name of a former member of the Senate who has become deceased and appoints the following committee to prepare a memorial resolution:

Carroll L. Price, Knoxville

Dieleman, Chair
Peterson
Schwengels

C. JOSEPH COLEMAN
DONALD V. DOYLE
LEE W. HOLT
FORREST V. SCHWENGELS

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	22	Rules and Administration
S. R.	12	Rules and Administration
H. F.	221	Natural Resources
H. F.	244	Commerce
H. F.	345	Agriculture
H. F.	382	Local Government
H. F.	533	Transportation
H. F.	518	Local Government

H.F.	586	State Government
H.F.	603	State Government
H.F.	629	Judiciary
H.F.	639	Commerce
H.F.	443	State Government
H.F.	600	State Government
H.F.	617	Commerce
H.F.	630	Judiciary
H.F.	653	Commerce
H.F.	658	Small Business & Economic Development

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 474 passed the Senate on March 31, 1987.

EDGAR H. HOLDEN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 479 failed to pass the Senate on March 31, 1987.

RICHARD VARN

AMENDMENTS FILED

S—3340	S. F.	353	Richard Varn Lee W. Holt Richard F. Drake Donald V. Doyle Beverly A. Hannon
S—3341	S. F.	461	Edgar H. Holden
S—3342	S. F.	399	Jim Riordan
S—3343	S. F.	399	Jim Riordan
S—3344	S. F.	437	William W. Dieleman
S—3345	S. F.	494	Julia B. Gentleman
S—3346	S. F.	484	Commerce
S—3347	S. F.	480	Tom Mann, Jr.

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:11 p.m., until 9:00 a.m., Wednesday, April 1, 1987.

JOURNAL OF THE SENATE

EIGHTIETH CALENDAR DAY
FIFTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 1, 1987

The Senate met in regular session at 9:04 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Ray Taylor, member of the Senate from Hardin County, Steamboat Rock, Iowa.

The Journal of Tuesday, March 31, 1987, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 613, a bill for an act relating to the licensing and examination of first mortgage bankers and mortgage brokers, and regulation of other mortgage lenders, and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 31, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 523, a bill for an act relating to the financial authority of political subdivisions by authorizing loan agreements, the issuance of bonds for additional purposes, and the payment of interest from bond proceeds.

This bill was read first time and **passed on file**.

MOTION TO RECONSIDER WITHDRAWN**Senate File 474**

Senator Holden withdrew the motion to reconsider Senate File 474, a bill for an act relating to the waiver of homestead exemptions, and providing dates for the effectiveness and applicability of the Act, filed by him on March 31, 1987, and found on page 1008 of the Senate Journal.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Files 482, 483 and 484** be referred from the Regular Calendar to the committee on **Judiciary** and **Senate Concurrent Resolution 23** be referred from the Regular Calendar to the committee on **Rules and Administration**.

HOUSE AMENDMENT CONSIDERED**Senate File 298**

Senator Horn called up for consideration Senate File 298, a bill for an act relating to the sale of alcoholic beverages, by allowing the alcoholic beverages division to assess a split-case charge when alcoholic liquor is sold in quantities which require a case to be split, by lowering the maximum markup on liquor sold by the division to class "E" licensees from sixty to fifty percent, by allowing identifying markers to be placed on containers of alcoholic liquor in the manner prescribed by the division, by setting the bond for a class "E" license at a maximum of fifteen thousand dollars, by not requiring a bond from class "E" licensees who purchase alcoholic liquor from the division on a cash basis or through electronic funds transfer, by allowing the division to deposit all the license fees collected from class "E" licensees in the beer and liquor control fund, by allowing the advertisement of alcoholic liquor for sale, by repealing the fifty percent goods and services test to qualify for Sunday sales of alcoholic beverages or beer under a liquor control license or class "B" beer permit, by removing the beverage container deposit on containers of alcoholic liquor and wine, by striking a standing appropriation for the treatment of alcoholics, by allowing the division to sell

liquor inventories in state stores to class "E" licensees at reduced prices as state stores are closed, and by allowing the division to continue sales of wine to class "A" and "B" wine permittees until inventories are depleted, amended by the House in House amendment S—3255 filed March 24, 1987.

President pro tempore Kinley took the chair at 9:30 a.m.

Senator Horn offered amendment S—3317 filed by Senators Horn, Carr and Drake on March 30, 1987, to pages 1 through 4 of House amendment S—3255.

Senator Gentleman called for a division of amendment S—3317 to House amendment S—3255: lines 8 through 11 as division S—3317A; lines 4 through 7 and 12 through 17 as division S—3317B.

Senator Horn moved the adoption of division S—3317A to House amendment S—3255, which motion prevailed by a voice vote.

Senator Horn moved the adoption of division S—3317B to House amendment S—3255, which motion prevailed by a voice vote.

Senator Horn moved that the Senate concur in House amendment S—3255 as amended, which motion prevailed by a voice vote.

Senator Horn moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 298) the vote was:

Ayes, 32:

Boswell	Carr	Coleman	Deluhery
Doyle	Drake	Fraise	Fuhrman
Gettings	Hall	Horn	Hultman
Husak	Hutchins	Kinley	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Scott	Sturgeon
Tieden	Varn	Wells	Welsh

Nays, 17:

Bruner	Corning	Dieleman	Gentleman
Goodwin	Gronstal	Hannon	Hester
Holden	Holt	Jensen	Lind
Mann	Rensink	Schwengels	Taylor
Vande Hoef			

Absent or not voting, 1:

Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTION TO RECONSIDER WITHDRAWN

Senate File 56

Senator Riordan withdrew the motion to reconsider Senate File 56, a bill for an act relating to the regulation of firearms by a political subdivision, filed by him on March 24, 1987, and found on page 879 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 485.

Senate File 485

On motion of Senator Welsh, Senate File 485, a bill for an act relating to insurance coverage for health care services provided by registered nurses, requiring that coverage be made available, providing for direct payment or reimbursement, and providing for data collection and utilization review, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 485) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Gentleman
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Peterson	Priebe	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 18:

Corning	Drake	Fraise	Fuhrman
Goodwin	Hall	Holden	Holt
Jensen	Lind	Nystrom	Palmer
Readinger	Rensink	Rife	Taylor
Tieden	Vande Hoef		

Absent or not voting, 2:

Gettings	Hultman
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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 488.

Senate File 488

On motion of Senator Dieleman, Senate File 488, a bill for an act relating to physical education activities for students enrolled in grades nine through twelve, was taken up for consideration.

Senator Coleman took the chair at 10:10 a.m.

Senator Lind offered amendment S—3335 filed by him on March 31, 1987, to page 1 and the title page of the bill.

Senator Dieleman called for a division of amendment S—3335:

Division S—3335A: Page 1, lines 2 through 50; page 2, lines 1 through 3 and lines 11 through 13.

Division S—3335B: Page 2, lines 4 through 9.

Division S—3335C: Page 2, line 10.

On motions by Senator Lind, divisions S—3335A, S—3335B and S—3335C were adopted by a voice vote.

With the adoption of division S—3335C, the Chair ruled amendment S—3329 filed by Senator Murphy on March 31, 1987, to page 1 of the bill, out of order.

Action on Senate File 488 was temporarily deferred.

Senate File 489

On motion of Senator Dieleman, Senate File 489, a bill for an act relating to the licensing of marital and family therapists, mental health counselors, and school psychologists, was taken up for consideration.

Senator Gentleman offered amendment S—3261 filed by her on March 24, 1987, to pages 1 through 9 and to the title page of the bill and called for a division: lines 2 through 36 and lines 39 and 40 as division S—3261A; lines 37 and 38 as division S—3261B.

Senator Gentleman moved the adoption of division S—3261A and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 20, nays 29.

Division S—3261A lost.

Senator Gentleman withdrew division S—3261B.

Senator Gentleman offered amendment S—3278 filed by her on March 25, 1987, to pages 8 and 9 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 26.

Amendment S—3278 lost.

Senator Gronstal offered amendment S—3338 filed by him on March 31, 1987, to page 10 of the bill and moved its adoption.

Amendment S—3338 was adopted by a voice vote.

Senator Holden asked and received unanimous consent that further action on **Senate File 489** be **deferred**.

BUSINESS PENDING

Senate File 488

The Senate resumed consideration of Senate File 488, previously deferred.

Senator Murphy offered amendment S—3353 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 16, nays 25.

Amendment S—3353 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. 488) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gronstal
Hall	Hannon	Hester	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Rensink	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Varn	Wells		

Nays, 10:

Gentleman	Goodwin	Holden	Holt
Jensen	Peterson	Readinger	Rife
Tieden	Vande Hoef		

Absent or not voting, 2:

Gettings

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 494

On motion of Senator Kinley, Senate File 494, a bill for an act relating to the salaries of county sheriffs and their first and second deputies, was taken up for consideration.

Senator Rensink took the chair at 11:25 a.m.

Senator Hall offered amendment S—3326 filed by Senators Hall and Fraise on March 30, 1987, to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 30, nays 18.

Amendment S—3326 was adopted.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 494** be **deferred**.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 310, a bill for an act relating to acquired immune deficiency syndrome including the establishment of a central registry for victims and screening and testing procedures.

This bill was read first time and **passed on file**.

House File 507, a bill for an act relating to discrimination by employers and by labor unions, organizations, and officers on the basis of sex, and making a penalty applicable.

This bill was read first time and **passed on file**.

House File 556, a bill for an act relating to, and defining, bed and breakfast inns, and subjecting violators to existing penalties.

This bill was read first time and **passed on file**.

House File 567, a bill for an act relating to permanency planning for children by providing for dispositional and placement review hearings for certain children subject to the jurisdiction of the juvenile court, by authorizing permanency placement orders for certain children in need of assistance, by modifying certain grounds and procedures for the termination of parental rights, and by establishing an adoption exchange.

This bill was read first time and **passed on file**.

House File 624, a bill for an act relating to the distribution, transportation, storage, and acts or activities involving the use of an incendiary or explosive device or material, establishing permits, licenses, and fees, and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 31, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 633, a bill for an act relating to restrictions on the number of acres of agricultural land that authorized farm corporations or authorized trusts may acquire or otherwise obtain or lease, restricting persons from being shareholders or beneficiaries in more than a certain number of authorized farm corporations or authorized trusts, and providing penalties.

This bill was read first time and **passed on file**.

House File 644, a bill for an act relating to the use of public funds to aid economic development.

This bill was read first time and **passed on file**.

House File 651, a bill for an act relating to certain rights, duties, and liabilities of custodians and foster parents of children.

This bill was read first time and **passed on file**.

House File 654, a bill for an act relating to the funding of the energy bank program.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 24, by Mann, a concurrent resolution relating to the establishment of an interim committee on the rights of privacy.

Read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:35 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: March 31, 1987, 3:40 p.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Kinley, Lind, Mann, Priebe, Rife, Sturgeon, Tieden and Welsh.

Members Absent: Nystrom.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 471 and 484 as amended; recommended passage of Senate Files 482 and 483.

Adjourned: 5:00 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: March 31, 1987, 2:35 p.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: Riordan (excused).

Committee Business: Recommended passage of Senate File 432; recommended confirmation of Governor's appointments to En Bloc Calendar.

Adjourned: 3:50 p.m.

STATE GOVERNMENT

Convened: March 31, 1987, 1:35 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Drake, Gronstal, Horn, Lloyd-Jones, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: C. Miller (excused).

Committee Business: Recommended confirmation of Governor's appointments to En Bloc Calendar; approved proposed committee concurrent resolution calling for a study committee relating to health care professionals; recommended passage of House File 79 as amended; recommended passage of House Files 315 and 402.

Adjourned: 2:25 p.m.

REPORTS OF STANDING COMMITTEES
(Place nominees on En Bloc Confirmation Calendar)

ENVIRONMENT AND ENERGY UTILITIES

Pursuant to Senate Rule 59, the committee on Environment and Energy Utilities assigned to investigate the following Governor's appointments, completed its investigations on April 1, 1987, and recommended the appointees be confirmed:

Nancy Lee Siebenmann as a member of the Environmental Protection Commission.

Nancy Shimanek as a member of the Utilities Board.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on March 31, 1987, and recommended the appointees be confirmed:

Edward Seitzinger as a member of the Alcoholic Beverages Commission.

Geraldine Eitter as a member of the Campaign Finance Disclosure Commission.

Pamela DeMoss, Marilyn May and Carmen Miller as members of the Dental Examining Board.

Virginia Ruark as a member of the Engineering and Land Surveying Examining Board.

Michael K. Eberle and Jan Stillman as members of the Iowa Board of Veterinary Medicine.

John Olds and Cecil Peterson as members of the Medical Examining Board.

Wilhelmina McFee and Cherie Oetker as members of the Nursing Examining Board.

John A. Gazaway as a member of the Optometry Examining Board.

Lois G. Campbell and Martha Thien as members of the Physical and Occupational Therapy Examining Board.

Joan Grant and Rick Jennings as members of the Psychology Examining Board.

Greg A. Hicklin and Joan Treirvieler as members of the Respiratory Care Advisory Committee.

Francis Hellert and Leonard Larsen as members of the Social Work Examining Board.

Katherine J. Howe as a member of the Speech Pathology and Audiology Examining Board.

Leo K. Monaghan and Lavonne Mydland as members of the State Racing Commission.

TRANSPORTATION

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the Governor's appointment of Roger Fair as a member of the State Transportation Commission, completed its investigation on April 1, 1987, and recommended the appointee be confirmed.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: SENATE FILE 471, a bill for an act relating to indemnification and limitation on liability of directors and officers and to liability of persons who volunteer services to the state or a municipality or a nonprofit organization.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3352.

Final Vote: Ayes, 13: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, 1: Mann. Absent or not voting, 1: Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: SENATE FILE 432, a bill for an act relating to the creation of an Iowa small business guaranty fund.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3357.

Final Vote: Ayes, 11: Boswell, Peterson, Deluhery, Hannon, A. Miller, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 1: Riordan.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 79, a bill for an act prohibiting smoking in certain public places and providing a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3348.

Final Vote: Ayes, 8: Carr, Dieleman, Nystrom, Bruner, Drake, Gronstal, Lloyd-Jones and Schwengels. Nays, 4: Coleman, Gentleman, Rife and Soorholtz. Absent or not voting, 3: C. Miller, Horn and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

House File 505

HUMAN RESOURCES: Murphy, Chair; Hannon and Corning

House File 517

COMMERCE: Rife, Chair; Welsh and Sturgeon

House File 520

COMMERCE: Sturgeon, Chair; Carr and Tieden

House File 533

TRANSPORTATION: Scott, Chair; Gettings and Jensen

House File 585

COMMERCE: Mann, Chair; Deluhery and Jensen

House File 610

COMMERCE: Lind, Chair; Kinley and Mann

House File 640

ENVIRONMENT AND ENERGY UTILITIES: A. Miller, Chair; Rife and Varn

SSB 243

APPROPRIATIONS: Gettings, Chair; Tieden and Husak

COMMUNICATION

The following communication has been received and placed file in the office of the Secretary of the Senate on March 24, 1987:

DEPARTMENT OF EMPLOYMENT SERVICES

A copy of the final Biennial report for the Iowa Bureau of Labor that was sent to the Governor pursuant to Section 91.4(5) and Section 88.19 of the Code of Iowa.

PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Roger Fair be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

JOE J. WELSH

STUDY BILL RECEIVED**SSB 243 Appropriations**

Relating to the refund to certain contractors of local option sales and services tax paid.

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Robert J. Burns, former member of the Senate from Johnson County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Nineteen high school students attending Lutheran School in Japan, accompanied by their two instructors. Senator Readinger.

Fifteen eighth grade students from Woden-Crystal Lake Junior High School, Crystal Lake, Iowa. Senator Priebe.

Forty-one fifth grade students from McKee Elementary School, Des Moines, Iowa, accompanied by Mrs. Fitzsimmons and Mr. Campbell. Senator Palmer.

Thirty-six fifth grade students from Clegg Park Elementary School, West Des Moines, Iowa, accompanied by Nancy Tychsen. Senator Gentleman.

Twenty-three seventh and eighth grade students from West Bend High School, West Bend, Iowa, accompanied by Michelle Plagman. Senator Priebe.

AMENDMENTS FILED

S—3348	H.F.	79	State Government
S—3349	S.F.	44	James Wells
S—3350	S.F.	461	Patrick J. Deluhery
S—3351	S.F.	396	Larry Murphy
S—3352	S.F.	471	Commerce
S—3353	S.F.	488	Larry Murphy
S—3354	S.F.	376	Patrick Deluhery
S—3355	S.F.	5	Tom Mann, Jr.
S—3356	S.F.	390	Michael E. Gronstal
S—3357	S.F.	432	Small Business & Economic Development
S—3358	S.F.	351	Michael E. Gronstal

AFTERNOON SESSION

The Senate reconvened at 4:51 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 48 present, 2 absent and a quorum present.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 298, 474 and 56** be **immediately messaged** to the House.

President Zimmerman took the chair at 4:56 p.m.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent take up out of order Senate File 171.

Senate File 171

On motion of Senator Peterson, Senate File 171, a bill for an act relating to the limiting of the funds that can be used to benefit a business or industry that does not pay the prevailing rate, with report of committee recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that further action on **Senate File 171** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 292.

Senate File 292

On motion of Senator Gronstal, Senate File 292, a bill for an act relating to the establishment of a building materials fire toxicity filing system, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3309 filed by Senators Deluhery, Gronstal and Drake on March 27, 1987, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—3309 was adopted by a voice vote.

With the adoption of amendment S—3309, the Chair ruled amendment S—3165 filed by the committee on State Government on March 12, 1987, to page 1 and the title page of the bill, out of order.

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. 292) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 396

On motion of Senator Deluhery, Senate File 396, a bill for an act relating to the creation of a waste management authority within the environmental protection division of the department of natural resources, was taken up for consideration.

Senator Deluhery offered amendment S—3359 filed by him from the floor to pages 2 through 8 of the bill and moved its adoption.

Amendment S—3359 was adopted by a voice vote.

Senator Murphy offered amendment S—3351 filed by him from the floor to pages 4 and 6 of the bill and moved its adoption.

Amendment S—3351 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. 396) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A. V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Tieden
Varn	Wells	Welsh	

Nays, 6:

Gentleman	Holden	Jensen	Peterson
Taylor	Vande Hoef		

Absent or not voting, 1:

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 424

On motion of Senator Carr, Senate File 424, a bill for an act relating to the administration of the campaign finance disclosure laws, was taken up for consideration.

Senator Holden offered amendment S—3227 filed by Senators Holden and Carr on March 23, 1987, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—3227 was adopted by a voice vote.

Senator Schwengels offered amendment S—3240 filed by Senators Schwengels, Welsh and Nystrom on March 24, 1987, to page 3 of the bill and moved its adoption.

Amendment S—3240 was adopted by a voice vote.

Senator Holden offered amendment S—3181 filed by him on March 17, 1987, to page 3 of the bill and moved its adoption.

Amendment S—3181 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. 424) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER WITHDRAWN

Senate File 397

Senator Corning withdrew the motion to reconsider Senate File 397, a bill for an act requiring each gas and electric public utility to create a utility shutoff fund, filed by her on March 27, 1987, and found on page 952 of the Senate Journal.

CONSIDERATION OF BILLS (Regular Calendar)

Senate File 437

On motion of Senator Schwengels, Senate File 437, a bill for an act relating to anesthesia services, care, and procedures provided by certified registered nurse anesthetists, providing for insurance coverage and payment for services provided to recipients of medical assistance, providing other properly related matters, and providing for the applicability of the Act, was taken up for consideration.

Senator Dieleman offered amendment S—3344 filed by him on March 31, 1987, to page 4 of the bill and moved its adoption.

Amendment S—3344 lost 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?" (S.F. 437) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Gronstal	Hannon	Holden
Holt	Horn	Hultman	Husak
Hutchins	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Priebe
Rensink	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, 14:

Fraise	Fuhrman	Gentleman	Goodwin
Hall	Hester	Jensen	Kinley
Lind	Palmer	Peterson	Readinger
Rife	Tieden		

Absent or not voting, 1:

Gettings

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 443

On motion of Senator Gronstal, Senate File 443, a bill for an act defining and establishing redemption centers, dealer agents, and territory of service between dealer agents and distributors, and subjecting violators to a penalty, was taken up for consideration.

Senator Deluhery offered amendment S—3304 filed by him on March 26, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3304 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. 443) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Peterson Tieden

Absent or not voting, 3:

Gettings Miller, A.V. 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 **Senate Files 292, 396, 488, 485, 397, 437 and 443** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 587, a bill for an act relating to the licensing and regulation of architects, and providing penalties.

This bill was read first time and **passed on file**.

House File 660, a bill for an act relating to dependent adult abuse, providing penalties, and establishing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 1, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 575, a bill for an act relating to the acquisition, development, promotion, and management of land for recreation trails.

This bill was read first time and **passed on file**.

House File 622, a bill for an act relating to affirmative action in the certification of names for positions in the state personnel system when necessary to achieve a balanced work force and providing for the future repeal of the Act.

This bill was read first time and **passed on file**.

House File 623, a bill for an act relating to the identification, protection, planning, and promotion of public highways and roads along scenic regions of the state.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 25, by Welsh, a concurrent resolution requesting the Iowa General Assembly to send a delegation to Senator Grassley to gain his support for a Presidential veto override.

Read first time and **passed on file**.

CONFERENCE COMMITTEE REPORT RECEIVED (House File 355)

A conference committee report signed by the following Senate and House members was filed April 1, 1987, on House File 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986, and ending June 30, 1987 and providing an effective date:

On the Part of the Senate:

JOE J. WELSH, Chair
EMIL J. HUSAK
RICHARD VARN

On the Part of the House:

THOMAS J. JOCHUM, Chair
ROD HALVORSON
MICHAEL K. PETERSON

APPENDIX

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: HOUSE FILE 360, a bill for an act relating to the decisions of guardians regarding life-sustaining procedures.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 378, a bill for an act relating to the dissemination and redissemination of criminal history data to the Iowa department of public health for purposes of employment screening for juvenile substance abuse treatment programs, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Varn and Taylor. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 416, a bill for an act relating to consumer frauds and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Hester, Horn, Taylor and Varn. Nays, 1: Gentleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 489, a bill for an act relating to ensuring that the title to agricultural land is not affected by the failure of a creditor to receive a mediation release, regardless of its validity.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 612, a bill for an act relating to appeal of a magistrate's decision.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 407, a bill for an act relating to violations of 321J.2 and retention of records of motor vehicle violations.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3366.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 429, a bill for an act providing that under certain circumstances the owner of a vehicle which is violating the warning lamps or stop arm of a school bus shall be deemed to be the driver and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Coleman, Scott, Gettings, Goodwin, Hall, Jensen and Nystrom. Nays, 2: Doyle and Lloyd-Jones. Absent or not voting, 1: Drake.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 494, a bill for an act requiring mobile home dealers to apply for a certificate of title for mobile homes received as a trade-in and making penalties applicable.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3365.

Final Vote: Ayes, 10: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

REPORT OF STANDING COMMITTEE
(Place nominee on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the Governor's appointment of Edward Winger as a member of the Optometry Examining Board, completed its investigation on March 31, 1987, and recommended the appointee be confirmed.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	24	Rules and Administration
S. F.	501	State Government
H. F.	310	Human Resources
H. F.	507	State Government
H. F.	523	Local Government
H. F.	556	Small Business & Economic Development
H. F.	567	Judiciary
H. F.	587	State Government
H. F.	613	Commerce
H. F.	624	Judiciary
H. F.	633	Agriculture
H. F.	644	Small Business & Economic Development
H. F.	651	Judiciary
H. F.	654	Environment & Energy Utilities

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 424 passed the Senate on April 1, 1987.

BOB CARR

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 476 failed to pass the Senate on March 31, 1987.

DON GETTINGS

AMENDMENTS FILED

S—3359	S. F.	396	Patrick J. Deluhery
S—3360	S. F.	351	Michael E. Gronstal
S—3361	S. F.	351	Michael E. Gronstal
S—3362	S. F.	351	Michael E. Gronstal
S—3363	S. F.	480	Tom Mann, Jr.
S—3364	S. F.	486	John N. Nystrom
S—3365	H. F.	494	Transportation
S—3366	H. F.	407	Transportation
S—3367	S. F.	310	Jim Riordan
S—3368	S. F.	464	Al Sturgeon
S—3369	S. F.	92	Jim Riordan
			Berl E. Priebe
			Dale Tieden

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:14 p.m., until 9:00 a.m., Thursday, April 2, 1987.

JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 2, 1987

The Senate met in regular session at 9:08 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Raymond Lott, pastor of the First United Methodist Church, Grinnell, Iowa.

The Journal of Wednesday, April 1, 1987, was approved.

CONSIDERATION OF BILL (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 198.

Senate File 198

On motion of Senator Wells, Senate File 198, a bill for an act relating to the payment of special assessments on property acquired by eminent domain and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Wells offered amendment S—3076 filed by Senators Wells and Miller of Cerro Gordo on February 24, 1987, to page 2 of the bill and moved its adoption.

Amendment S—3076 was adopted by a voice vote.

Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 198) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Rensink	Rife
Riordan	Schwengels	Soorholtz	Sturgeon
Taylor	Tieden	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Hall	Hannon	Kinley	Palmer
Peterson	Priebe	Readinger	Scott
Vande Hoef			

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 371.

Senate File 371

On motion of Senator Gettings, Senate File 371, a bill for an act relating to installation and use of safety belts and safety harnesses in motor vehicles owned, leased, rented, or primarily used by physically handicapped persons, 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?" (S.F. 371) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall

Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Tieden	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Mann	Palmer	Readinger	Taylor
Vande Hoef			

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 310.

Senate File 310

On motion of Senator Riordan, Senate File 310, a bill for an act relating to organic food, by providing for standards, the enforcement of the standards, and penalties, with report of committee recommending passage, was taken up for consideration.

Senator Riordan offered amendment S—3367 filed by him on April 1, 1987, to pages 2, 6 and the title page of the bill and moved its adoption.

Amendment S—3367 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that further action on **Senate File 310** be **deferred**.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Miller of Des Moines and Gettings for the remainder of the morning on request of Senator Husak.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 356.

Senate File 356

On motion of Senator Murphy, Senate File 356, a bill for an act relating to the exemptions from regulation of a home used to prepare food for a cafe, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—3279 filed by him on March 26, 1987, 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 20, nays 24.

Amendment S—3279 lost.

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. 356) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Boswell	Bruner	Carr	Coleman
Doyle	Fraise	Fuhrman	Goodwin
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Mann	Miller, A.V.
Murphy	Nystrom	Peterson	Priebe
Rensink	Riordan	Scott	Sturgeon
Taylor	Tieden	Varn	Wells

Nays, 16:

Corning	Deluhery	Dieleman	Gentleman
Hall	Holden	Jensen	Kinley
Lind	Lloyd-Jones	Palmer	Readinger
Rife	Schwengels	Soorholtz	Welsh

Absent or not voting, 6:

Drake	Gettings	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.

MOTION TO RECONSIDER ADOPTED

Senator Carr called up the motion to reconsider Senate File 424 filed by him on April 1, 1987, found on page 1037 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 424) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Varn	Wells	Welsh

Nays, 2:

Jensen	Tieden
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Absent or not voting, 8:

Deluhery	Drake	Gettings	Holt
Hultman	Hutchins	Miller, C.P.	Vande Hoef

The motion prevailed.

Senator Carr moved to reconsider the vote by which Senate File 424 went to its last reading, which motion prevailed by a voice vote.

Senate File 424

On motion of Senator Carr, Senate File 424, a bill for an act relating to the administration of the campaign finance disclosure laws, was taken up for reconsideration.

Senator Holden filed the following motion to reconsider from the floor and moved its adoption.

MADAM PRESIDENT: I moved to reconsider the vote by which amendment S—3181 to Senate File 424 was adopted by the Senate on April 1, 1987.

The motion prevailed by a voice vote and amendment S—3181 by Senator Holden to page 3 of the bill was taken up for reconsideration.

Senator Holden withdrew amendment S—3181.

Senator Schwengels filed the following motion to reconsider from the floor and moved its adoption.

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3240 to Senate File 424 was adopted by the Senate on April 1, 1987.

The motion prevailed by a voice vote and amendment S—3240 by Senators Schwengels, Welsh and Nystrom to page 3 of the bill was taken up for reconsideration.

Senator Schwengels asked and received unanimous consent to withdraw amendment S—3240.

Senator Carr filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3227 to Senate File 424 was adopted by the Senate on April 1, 1987.

The motion prevailed by a voice vote and amendment S—3227 by Senators Holden and Carr to pages 1 through 3 of the bill was taken up for reconsideration.

Senator Schwengels offered amendment S—3373 filed by Senators Schwengels and Nystrom from the floor to amendment S—3227 and moved its adoption.

Amendment S—3373 was adopted by a voice vote.

Senator Holden offered amendment S—3370 filed by him from the floor to amendment S—3227 and moved its adoption.

Amendment S—3370 was adopted by a voice vote.

Senator Carr moved the adoption of amendment S—3227 as amended, which motion prevailed by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 424) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gettings	Holt	Miller, C.P.	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.

The following motions to reconsider filed by Senator Carr from the floor were out of order.

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3240 to Senate File 424 was adopted by the Senate on April 1, 1987.

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3181 to Senate File 424 was adopted by the Senate on April 1, 1987.

MOTIONS TO RECONSIDER WITHDRAWN

Senate File 451

Senator Gentleman withdrew the motion to reconsider Senate File 451, a bill for an act relating to the acquisition of legal settlement in a county, filed by her on March 23, 1987 and found on page 871 of the Senate Journal.

Senate File 273

Senator Bruner withdrew the motion to reconsider Senate File 273, a bill for an act relating to the definition of foster care, filed by him on March 9, 1987, and found on page 606 of the Senate Journal.

Senate File 154

Senator Husak withdrew the motion to reconsider Senate File 154, a bill for an act relating to the merger or consolidation of bank affiliates, filed by him on March 26, 1987, and found on page 928 of the Senate Journal.

Senator Rife withdrew the motion to reconsider Senate File 154, filed by him on March 26, 1987, and found on page 928 of the Senate Journal.

Senator Holden withdrew the motion to reconsider Senate File 154, filed by him on March 26, 1987, and found on page 928 of the Senate Journal.

CONSIDERATION OF BILL (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 376.

Senate File 376

On motion of Senator Holden, Senate File 376, a bill for an act relating to state banks by permitting a state bank to engage in securities activities and to organize, acquire, or invest in a subsidiary to engage in nondepository activities permitted by state or federal law, and to invest in certain financial contracts and mutual funds for its own account, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery offered amendment S—3354 filed by him on April 1, 1987, to page 2 of the bill and moved its adoption.

Amendment S—3354 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. 376) the vote was:

Ayes, 39:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, 7:

Boswell	Dieleman	Hannon	Peterson
Rife	Schwengels	Welsh	

Absent or not voting, 4:

Gettings	Holt	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.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate File 453** be referred from the Regular Calendar to the committee on **Local Government**.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate Files 198, 371, 424, 451, 154, 273 and 376** be **immediately messaged** to the House.

CONSIDERATION OF BILL
(Regular Calendar)**Senate File 390**

On motion of Senator Gronstal, **Senate File 390**, a bill for an act exempting a city electric light and power franchise ordinance from required submission to the voters at an election, with report of committee without recommendation, was taken up for consideration.

Senator Gronstal offered amendment S—3356 filed by him on April 1, 1987, to strike everything after the enacting clause and to the title page of the bill.

Senator Hultman offered amendment S—3374 filed by him from the floor to amendment S—3356.

Senator Husak asked and received unanimous consent that further action on amendment S—3356, amendment S—3374 to amendment S—3356 and **Senate File 390** be **deferred**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 621, a bill for an act requiring the state vehicle dispatcher and other state agencies to solicit bids for ethanol-blended gasoline when advertising for bids for gasoline.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 26, by committee on Judiciary, a concurrent resolution requesting an interim court study.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 27, by committee on Judiciary, a concurrent resolution requesting an interim study on juvenile issues.

Read first time and **placed on calendar**.

Senate Concurrent Resolution 28, by committee on Judiciary, a concurrent resolution relating to the establishment of an interim committee on the rights of privacy.

Read first time and **placed on calendar**.

RECESS

On motion of Senator Husak, the Senate recessed at 11:10 a.m., until 4:30 p.m.

APPENDIX

MOTION TO RECONSIDER (Filed April 1, 1987)

MADAM PRESIDENT: I move to reconsider the vote by which the Senate confirmed the appointment of Mary Ellis as Director of the Department of Public Health on March 31, 1987.

RAY TAYLOR

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 2, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 141 — Relating to relief under bankruptcy for a judgment debtor from suspension of license, registration, or nonresident operating privilege under motor vehicle financial responsibility requirements.

SENATE FILE 269 — Affirming and reenacting certain provisions affecting the criminal laws, and providing an effective date.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment S—3351 to Senate File 396, the following technical correction was made:

1. Page 1, line 4, the number "19" was changed to the number "15".

JOHN F. DWYER
Secretary of the Senate

REPORTS OF COMMITTEE MEETINGS

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 1, 1987, 1:35 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Rife, Schwengels, Sturgeon and Varn.

Members Absent: Murphy (excused).

Committee Business: Recommended confirmation of Governor's appointments to the En Bloc Calendar; presentations on toxic waste by Ken Thornton, President of Hydrogeo Technik, Inc., Ankeny, Iowa and Jerald Ness, Snyder & Associates, Ankeny, Iowa.

Adjourned: 2:10 p.m.

HUMAN RESOURCES

Convened: April 1, 1987, 2:45 p.m.

Members Present: Hannon, Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger, Sturgeon and Taylor.

Members Absent: Carr, Vice Chair (excused).

Committee Business: Assigned a bill to a subcommittee; presentation by Dana Ericson of The Des Moines BirthPlace concerning House File 328.

Adjourned: 3:30 p.m.

JUDICIARY

Convened: April 1, 1987, 3:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 612, 360, 489, 378 and 416; approved four proposed committee concurrent resolutions relating to interim study committees.

Adjourned: 4:25 p.m.

RULES AND ADMINISTRATION

Convened: April 1, 1987, 4:15 p.m.

Members Present: Hutchins, Chair; Gronstal, Vice Chair; Hultman, Ranking Member; Kinley, Gettings and Jensen.

Members Absent: none.

Committee Business: Approved legislative positions of Bill Room Clerk and Assistant Bill Room Clerk; approved legislative secretary to Senator Mann; assigned bills to subcommittees.

Adjourned: 4:20 p.m.

TRANSPORTATION

Convened: April 1, 1987, 1:35 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member (arrived 1:45 p.m.); Doyle, Gettings, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Roger Fair to the En Bloc Calendar; recommended passage of House File 429; recommended passage of House Files 407 and 494 as amended.

Adjourned: 1:55 p.m.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 356 passed the Senate on April 2, 1987.

LARRY MURPHY

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 356 passed the Senate on April 2, 1987.

JOHN A. PETERSON

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 26, a resolution requesting an interim court study.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 27, a resolution requesting an interim study on juvenile issues.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 28, a resolution relating to the establishment of an interim committee on the rights of privacy.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE CONCURRENT RESOLUTION 29, a resolution requesting an interim study committee to study certain issues relating to family law.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

Senate Resolution 12

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

Senate Concurrent Resolution 22

RULES AND ADMINISTRATION: Gettings, Chair; Hultman and Jensen

Senate Concurrent Resolution 23

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

Senate File 467

APPROPRIATIONS: Varn, Chair; Corning and Lloyd-Jones

Senate File 472

JUDICIARY: Horn, Chair; Hester and Varn

Senate File 482

JUDICIARY: Mann, Chair; Doyle, Coleman, Drake and Gentleman

Senate File 483

JUDICIARY: Mann, Chair; Doyle, Coleman, Drake and Gentleman

Senate File 484

JUDICIARY: Mann, Chair; Doyle, Coleman, Drake and Gentleman

Senate File 501

STATE GOVERNMENT: Carr, Chair; Dieleman, Bruner, Nystrom and Drake

House File 185

JUDICIARY: Doyle, Chair; Mann and Holt

House File 303

LOCAL GOVERNMENT: Goodwin, Chair; Jensen and Hall

House File 304

LOCAL GOVERNMENT: Vande Hoef, Chair; Wells and Hall.

House File 310

HUMAN RESOURCES: Hannon, Chair; Readinger and Sturgeon

House File 443

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

House File 492

JUDICIARY: Horn, Chair; Hester and Varn

House File 507

STATE GOVERNMENT: Bruner, Chair; Coleman and Drake

House File 514

JUDICIARY: Horn, Chair; Gentleman and Varn

House File 574

JUDICIARY: Varn, Chair; Mann and Fuhrman

House File 586

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

House File 587

STATE GOVERNMENT: Dieleman, Chair; Lloyd-Jones and Schwengels

House File 588

JUDICIARY: Gentleman, Chair; Hester and Deluhery

House File 591

JUDICIARY: Horn, Chair; Gentleman and Mann

House File 600

STATE GOVERNMENT: Gronstal, Chair; Drake and Bruner

House File 603

STATE GOVERNMENT: Lloyd-Jones, Chair; Nystrom and Bruner

House File 612

JUDICIARY: Fuhrman, Chair; Varn and Holt

House File 629

JUDICIARY: Mann, Chair; Coleman and Fuhrman

House File 630

JUDICIARY: Mann, Chair; Gentleman and Varn

House File 654

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Murphy and Rife

REPORT OF STANDING COMMITTEE
(Place nominee on Individual Confirmation Calendar)

HUMAN RESOURCES

Pursuant to Senate Rule 59, the committee on Human Resources assigned to investigate the Governor's appointment of Elmer Vermeer as a member of the Commission of Elder Affairs, completed its investigation on April 2, 1987, and recommended the appointee be confirmed.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five fifth grade students from Roosevelt Elementary School, Ames, Iowa, accompanied by Judy Berdahl. Senator Bruner.

Forty-five fifth grade students from Madison Elementary School, Des Moines, Iowa. Senator Mann.

AMENDMENTS FILED

S—3370	S. F.	424	Edgar H. Holden
S—3371	H. F.	79	Edgar H. Holden
S—3372	S. F.	171	Linn Fuhrman
S—3373	S. F.	424	Forrest Schwengels John Nystrom
S—3374	S. F.	390	Calvin Hultman
S—3375	S. F.	477	George R. Kinley
S—3376	S. F.	464	Al Sturgeon Jim Lind Joy Corning

S—3377	S. F.	461	Edgar H. Holden
S—3378	S. F.	461	Edgar H. Holden
S—3379	S. F.	461	Edgar H. Holden
S—3380	S. F.	464	Edgar H. Holden
S—3381	S. F.	44	Leonard L. Boswell
S—3382	S. F.	480	Tom Mann, Jr.

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 42 present, 8 absent and a quorum present.

UNFINISHED BUSINESS (Deferred March 27, 1987)

Senate File 423

The Senate resumed consideration of Senate File 423, a bill for an act relating to the subcontractor's right to file a mechanic's lien against the property for which labor is performed or material is furnished, and amendment S—3267 by Senator Varn to page 3 of the bill, deferred on March 27, 1987.

Senator Varn offered amendment S—3319 filed by him on March 30, 1987, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3319 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—3267, which motion prevailed by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 423) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson

Priebe	Readinger	Rensink	Rife
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Gettings	Hannon	Murphy	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.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 461.

Senate File 461

On motion of Senator Deluhery, Senate File 461, a bill for an act relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all satellite terminals in this state or their data processing centers be directly connected to a central routing unit, was taken up for consideration.

Senator Welsh took the chair at 4:50 p.m.

Senator Holden offered amendment S—3379 filed by him from the floor to pages 1, 2 and 3 of the bill and called for a division: Page 1, lines 2 through 50 and page 2, lines 1 through 3 and 8 and 9 as division S—3379A; page 2, lines 4 through 7 as division S—3379B.

Senator Priebe raised the point of order that division S—3379A was not germane to the bill.

The Chair ruled the point not well taken and division S—3379A in order.

Senator Holden moved the adoption of division S—3379A.

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 28.

Division S—3379A lost.

Senator Holden moved the adoption of division S—3379B.

A non record roll call was requested.

The ayes were 21, nays 27.

Division S—3379B lost.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 461** be **deferred**.

COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

April 2, 1987

Mr. John F. Dwyer
Secretary of the Senate
State Capitol Building
LOCAL

Dear Mr. Dwyer:

Due to the resignation of Robert E. Lee, Centerville, Appanoose County, Iowa, I am withdrawing his name for consideration to the Health Facilities Council.

I request an extension on this position, and I will submit another name for consideration as soon as possible.

Very truly yours,
TERRY E. BRANSTAD
Governor

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 393, a bill for an act relating to the regulation of the sale of alcoholic beverages by amending the definition of licensed premises, by requiring the division of alcoholic beverages to place its system of purchase of alcoholic liquor on a bailment system, by providing for service of notice of nonpayment and penalty by the division to a class "E" license by certified mail, and relating to liquor control licenses and wine and beer permits by providing for adjustment of fees for certain businesses and permittees and by requiring all class "A" wine permit premises and class "A" beer permit premises to be located within the state.

This bill was read first time and **passed on file**.

House File 398, a bill for an act relating to water districts, by providing for water service within two miles of a city and by providing for the determination and apportionment of cost attributed to the annexation of land.

This bill was read first time and **passed on file**.

House File 399, a bill for an act relating to the issuance of citations by the department of inspections and appeals to food establishments, food service establishments, hotels and motels, and vending machine operators for violating laws concerned with the public health, and providing for the establishment of penalties for violations.

This bill was read first time and **passed on file**.

House File 527, a bill for an act relating to proportional registration by providing for credits of registration fees when changing the method of registration of vehicles and by requiring owners of vehicles subject to proportional registration to make application to either the state department of transportation or the county treasurer for registration and issuance of certificates of title, and providing an effective date.

This bill was read first time and **passed on file**.

House File 529, a bill for an act relating to governmental competition with and purchase of goods and services from private enterprise.

This bill was read first time and **passed on file**.

House File 645, a bill for an act relating to interception of communications by electronic, mechanical, or other devices, providing a penalty and providing an automatic repeal.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 1, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 594, a bill for an act relating to the regulation of pharmacists and pharmacies and to administration, dispensing, and distribution of certain drugs, and providing penalties.

This bill was read first time and **passed on file**.

House File 615, a bill for an act relating to providing workers' compensation coverage for emergency medical personnel and providing authority for their certification.

This bill was read first time and **passed on file**.

House File 626, a bill for an act relating to the agricultural development authority, by expanding certain definitions, providing requirements for certain farmers to participate in certain programs, providing programs to assist eligible beef cattle producers, making appropriations, and providing an effective date.

This bill was read first time and **passed on file**.

House File 652, a bill for an act relating to the allocations and appropriations of lottery revenues and the programs for which the revenues may be used.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 29, by committee on Judiciary, a concurrent resolution requesting an interim study committee to study certain issues relating to family law.

Read first time and **placed on calendar**.

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.	301	Appropriations
S. F.	44	State Government
S. F.	221	Human Resources
S. C. R.	26	Rules and Administration
S. C. R.	27	Rules and Administration
S. C. R.	28	Rules and Administration
S. C. R.	29	Rules and Administration

APPENDIX

REPORT OF STANDING COMMITTEE (Place nominee on En Bloc Confirmation Calendar)

LOCAL GOVERNMENT

Pursuant to Senate Rule 59, the committee on Local Government assigned to investigate the Governor's appointment of John Fischer as a member of the County Finance Committee, completed its investigation on April 2, 1987, and recommended the appointment be confirmed.

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate on April 1, 1987:

CITIZENS' AIDE/OMBUDSMAN

A copy of the annual report of the office of Citizens' Aide/Ombudsman for calendar year 1986 pursuant to Section 601G.18 of the Code of Iowa.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 423 passed the Senate on April 2, 1987.

JULIA GENTLEMAN

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	393	State Government
H.F.	398	Local Government
H.F.	399	State Government
H.F.	527	Transportation
H.F.	529	Small Business and Economic Development
H.F.	575	Natural Resources
H.F.	607	State Government
H.F.	615	Business and Labor Relations

H.F.	621	Agriculture
H.F.	622	State Government
H.F.	623	Transportation
H.F.	645	Judiciary
H.F.	652	Small Business and Economic Development

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE FILE 482, a bill for an act relating to the civil process and procedure for awarding interest on civil judgments and decrees, determining whether a sufficient burden of proof has been met for the awarding of punitive damages, and for allowing the consideration for previous payments for medical damages, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3391.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 483, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 484, a bill for an act relating to health care providers and patients and providing for the creation of an excess liability fund for health care providers, establishing a surcharge to be deposited in the fund, establishing a special surcharge, establishing qualifications for a health care provider or a patient to be protected by the fund, establishing a maximum limitation on the liability of the fund, creation of a compensation review board, authorization of the fund to procure reinsurance to protect the fund, authorization of the fund

to provide primary insurance coverage to health care providers and providing for structured settlements.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—3389 and S—3390.

Final Vote: Ayes, 10: Doyle, Mann, Carr, Coleman, Deluhery, Drake, Fraise, Gentleman, Varn and Horn. Nays, 3: Fuhrman, Hester and Holt. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 47, a bill for an act relating to the appointment of township officers.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 92, a bill for an act relating to the council-manager-ward form of city government.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 303, a bill for an act relating to notice given by a city of an election, hearing, or other official action.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 318, a bill for an act relating to the use of county and municipal infractions.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 410, a bill for an act relating to the interest of a city officer or employee in contracts for the purchase of goods and services by a city.

Recommendation: DO PASS.

Final Vote: Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 164, a bill for an act relating to the discretion of a notary public in performing notarial services, and limiting that discretion.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Dieleman, Nystrom, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, C. Miller, Rife, Schwengels and Welsh. Nays, none. Absent or not voting, 3: Horn, Bruner and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3383	S.F.	436	Beverly Hannon
S—3384	S.F.	492	Beverly Hannon
S—3385	S.F.	489	Larry Murphy
S—3386	S.F.	5	Edgar H. Holden
S—3387	S.F.	465	Richard Varn
S—3388	H.F.	469	James D. Wells
S—3389	S.F.	484	Judiciary
S—3390	S.F.	484	Judiciary

S—3391

S.F.

482

Judiciary

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:33 p.m., until 8:00 a.m., Friday, April 3, 1987.

JOURNAL OF THE SENATE

EIGHTY-SECOND CALENDAR DAY
FIFTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 3, 1987

The Senate met in regular session at 8:02 a.m., President pro tempore Kinley presiding.

Prayer was offered by the Honorable Leonard L. Boswell, member of the Senate from Decatur County, Davis City, Iowa.

The Journal of Thursday, April 2, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson 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 33 present, 17 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 2, 1987)

Senate File 461

The Senate resumed consideration of Senate File 461, a bill for an act relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all satellite terminals in this state or their data processing centers be directly connected to a central routing unit, deferred April 2, 1987.

Senator Holden offered amendment S—3341 filed by Senators Holden and Deluhery on March 31, 1987, to pages 1 through 7 of the bill and called for a division:

Division S—3341A: Page 1, lines 2 through 50; page 2, lines 1 through 12 and lines 21 through 38.

Division S—3341B: Page 2, lines 13 through 20.

Senator Holt took the chair at 8:22 a.m.

Senator Holden moved the adoption of division S—3341A, which motion prevailed by a voice vote.

Senator Holden moved the adoption of division S—3341B.

A record roll call was requested.

On the question “Shall division S—3341B be adopted?” (S.F. 461) the vote was:

Ayes, 20:

Coleman	Corning	Dieleman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Lind	Lloyd-Jones
Miller, C.P.	Nystrom	Readinger	Rensink
Schwengels	Taylor	Tieden	Vande Hoef

Nays, 26:

Boswell	Bruner	Carr	Deluhery
Doyle	Drake	Fraise	Fuhrman
Gettings	Gronstal	Horn	Husak
Hutchins	Jensen	Kinley	Mann
Miller, A.V.	Murphy	Palmer	Priebe
Rife	Scott	Soorholtz	Varn
Wells	Welsh		

Absent or not voting, 4:

Hannon	Peterson	Riordan	Sturgeon
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Division S—3341B lost.

Senator Deluhery offered amendment S—3350 filed by him on April 1, 1987, to pages 1, 2 and 7 of the bill.

Senator Holden offered amendment S—3377 filed by him on April 2, 1987, to amendment S—3350 and moved its adoption.

Amendment S—3377 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—3350 as amended, which motion prevailed by a voice vote.

Senator Holden offered amendment S—3339 filed by him on March 31, 1987, to pages 1 and 2 of the bill and called for a division: lines 2 through 7 as division S—3339A and lines 8 through 15 as division S—3339B.

Senator Holden moved the adoption of division S—3339A.

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—3339A lost.

With the adoption of amendment S—3350 as amended, the Chair ruled division S—3339B out of order.

Senator Holden withdrew amendment S—3378 filed by him on April 2, 1987, to page 7 of the bill.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 461) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Varn	Wells	Welsh

Nays, 5:

Gentleman
Vande Hoef

Holden

Holt

Lind

Absent or not voting, 1:

Peterson

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 477.

Senate File 477

On motion of Senator Soorholtz, Senate File 477, a bill for an act relating to the Iowa state fair by creating an independent Iowa state fair authority, authorizing the issuance of bonds and notes, and exempting tickets from the sales, services, and use tax, was taken up for consideration.

Senator Soorholtz withdrew amendment S—3322 filed by him on March 30, 1987, to page 9 of the bill.

Senator Soorholtz offered amendment S—3325 filed by him on March 30, 1987, to page 9 and the title page of the bill and moved its adoption.

Amendment S—3325 was adopted by a voice vote.

Senator Kinley offered amendment S—3375 filed by him on April 2, 1987, to page 9 of the bill and moved its adoption.

Amendment S—3375 was adopted by a voice vote.

President pro tempore Kinley took the chair at 9:25 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. 477) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 496.

Senate File 496

On motion of Senator Nystrom, Senate File 496, a bill for an act relating to the retirement benefits received by certain members of the Iowa public employees' retirement system, was taken up for consideration.

Senator Nystrom asked and received unanimous consent that further action on **Senate File 496** be deferred.

CONSIDERATION OF BILL
(Ways and Means Calendar)

Senate File 481

On motion of Senator Bruner, Senate File 481, a bill for an act relating to state tax revenues and expenditures by altering the individual income tax rates, standard deductions, and personal exemptions and credits; increasing the state sales, services, and use tax and providing for refunds for certain contractors as a result of that increase; specifying the rate of the cigarette and little cigar and tobacco products taxes, when they may be altered and specifying when a cigarette and little cigar inventory tax is imposed; adjusting the homestead property tax credit and the elderly and disabled credit and reimbursement schedule; decreasing the school foundation property tax levy; adjusting the allowable growth and state aid under the school foundation formula; and providing effective dates, was taken up for consideration.

Senator Priebe took the chair at 9:43 a.m.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 481** 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 pro tempore Kinley presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Deluhery for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

Senate File 496

The Senate resumed consideration of Senate File 496, previously deferred.

Senator Nystrom offered amendment S—3332 filed by him on March 31, 1987, to pages 1, 2 and 3 of the bill and moved its adoption.

Amendment S—3332 was adopted by a voice vote.

Senator Nystrom asked and received unanimous consent to withdraw amendment S—3331 filed by Senators Nystrom and Bruner on March 31, 1987, to pages 2 and 3 of the bill.

Senator Nystrom offered amendment S—3400 filed by him from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3400 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 496) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, C.P.	Murphy
Nystrom	Priebe	Readinger	Rensink
Riordan	Schwengels	Taylor	Varn
Wells	Welsh		

Nays, 11:

Fuhrman	Gentleman	Lind	Lloyd-Jones
Palmer	Rife	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	

Absent or not voting, 5:

Deluhery	Holden	Mann	Miller, A.V.
Peterson			

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 461, 477 and 496** be **immediately messaged** to the House.

**CONSIDERATION OF BILL
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 484.

Senate File 484

On motion of Senator Palmer, Senate File 484, a bill for an act relating to health care providers and patients and providing for the creation of an excess liability fund for health care providers, establishing a surcharge to be deposited in the fund, establishing a special surcharge, establishing qualifications for a health care provider or a patient to be protected by the fund, establishing a maximum limitation on the liability of the fund, creation of a compensation review board, authorization of the fund to procure reinsurance to protect the fund, authorization of the fund to provide primary insurance coverage to health care providers and providing for structured settlements, with report of committee on Commerce recommending amendment and passage and report of committee on Judiciary recommending amendments and passage, was taken up for consideration.

Senator Mann offered amendment S—3390 filed by the committee on Judiciary on April 2, 1987, to pages 1, 2, 4 and 6 of the bill and called for a division: Page 1, lines 2 through 7 and lines 9 through 11 as division S—3390A; page 1, line 8 as division S—3390B; page 1, lines 12 through 50 and page 2, lines 1 through 23 as division S—3390C.

Senator Mann moved the adoption of division S—3390A, which motion prevailed by a voice vote.

Senator Gentleman offered amendment S—3393 filed by Senators Gentleman and Drake from the floor to divisions S—3390B and S—3390C and called for a division: lines 3 through

5 as division S—3393A; line 6 as division S—3393B and line 7 as division S—3393C.

Senator Gentleman asked and received unanimous consent to withdraw division S—3393A to division S—3390B.

Senator Hultman asked and received unanimous consent that action on division S—3393B to division S—3390C be deferred.

Senator Lloyd-Jones took the chair at 11:30 a.m.

President pro tempore Kinley took the chair at 11:43 a.m.

Senator Mann moved the adoption of division S—3390B.

A record roll call was requested.

On the question “Shall division S—3390B be adopted?” (S.F. 484) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Boswell	Bruner	Carr	Coleman
Doyle	Fraise	Gronstal	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Readinger	Riordan	Sturgeon
Varn	Wells	Welsh	

Nays, 25:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Hall
Hannon	Hester	Holden	Holt
Hultman	Jensen	Lind	Mann
Nystrom	Rensink	Rife	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef			

Absent or not voting, 2:

Deluhery Peterson

Division S—3390B lost.

(Senate File 484 pending on recess.)

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:46 a.m., until 12:00 noon.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 1, 1987, 6:10 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Boswell, Corning, Dieleman, Fraise, Jensen, Lind, Peterson, Readinger, Riordan, Schwengels and Varn.

Members Absent: Tieden, Ranking Member; Gettings, Holt and Lloyd-Jones.

Committee Business: Amended and approved a proposed committee senate concurrent resolution. (NOTE: the proposed concurrent resolution discussed in committee was erroneously filed as an individually sponsored resolution; therefore, the action of the committee is void.)

Adjourned: 6:20 p.m.

HUMAN RESOURCES

Convened: April 2, 1987, 11:15 a.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, Murphy, Readinger, Sturgeon and Taylor.

Members Absent: C. Miller (excused).

Committee Business: Amended and discussed House File 412 — no final action taken; assigned a bill to a subcommittee; recommended confirmation of Elmer Vermeer to the Individual Confirmation Calendar.

Adjourned: 11:35 a.m.

JUDICIARY

Convened: April 2, 1987, 5:45 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of Senate Files 482 and 484 as amended; recommended passage of Senate File 483.

Adjourned: 7:05 p.m.

LOCAL GOVERNMENT

Convened: April 2, 1987, 2:30 p.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Kinley, C. Miller, Taylor and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 47, 92, 303, 318, 410 and 164; recommended confirmation of John Fischer to the En Bloc Calendar.

Adjourned: 2:55 p.m.

STATE GOVERNMENT

Convened: April 2, 1987, 1:40 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member (arrived 1:45 p.m.); Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, C. Miller, Rife, Schwengels and Welsh (arrived 1:45 p.m.).

Members Absent: Horn (excused) and Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointments; recommended passage of House File 164.

Adjourned: 2:00 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 24

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 26

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 27

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 28

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 29

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate File 301

APPROPRIATIONS: Peterson, Chair; Readinger and Welsh

House File 324

LOCAL GOVERNMENT: A. Miller, Chair; Wells and Vande Hoef

House File 382

LOCAL GOVERNMENT: A. Miller, Chair; Hall and Taylor

House File 527

TRANSPORTATION: Doyle, Chair; Gettings and Drake

House File 536

LOCAL GOVERNMENT: Wells, Chair; Jensen and Kinley

House File 567

JUDICIARY: Gentleman, Chair; Varn and Mann

House File 583

LOCAL GOVERNMENT: Fraise, Chair; C. Miller and Goodwin

House File 623

TRANSPORTATION: Lloyd-Jones, Chair; Goodwin and Hall

House File 624

JUDICIARY: Horn, Chair; Coleman and Taylor

House File 651

JUDICIARY: Gentleman, Chair; Varn and Mann

COMMITTEE REPORTS**WAYS AND MEANS**

Final Bill Action: HOUSE FILE 266, a bill for an act relating to the exemption from the state sales, services and use tax of the gross receipts from the sale of foods purchased with federal food stamps and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Bruner, Husak, Dieleman, Gronstal, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 4: Boswell, Mann, Murphy and Palmer.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 374, a bill for an act relating to the eligibility for a mobile home reduced tax rate, a military service property tax exemption, the filing of late claims for a homestead tax credit and military service property tax exemption, an exemption from the real estate transfer tax, continuing education for assessors and deputy assessors, the length of board of review sessions, and appeal rights.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Bruner, Husak, Dieleman, Gronstal, Mann, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 3: Boswell, Palmer and Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3392	S. F.	486	Joe Welsh
S—3393	S. F.	484	Julia Gentleman Richard Drake
S—3394	S. F.	471	David Readinger
S—3395	S. F.	482	Julia Gentleman
S—3396	S. F.	484	Julia Gentleman Richard F. Drake
S—3397	S. F.	481	Jim Riordan
S—3398	S. F.	482	Julia Gentleman
S—3399	S. F.	5	Lee Holt Richard F. Drake Hurley Hall Linn Fuhrman William W. Dieleman
S—3400	S. F.	496	John N. Nystrom
S—3401	S. F.	489	Edgar H. Holden Julia Gentleman

AFTERNOON SESSION

The Senate reconvened at 12:16 p.m., President pro tempore Kinley presiding.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

Senate File 484

The Senate resumed consideration of Senate File 484, pending on recess.

Senator Gentleman asked and received unanimous consent that action on division S—3393B to division S—3390C continue to be deferred.

Senator Gentleman asked and received unanimous consent that action on division S—3393C to division S—3390C be deferred.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 484** be **deferred**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 482.

Senate File 482

On motion of Senator Palmer, Senate File 482, a bill for an act relating to the civil process and procedure for awarding interest on civil judgments and decrees, determining whether a sufficient burden of proof has been met for the awarding of punitive damages, and for allowing the consideration for previous payments for medical damages, and providing an effective date, with report of committee on Judiciary recommending amendment and passage, was taken up for consideration.

Senator Coleman took the chair at 12:35 p.m.

Senator Varn offered amendment S—3391 filed by the committee on Judiciary on April 2, 1987, to pages 1 and 3 of the bill.

Senator Mann raised the point of order that amendment S—3391 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3391 out of order.

Senator Gentleman offered amendment S—3395 filed by her from the floor to pages 2 and 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3395 be adopted?" (S.F. 482) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Hultman	Jensen	Lind	Miller, C.P.
Nystrom	Rensink	Rife	Schwengels
Taylor	Tieden	Vande Hoef	

Nays, 28:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak

Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Palmer	Priebe
Readinger	Riordan	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 3:

Deluhery	Holt	Peterson
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Amendment S—3395 lost.

Senator Welsh took the chair at 1:05 p.m.

Senator Gentleman offered amendment S—3398 filed by her from the floor to page 2 of the bill and moved its adoption.

Amendment S—3398 lost by a voice vote.

Senator Mann offered amendment S—3409 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3409 was adopted by a voice vote.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 482) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

Deluhery

Holt

Peterson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Kinley took the chair at 1:20 p.m.

Senator Hutchins asked and received unanimous consent that **Senate File 482** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 484

The Senate resumed consideration of Senate File 484, previously deferred.

Senator Mann filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3390B to Senate File 484 failed to be adopted by the Senate on April 3, 1987.

On the question "Shall the motion to reconsider be adopted?" (S.F. 484) the vote was:

Ayes, 27:

Boswell	Bruner	Carr	Coleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Riordan	Scott	Soorholtz
Sturgeon	Varn	Welsh	

Nays, 20:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Hultman	Jensen	Lind
Nystrom	Rensink	Rife	Schwengels
Taylor	Tieden	Vande Hoef	Wells

Absent or not voting, 3:

Deluhery

Holt

Peterson

The motion prevailed and division S—3390B by the committee on Judiciary to page 4 of the bill, was taken up for reconsideration.

Senator Mann moved the adoption of division S—3390B, which motion prevailed by a voice vote.

Senator Mann asked and received unanimous consent to withdraw division S—3390C.

The Chair ruled the following amendments to division S—3390C out of order:

S—3411 filed by Senators Gentleman and Drake from the floor.

Divisions S—3393B and S—3393C by Senators Gentleman and Drake, previously deferred.

Senator Palmer offered amendment S—3346 filed by the committee on Commerce on March 31, 1987, to pages 1, 2, 4 and 6 of the bill and called for a division:

Division S—3346A: Page 1, lines 2 through 4.

Division S—3346B: Page 1, lines 9 and 10.

Division S—3346C: Page 1, lines 5 through 8 and 11 through 50 and page 2.

With the adoption of division S—3390B, the Chair ruled division S—3346B out of order.

Senator Palmer moved the adoption of division S—3346A, which motion prevailed by a voice vote.

Senator Mann offered amendment S—3389 filed by the committee on Judiciary on April 2, 1987, to division S—3346C and moved its adoption.

Amendment S—3389 was adopted by a voice vote.

Senator Gentleman offered amendment S—3396 filed by Senators Gentleman and Drake from the floor to division S—3346C and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3396 to division S—3346C be adopted?” (S.F. 484) the vote was:

Ayes, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hannon	Hester
Holden	Hultman	Jensen	Lind
Nystrom	Rensink	Rife	Taylor
Tieden	Vande Hoef		

Nays, 26:

Boswell	Bruner	Carr	Dieleman
Doyle	Fraise	Gettings	Gronstal
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Palmer	Priebe	Readinger	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Absent or not voting, 6:

Coleman	Deluhery	Holt	Miller, C.P.
Peterson	Schwengels		

Amendment S—3396 lost.

Senator Palmer moved the adoption of division S—3346C as amended, which motion prevailed by a voice vote.

Senator Mann offered amendment S—3403 filed by him from the floor to page 6 of the bill.

Senator Hultman called for a division of amendment S—3403: lines 2 through 26 as division S—3403A and line 27 as division S—3403B.

The Chair advised that amendment S—3403 was not divisible.

Senator Hultman raised the point of order that amendment S—3403 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3403 in order.

Senator Mann moved the adoption of amendment S—3403, which motion prevailed by a voice vote.

Senator Welsh asked and received unanimous consent to withdraw amendment S—3410 filed by Senators Welsh and Riordan from the floor to page 6 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?” (S.F. 484) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Varn	Wells	Welsh	

Nays, 7:

Fuhrman	Gentleman	Jensen	Rife
Schwengels	Tieden	Vande Hoef	

Absent or not voting, 4:

Deluhery	Holt	Miller, C.P.	Peterson
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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 484** 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 483.

Senate File 483

On motion of Senator Palmer, Senate File 483, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce, with report of committee on Judiciary recommending passage, was taken up for consideration.

Senator Palmer offered amendment S—3404 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3404 was adopted by a voice vote.

Senator Palmer asked and received unanimous consent that further action on **Senate File 483** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 471.

Senate File 471

On motion of Senator Palmer, Senate File 471, a bill for an act relating to indemnification and limitation on liability of directors and officers and to liability of persons who volunteer services to the state or a municipality or a nonprofit organization, with report of committee on Commerce recommending amendment and passage, was taken up for consideration.

Senator Nystrom took the chair at 2:52 p.m.

Senator Palmer offered amendment S—3352 filed by the committee on Commerce on April 1, 1987, to pages 2, 5, 6 and 7 of the bill and moved its adoption.

Amendment S—3352 was adopted by a voice vote.

Senator Readinger offered amendment S—3394 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3394 was adopted by a voice vote.

Senator Varn offered amendment S—3259 filed by him on March 24, 1987, to page 7 of the bill and moved its adoption.

Amendment S—3259 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 471** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 480.

Senate File 480

On motion of Senator Mann, Senate File 480, a bill for an act relating to things of value given to and received by public employees, officials, members of the general assembly, other persons serving in a public capacity, and candidates, mandating reporting of certain things of value, subjecting violators to penalties, and providing an effective date, was taken up for consideration.

Senator Mann offered amendment S—3347 filed by him on March 31, 1987, to pages 2, 5 and 9 of the bill.

Senator Mann asked and received unanimous consent that further action on amendment S—3347 be deferred.

Senator Mann offered amendment S—3363 filed by him on April 1, 1987, to pages 2, 3, 7, 8 and 9 of the bill.

Senator Mann offered amendment S—3382 filed by him on April 2, 1987, to amendment S—3363 and moved its adoption.

Amendment S—3382 was adopted by a voice vote.

Senator Gentleman called for a division of amendment S—3363 as amended: lines 5 through 18 as division S—3363A and lines 2 through 4 as division S—3363B.

Senator Mann moved the adoption of division S—3363A as amended, which motion prevailed by a voice vote.

Senator Mann asked and received unanimous consent that action on division S—3363B be deferred.

Senator Gentleman offered amendment S—3414 filed by her from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—3414 lost by a voice vote.

Senator Mann moved the adoption of division S—3363B, previously deferred.

Division S—3363B was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—3347, previously deferred.

Amendment S—3347 was adopted by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 480) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Hutchins
Jensen	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Gentleman	Lind
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Absent or not voting, 10:

Deluhery	Gettings	Holt	Kinley
Lloyd-Jones	Miller, C.P.	Peterson	Priebe
Soorholtz	Sturgeon		

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 480** be **immediately messaged** to the House.

BUSINESS PENDING

Senate File 471

The Senate resumed consideration of Senate File 471, previously deferred.

Senator Mann withdrew amendment S—3413 filed by him from the floor to pages 1, 3, 4, 5 and 6 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?" (S.F. 471) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Miller, A.V.
Murphy	Nystrom	Palmer	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Mann

Absent or not voting, 10:

Deluhery	Gettings	Holt	Kinley
Lloyd-Jones	Miller, C.P.	Peterson	Priebe
Soorholtz	Sturgeon		

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 471** be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 580, a bill for an act relating to the granting of leaves of absence to persons disabled by pregnancy, providing for their reinstatement, and providing for an employer's liability.

This bill was read first time and **passed on file**.

House File 614, a bill for an act relating to sales of funeral services and funeral merchandise, revising regulatory and reporting provisions, requiring disclosures, requiring permits, providing penalties, providing for the applicability of the Act, and providing an effective date.

This bill was read first time and **passed on file**.

House File 648, a bill for an act relating to the penalties for possession and distribution of controlled substances.

This bill was read first time and **passed on file**.

House File 655, a bill for an act relating to civil actions by removing the one hundred mile limit on subpoenas to witnesses in civil cases, by limiting the award of attorney's fees in small claims actions, by requiring actions to be brought in small claims court in a court having actual jurisdiction, and by providing a cause of action against a person filing certain false claims on real property.

This bill was read first time and **passed on file**.

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State government assigned to investigate the following Governor's appointments, completed its investigations on April 2, 1987, and recommended the appointees be confirmed:

Karen Ann Voecks as a member of the Barber Examining Board.

Steve Schroeder as a member of the Landscape Architectural Examining Board.

Phyllis Crouse as a member of the State Board of Examiners for Nursing Home Administrators.

Gerald T. Jorgensen as a member of the Psychology Examining Board.

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the Governor's appointment of Neil Ronfeldt as a member of the Iowa Finance Authority, completed its investigation on April 2, 1987, and recommended the appointee be confirmed.

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 2, 1987, 3:45 p.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

Members Absent: Palmer and Murphy.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 266 and 374 and Senate File 101; approved SSB 236 as a committee resolution; recommended confirmation of Neil Ronfeldt to the En Bloc Calendar.

Adjourned: 4:00 p.m.

EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on the morning of April 2, 1987.

Had I been present, I would have voted "aye" on Senate Files 198, 371, 356 and 424.

RICHARD VANDE HOEF

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	580	Business & Labor Relations
H.F.	614	State Government
H.F.	648	Judiciary

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Ten 4-H members from Clayton County, accompanied by Kris and Ed Lawrence. Senator Tieden.

Thirty-seven 4-H members from Jackson County, Maquoketa, Iowa, accompanied by Judy Kruse. Senator Welsh.

Fourteen junior high students from Washington and Jones Junior High School, Dubuque, Iowa, accompanied by Gary Reed, Fran Owderkirk and Gary Kruse. Senator Carr.

Three 4-H members from Dubuque County, accompanied by Banks Doggett and Barb Sauser. Senators Carr and Welsh.

Twenty-five 4-H members from Fayette County, accompanied by Norma Kerr. Senator Murphy.

Sixty 4-H members from Clayton, Fayette and Jackson Counties. Senators Tieden, Murphy and Welsh.

The following visitors were present in the Senate gallery:

Twenty-five twelfth grade students from Twin Rivers High School, Bode, Iowa, accompanied by Garvin Larson and Patrick Davis. Senator Priebe.

Eighteen eighth grade students from Mar-Mac Community Schools, McGregor, Iowa, accompanied by Mr. Elliott and Mr. Vick. Senator Tieden.

COMMITTEE REPORT

WAYS AND MEANS

Final Bill Action: SENATE FILE 101, a bill for an act relating to mobile home taxes.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3415.

Final Vote: Ayes, 13: Bruner, Boswell, Dieleman, Gronstal, Mann, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 2: Palmer and Murphy.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3402	S. F.	465	Berl E. Priebe
S-3403	S. F.	484	Tom Mann, Jr.
S-3404	S. F.	483	William D. Palmer
S-3405	S. F.	465	Jim Riordan
S-3406	S. F.	465	Jim Riordan
S-3407	S. F.	465	Jim Riordan
S-3408	H. F.	506	William D. Palmer
S-3409	S. F.	482	Tom Mann, Jr.
S-3410	S. F.	484	Joe Welsh
			Jim Riordan
S-3411	S. F.	484	Julia Gentleman
			Richard Drake
S-3412	S. F.	479	Richard Varn
			Hurley Hall
			Linn Fuhrman
			James Wells
S-3413	S. F.	471	Tom Mann, Jr.

S—3414	S. F.	480	Julia Gentleman
S—3415	S. F.	101	Ways and Means

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:37 p.m., until 10:00 a.m., Monday, April 6, 1987.

JOURNAL OF THE SENATE

EIGHTY-FIFTH CALENDAR DAY
FIFTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 6, 1987

The Senate met in regular session at 10:05 a.m., President Zimmerman presiding.

Prayer was offered by Barbara Higdon, President of Graceland College, Lamoni, Iowa.

The Journal of Friday, April 3, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Deluhery for the morning and Senator Murphy for the day on request of Senator Hutchins; Senator Hester for the morning on request of Senator Vande Hoef.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 31, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 661, a bill for an act creating an Iowa life and health insurance guaranty association, protecting persons, within limits, against the failure of certain life, health, and annuity contracts because of impairment or insolvency, specifying the powers and duties of the association, and providing administrative procedures and methods for the operation and financing of the association, including but not limited to the assessment of member insurers and the provision of a partial premium tax liability credit.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 1, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 620, a bill for an act relating to the acquisition and protection of significant elements of the state's natural open space heritage.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 2, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 73, a bill for an act relating to private security agencies by revising license fees, bond requirements, and financial responsibility requirements, and eligibility to carry weapons, for agencies consisting of only one individual.

This bill was read first time and **passed on file**.

House File 379, a bill for an act relating to the employment of persons in public service jobs.

This bill was read first time and **passed on file**.

House File 631, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing effective dates, and by providing for other properly related matters.

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.

MOTION TO RECONSIDER ADOPTED

Senator Varn called up the motion to reconsider Senate File 479 filed by him on March 31, 1987, found on page 1008 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 479) the vote was:

Ayes, 29:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Fraise	Fuhrman
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Nystrom	Priebe	Readinger	Riordan
Schwengels	Scott	Sturgeon	Varn
Wells			

Nays, 13:

Dieleman	Drake	Gentleman	Goodwin
Holt	Hultman	Jensen	Peterson
Rensink	Rife	Soorholtz	Taylor
Tieden			

Absent or not voting, 8:

Deluhery	Hester	Holden	Miller, C.P.
Murphy	Palmer	Vande Hoef	Welsh

The motion prevailed.

Senator Varn moved to reconsider the vote by which Senate File 479 went to its last reading, which motion prevailed by a voice vote.

Senate File 479

On motion of Senator Varn, Senate File 479, a bill for an act relating to the use and application of pesticides and making penalties applicable, was taken up for reconsideration.

Senator Varn offered amendment S—3412 filed by Senators Varn, et al., on April 3, 1987, to page 2 of the bill and moved its adoption.

Amendment S—3412 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 479) the vote was:

Ayes, 31:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Fraise	Fuhrman
Gettings	Gronstal	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Nystrom	Palmer	Priebe
Riordan	Schwengels	Scott	Sturgeon
Tieden	Varn	Wells	

Nays, 14:

Dieleman	Drake	Gentleman	Goodwin
Holden	Holt	Jensen	Peterson
Readinger	Rensink	Rife	Soorholtz
Taylor	Vande Hoef		

Absent or not voting, 5:

Deluhery	Hester	Miller, C.P.	Murphy
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 Senate File 452.

Senate File 452

On motion of Senator Hall, Senate File 452, a bill for an act to cancel all personal property taxes not collected by July 1, 1988, including the removal of tax liens against personal property, was taken up for consideration.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 452) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, none.

Absent or not voting, 6:

Deluhery	Hester	Miller, C.P.	Murphy
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 out of order Senate File 464.

Senate File 464

On motion of Senator Sturgeon, Senate File 464, a bill for an act relating to the regulation of health clubs and providing penalties, was taken up for consideration.

Senator Coleman took the chair at 10:34 a.m.

Senator Sturgeon withdrew amendment S—3295 filed by him on March 26, 1987, to pages 1, 3, 6, 7 and 9 of the bill.

The Chair ruled amendment S—3337 filed by Senator Holden on March 31, 1987, to amendment S—3295, out of order.

Senator Sturgeon offered amendment S—3368 filed by him on April 1, 1987, to page 8 of the bill and moved its adoption.

Amendment S—3368 was adopted by a voice vote.

Senator Sturgeon offered amendment S—3376 filed by Senators Sturgeon, Lind and Corning on April 2, 1987, to pages 1, 3 and 4 through 10 of the bill.

Senator Holden withdrew amendment S—3380 filed by him on April 2, 1987, to amendment S—3376.

Senator Sturgeon moved the adoption of amendment S—3376, which motion prevailed by a voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 464) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Nystrom
Peterson	Priebe	Readinger	Rensink
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 3:

Holden	Rife	Tieden
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Absent or not voting, 5:

Deluhery	Hester	Miller, C.P.	Murphy
Palmer			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 465

On motion of Senator Boswell, Senate File 465, a bill for an act providing that a corporation or trust may hold, lease, or acquire certain agricultural land for the purpose of raising poultry or producing eggs, was taken up for consideration.

Senator Riordan withdrew amendment S—3405 filed by him on April 3, 1987, to strike everything after the enacting clause and to the title page of the bill.

President Zimmerman took the chair at 11:00 a.m.

Senator Riordan offered amendment S—3423 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendment S—3423 and **Senate File 465** be **deferred**.

MOTION TO RECONSIDER WITHDRAWN**Senate File 476**

Senator Gettings withdrew the motion to reconsider Senate File 476, a bill for an act relating to payments of certain taxes upon certain sales of agricultural land, filed by him on April 1, 1987, and found on page 1037 of the bill.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 392.

Senate File 392

On motion of Senator Dieleman, Senate File 392, a bill for an act realting to the practice of chiropractic by providing for the issuance of limited licenses for students and recent graduates participating in a preceptor program, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 392) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hannon	Holden	Holt
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Deluhery	Hall	Hester	Horn
Murphy	Nystrom	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 470

On motion of Senator Mann, Senate File 470, a bill for an act relating to corporate takeovers, 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. 470) the vote was:

Ayes, 29:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Kinley

Lloyd-Jones	Mann	Miller, A. V.	Miller, C.P.
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Varn	Wells
Welsh			

Nays, 18:

Corning	Drake	Fuhrman	Goodwin
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Readinger	Rensink
Rife	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef		

Absent or not voting, 3:

Deluhery	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.

Senate File 486

On motion of Senator Nystrom, Senate File 486, a bill for an act relating to engineering services by providing for the educational and experience requirements for registered professional engineers and registered land surveyors and allowing boards of supervisors to contract for engineering services, was taken up for consideration.

Senator Nystrom offered amendment S—3364 filed by him on April 1, 1987, to page 2 and to the title page of the bill.

Senator Welsh asked and received unanimous consent that action on amendment S—3364 be deferred for consideration of amendment S—3392.

Senator Welsh offered amendment S—3392 filed by him on April 3, 1987, to page 2 of the bill and moved its adoption.

Amendment S—3392 was adopted by a voice vote.

With the adoption of amendment S—3392, the Chair ruled amendment S—3364, previously deferred, 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?" (S.F. 486) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Holden
Holt	Horn	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Peterson
Priebe	Readinger	Rensink	Riordan
Schwengels	Scott	Soorholtz	Vande Hoef
Varn	Wells	Welsh	

Nays, 5:

Drake	Jensen	Rife	Taylor
Tieden			

Absent or not voting, 6:

Deluhery	Hester	Hultman	Murphy
Palmer	Sturgeon		

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 479, 452, 464, 392, 470 and 486** be **immediately messaged** to the House.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:14 p.m., until 1:30 p.m.

APPENDIX

PETITIONS

The following petitions were presented and placed on file by:

Senator Jensen from the Grundy County Board of Supervisors opposing the construction of a new diagonal road between Marshalltown and Waterloo.

Senator Goodwin from twenty-five members of the Andover Lions Club, Clinton County, favoring the "Required Request" bill regarding organ and tissue transplants.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 484, the following technical corrections were made:

1. Page 2, line 10, the number "147B.10" was changed to the number "147B.8".
2. Page 2, line 22, the number "147B.8" was changed to the number "147B.5".
3. Page 2, line 29, the number "147B.8" was changed to the number "147B.5".
4. Page 4, line 3, the number "147B.8" was changed to the number "147B.5".
5. Page 4, line 19, the number "147B.9" was changed to the number "147B.6".
6. Page 5, line 2, the number "147B.9" was changed to the number "147B.6".
7. Page 5, line 24, the number "147B.8" was changed to the number "147B.5".
8. Page 5, line 28, the number "147B.10" was changed to the number "147B.7".
9. Page 6, line 11, the number "147B.10" was changed to the number "147B.8".
10. Page 6, line 17, the number "147B.11" was changed to the number "147B.9".
11. Page 6, line 27, the number "147B.12" was changed to the number "147B.10".

JOHN F. DWYER
Secretary of the Senate

(PLEASE NOTE: These page and line numbers correspond with the bill as passed by the Senate on April 3, 1987.)

SUBCOMMITTEE ASSIGNMENTS

House File 393

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

House File 399

STATE GOVERNMENT: Carr, Chair; Dieleman, Bruner, Nystrom and Drake

House File 607

STATE GOVERNMENT: Horn, Chair; Carr and Drake

House File 622

STATE GOVERNMENT: Carr, Chair; Dieleman, Bruner, Nystrom and Drake

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty eighth grade students from Alden High School, Alden, Iowa, accompanied by Janet Ziesman. Senator Taylor.

Thirty-one fifth grade students from Slater Elementary School, Slater, Iowa, accompanied by Kathy Hennick. Senator Nystrom.

AMENDMENTS FILED

S-3416	S. F.	481	Joy Corning
S-3417	H. F.	499	Joy Corning
S-3418	H. F.	499	Joy Corning
S-3419	S. F.	312	Don E. Gettings
S-3420	S. F.	465	Jim Riordan
S-3421	S. F.	465	Jim Riordan
S-3422	S. F.	5	Tom Mann, Jr.
S-3423	S. F.	465	Jim Riordan
S-3424	S. F.	465	Richard Varn
S-3425	S. F.	459	Richard F. Drake
			Donald V. Doyle
S-3426	S. F.	432	Jack Rife
S-3427	S. F.	312	Jean Lloyd-Jones

AFTERNOON SESSION

The Senate reconvened at 1:37 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.

President Zimmerman took the chair at 1:42 p.m.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 122.

Senate File 122

On motion of Senator Horn, Senate File 122, a bill for an act to provide for an exemption from participation in physical education activities for students participating in marching band, with report of committee recommending passage, was taken up for consideration.

Senator Horn asked and received unanimous consent that further action on **Senate File 122** be deferred.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 432.

Senate File 432

On motion of Senator Rife, Senate File 432, a bill for an act relating to the creation of an Iowa small business guaranty fund, with report of committee on Small Business recommending amendment and passage, was taken up for consideration.

Senator Rife offered amendment S—3357 filed by the committee on Small Business and Economic Development on April 1, 1987, to page 1 of the bill.

Senator Rife offered amendment S—3426 filed by him from the floor to page 1 of amendment S—3357 and moved its adoption.

Amendment S—3426 was adopted by a voice vote.

Senator Rife moved the adoption of amendment S—3357 as amended, which motion prevailed by a voice vote.

Senator Priebe asked and received unanimous consent that further action on **Senate File 432** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 312.

Senate File 312

On motion of Senator Gettings, Senate File 312, a bill for an act requiring the state and its political subdivisions, under certain circumstances, to pay compensation to owners of off-premises advertising devices, was taken up for consideration.

Senator Gettings withdrew amendment S—3282 filed by him on March 26, 1987, to strike everything after the enacting clause of the bill.

Senator Gettings offered amendment S—3419 filed by him from the floor to strike everything after the enacting clause of the bill.

Senator Lloyd-Jones offered amendment S—3427 filed by her from the floor to amendment S—3419 and moved its adoption.

Amendment S—3427 lost by a voice vote.

Senator Gettings moved the adoption of amendment S—3419, which motion prevailed by a voice vote.

With the adoption of amendment S—3419, the Chair ruled amendment S—3220 filed by Senator Lloyd-Jones on March 23, 1987, to page 1 of the bill, out of order.

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. 312) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	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	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 5:

Carr	Dieleman	Gentleman	Lloyd-Jones
Sturgeon			

Absent or not voting, 2:

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.

BUSINESS PENDING

Senate File 432

The Senate resumed consideration of Senate File 432, previously deferred.

Senator Priebe offered amendment S—3431 filed by Senators Priebe and Rife from the floor to page 1 of the bill and moved its adoption.

Amendment S—3431 was adopted by a voice vote.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 432) the vote was:

Ayes, 43:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 4:

Carr	Deluhery	Holden	Readinger
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Absent or not voting, 3:

Miller, C.P.	Murphy	Sturgeon
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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 288.

Senate File 288

On motion of Senator Coleman, Senate File 288, a bill for an act to provide for publication of state salary lists, job titles, and expenses paid to state employees, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—3112 filed by the committee on State Government on March 5, 1987, to page 1 of the bill.

Senator Holden called for a division of amendment S—3112: lines 2 and 3 as division S—3112A and lines 4 through 6 as division S—3112B.

On motions by Senator Carr, divisions S—3112A and S—3112B were 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. 288) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Miller, C.P.

Absent or not voting, 1:

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that Senate Files 432, 312 and 288 be immediately messaged to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 5.

Senate File 5

On motion of Senator Mann, Senate File 5, a bill for an act relating to the violation of or interference with civil rights, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 3:32 p.m.

Senator Mann offered amendment S—3243 filed by him on March 24, 1987, to pages 2, 3 and 4 of the bill.

Senator Holden called for a division of amendment S—3243: lines 2 through 19 as division S—3243A and lines 20 through 24 as division S—3243B.

Senator Mann moved the adoption of division S—3243A, which motion prevailed by a voice vote.

Senator Holden asked and received unanimous consent that action on division S—3243B be temporarily deferred for preparation of an amendment.

Senator Drake offered amendment S—3193 filed by Senators Drake and Hall on March 18, 1987, to pages 2 and 3 of the bill.

Senator Mann withdrew amendment S—3355 filed by him on April 1, 1987, to amendment S—3193.

Senator Drake moved the adoption of amendment S—3193, which motion prevailed by a voice vote.

Senator Mann offered amendment S—3422 filed by him from the floor to page 3 of the bill.

Senator Holt asked and received unanimous consent that action on amendment S—3422 be temporarily deferred for preparation of an amendment.

Senator Holden withdrew amendment S—3386 filed by him on April 2, 1987, to page 4 of the bill.

The Senate resumed consideration of division S—3243B, previously deferred.

Senator Holden offered amendment S—3434 filed by him from the floor to division S—3243B and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3434 to division S—3243B be adopted?” (S.F. 5) the vote was:

Ayes, 28:

Boswell	Coleman	Corning	Dieleman
Drake	Fuhrman	Gentleman	Goodwin
Hall	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen
Lind	Miller, C.P.	Nystrom	Priebe
Readinger	Rensink	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 20:

Bruner	Carr	Deluhery	Doyle
Fraise	Gettings	Gronstal	Hannon
Lloyd-Jones	Mann	Miller, A. V.	Murphy
Palmer	Peterson	Riordan	Scott
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 2:

Husak	Kinley
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Amendment S—3434 was adopted.

Senator Mann asked and received unanimous consent that action on division S—3243B as amended be deferred.

Senator Hutchins asked and received unanimous consent that action on **Senate File 5** be **deferred** (division S—3243B as amended and amendment S—3422 pending.)

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **House File 626** 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 433.

Senate File 433

On motion of Senator Welsh, Senate File 433, a bill for an act to provide that the appointment of judges is subject to senate confirmation, was taken up for consideration.

Senator Welsh asked and received unanimous consent that action on **Senate File 433** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 347.

Senate File 347

On motion of Senator Sturgeon, Senate File 347, a bill for an act relating to the violation of a law or rule by a health care facility, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak took the chair at 4:50 p.m.

President Zimmerman took the chair at 4:52 p.m.

Senator Sturgeon offered amendment S—3199 filed by the committee on Human Resources on March 19, 1987, to pages 1 and 2 of the bill.

Senator Priebe asked and received unanimous consent that action on **Senate File 347** and amendment S—3199 be **deferred**.

Senator Husak asked and received unanimous consent to take up out of order Senate File 399.

Senate File 399

On motion of Senator Riordan, Senate File 399, a bill for an act establishing a motorcycle rider education fund, increasing fees for certain operator's licenses, crediting moneys to the fund, and appropriating moneys from the fund to the department of education to reimburse school districts for the costs of motorcycle

education courses, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman offered amendment S—3197 filed by the committee on Transportation on March 19, 1987, to pages 1 and 2 of the bill.

Senator Riordan withdrew amendment S—3343 filed by him on March 31, 1987, to amendment S—3197.

Senator Coleman moved the adoption of amendment S—3197, which motion prevailed by a voice vote.

Senator Riordan offered amendment S—3342 filed by him on March 31, 1987, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3342 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. 399) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hall	Hannon	Horn	Hultman
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Wells			

Nays, 11:

Gentleman	Hester	Holden	Holt
Husak	Peterson	Rensink	Tieden
Vande Hoef	Varn	Welsh	

Voting present, 2:

Coleman	Doyle
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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 Husak asked and received unanimous consent to take up out of order Senate File 492.

Senate File 492

On motion of Senator Hannon, Senate File 492, a bill for an act relating to motor fuel and special fuel marketing and distribution and security deposits required of dealers, was taken up for consideration.

Senator Hannon offered amendment S—3384 filed by her on April 2, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3384 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 492** be **deferred**.

MOTION TO RECONSIDER WITHDRAWN

Senate File 423

Senator Gentleman withdrew the motion to reconsider Senate File 423, a bill for an act relating to the subcontractor's right to file a mechanic's lien against the property for which labor is performed or material is furnished, filed by her on April 2, 1987, and found on page 1063 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 423 and 399** be **immediately messaged** to the House.

WITHDRAWN

Senator Welsh asked and received unanimous consent that **Senate Concurrent Resolution 25** be **withdrawn** from further consideration of the Senate.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 1, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 105, a bill for an act relating to the appointment of assessors.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 3, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 540, a bill for an act relating to the planning, acquisition, development, and operation of welcome centers on highways and at other locations throughout the state.

This bill was read first time and **passed on file**.

House File 634, a bill for an act relating to county moneys which may be allocated to the secondary road fund.

This bill was read first time and **passed on file**.

House File 646, a bill for an act relating to the exchange of information regarding underground facilities and excavations affecting underground facilities.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 30, by Miller of Des Moines, Holden, Gettings, Deluhery, Fraise, Coleman, Hannon and Soorholtz, a concurrent resolution relating to the establishment of occupational therapy programs.

Read first time and **passed on file**.

APPENDIX

REPORTS OF STANDING COMMITTEES (Place nominees on En Bloc Confirmation Calendar)

EDUCATION

Pursuant to Senate Rule 59, the committee on Education assigned to investigate the Governor's appointment of William Lepley as a member of the First in the Nation in Education Foundation Governing Board, completed its investigation on March 27, 1987, and recommended the appointee be confirmed.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Pursuant to Senate Rule 59, the committee on Small Business and Economic Development assigned to investigate the following Governor's appointments, completed its investigations on April 6, 1987, and recommended the appointees be confirmed:

Jean Adams, Joseph Borgen and Victoria Wittgraf as members of the Iowa High Technology Council.

Keith Briscoe and Don Gingerich as members of the Iowa Product Development Corporation.

STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments, completed its investigations on April 6, 1987, and recommended the appointees be confirmed:

Kenneth Pride as a member of the Chiropractic Examining Board.

Connie Freese and Jeannette Miller as members of the Dietetic Examining Board.

Gary Darland and Harold Wight as members of the Engineering and Land Surveying Examining Board.

Marian Bourek as a member of the Medical Examining Board.

SUBCOMMITTEE ASSIGNMENTS

House File 529

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Peterson, Chair; Deluhery and Rife

House File 580

BUSINESS AND LABOR RELATIONS: Wells, Chair; Gettings and Vande Hoef

House File 596

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Horn and Fuhrman

House File 615

BUSINESS AND LABOR RELATIONS: Mann, Chair; Welsh and Holden

House File 652

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair;
Riordan and Holt

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 464, the following technical corrections were made:

1. Page 1, line 31, the number "552.15" was changed to the number "552.14".
2. Page 2, line 2, the number "552.15" was changed to the number "552.14".
3. Page 6, line 4, the number "552.17" was changed to the number "552.16".
4. Page 6, line 22, the number "552.15" was changed to the number "552.14".
5. Page 7, line 1, the number "552.16" was changed to the number "552.15".
6. Page 7, line 3, the number "552.17" was changed to the number "552.16".
7. Page 7, line 7, the number "552.16" was changed to the number "552.15".
8. Page 8, line 2, the number "552.17" was changed to the number "552.16".
9. Page 9, line 31, the number "552.18" was changed to the number "552.17".
10. Page 10, line 11, the number "552.19" was changed to the number "552.18".
11. Page 10, line 14, the number "552.20" was changed to the number "552.19".
12. Page 10, line 21, the number "552.21" was changed to the number "552.20".
13. Page 10, line 24, the number "552.22" was changed to the number "552.21".
14. Page 10, line 28, the number "552.23" was changed to the number "552.22".

15. Page 11, line 1, the words "section 16" were changed to the words "section 15".

JOHN F. DWYER
Secretary of the Senate

(PLEASE NOTE: These page and line numbers correspond with the bill as passed by the Senate on April 6, 1987.)

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	73	State Government
H.F.	379	Natural Resources
H.F.	620	Natural Resources
H.F.	631	Environment & Energy Utilities
H.F.	655	Judiciary

PETITIONS

The following petitions were presented and placed on file by:

Senator Tieden from sixteen residents of Winneshiek County favoring groundwater protection legislation.

Senator Hultman from two hundred ninety-five residents of Fremont, Mills, Montgomery, Page and Pottawattamie Counties favoring legislation to allow the purchase and use of Class C fireworks in the state of Iowa.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-five twelfth grade students from Clarksville High School, Clarksville, Iowa, accompanied by Dave Waskow, Terry Laughlin, Mindy Laughlin, Jerry Voss and Miss Black. Senator Jensen.

AMENDMENTS FILED

S—3428	S. F.	352	Richard Varn
S—3429	S. F.	347	Berl E. Priebe Lee Holt Kenneth Scott
S—3430	S. F.	499	Charles H. Bruner
S—3431	S. F.	432	Berl E. Priebe Jack Rife
S—3432	S. F.	481	Calvin O. Hultman
S—3433	S. F.	446	Forrest V. Schwengels
S—3434	S. F.	5	Edgar H. Holden
S—3435	S. F.	5	Lee W. Holt Richard F. Drake Hurley W. Hall Linn Fuhrman William W. Dieleman
S—3436	S. F.	351	Michael E. Gronstal
S—3437	H. F.	410	C. Joseph Coleman
S—3438	S. F.	5	Lee W. Holt Richard F. Drake Hurley W. Hall Linn Fuhrman William W. Dieleman
S—3439	S. F.	5	Thomas Mann, Jr.
S—3440	S. F.	2	Tom Mann, Jr.
S—3441	S. R.	10	C. Joseph Coleman

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Tuesday, April 7, 1987.

JOURNAL OF THE SENATE

EIGHTY-SIXTH CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 7, 1987

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by Eric Johnson, pastor of the Faith Bible Chapel Church, Storm Lake, Iowa.

The Journal of Monday, April 6, 1987, was approved.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 463.

Senate File 463

On motion of Senator Hall, Senate File 463, a bill for an act relating to the development and implementation by the agricultural development authority of programs to provide economic assistance on behalf of agricultural producers within the state and providing an effective date, was taken up for consideration.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 463) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A. V.
Murphy	Nystrom	Palmer	Peterson
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, none.

Absent or not voting, 6:

Carr	Kinley	Miller, C.P.	Priebe
Readinger	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred March 26, 1987)

Senate File 340

The Senate resumed consideration of Senate File 340, a bill for an act relating to the testing of blood or other bodily specimens of persons committed to an institution under the control of the Iowa department of corrections, and providing a penalty, and amendment S—3239 by Senator Fraise to strike everything after the enacting clause of the bill, deferred on March 26, 1987.

Senator Fraise moved the adoption of amendment S—3239, which motion prevailed by a voice vote.

With the adoption of amendment S—3239, the Chair ruled the following amendments out of order:

S—3306 filed by Senators Fraise, et al., on March 27, 1987, to strike everything after the enacting clause and to the title page of the bill.

S—3171 filed by Senator Lind on March 16, 1987, to page 1 of the bill.

Senator Fraise filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3239 to Senate File 340 was adopted by the Senate on April 7, 1987.

The motion prevailed by a voice vote and amendment S—3239 by Senator Fraise was taken up for reconsideration.

Senator Fraise withdrew amendment S—3239.

The Chair stated that amendment S—3306, previously ruled out of order, was now eligible for consideration by the Senate.

Senator Fraise offered amendment S—3306 filed by Senators Fraise, et al., on March 27, 1987, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3306 was adopted by a voice vote.

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. 340) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Soorholtz
Sturgeon	Taylor	Varn	Wells

Nays, none.

Absent or not voting, 6:

Mann
Vande Hoef

Miller, C.P.
Welsh

Scott

Tieden

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 463 and 340 be immediately messaged** to the House.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

UNFINISHED BUSINESS (Deferred April 6, 1987)

Senate File 122

The Senate resumed consideration of Senate File 122, a bill for an act to provide for an exemption from participation in physical education activities for students participating in marching band, deferred April 6, 1987.

Senator Murphy withdrew amendment S—3167 filed by him on March 13, 1987, to strike everything after the enacting clause and to the title page of the bill.

Senator Lind withdrew amendment S—3163 filed by him on March 12, 1987, to page 1 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?" (S.F. 122) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gentleman
Gettings	Hall	Hester	Holden
Holt	Horn	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Riordan	Schwengels
Soorholtz	Taylor	Wells	Welsh

Nays, 18:

Corning	Dieleman	Fuhrman	Goodwin
Hannon	Jensen	Lind	Lloyd-Jones
Peterson	Priebe	Readinger	Rensink
Rife	Scott	Sturgeon	Tieden
Vande Hoef	Varn		

Absent or not voting, 4:

Drake	Gronstal	Hultman	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 Husak asked and received unanimous consent that **Senate File 122** be **immediately messaged** to the House.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Miller of Des Moines and Gettings for the morning on request of Senator Hutchins.

UNFINISHED BUSINESS (Deferred April 6, 1987)

Senate File 492

The Senate resumed consideration of Senate File 492, a bill for an act relating to motor fuel and special fuel marketing and distribution and security deposits required of dealers, deferred April 6, 1987.

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. 492) 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	Coleman	Fraise
Fuhrman	Gronstal	Hall	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Priebe	Riordan	Scott
Varn	Wells		

Nays, 24:

Carr	Corning	Deluhery	Dieleman
Doyle	Drake	Gentleman	Goodwin
Hannon	Hester	Holden	Holt
Hultman	Jensen	Peterson	Readinger
Rensink	Rife	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	Welsh

Voting present, 1:

Lind

Absent or not voting, 3:

Gettings	Miller, C.P.	Sturgeon
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Concurrent Resolution 11

On motion of Senator Gentleman, Senate Concurrent Resolution 11, a concurrent resolution to petition the Federal Communications Commission to increase the wattage of KWDM, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman moved the adoption of Senate Concurrent Resolution 11, which motion prevailed by a voice vote.

Senator Husak asked and received unanimous consent that **Senate Concurrent Resolution 11** be immediately messaged to the House.

UNFINISHED BUSINESS
(Deferred March 23, 1987)

Senate File 459

The Senate resumed consideration of Senate File 459, a bill for an act relating to handicapped parking spaces, making penalties applicable and providing effective dates, deferred on March 23, 1987.

Senator Drake offered amendment S—3328 filed by Senators Drake, et al., on March 30, 1987, to page 1 of the bill.

Senator Drake asked and received unanimous consent that action on amendment S—3328 be deferred.

Senator Drake offered amendment S—3425 filed by Senators Drake and Doyle on April 6, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3425 was adopted by a voice vote.

Senator Doyle offered amendment S—3273 filed by him on March 25, 1987, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—3273 was adopted by a voice vote.

With the adoption of amendment S—3425, the Chair ruled amendment S—3328, previously deferred, out of order.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 459) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Fuhrman	Gettings	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.

UNFINISHED BUSINESS (Deferred April 2, 1987)

Senate File 310

The Senate resumed consideration of Senate File 310, a bill for an act relating to organic food, by providing for standards, the enforcement of the standards, and penalties, deferred April 2, 1987.

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. 310) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Boswell	Bruner	Carr	Deluhery
Doyle	Fraise	Gronstal	Hall
Hannon	Horn	Husak	Hutchins

Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Palmer	Priebe
Scott	Sturgeon	Varn	

Nays, 22:

Coleman	Corning	Dieleman	Fuhrman
Gentleman	Goodwin	Hester	Holden
Holt	Hultman	Jensen	Nystrom
Peterson	Readinger	Rensink	Rife
Riordan	Schwengels	Soorholtz	Tieden
Vande Hoef	Welsh		

Absent or not voting, 5:

Drake	Gettings	Miller, C.P.	Taylor
Wells			

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate File 459** be **immediately messaged** to the House.

CONSIDERATION OF RESOLUTION (Regular Calendar)

Senate Resolution 10

On motion of Senator Mann, Senate Resolution 10, a resolution to provide a senate code of ethics for the Seventy-second General Assembly, was taken up for consideration.

Senator Coleman offered amendment S—3441 filed by him on April 6, 1987, to page 6 of the resolution and moved its adoption.

Amendment S—3441 was adopted by a voice vote.

Senator Varn took the chair at 12:08 p.m.

Senator Mann offered amendment S—3311 filed by him on March 27, 1987, to pages 6 and 9 through 13 of the resolution and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 24.

Amendment S—3311 lost.

Senator Mann asked and received unanimous consent that action on **Senate Resolution 10** be deferred.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 23, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 525, a bill for an act relating to the jurisdiction of the juvenile court in hospital admission of minors and the admission procedures for minors.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 31, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 656, a bill for an act relating to the education of certain children living outside the district of residence and providing effective dates.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 3, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 599, a bill for an act relating to mortgage foreclosures by establishing an alternative mortgage foreclosure proceeding with final judicial sale and rights in lieu of redemption, and establishing nonjudicial foreclosure proceedings upon waiver of deficiency judgments.

This bill was read first time and **passed on file**.

House File 609, a bill for an act relating to the payment of expenses for the boards of medical examiners, dental examiners, and pharmacy examiners, and the board of nursing and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 6, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 433, a bill for an act relating to an exemption from securities registration for securities traded or approved for trade on the national association of securities dealers automated quotations -- national market system (NASDAQ/NMS).

This bill was read first time and **passed on file**.

ALSO: That the House has on April 7, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 601, a bill for an act relating to organ and tissue identification and transplantation, by creating a commission to develop a state plan for human organ and tissue transplants and requiring certain criteria in the state plan including organ and tissue procurement, registration and distribution, recipient selection criteria, transplant center eligibility, informed consent, confidentiality, and costs, requiring a certificate of need for certain transplant services, specifying a protocol for organ and tissue identification in hospitals, specifying duties of the Iowa department of public health and the department of human services, and the collection of information regarding organ and tissue transplants.

This bill was read first time and **passed on file**.

INTRODUCTION OF RESOLUTIONS

Senate Concurrent Resolution 31, by Sturgeon, Scott, Readinger, Gentleman and Miller of Cerro Gordo, a concurrent resolution relating to an interim study committee to review services for the elderly.

Read first time and **passed on file**.

Senate Concurrent Resolution 32, by committee on Ways and Means, a concurrent resolution urging the Congress of the United States to amend the Interstate Commerce Act to allow states to collect sales or use taxes from outstate sellers.

Read first time and placed on the Ways and Means Calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:17 p.m., until 1:30 p.m.

APPENDIX**STUDY BILL RECEIVED
(April 6, 1987)****SSB 244 Ways and Means**

Relating to the agricultural land tax credit, providing a penalty, and providing for applicability of the Act.

REPORTS OF COMMITTEE MEETINGS**EDUCATION**

Convened: April 6, 1987, 5:50 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Discussed House File 499.

Recessed: 6:06 p.m.

Reconvened: 7:25 p.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Holden.

Committee Business: Recommended passage of House File 499 as amended.

Adjourned: 10:45 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 6, 1987, 1:25 p.m.

Members Present: Boswell, Chair; Rife, Ranking Member; Hannon, A. Miller, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef.

Members Absent: Peterson, Deluhery and Riordan (excused).

Committee Business: Recommended confirmation of Governor's appointments to En Bloc Calendar; assigned bills to subcommittees.

Adjourned: 1:35 p.m.

STATE GOVERNMENT

Convened: April 6, 1987, 12:10 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Schwengels, Soorholtz and Welsh.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended confirmation of Governor's appointments to the En Bloc Calendar.

Adjourned: 12:15 p.m.

WAYS AND MEANS

Convened: April 6, 1987, 4:10 p.m.

Members Present: Bruner, Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Palmer, Riordan, Hester, Holt, Readinger and Soorholtz.

Members Absent: Husak, Vice Chair; Murphy and Drake.

Committee Business: Assigned SSB 244 to a subcommittee; recommended confirmation of Governor's appointments to En Bloc Calendar.

Adjourned: 4:13 p.m.

SUBCOMMITTEE ASSIGNMENTS

House File 73

STATE GOVERNMENT: Lloyd-Jones, Chair; Welsh and Schwengels.

House File 221

NATURAL RESOURCES: Husak, Chair; Priebe and Scott

House File 244

COMMERCE: Palmer, Chair; Kinley and Lind

House File 568

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Peterson and Fuhrman

House File 575

NATURAL RESOURCES: Hannon, Chair; Scott and Hester

House File 613

COMMERCE: Kinley, Chair; Priebe and Rife

House File 614

STATE GOVERNMENT: Schwengels, Chair; Horn and Nystrom.

House File 617

COMMERCE: Palmer, Chair; Welsh and Lind

House File 620

NATURAL RESOURCES: Schwengels, Chair; Peterson and Goodwin

House File 639

COMMERCE: Jensen, Chair; Gronstal and Mann

House File 653

COMMERCE: Lind, Chair; Welsh and Mann

SSB 244

WAYS AND MEANS: Riordan, Chair; Boswell, Mann, Soorholtz and Holden

REPORTS OF STANDING COMMITTEE
(Place nominees on En Bloc Confirmation Calendar)

WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the following Governor's appointments, completed its investigations on April 6, 1987, and recommended the appointees be confirmed:

Larry Tuel as Executive Director of the Iowa Finance Authority.

Earl Yoder as a member of the Iowa Finance Authority.

COMMITTEE REPORTS

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 568, a bill for an act relating to the distribution of federal funds under Title III of the Job Training Partnership Act of 1982.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Boswell, Hannon, A. Miller, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 3: Peterson, Riordan and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

WAYS AND MEANS

Final Bill Action: SENATE CONCURRENT RESOLUTION 32 (SSB 236), a resolution urging the Congress of the United States to amend the Interstate Commerce Act to allow states to collect sales or use taxes from outstate sellers.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 2: Palmer and Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 492 failed to pass the Senate on April 7, 1987.

BEVERLY A. HANNON

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 492 failed to pass the Senate on April 7, 1987.

WILLIAM W. DIELEMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 310 failed to pass the Senate on April 7, 1987.

JAMES RIORDAN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty fifth grade students from Windsor Elementary School, Des Moines, Iowa. Senator Readinger.

Twenty twelfth grade students from Monticello High School, Monticello, Iowa, accompanied by Tony Amsler. Senator Hannon.

Fifty-two fifth grade students from Audubon Junior High School, Audubon, Iowa, accompanied by Phyllis Madsen. Senator Hutchins.

AMENDMENTS FILED

S—3442	S.F.	297	Tom Mann, Jr.
S—3443	H.F.	469	James Wells
			Hurley Hall
			Calvin Hultman
			James Riordan
			William Palmer
S—3444	S.F.	5	Edgar Holden
S—3445	S.F.	297	Tom Mann, Jr.

AFTERNOON SESSION

The Senate reconvened at 1:32 p.m., Senator Gentleman 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.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

BUSINESS PENDING

Senate Resolution 10

The Senate resumed consideration of Senate Resolution 10, previously deferred.

Senator Deluhery filed the following motion to reconsider from the floor and moved its adoption.

MADAM PRESIDENT: I moved to reconsider the vote by which amendment S—3311 to Senate Resolution 10 failed to be adopted by the Senate on April 7, 1987.

The motion prevailed by a voice vote and amendment S—3311 by Senator Mann to pages 6 and 9 through 13 of the resolution was taken up for reconsideration.

Senator Mann asked and received unanimous consent that action on amendment S—3311 be deferred.

Senator Mann offered amendment S—3446 filed by him from the floor to pages 6 and 9 through 13 of the resolution.

Senator Holden called for a division of amendment S—3446: lines 7 through 10 as division S—3446A; lines 2 through 6 and lines 11 through 32 as division S—3446B.

On motions by Senator Mann, divisions S—3446A and S—3446B were adopted by a voice vote.

With the adoption of divisions S—3446A and S—3446B, the Chair ruled amendment S—3311, previously deferred, out of order.

Senator Mann moved the adoption of Senate Resolution 10 as amended and requested a non record roll call.

The ayes were 47, nays 1.

The motion prevailed and the resolution as amended was adopted.

ADOPTION OF RESOLUTION (Regular Calendar)

Senate Resolution 11

On motion of Senator Mann, Senate Resolution 11, a resolution to provide senate rules governing lobbyists for the Seventy-second General Assembly, was taken up for consideration.

Senator Mann offered amendment S—3313 filed by him on March 27, 1987, to page 7 of the resolution and moved its adoption.

Amendment S—3313 was adopted by a voice vote.

Senator Coleman asked and received unanimous consent that action on **Senate Resolution 11** be deferred.

UNFINISHED BUSINESS (Deferred April 3, 1987)

Senate File 481

The Senate resumed consideration of Senate File 481, a bill for an act relating to state tax revenues and expenditures by altering the individual income tax rates, standard deductions, and personal exemptions and credits; increasing the state sales, services, and use tax and providing for refunds for certain contractors as a result of that increase; specifying the rate of the cigarette and little cigar and tobacco products taxes, when they may be altered and specifying when a cigarette and little cigar inventory tax is imposed; adjusting the homestead property tax

credit and the elderly and disabled credit and reimbursement schedule; decreasing the school foundation property tax levy; adjusting the allowable growth and state aid under the school foundation formula; and providing effective dates, deferred April 3, 1987.

Senator Bruner offered amendment S—3447 filed by Senators Bruner, et al., from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Hultman offered amendment S—3448 filed by Senators Hultman, et al., from the floor to pages 1 through 6 and 8 and 9 of amendment S—3447, moved its adoption and requested a record roll call.

On the question: Shall amendment S—3448 to amendment S—3447 be adopted?" (S.F. 481) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Readinger	Rensink	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 1:

Gettings

Amendment S—3448 lost.

Senator Corning offered amendment S—3450 filed by her from the floor to pages 6 and 9 of amendment S—3447 and moved its adoption.

Amendment S—3450 was adopted by a voice vote.

Senator Welsh withdrew amendment S—3451 filed by him from the floor to pages 8 and 9 of amendment S—3447.

Senator Welsh withdrew amendment S—3452 filed by him from the floor to page 9 of amendment S—3447.

Senator Hultman offered amendment S—3453 filed by him from the floor to pages 6 through 9 of amendment S—3447, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3453 to amendment S—3447 be adopted?” (S.F. 481) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Corning	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Readinger	Rensink
Rife	Schwengels	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	

Nays, 26:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Fraise	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Riordan	Scott	Varn
Wells	Welsh		

Absent or not voting, 1:

Gettings

Amendment S—3453 lost.

President pro tempore Kinley took the chair at 3:13 p.m.

President Zimmerman took the chair at 3:25 p.m.

Senator Bruner moved the adoption of amendment S—3447 as amended.

A record roll call was requested.

On the question “Shall amendment S—3447 as amended be adopted?” (S.F. 481) the vote was:

Ayes, 26:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Riordan	Scott	Varn
Wells	Welsh		

Nays, 24:

Corning	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Peterson	Readinger
Rensink	Rife	Schwengels	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef

Amendment S—3447 as amended was adopted.

With the adoption of amendment S—3447 as amended, the Chair ruled the following amendments out of order:

S—3269 filed by Senator Holden on March 25, 1987, to pages 10, 11, 14, 18 and the title page of the bill.

S—3270 filed by Senator Nystrom on March 25, 1987, to pages 8, 9 and 18 of the bill.

S—3275 filed by Senators Hultman, et al., on March 25, 1987, to pages 11 through 14, 17, 18 and the title page of the bill.

S—3277 filed by Senators Hultman, et al., on March 25, 1987, to pages 4 through 11, 14 through 18 and the title page of the bill.

S—3397 filed by Senator Riordan on April 3, 1987, to page 1 of the bill.

S—3416 filed by Senator Corning on April 6, 1987, to pages 11, 18 and the title page of the bill.

S—3432 filed by Senator Hultman on April 6, 1987, to amendment S—3277.

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. 481) 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	Coleman
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Riordan	Scott	Varn
Wells	Welsh		

Nays, 24:

Corning	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Peterson	Readinger
Rensink	Rife	Schwengels	Soorholtz
Sturgeon	Taylor	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.

Senator Hutchins asked and received unanimous consent that **Senate File 481** be **immediately messaged** to the House.

MOTION TO RECONSIDER ADOPTED

Senator Bruner called up the motion to reconsider House File 153 filed by him on February 25, 1987, found on page 469 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 153) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Priebe	Riordan	Scott
Sturgeon	Varn	Wells	Welsh

Nays, 22:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Jensen	Lind
Nystrom	Peterson	Readinger	Rensink
Rife	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef		

The motion prevailed.

Senator Bruner moved to reconsider the vote by which House File 153 went to its last reading, which motion prevailed by a voice vote.

House File 153

On motion of Senator Bruner, House File 153, a bill for an act relating to the state's conforming its income, franchise, and death taxes with the new federal tax provisions by updating references to the Internal Revenue Code, rewriting the state minimum taxes to conform with the federal alternative minimum taxes, rewriting the state generation skipping transfer tax to conform with the federal provisions, striking obsolete and repealed items, clarifying

the taxation of regulated investment company dividends and shares, extending the statute of limitations for certain refund claims, providing for waiver of penalty for underpayment of estimated tax, and providing effective dates, was taken up for reconsideration.

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. 153) 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	Coleman
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Priebe	Riordan	Scott	Sturgeon
Varn	Wells	Welsh	

Nays, 23:

Corning	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Nystrom	Palmer	Peterson	Readinger
Rensink	Rife	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 153** be immediately messaged to the House.

The motion to reconsider House File 153 filed by Senator Palmer on February 25, 1987, and found on page 469 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 6, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 377, a bill for an act relating to public financing of political campaigns, appropriating funds, and providing penalties and providing effective dates.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 7, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 460, a bill for an act relating to the contract provisions for certain certificated employees of certain institutions governed by the state board of regents.

This bill was read first time and **passed on file**.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	30	Education
S. C. R.	31	Rules and Administration
H. F.	105	Local Government
H. F.	377	State Government
H. F.	433	Small Business and Economic Development
H. F.	460	Education
H. F.	525	Judiciary
H. F.	540	Small Business and Economic Development
H. F.	601	Human Resources
H. F.	609	State Government
H. F.	634	Local Government
H. F.	646	Small Business and Economic Development
H. F.	656	Education

SUBCOMMITTEE ASSIGNMENT

House File 631

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Schwengels

PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the following Governor's appointees referred to the committee on Education for investigation on March 18, 1987, were **automatically** placed on the Individual Confirmation Calendar **without recommendation**:

John Fitzgibbon and Marvin Pomerantz as members of the State Board of Regents.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate amendment S—3450 to Senate File 481, the following technical correction was made:

- 1. Page 1, line 34, the internal reference to “, and 60” was corrected to “13”.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-four 4-H members from Cherokee County, accompanied by Marie Bork. Senator Vande Hoef.

AMENDMENTS FILED

S—3446	S. R.	10	Tom Mann, Jr.
S—3447	S. F.	481	Charles Bruner Bill Hutchins Michael Gronstal Emil Husak
S—3448	S. F.	481	Calvin Hultman Richard Drake Jack Hester Norman J. Goodwin Joy Corning John W. Jensen Richard Vande Hoef Lee Holt Wilmer Rensink Julia Gentleman Jim Lind Forrest Schwengels
S—3449	S. R.	11	C. Joseph Coleman
S—3450	S. F.	481	Joy Corning
S—3451	S. F.	481	Joe Welsh
S—3452	S. F.	481	Joe Welsh

S—3453	S.F.	481	Calvin O. Hultman
S—3454	S.F.	337	Forrest V. Schwengels
S—3455	H.F.	164	Richard F. Drake
			George Kinley
			Bob Carr

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:42 p.m., until 9:00 a.m., Wednesday, April 8, 1987.

JOURNAL OF THE SENATE

EIGHTY-SEVENTH CALENDAR DAY
FIFTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 8, 1987

The Senate met in regular session at 9:03 a.m., President pro tempore Kinley presiding.

Prayer was offered by the Honorable Wilmer Rensink, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Tuesday, April 7, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Murphy and Gettings for the day on request of Senator Hutchins.

RECESS

On motion of Senator Hutchins, the Senate recessed at 9:23 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: April 7, 1987, 10:50 a.m.

Members Present: Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Holden, Horn, Hultman, Palmer, Vande Hoef and Welsh.

Members Absent: Gettings (excused).

Committee Business: Recessed from 10:55 a.m. to 11:05 a.m.; discussed and deferred action on House File 580.

Adjourned: 11:15 a.m.

JUDICIARY

Convened: April 7, 1987, 4:50 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Carr and Deluhery.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 567, 131, 492, 513, 630, 493, 574 and 488.

Adjourned: 5:40 p.m.

NATURAL RESOURCES

Convened: April 7, 1986, 8:10 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Hannon (arrived 8:17 a.m.), Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 133 as amended; deferred action on House File 316 as amended.

Adjourned: 9:00 a.m.

SUBCOMMITTEE ASSIGNMENTS

House File 105

LOCAL GOVERNMENT: Wells, Chair; Vande Hoef and Hall

House File 377

STATE GOVERNMENT: Carr, Chair; Bruner and Drake

House File 518

LOCAL GOVERNMENT: A. Miller, Chair; Jensen and Wells

House File 601

HUMAN RESOURCES: Hannon, Chair; Carr, Gentleman, Readinger and Sturgeon

House File 634

LOCAL GOVERNMENT: Wells, Chair; A. Miller and Jensen

House File 645

JUDICIARY: Mann, Chair; Doyle, Coleman, Hester and Holt

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 596, a bill for an act relating to the time for designating the period for which certain employer payments shall be allocated.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Wells, Mann, Fuhrman, Holden, Horn, Palmer and Vande Hoef. Nays, none. Absent or not voting, 3: Gettings, Hultman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 615, a bill for an act relating to providing workers' compensation coverage for emergency medical personnel and providing authority for their certification.

Recommendation: DO PASS.

Final Vote: Ayes, 6: Wells, Mann, Fuhrman, Holden, Palmer and Vande Hoef. Nays, none. Absent or not voting, 4: Gettings, Horn, Hultman and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: SENATE CONCURRENT RESOLUTION 33, a resolution relating to the reform of the welfare system.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 10: Hannon, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 2: Murphy and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 136, a bill for an act relating to the disclosure of information concerning the family of a health care facility resident to a care review committee member.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hannon, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 2: Murphy and Carr.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 251, a bill for an act relating to advocates for certain individuals involuntarily hospitalized.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 310, a bill for an act relating to acquired immune deficiency syndrome including the establishment of a central registry for victims and screening and testing procedures.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 328, a bill for an act relating to the licensure and regulation of birth centers and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3466.

Final Vote: Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 412, a bill for an act relating to child abuse.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3465.

Final Vote: Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 490, a bill for an act relating to interstate agreements for provision of medical assistance services to adoptive families who participate in the subsidized adoption or adoption assistance program.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 131, a bill for an act relating to transfers to minors by amending the definition of benefit plan to include an individual retirement account and by excluding compensation due a minor for services rendered from the types of property or debt eligible for transfer to the custodian of a minor.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Doyle, Mann, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 3: Holt, Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 488, a bill for an act relating to the time period for a hearing on the revocation of a person's license for operating a motor vehicle while under the influence of alcohol or a drug.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S-3461.

Final Vote: Ayes, 9: Doyle, Mann, Holt, Coleman, Fraise, Fuhrman, Hester, Horn and Varn. Nays, 3: Drake, Gentleman and Taylor. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 492, a bill for an act relating to schedule I and schedule IV controlled substances.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Holt, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 493, a bill for an act relating to provide office space and other physical facilities for the district court administrator.

Recommendation: DO PASS.

Final Vote: Ayes, 12 Doyle, Mann, Holt, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 513, a bill for an act relating to interstate rendition of persons charged with failure to provide support.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Holt, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 567, a bill for an act relating to permanency planning for children by providing for dispositional and placement review hearings for certain children subject to the jurisdiction of the juvenile court, by authorizing permanency placement orders for certain children in need of assistance, by modifying certain grounds and procedures for the termination of parental rights, and by establishing an adoption exchange.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Doyle, Mann, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Taylor and Varn. Nays, 1: Horn. Absent or not voting, 3: Holt, Carr and Deluhery.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 574, a bill for an act relating to the crime of forgery and related fraudulent criminal acts, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3459.

Final Vote: Ayes, 12: Doyle, Mann, Holt, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 630, a bill for an act relating to state liability for torts committed by juveniles while performing community service assignments pursuant to an order of the juvenile court.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Holt, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 176, a bill for an act relating to the requirements for the loaning by a library of library materials or equipment having a value of five hundred dollars or more.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller and Wells. Nays, none. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 304, a bill for an act relating to the determination of annual salaries for elected county officers and their deputies.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3462.

Final Vote: Ayes, 6: A. Miller, Fraise, Vande Hoef, Kinley, C. Miller and Taylor. Nays, 4: Goodwin, Hall, Jensen and Wells.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 324, a bill for an act authorizing the joint investment of funds by counties, cities and city utilities.

Recommendation: DO PASS.

Final Vote: Ayes, 7: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen and Wells. Nays, none. Absent or not voting, 3: Kinley, C. Miller and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 398, a bill for an act relating to water districts, by providing for water service within two miles of a city and by providing for the determination and apportionment of cost attributed to the annexation of land.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller and Wells. Nays, none. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 523, a bill for an act relating to the financial authority of political subdivisions by authorizing loan agreements, the issuance of bonds for additional purposes, and the payment of interest from bond proceeds.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller and Wells. Nays, none. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 536, a bill for an act relating to public bonds by specifying requirements for the issuance of certain bonds, providing for the use of bond proceeds, and providing for the security of certain bonds.

Recommendation: DO PASS.

Final Vote: Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley and Wells. Nays, none. Absent or not voting, 2: C. Miller and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 583, a bill for an act relating to the procedures for adopting or amending county zoning ordinances.

Recommendation: DO PASS.

Final Vote: Ayes, 9: A.Miller, Fraise, Vande Hoef, Goodwin, Hall, Jensen, Kinley, C. Miller and Wells. Nays, none. Absent or not voting, 1: Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 379, a bill for an act relating to the employment of persons in public service jobs.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Hall, Priebe, Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, none. Absent or not voting, 2: Schwengels and Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 464, a bill for an act relating to the receipt and sale of protected game by a nonprofit corporation.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3463.

Final Vote: Ayes, 9: Hall, Priebe, Hannon, Husak, Goodwin, Scott, Hester, Rensink and Tieden. Nays, 1: Peterson. Absent or not voting, 2: Schwengels and Doyle.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 620, a bill for an act relating to the acquisition and protection of significant elements of the state's natural open space heritage.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3464.

Final Vote: Ayes, 12: Hall, Priebe, Schwengels, Doyle, Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 193, a bill for an act relating to the filing of a request for a contested case proceeding with a state agency.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife and Schwengels. Nays, none. Absent or not voting, 3: Dieleman, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 346, a bill for an act relating to the temporary certificates issued by the board of medical examiners.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife and Schwengels. Nays, none. Absent or not voting, 3: Dieleman, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 373, a bill for an act relating to the division of deaf services of the department of human rights.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife and Schwengels. Nays, none. Absent or not voting, 3: Dieleman, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 427, a bill for an act relating to reprisals and orders with respect to certain disclosures of information by state employees, and providing a penalty.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife and Schwengels. Nays, none. Absent or not voting, 3: Dieleman, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 507, a bill for an act relating to discrimination by employers and by labor unions, organizations, and officers on the basis of sex, and making a penalty applicable.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife and Schwengels. Nays, none. Absent or not voting, 3: Dieleman, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 587, a bill for an act relating to the licensing and regulation of architects and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife, Welsh and Soorholtz. Nays, none. Absent or not voting, 2: Nystrom and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 607, a bill for an act relating to the maximum age for participation in an organized amateur boxing contest.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Nystrom and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 614, a bill for an act relating to sales of funeral services and funeral merchandise, revising regulatory and reporting provisions, requiring disclosures, requiring permits, providing penalties, providing for the applicability of the Act and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Carr, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife and Schwengels. Nays, none. Absent or not voting, 3: Dieleman, Soorholtz and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3456	S.F.	347	Berl E. Priebe Lee W. Holt Kenneth D. Scott
S—3457	S.F.	468	Ray Taylor
S—3458	S.F.	104	Al Sturgeon
S—3459	H.F.	574	Judiciary
S—3460	H.F.	660	Al Sturgeon
S—3461	H.F.	488	Judiciary
S—3462	H.F.	304	Local Government
S—3463	H.F.	464	Natural Resources
S—3464	H.F.	620	Natural Resources
S—3465	H.F.	412	Human Resources
S—3466	H.F.	328	Human Resources

AFTERNOON SESSION

The Senate reconvened at 4:37 p.m., President pro tempore Kinley presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 7, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 209, a bill for an act exempting gas public utilities having less than two thousand customers from the rate regulation authority of the utilities board and defining the areas in which such utilities remain subject to regulation and providing an effective date.

ALSO: That the House has on April 8, 1987, adopted the conference committee report and passed:

House File 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987.

ALSO: That the House has on April 8, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 382, a bill for an act relating to soil conservation districts, by changing the name to soil and water conservation districts.

ALSO: That the House has on April 8, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 666, a bill for an act to provide that a homestead tax credit claim need not be refiled when the homestead is transferred to one of the spouses pursuant to a dissolution of marriage.

This bill was read first time and **passed on file.**

House Concurrent Resolution 21, a concurrent resolution relating to railroad crossing safety for school children.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILL

Senate File 502, by Husak and Soorholtz, a bill for an act to create a department of veterans affairs.

Read first time and **passed on file**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 33, by committee on Human Resources, a concurrent resolution relating to the reform of the welfare system.

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 44 present, 6 absent and a quorum present.

WITHDRAWN

Senator Bruner asked and received unanimous consent that **Senate File 136** be **withdrawn** from further consideration of the Senate.

CONFIRMATION OF APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Robert W. DeCook and Robert Friedrich as members of the Title Guaranty Division Board.

Jack Purcell as a member of the Commission on the Deaf.

Charlotte Mohr, Gary Priebe and Nancy Lee Siebenmann as members of the Environmental Protection Commission.

Gerald Donovan as a member of the Iowa Law Enforcement Academy Council.

Elizabeth Burmeister, Carol McCarty and Kathleen McCoy as members of the Personnel Commission.

Warren Lawson as Adjutant General.

James R. Maret as Consumer Advocate.

Steven R. Clark, Lois G. Campbell and Martha Thien as members of the Physical and Occupational Therapy Examining Board.

Julie Bulkeley and Gaylon Halverson as members of the Accountancy Examining Board.

Kenneth Steffen, Gwen Boeke and Barbara Welander as members of the Architectural Examining Board.

Marge Askew, Floyd Dow Bates and Kenneth Pride as members of the Chiropractic Examining Board.

Robert Klopp and Mary Smith as members of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

Victoria Wittgraf, Perry Chapin, Rex Montgomery, George Benning, Jean Adams and Joseph Borgen as members of the Iowa High Technology Council.

Edna Eaton, Wilhelmina McFee and Cherie Oetker as members of the Nursing Examining Board.

Murray D. Berggren and Phyllis Crouse as members of the State Board of Examiners for Nursing Home Administrators.

Donna Flower, Alan M. Shepley and Gale W. Stapp as members of the Pharmacy Examining Board.

E. Joe Ann Lutz and Robert H. Christensen as members of the Real Estate Examining Board.

Colette Kunkel and Katherine J. Howe as members of the Speech Pathology and Audiology Examining Board.

Donald Byers, Barbara Higdon and William Lepley as members of the First in the Nation In Education Foundation Governing Board.

Abigail Pumroy and Kenneth Robinson as members of the Iowa State Civil Rights Commission.

Gary Baugher, William Dowell, Harold McCormick, Donald Vold and Cynthia J. Officer as members of the Board of Corrections.

Donald Lawrenson, James E. Benbow, John Fischer and Betty Markham as members of the County Finance Committee.

Margaret Chadwell and James McCue as members of the Credit Union Review Board.

George Strait as a member of the Commission of Elder Affairs.

James V. Sarcone as a member of the State Health Facilities Council.

Doris Almelen and Mary Ann Kenkel as members of the State Judicial Nominating Commission.

Mary L. Leonard, Mona Bond, Phyllis Osborn and Robert D. Hoogeveen as members of the Mental Health and Mental Retardation Commission.

James O'Neill as a member of the Cosmetology Examining Board.

Russell Cross as a member of the Commission on Judicial Qualifications.

Allen Meier as Labor Commissioner.

Marjorie E. Rodgers and James D. Heddens as members of the Podiatry Examining Board.

Jerry Hughes, Mary Ann Stange and Lois Miller as members of the Job Service Advisory Council.

Merle Kjonaas, Edward Winger and John A. Gazaway as members of the Optometry Examining Board.

Margaret Kolck and Robert J. Martin as members of the Commission for the Blind.

Clayton Mowers as a member of the Iowa Finance Authority.

Lewis Rich and Catherine Williams as members of the Council on Human Services.

Kenneth Kassel and Linda Appelgate as members of the State Soil Conservation Committee.

Carl A. Selden as a member of the State Board of Tax Review.

Carroll Anderson as a member of the Barber Examining Board.

Anita Seitsinger as a member of the Investment Board (IPERS).

Alvin E. Bremer and Cornelia V. Hoy as members of the Mortuary Science Examining Board.

Mary Williams as a member of the State Board of Regents.

Andy Varley as Chairman of the Utilities Board.

Mark Leonard as a member of the Agricultural Development Board.

Thomas Lansworth as members of the State Foster Care Review Board.

Marion Patterson as a member of the Natural Resource Commission.

Edward Seitzinger as a member of the Alcoholic Beverages Commission.

Geraldine Eitter as a member of the Campaign Finance Disclosure Commission.

Pamela DeMoss, Marilyn May and Carmen Miller as members of the Dental Examining Board.

Virginia Ruark, Gary Darland and Harold Wight as members of the Engineering and Land Surveying Examining Board.

John Olds and Cecil Peterson as members of the Medical Examining Board.

Leo K. Monaghan and Lavonne Mydland as members of the State Racing Commission.

Greg A. Hicklin and Joan Treirvieler as members of the Respiratory Care Advisory Committee.

Leonard Larsen as a member of the Social Work Examining Board.

Nancy Shimanek as a member of the Utilities Board.

Michael K. Eberle and Jan Stillman as members of the Iowa Board of Veterinary Medicine.

Cecelia Burnett and Steve Schroeder as members of the Landscape Architectural Examining Board.

Gerald T. Jorgensen as a member of the Psychology Examining Board.

Don Gingerich, Keith Briscoe and Arthur Dahl as members of the Iowa Product Development Corporation.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Gettings Palmer

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

UNFINISHED BUSINESS
(Deferred April 7, 1987)

Senate Resolution 11

The Senate resumed consideration of Senate Resolution 11, a resolution to provide senate rules governing lobbyists for the Seventy-second General Assembly, deferred April 7, 1987.

Senator Coleman offered amendment S—3449 filed by him on April 7, 1987, to page 6 of the resolution and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3449 be adopted?” (S.R. 11) the vote was:

Ayes, 17:

Coleman	Corning	Doyle	Fraise
Fuhrman	Goodwin	Hall	Hester
Holden	Horn	Lind	Miller, C.P.
Peterson	Rensink	Rife	Schwengels
Tieden			

Nays, 31:

Boswell	Bruner	Carr	Deluhery
Dieleman	Drake	Gentleman	Gronstal
Hannon	Hultman	Husak	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Absent or not voting, 2:

Gettings Holt

Amendment S—3449 lost.

Senator Mann moved the adoption of Senate Resolution 11 and requested a non record roll call.

The ayes were 47, nays 1.

The motion prevailed.

APPENDIX

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.C.R.	21	Education
S.F.	502	State Government
H.F.	666	Ways and Means

COMMITTEE REPORTS

TRANSPORTATION

Final Bill Action: HOUSE FILE 527, a bill for an act relating to proportional registration by providing for credits of registration fees when changing the method of registration of vehicles and by requiring owners of vehicles subject to proportional registration to make application to either the state department of transportation or the county treasurer for registration and issuance of certificates of title, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Doyle, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 579, a bill for an act allowing issuance of personalized registration plates for travel trailers and for trailers regardless of the trailers' gross weight registrations.

Recommendations: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Doyle, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 623, a bill for an act relating to the identification, protection, planning, and promotion of public highways and roads along scenic regions of the state.

Recommendation: DO PASS.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Doyle, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3467	S. F.	2	James Wells
S—3468	S. F.	2	James Wells
S—3469	S. F.	2	James Wells
S—3470	S. F.	2	James Wells
S—3471	S. F.	2	Tom Mann, Jr.
S—3472	S. F.	2	Tom Mann, Jr.
S—3473	H.F.	398	Eugene Fraise
S—3474	S. F.	280	Julia B. Gentleman
S—3475	S. F.	351	Michael Gronstal
S—3476	S. F.	92	James R. Riordan Berl E. Priebe Dale L. Tieden

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Thursday, April 9, 1987.

JOURNAL OF THE SENATE

EIGHTY-EIGHTH CALENDAR DAY
FIFTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 9, 1987

The Senate met in regular session at 9:10 a.m., President pro tempore Kinley presiding.

Prayer was offered by Reverend Jerry Oakland, pastor of the St. Paul United Methodist Church, Pleasantville, Iowa.

The Journal of Wednesday, April 8, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 3, 1987, passed the following bills in which the concurrence of the Senate is asked:

House File 649, a bill for an act relating to exemptions from execution and attachment by revising provisions governing the exemption of insurance policies, proceeds, and benefits, cash, and certain other personal property, and providing other properly related matters.

This bill was read first time and **passed on file**.

House File 650, a bill for an act relating to providing private instruction and this Act is repealed July 1, 1990.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 7, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 619, a bill for an act relating to foreclosure and redemption of real property, by removing certain restrictions on redemption in certain cases, providing a cause of action against the receiver in certain cases, permitting the use of independent appraisers to determine the value of the homestead, providing for the designation of a residential homestead right of a former owner to repurchase or lease a residential homestead, providing for the designation of a homestead right of a former owner to repurchase or lease a homestead, providing that a titleholder and former owner may execute certain agreements, providing dates of applicability, and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 8, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 642, a bill for an act relating to immunizations of certain students attending nonprofit postsecondary educational institutions.

This bill was read first time and **passed on file**.

UNFINISHED BUSINESS (Deferred April 6, 1987)

Senate File 465

The Senate resumed consideration of Senate File 465, a bill for an act providing that a corporation or trust may hold, lease, or acquire certain agricultural land for the purpose of raising poultry or producing eggs, and amendment S—3423 by Senator Riordan to strike everything after the enacting clause and to the title page of the bill, deferred April 6, 1987.

Senator Holden took the chair at 9:37 a.m.

Senator Riordan moved the adoption of amendment S—3423.

Amendment S—3423 lost by a voice vote.

Senator Priebe offered amendment S—3402 filed by him on April 3, 1987, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 13.

Amendment S—3402 was adopted.

SPECIAL GUESTS

Senator Lloyd-Jones appeared in the well of the Senate and presented Victor M. Cervera Pacheco, Governor of Yucatan, Mexico; Mr. Herbe Rodriguez Abraham, Mayor of the city of Merida; and Mr. Adolfo Peniche Perez, director of Economic Development.

Governor Pacheco stated that he was on a goodwill tour of Iowa as Iowa's sister state to continue the twenty-two year friendship the two states have enjoyed. He invited the members of the Senate to visit Yucatan.

Also accompanying the group were:

Mrs. Alicia Del Villar De Blanco, Director of Tourist Development; Mrs. Julia Gonzalez, President of the University of Yucatan; Miss Pilar Esquiver Lopez, President of the Partners of the Americas in Yucatan and Miss Patricia Ancona Gonzalez, Partners of the Americas in Yucatan, Public Relations Chair.

BUSINESS PENDING

Senate File 465

The Senate resumed consideration of Senate File 465.

With the adoption of amendment S—3402, the Chair ruled the following amendments out of order:

S—3387 filed by Senator Varn on April 2, 1987, to page 1 of the bill.

S—3424 filed by Senator Varn on April 6, 1987, to page 1 of the bill.

Senator Riordan offered amendment S—3406 filed by him on April 3, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3406 lost by a voice vote.

Senator Boswell offered amendment S—3256 filed by him on March 24, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3256 was adopted by a voice vote.

Senator Deluhery offered amendment S—3316 filed by him on March 30, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3316 was adopted by a voice vote.

Senator Riordan withdrew amendment S—3407 filed by him on April 3, 1987, to page 1 of the bill.

Senator Riordan withdrew amendment S—3420 filed by him on April 6, 1987, to page 1 of the bill.

Senator Riordan withdrew amendment S—3421 filed by him on April 6, 1987, to page 1 of the bill.

Senator Riordan asked and received unanimous consent that action on **Senate File 465** be **deferred**.

President pro tempore Kinley took the chair at 10:10 a.m.

UNFINISHED BUSINESS
(Deferred March 30, 1987)

Senate File 92

The Senate resumed consideration of Senate File 92, a bill for an act relating to the payments due to breeders of race-winning Iowa-whelped dogs from the Iowa horse and dog breeders fund and providing a retroactive effective date, and amendment S—3201 by the committee on State Government to page 1 and the title page of the bill, deferred March 30, 1987.

Senator Riordan offered amendment S—3369 filed by Senators Riordan, Priebe and Tieden on April 1, 1987, to amendment S—3201.

Senator Riordan asked and received unanimous consent that action on amendment S—3369 be deferred.

Senator Priebe offered amendment S—3476 filed by Senators Riordan, Priebe and Tieden on April 8, 1987, to amendment S—3201.

Senator Hutchins asked and received unanimous consent that action on amendments S—3476 and S—3369 to amendment S—3201, amendment S—3201 and **Senate File 92** be **deferred**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 10:25 a.m., until 4:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

Convened: April 8, 1987, 12:40 p.m.

Members Present: Dieleman, Chair; Jensen, Ranking Member and Welsh.

Members Absent: Hannon, Vice Chair and Soorholtz.

Committee Business: Adopted two amendments to appropriations bill draft; voted to approve final draft as a subcommittee report.

Adjourned: 12:50 p.m.

AGRICULTURE

Convened: April 8, 1987, 1:34 p.m.

Members Present: Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Hall (arrived 1:41 p.m.), Husak, Peterson (arrived 2:05 p.m.), Scott, Fuhrman, Goodwin, Rensink and Vande Hoef.

Members Absent: Soorholtz.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 576, 426, 241, 633 and 345; recommended passage of House Files 626 and 411 as amended.

Adjourned: 2:09 p.m.

EDUCATION

Convened: April 8, 1987, 3:35 p.m.

Members Present: Murphy, Chair; Corning, Holden, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: Horn, Vice Chair; Taylor, Ranking Member; Bruner, Dieleman, Hannon, Lloyd-Jones and Lind.

Committee Business: Assigned bills to subcommittees; recessed at 3:40 while awaiting a bill from the House which eventually was not received.

Adjourned: 4:45 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 8, 1987, 2:40 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Murphy (arrived 2:55 p.m.), Rife, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Recommended passage of House File 654 as amended and discussed House File 631.

Adjourned: 3:20 p.m.

HUMAN RESOURCES

Convened: April 8, 1987, 11:10 a.m.

Members Present: Hannon, Chair; Carr, Vice Chair (arrived 11:23 a.m.); Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor.

Members Absent: Murphy (excused).

Committee Business: Recommended passage of House Files 412 and 328 as amended; recommended passage of House Files 136, 310, 251 and 490; approved proposed committee concurrent resolution; assigned a bill to subcommittee.

Adjourned: 11:55 a.m.

LOCAL GOVERNMENT

Convened: April 8, 1987, 8:05 a.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Jensen, Kinley (arrived 8:12 a.m.), C. Miller (arrived 8:15 a.m.), Taylor (arrived 8:25 a.m.) and Wells.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 176, 324, 398, 523, 536 and 583.

Adjourned: 8:30 a.m.

NATURAL RESOURCES

Convened: April 8, 1987, 10:05 a.m.

Members Present: Hall, Chair; Priebe, Vice Chair; Schwengels, Ranking Member (arrived 10:39 a.m.); Doyle (arrived 10:42 a.m.), Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden.

Members Absent: none.

Committee Business: Recommended passage of House Files 620 and 464 as amended; House File 575 failed recommendation for passage; recommended passage of House File 379; discussed and deferred action on House File 316.

Adjourned: 10:59 a.m.

STATE GOVERNMENT

Convened: April 8, 1987, 9:28 a.m.

Members Present: Carr, Chair; Nystrom, Vice Chair; Dieleman, Ranking Member; Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Schwengels, Soorholtz (arrived 10:10 a.m.) and Welsh (arrived 9:45 a.m.).

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 427, 614, 373, 507, 346, 587 and 607; recommended passage of House File 600 as amended.

Adjourned: 10:33 a.m.

TRANSPORTATION

Convened: April 8, 1987, 2:35 p.m.

Members Present: Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom.

Members Absent: Gettings (excused).

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 472, 533 and 167 as amended; recommended passage of House Files 623, 527 and 579; discussed and deferred action on House File 578.

Adjourned: 3:15 p.m.

COMMITTEE REPORTS

COMMERCE

Final Bill Action: HOUSE FILE 506, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Carr, Gronstal, Lind, Mann, Nystrom, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 3: Holden, Kinley and Priebe.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 517, a bill for an act relating to requirements for lender reporting to the title guaranty division.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Deluhery, Carr, Holden, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 4: Jensen, Gronstal, Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 520, a bill for an act relating to the regulation of membership campgrounds, membership camping operators, and membership camping contracts, requiring registration and disclosures, providing for cancellation of membership camping contracts, providing remedies, providing penalties, and providing properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Palmer, Deluhery, Jensen, Carr, Gronstal, Mann, Nystrom, Priebe, Rife and Sturgeon. Nays, 3: Holden, Lind and Tieden. Absent or not voting, 2: Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 610, a bill for an act to grant the commissioner of insurance the authority to approve discretionary group insurance.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Carr, Gronstal, Holden, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 3: Jensen, Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 617, a bill for an act relating to financial institutions.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Carr, Gronstal, Holden, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 3: Jensen, Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 639, a bill for an act relating to investments of Iowa life insurance companies.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Palmer, Deluhery, Jensen, Gronstal, Holden, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon and Tieden. Nays, 1: Carr. Absent or not voting, 2: Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: SENATE CONCURRENT RESOLUTION 30, a resolution relating to the establishment of occupational therapy programs.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Murphy, Horn, Taylor, Corning, Dieleman, Hannon, Lloyd-Jones, Rensink, Riordan, Varn and Wells. Nays, none. Absent or not voting, 4: Bruner, Holden, Lind and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 460, a bill for an act relating to the contract provisions for certain certificated employees of certain institutions governed by state board of regents.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Murphy, Horn, Taylor, Corning, Dieleman, Hannon, Lloyd-Jones, Rensink, Riordan, Varn and Wells. Nays, none. Absent or not voting, 4: Bruner, Holden, Lind and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 654, a bill for an act relating to the funding of the energy bank program.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3479.

Final Vote: Ayes, 8: Deluhery, Gronstal, Soorholtz, Hultman, A. Miller, Schwengels, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Murphy and Rife.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 505, a bill for an act relating to adoption decrees for children born outside of the United States.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Murphy, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 601, a bill for an act relating to organ and tissue identification and transplantation, by creating a commission to develop a state plan for human organ and tissue transplants and requiring certain criteria in the state plan including organ and tissue procurement, registration and distribution, recipient selection criteria, transplant center eligibility, informed consent, confidentiality, and costs, requiring a certificate of need for certain transplant services, specifying a protocol for organ and tissue identification in

hospitals, specifying duties of the Iowa department of public health and the department of human services, and the collection of information regarding organ and tissue transplants.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Murphy, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 540, a bill for an act relating to the planning, acquisition, development, and operation of welcome centers on highways and at other locations throughout the state.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3487.

Final Vote: Ayes, 12: Boswell, Peterson, Rife, Holt, Vande Hoef, Deluhery, Fuhrman, Riordan, Hannon, Scott, A. Miller and Rensink. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 556, a bill for an act relating to and defining, bed and breakfast inns, and subjecting violators to existing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boswell, Peterson, Rife, Holt, Vande Hoef, Deluhery, Fuhrman, Riordan, Hannon, Scott, A. Miller and Rensink. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final bill Action: HOUSE FILE 658, a bill for an act relating to the allocation of the state ceiling on private activity bonds for tax-exempt purposes and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Boswell, Peterson, Rife, Holt, Vande Hoef, Deluhery, Fuhrman, Riordan, Hannon, Scott, A. Miller and Rensink. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 600, a bill for an act relating to elections and political activity and subjecting violators to a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3488.

Final Vote: Ayes, 9: Carr, Dieleman, Bruner, Coleman, Gronstal, Lloyd-Jones, Horn, C. Miller and Welsh. Nays, 4: Drake, Gentleman, Rife and Soorholtz. Absent or not voting, 2: Nystrom and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Final Bill Action: HOUSE FILE 167, a bill for an act relating to fees for and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards be issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3485.

Final Vote: Ayes, 7: Coleman, Scott, Drake, Doyle, Goodwin, Hall and Lloyd-Jones. Nays, 1: Jensen. Absent or not voting, 2: Gettings and Nystrom.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 472, a bill for an act to authorize the funding of state park and institutional road projects and county conservation parkway projects from RISE funds.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3486.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Doyle, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 533, a bill for an act relating to weight restrictions for vehicles on bridges and culverts and including a penalty.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3484.

Final Vote: Ayes, 9: Coleman, Scott, Drake, Doyle, Goodwin, Hall, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	619	Agriculture
H.F.	642	Human Resources
H.F.	649	Agriculture
H.F.	650	Education

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 30

EDUCATION: Varn, Chair; Murphy, Horn, Rensink and Corning

Senate Concurrent Resolution 31

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate File 502

STATE GOVERNMENT: Carr, Chair; Dieleman, Nystrom, Bruner and Drake

House Concurrent Resolution 21

EDUCATION: Corning, Chair; Hannon and Lind

House File 460

EDUCATION: Horn, Chair; Murphy and Rensink

House File 540

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Hannon and Holt

House File 556

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Hannon, Chair; Scott and Holt

House File 642

HUMAN RESOURCES: Corning, Chair; Hannon and Murphy

House File 650

EDUCATION: Dieleman, Chair; Murphy, Varn, Taylor and Corning.

House File 656

EDUCATION: Lloyd-Jones, Chair; Bruner and Holden

House File 658

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Peterson, Chair; Boswell and Holt

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Merlin D. Hulse, former member of the Senate from Cedar County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Nineteen sixth grade students from Klemme Elementary School, Klemme, Iowa, accompanied by Gladys Wessels. Senator Taylor.

AMENDMENTS FILED

S—3477	S. F.	2	Richard Drake Hurley Hall
S—3478	S. F.	2	Richard Drake Hurley Hall

S-3479	H.F.	654	Environment and Energy Utili
S-3480	S.F.	351	Edgar H. Holden
S-3481	S.F.	351	Edgar H. Holden
S-3482	S.F.	465	Richard Varn
S-3483	S.F.	92	Berl Priebe Dale Tieden
S-3484	H.F.	533	Transportation
S-3485	H.F.	167	Transportation
S-3486	H.F.	472	Transportation
S-3487	H.F.	540	Small Business & Economic Development
S-3488	H.F.	600	State Government
S-3489	S.F.	366	Leonard L. Boswell

AFTERNOON SESSION

The Senate reconvened at 4:45 p.m., President pro tempore Kinley 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 BILL (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 351.

Senate File 351

On motion of Senator Palmer, Senate File 351, a bill for an act relating to the acquisition of an interest in banks conducting a banking business in Iowa or bank holding companies controlling one or more banks conducting a banking business in Iowa by an out-of-state bank holding company, with report of committee without recommendation, was taken up for consideration.

Senator Gronstal offered amendment S—3358 filed by him on April 1, 1987, to strike everything after the enacting clause of the bill.

Senator Gronstal offered amendment S—3436 filed by him on April 6, 1987, to amendment S—3358 and moved its adoption.

Amendment S—3436 was adopted by a voice vote.

Senator Gronstal offered amendment S—3475 filed by him on April 8, 1987, to amendment S—3358 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3475 to amendment S—3358 be adopted?" (S.F. 351) the vote was:

Ayes, 23:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Gentleman	Gronstal
Hall	Holden	Horn	Hultman
Kinley	Lind	Mann	Miller, C.P.
Nystrom	Palmer	Readinger	Sturgeon
Vande Hoef	Wells	Welsh	

Nays, 27:

Boswell	Dieleman	Drake	Fraise
Fuhrman	Gettings	Goodwin	Hannon
Hester	Holt	Husak	Hutchins
Jensen	Lloyd-Jones	Miller, A.V.	Murphy
Peterson	Priebe	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Taylor	Tieden	Varn	

Amendment S—3475 lost.

Senator Hultman offered amendment S—3494 filed by him from the floor to amendment S—3358 and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 22.

Amendment S—3494 was adopted.

(Senate File 351 and amendment S—3358 as amended pending on adjournment.)

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1987, concurred in the Senate amendment to the House amendment in which the concurrence of the House was asked:

Senate File 298, a bill for an act relating to the sale of alcoholic beverages, by allowing the alcoholic beverages division to assess a split-case charge when alcoholic liquor is sold in quantities which require a case to be split, by lowering the maximum markup on liquor sold by the division to class "E" licensees from sixty to

fifty percent, by allowing identifying markers to be placed on containers of alcoholic liquor in the manner prescribed by the division, by setting the bond for a class "E" license at a maximum of fifteen thousand dollars, by not requiring a bond from class "E" licensees who purchase alcoholic liquor from the division on a cash basis or through electronic funds transfer, by allowing the division to deposit all the license fees collected from class "E" licensees in the beer and liquor control fund, by allowing the advertisement of alcoholic liquor for sale, by repealing the fifty percent goods and services test to qualify for Sunday sales of alcoholic beverages or beer under a liquor control license or class "B" beer permit, by removing the beverage container deposit on containers of alcoholic liquor and wine, by striking a standing appropriation for the treatment of alcoholics, by allowing the division to sell liquor inventories in state stores to class "E" licensees at reduced prices as state stores are closed, and by allowing the division to continue sales of wine to class "A" and "B" wine permittees until inventories are depleted, and providing an effective date.

ALSO: That the House has on April 9, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 590, a bill for an act relating to the declaration of value on the transfer of property by certain federal agencies and instrumentalities.

This bill was read first time and **passed on file**.

APPENDIX

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F. 590 Ways and Means

COMMITTEE REPORTS

AGRICULTURE

Final Vote: HOUSE FILE 241, a bill for an act relating to requiring Iowa state university of science and technology to use resources connected with institutions of the Iowa department of corrections, in order to conduct agricultural research, development and testing projects.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Hall, Husak, Scott, Fuhrman, Goodwin, Rensink and Vande Hoef. Nays, none. Absent or not voting, 2: Peterson and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 345, a bill for an act relating to the procedures for authorization of drainage district improvements.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Hall, Husak, Scott, Fuhrman, Goodwin, Rensink and Vande Hoef. Nays, none. Absent or not voting, 2: Soorholtz and Peterson.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 411, a bill for an act relating to the grain indemnity fund, by eliminating credit sale contracts from its protection, providing for distribution of receivership assets, excluding proceeds of the fund, raising minimum net worth requirements, and providing definitions eliminating participation by federally licensed warehouses, and providing a penalty for late

payment of fees, eligibility standards, for the appointment of additional members to the Iowa grain indemnity fund board, the adjustment of fees, a procedure for determining the value of losses, requirements for recovery from the fund, and the retroactive applicability of certain of its provisions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3491.

Final Vote: Ayes, 13: Priebe, A. Miller, Hester, Boswell, Fraise, Hall, Husak, Peterson, Scott, Fuhrman, Goodwin, Rensink and Vande Hoef. Nays, none. Absent or not voting, 1: Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 426, a bill for an act requiring lenders or other secured parties to provide to debtors copies of documents signed by the debtors.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Husak, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Hall, Peterson and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 576, a bill for an act providing for the grading and marketing of Iowa seal agricultural products, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Husak, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 3: Hall, Peterson and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 626, a bill for an act relating to the agricultural development authority, by expanding certain definitions, providing requirements for certain farmers to participate in certain programs, providing programs to assist eligible beef cattle producers, making appropriations, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3492.

Final Vote: Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Hall, Husak, Scott, Fuhrman, Goodwin, Rensink and Vande Hoef. Nays, none. Absent or not voting, 2: Peterson and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 633, a bill for an act relating to restrictions on the number of acres of agricultural land that authorized farm corporations or authorized trusts may acquire or otherwise obtain or lease, restricting persons from being shareholders or beneficiaries in more than a certain number of authorized farm corporations or authorized trusts, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Rensink, Scott and Vande Hoef. Nays, none. Absent or not voting, 2: Peterson and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

COMMERCE

Final Bill Action: HOUSE FILE 244, a bill for an act relating to progress payments, final payments, and retention from payments made to subcontractors on public improvement construction projects.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3498.

Final Vote: Ayes, 9: Palmer, Deluhery, Gronstal, Holden, Lind, Mann, Sturgeon, Tieden and Welsh. Nays, 5: Jensen, Carr, Nystrom, Priebe and Rife. Absent or not voting, 1: Kinley.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 499, a bill for an act relating to education including salary increases, efficiencies, and education enhancement, relating to the establishment of an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the retention of quality teachers, and the enhancement of the quality and effectiveness of teachers; activities of the state board of education relating to the accreditation process; duration of a

superintendent's contract; open enrollment of pupils in contiguous school districts; postsecondary enrollment options for certain high school students; redrawing boundary lines of area education agencies; plans for a governance structure for merged area schools; majority vote for school district bond issues under certain conditions; date of the organizational meeting of school corporations; annual publication of financial statements; sharing interscholastic activity programs; adoption of student achievement goals; provision for intercollegiate athletic activities at merged area schools; procedure for opting out of whole grade sharing; calculation of enrollment of school districts; weighting for non-English-speaking students; and provide effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3493.

Final Vote: Ayes, 13: Murphy, Horn, Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells. Nays, none. Absent or not voting, 2: Holden and Taylor.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 642, a bill for an act relating to immunizations of certain students attending nonprofit postsecondary educational institutions.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3490.

Final Vote: Ayes, 9: Hannon, Carr, Gentleman, Bruner, Corning, Lind, Murphy, Readinger and Sturgeon. Nays, 2: Taylor and Coleman. Absent or not voting, 1: C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 408, a bill for an act to authorize the parties to a dissolution to waive the filing of a financial statement only after approval by the court.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 655, a bill for an act relating to civil actions by removing the one hundred miles limit on subpoenas to witnesses in civil cases, by limiting the award of attorney's fees in small claims actions by requiring actions to be brought in small claims court in a court having actual jurisdiction, and by providing a cause of action against a person filing certain false claims on real property.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Doyle, Mann, Holt, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Final Bill Action: HOUSE FILE 377, a bill for an act relating to public financing of political campaigns, appropriating funds, and providing penalties and providing effective dates.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Carr, Dieleman, Bruner, Gronstal, Lloyd-Jones, Horn, C. Miller and Welsh. Nays, 6: Nystrom, Drake, Gentleman, Rife, Schwengels and Soorholtz. Absent or not voting, 1: Coleman.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 603, a bill for an act establishing and appropriating from a housing trust fund and appropriating its funds.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Drake, Gentleman, Gronstal, Lloyd-Jones, Horn, C. Miller, Rife, Schwengels and Welsh. Nays, 2: Coleman and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3490	H.F.	642	Human Resources
S—3491	H.F.	411	Agriculture
S—3492	H.F.	626	Agriculture

S—3493	H.F.	499	Education
S—3494	S.F.	351	Calvin O. Hultman
S—3495	H.F.	328	Jim Lind
S—3496	S.F.	2	Richard F. Drake Linn Fuhrman Hurley Hall Forrest Schwengels Calvin Hultman
S—3497	H.F.	469	Richard Drake Linn Fuhrman Hurley Hall Forrest Schwengels Calvin Hultman
S—3498	H.F.	244	Commerce

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Friday, April 10, 1987.

JOURNAL OF THE SENATE

EIGHTY-NINTH CALENDAR DAY
FIFTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 10, 1987

The Senate met in regular session at 9:01 a.m., President pro tempore Kinley presiding.

Prayer was offered by the Honorable Eugene Fraise, member of the Senate from Lee County, Fort Madison, Iowa.

The Journal of Thursday, April 9, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Schwengels and Vande Hoef for the day on request of Senator Hultman; Senator Coleman for the day on request of Senator Hutchins.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Doyle presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Husak 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 March 30, 1987)

Senate File 280

The Senate resumed consideration of Senate File 280, a bill for an act relating to certain admissions to county care facilities, deferred March 30, 1987.

Senator Hannon offered amendment S—3212 filed by the committee on Human Resources on March 20, 1987, to pages 1 and 2 of the bill.

Senator Hannon asked and received unanimous consent that action on amendment S—3212 be deferred.

Senator Gentleman offered amendment S—3474 filed by her on April 8, 1987, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3474 was adopted by a voice vote.

(Amendment S—3212, previously deferred, was out of order.)

Senator Gentleman asked and received unanimous consent that **House File 210** be substituted for **Senate File 280** as amended.

Senator Gentleman asked and received unanimous consent that action on **House File 210** be deferred and that the bill be placed on the calendar under **unfinished business**.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 297.

Senate File 297

On motion of Senator Mann, Senate File 297, a bill for an act relating to the state civil rights law, amending the definition of public accommodation, and revising provisions on unfair or discriminatory practices by deleting certain enumerations and duplications, was taken up for consideration.

Senator Mann offered amendment S—3445 filed by him on April 7, 1987, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3445 was adopted by a voice vote.

With the adoption of amendment S—3445, the following amendments were out of order:

S—3146 filed by Senator Mann on March 11, 1987, to pages 1, 2 and the title page of the bill.

S—3442 filed by Senator Mann on April 7, 1987, to strike everything after the enacting clause and to the title page of the bill.

Senator Mann asked and received unanimous consent that **House File 500** be substituted for **Senate File 297** as amended.

Senator Mann asked and received unanimous consent that action on **House File 500** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 337

On motion of Senator Hultman, Senate File 337, a bill for an act relating to the power of the director of the department of natural resources to grant variances for wastewater treatment, was taken up for consideration.

Senator Hultman offered amendment S—3454 filed by Senator Schwengels on April 7, 1987, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3454 was adopted by a voice vote.

With the adoption of amendment S—3454, the Chair ruled amendment S—3141 filed by Senator Schwengels on March 11, 1987, to page 1 of the bill, out of order.

Senator Hultman asked and received unanimous consent that **House File 641** be substituted for **Senate File 337** as amended.

Senator Hultman asked and received unanimous consent that action on **House File 641** be deferred and that the bill be placed on the calendar under **unfinished business**.

Senate File 352

On motion of Senator Varn, Senate File 352, a bill for an act relating to the payment and collection of the criminal penalty surcharge, was taken up for consideration.

Senator Varn offered amendment S—3428 filed by him on April 6, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3428 was adopted by a voice vote.

Senator Varn asked and received unanimous consent that **House File 487 be substituted for Senate File 352** as amended.

Senator Varn asked and received unanimous consent that action on **House File 487 be deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 366

On motion of Senator Boswell, Senate File 366, a bill for an act relating to the transfer of all, or substantially all, the property of assets of a cooperative association by sale, other disposition, or by merger, was taken up for consideration.

Senator Boswell offered amendment S—3489 filed by him on April 9, 1987, to the title page of the bill and moved its adoption.

Amendment S—3489 was adopted by a voice vote.

Senator Boswell asked and received unanimous consent that **House File 356 be substituted for Senate File 366** as amended.

Senator Boswell asked and received unanimous consent that action on **House File 356 be deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 436

On motion of Senator Hannon, Senate File 436, a bill for an act authorizing the department of natural resources to establish a system of certificates of title for vessels, was taken up for consideration.

Senator Hannon offered amendment S—3383 filed by her on April 2, 1987, to pages 2 through 10 and the title page of the bill and moved its adoption.

Amendment S—3383 was adopted by a voice vote.

Senator Hannon asked and received unanimous consent that **House File 595 be substituted for Senate File 436** as amended.

Senator Hannon asked and received unanimous consent that action on **House File 595 be deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 444

On motion of Senator Gentleman, Senate File 444, a bill for an act relating to the appointment of court appointed special advocates, and providing an effective date, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that **House File 515 be substituted for Senate File 444**.

Senator Gentleman asked and received unanimous consent that action on **House File 515 be deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 446

On motion of Senator Hultman, Senate File 446, a bill for an act relating to the regulation of pharmacists and pharmacies and to administration, dispensing, and distribution of certain drugs, and providing penalties, was taken up for consideration.

Senator Hultman offered amendment S—3433 filed by Senator Schwengels on April 6, 1987, to pages 1, 4, 6, 13, 14, 17, 18 and 19 of the bill and moved its adoption.

Amendment S—3433 was adopted by a voice vote.

Senator Hultman asked and received unanimous consent that **House File 594 be substituted for Senate File 446** as amended.

Senator Hultman asked and received unanimous consent that action on **House File 594 be deferred** and that the bill be placed on the calendar under **unfinished business**.

Senate File 313

On motion of Senator Riordan, Senate File 313, a bill for an act providing for the appointment of a person to administer the inspection of meat and poultry under chapter 189A, with report of committee recommending passage, was taken up for consideration.

Senator Riordan asked and received unanimous consent that **House File 602 be substituted for Senate File 313.**

Senator Riordan asked and received unanimous consent that action on **House File 602 be deferred** and that the bill be placed on the calendar under **unfinished business.**

Senate File 468

On motion of Senator Taylor, Senate File 468, a bill for an act relating to mortgage foreclosures by establishing an alternative mortgage foreclosure proceeding with final judicial sale and rights in lieu of redemption, and establishing nonjudicial foreclosure proceedings upon waiver of deficiency judgments, was taken up for consideration.

Senator Taylor offered amendment S—3457 filed by him on April 8, 1987, to pages 1, 2, 3 and 4 of the bill and moved its adoption.

Amendment S—3457 was adopted by a voice vote.

Senator Taylor asked and received unanimous consent that **House File 599 be substituted for Senate File 468** as amended.

Senator Taylor asked and received unanimous consent that action on **House File 599 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 460.

Senate File 460

On motion of Senator Holden, Senate File 460, a bill for an act creating an Iowa life and health insurance guaranty association, protecting persons, within limits, against the failure of certain life, health, and annuity contracts because of impairment

or insolvency, specifying the powers and duties of the association, and providing administrative procedures and methods for the operation and financing of the association, including but not limited to the assessment of member insurers and the provision of a partial premium tax liability credit, was taken up for consideration.

Senator Holden asked and received unanimous consent that **House File 661** be substituted for **Senate File 460**.

Senator Holden asked and received unanimous consent that action on **House File 661** 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 2.

Senate File 2

On motion of Senator Mann, Senate File 2, a bill for an act relating to employment practices and employee rights, by providing civil damages for employees injured as a result of employer acts which violate public policy or result in the wrongful discharge of an employee and restricting the use of polygraph examinations and drug tests, providing remedies, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—3440 filed by him on April 6, 1987, to strike everything after the enacting clause and to the title page of the bill.

Senator Drake asked and received unanimous consent to withdraw amendment S—3496 filed by Senators Drake, et al., on April 9, 1987, to amendment S—3440.

Senator Wells withdrew amendment S—3469 filed by him on April 8, 1987, to amendment S—3440.

Senator Mann moved the adoption of amendment S—3440, which motion prevailed by a voice vote.

With the adoption of amendment S—3440, the following amendments to Senate File 2 were out of order:

S—3206 filed by the committee on Judiciary on March 19, 1987, to pages 4 through 6 of the bill.

S—3271 filed by Senator Mann on March 25, 1987, to pages 2, 3 and 4 of the bill.

S—3272 filed by Senator Mann on March 25, 1987, to pages 2 and 3 of the bill.

S—3467 filed by Senator Wells on April 8, 1987, to amendment S—3271.

S—3468 filed by Senator Wells on April 8, 1987, to amendment S—3272.

S—3470 filed by Senator Wells on April 8, 1987, to page 3 of the bill.

S—3471 filed by Senator Mann on April 8, 1987, to pages 1 and 2 of the bill.

S—3472 filed by Senator Mann on April 8, 1987, to amendment S—3271.

S—3477 filed by Senators Drake and Hall on April 9, 1987, to pages 3 and 4 of the bill.

S—3478 filed by Senators Drake and Hall on April 9, 1987, to pages 1 and 2 of the bill.

Senator Mann asked and received unanimous consent that **House File 469** be substituted for **Senate File 2** as amended.

Senator Mann asked and received unanimous consent that action on **House File 469** be deferred and that the bill be placed on the calendar under **unfinished business**.

UNFINISHED BUSINESS (Deferred March 27, 1987)

Senate File 104

The Senate resumed consideration of Senate File 104, a bill for an act requiring certain persons to report suspected dependent adult abuse to the department of human services and providing penalties, and amendment S—3179 by the committee on Human

Resources to pages 1, 2 and to the title page of the bill, deferred on March 27, 1987.

Senator Gentleman called up the motion to reconsider the vote by which amendment S—3310 to amendment S—3179 to Senate File 104 failed to be adopted by the Senate on March 27, 1987, filed by her on March 30, 1987, found on page 981 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 22, nays 20.

The motion to reconsider lost.

Senator Hutchins asked and received unanimous consent that action on **Senate File 104** be **deferred** (amendment S—3179 pending).

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Husak 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.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Carr presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Hultman presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Husak 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.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Unfinished Business Calendar to committee:

S.F.	4	Judiciary
S.F.	5	Judiciary
S.F.	171	Small Business and Economic Development
S.F.	239	Transportation
S.F.	285	Judiciary
S.F.	308	Transportation
S.F.	347	Human Resources
S.F.	360	Education
S.F.	390	Local Government
S.F.	402	Local Government
S.F.	433	State Government
S.F.	483	Commerce
S.F.	489	State Government
S.F.	494	Local Government

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	45	Local Government
S. F.	302	Human Resources
S. F.	350	Education
S. F.	353	Judiciary
S. F.	440	Human Resources
S. F.	441	Education
S. F.	445	Human Resources
S. F.	473	Education
S. F.	495	Education

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Jensen for the remainder of the day on request of Senator Hester.

CONFERENCE COMMITTEE REPORT CONSIDERED

House File 355

Senator Varn called up the conference committee report on House File 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and providing an effective date, filed on April 1, 1987.

Senator Hutchins asked and received unanimous consent that action on the conference committee report and **House File 355** be deferred.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: April 9, 1987, 10:30 a.m.

Members Present: Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Lind, Mann, Nystrom, Priebe (arrived 10:37 a.m.), Rife, Sturgeon, Tieden and Welsh.

Members Absent: Kinley.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 506, 520, 639, 617, 585, 517 and 610; recommended passage of House File 244 as amended.

Adjourned: 11:23 a.m.

EDUCATION

Convened: April 9, 1987, 11:05 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Corning, Dieleman, Hannon, Lloyd-Jones, Rensink, Riordan, Varn and Wells.

Members Absent: Bruner, Holden, Lind and Tieden.

Committee Business: Assigned bills to subcommittees; recommended passage of House File 460 and Senate Concurrent Resolution 30.

Adjourned: 11:18 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 9, 1987, 1:42 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Murphy (arrived 1:49 p.m.), Rife, Schwengels and Varn.

Members Absent: Sturgeon.

Committee Business: Discussed House File 631 (groundwater bill).

Adjourned: 2:30 p.m.

HUMAN RESOURCES

Convened: April 9, 1987, 11:30 a.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, Murphy, Readinger, Sturgeon and Taylor.

Members Absent: C. Miller.

Committee Business: Assigned a bill to subcommittee; recommended passage of House Files 601 and 505; recommended passage of House File 642 as amended.

Adjourned: 12:05 p.m.

JUDICIARY

Convened: April 9, 1987, 2:40 p.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 375, 655, 408 and 588; House File 624 failed recommendation for passage.

Adjourned: 3:40 p.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 9, 1987, 8:10 a.m.

Members Present: Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Holt, Vande Hoef, Deluhery, Fuhrman, Riordan, Hannon, Scott, A. Miller and Rensink.

Members Absent: none.

Committee Business: Recommended passage of House Files 556 and 658; recommended passage of House File 540 as amended.

Adjourned: 8:42 a.m.

STATE GOVERNMENT

Convened: April 9, 1987, 3:45 p.m.

Members Present: Carr, Chair; Dieleman, Vice Chair (arrived 3:55 p.m.); Nystrom, Ranking Member; Bruner (arrived 3:50 p.m.), Coleman, Drake, Gentleman, Gronstal (arrived 3:55 p.m.), Horn (arrived 3:55 p.m.), Lloyd-Jones, C. Miller (arrived 4:00 p.m.), Rife, Schwengels, Soorholtz and Welsh (arrived 3:50 p.m.).

Members Absent: none.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 377 and 603.

Adjourned: 4:38 p.m.

COMMITTEE REPORT
(Filed April 9, 1987)

COMMERCE

Final Bill Action: HOUSE FILE 585, a bill for an act relating to including consumer rental purchase agreements in the consumer credit code.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Palmer, Deluhery, Carr, Holden, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 4: Jensen, Gronstal, Kinley and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SUBCOMMITTEE ASSIGNMENTS

House File 433

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: A. Miller, Chair; Scott and Rife

House File 525

JUDICIARY: Gentleman, Chair; Fuhrman and Varn

House File 609

STATE GOVERNMENT: Bruner, Chair; Schwengels and Lloyd-Jones

House File 617
(Corrected)

COMMERCE: Holden, Chair; Welsh and Lind

House File 636

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair;
Boswell and Rife

House File 646

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Rife, Chair; Fuhrman
and Riordan

House File 648

JUDICIARY: Carr, Chair; Fraise and Fuhrman

House File 655

JUDICIARY: Varn, Chair; Doyle and Holt

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition
as follows:

Darlene Larson — Being named the 1987 Iowa "Mother of the Year." Senator
Tieden (April 11, 1987).

COMMITTEE REPORTS

BUSINESS AND LABOR RELATIONS

Final Bill Action: HOUSE FILE 580, a bill for an act relating to the granting
of leaves of absence to persons disabled by pregnancy, providing for their
reinstatement, and providing for an employer's liability.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT
S—3503.

Final Vote: Ayes, 6: Wells, Mann, Fuhrman, Horn, Hultman and Palmer. Nays,
1: Holden. Absent or not voting, 3: Gettings, Vande Hoef and Welsh.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EDUCATION

Final Bill Action: HOUSE FILE 650, a bill for an act relating to providing private instruction and this Act is repealed July 1, 1990.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3510.

Final Vote: Ayes, 9: Murphy, Taylor, Dieleman, Holden, Lind, Rensink, Riordan, Tieden and Wells. Nays, 6: Horn, Bruner, Corning, Hannon, Lloyd-Jones and Varn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 640, a bill for an act relating to revenue adjustments and revised revenue requirements to be reflected in rates and charges to customers of certain public utilities based on the federal Tax Reform Act of 1986, with civil penalties applicable and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3513.

Final Vote: Ayes, 8: Deluhery, Gronstal, Soorholtz, Hultman, A. Miller, Murphy, Rife and Varn. Nays, none. Absent or not voting, 2: Schwengels and Sturgeon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Final Bill Action: HOUSE FILE 209, a bill for an act relating to the enforcement of protective orders and orders to vacate the homestead in dissolution cases, and providing for the application of penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 375, a bill for an act relating to the crime of conspiracy and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3501.

Final Vote: Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 525, a bill for an act relating to the jurisdiction of the juvenile court in hospital admission of minors and the admission procedures for minors.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 588, a bill for an act relating to child in need of assistance proceedings.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3502.

Final Vote: Ayes, 12: Doyle, Mann, Holt, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Carr and Deluhery.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 591, a bill for an act relating to domestic abuse, assaults involving an act of domestic abuse, and court orders issued and enforced pursuant to the domestic abuse law, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3514.

Final Vote: Ayes, 13: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Final Bill Action: HOUSE FILE 518, a bill for an act relating to the powers and duties of certain political subdivisions in relation to their operational procedures and financial arrangements, and providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3509.

Final Vote: Ayes, 6: A. Miller, Fraise, Goodwin, Jensen, Taylor and Wells. Nays, none. Absent or not voting, 4: Vande Hoef, Hall, Kinley and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 634, a bill for an act relating to county moneys which may be allocated to the secondary road fund.

Recommendation: DO PASS.

Final Vote: Ayes, 6: A. Miller, Fraise, Goodwin, Jensen, Taylor and Wells. Nays, none. Absent or not voting, 4: Vande Hoef, Hall, Kinley and C. Miller.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

NATURAL RESOURCES

Final Bill Action: HOUSE FILE 221, a bill for an act to increase the fee for the wildlife habitat stamp.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Hall, Priebe, Schwengels, Doyle, Hannon, Peterson, Rensink and Husak. Nays, 4: Goodwin, Hester, Tieden and Scott.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 316, a bill for an act relating to park user permits and providing a penalty and an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3506.

Final Vote: Ayes, 12: Hall, Priebe, Schwengels, Doyle, Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 395, a bill for an act relating to the taking of animals and subjecting violators to penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3515.

Final Vote: Ayes, 11: Hall, Priebe, Doyle, Hannon, Husak, Peterson, Goodwin, Scott, Hester, Rensink and Tieden. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 575, a bill for an act relating to the acquisition, development, promotion, and management of land for recreation trails.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3505.

Final Vote: Ayes, 10: Hall, Priebe, Schwengels, Doyle, Hannon, Husak, Goodwin, Scott, Hester and Rensink. Nays, 2: Peterson and Tieden.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 433, a bill for an act relating to an exemption from securities registration for securities traded or approved for trade on the national association of securities dealers automated quotations -- national market system (NASDAQ/NMS).

Recommendation: DO PASS.

Final Vote: Ayes, 10: Boswell, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt and Rensink. Nays, none. Absent or not voting, 2: Peterson and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 636, a bill for an act relating to international trade by establishing the Iowa export business finance program, directing the department of economic development, to the extent funds are available, to provide

for certain economic development activities and feasibility of establishing a world trade institute and its programs and activities.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Boswell, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt and Rensink. Nays, none. Absent or not voting, 2: Peterson and Vande Hoef.

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 high school students from Clitheroe Royal Grammer School, Clitheroe, Lancashire, England, an exchange program with North Fayette Community Schools. The group, guests of Senator Murphy, were accompanied by Eddie Murphy, Dean Pedersen and Mike Fiedling.

Forty-four fourth grade students from Roosevelt Elementary School, Ames, Iowa, accompanied by Marie Sanderman. Senator Bruner.

The following guests were present in the Senate gallery:

Forty sixth grade students from South Page Community Schools, College Springs, Iowa, accompanied by Deb Christenson. Senator Hultman.

AMENDMENTS FILED

S—3499	S.F.	351	Patrick J. Deluhery
S—3500	S.F.	351	Patrick J. Deluhery
S—3501	H.F.	375	Judiciary
S—3502	H.F.	588	Judiciary
S—3503	H.F.	580	Business & Labor Relations
S—3504	H.F.	493	Eugene Fraise Linn Fuhrman
S—3505	H.F.	575	Natural Resources
S—3506	H.F.	316	Natural Resources

S—3507	H.F.	377	Larry Murphy
S—3508	H.F.	600	Tom Mann, Jr.
S—3509	H.F.	518	Local Government
S—3510	H.F.	650	Education
S—3511	H.F.	631	Larry Murphy
S—3512	H.F.	258	Larry Murphy Charles Miller
S—3513	H.F.	640	Environment & Energy Utilitie
S—3514	H.F.	591	Judiciary
S—3515	H.F.	395	Natural Resources
S—3516	H.F.	631	Larry Murphy

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:57 p.m., until 10:30 a.m., Monday, April 13, 1987.

JOURNAL OF THE SENATE

NINETY-SECOND CALENDAR DAY
FIFTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 13, 1987

The Senate met in regular session at 10:37 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable James R. Riordan, member of the Senate from Dallas County, Waukee, Iowa.

The Journal of Friday, April 10, 1987, was approved.

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 BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 64, 134, 262, 169 and 258.

House File 64

On motion of Senator Deluhery, House File 64, a bill for an act relating to jury lists, 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. 64) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A. V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Coleman	Kinley	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 134

On motion of Senator Miller of Cerro Gordo, House File 134, a bill for an act relating to the delegation of the authority to prevent, abate, or control air pollution, 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. 134) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A. V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott

Soorholtz
Vande Hoef

Sturgeon
Varn

Taylor
Wells

Tieden
Welsh

Nays, 1:

Gentleman

Absent or not voting, 1:

Coleman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the morning session on request of Senator Hutchins.

CONSIDERATION OF BILLS (Regular Calendar)

House File 262

On motion of Senator Jensen, House File 262, a bill for an act relating to the number of days wherein a vehicle shall not be considered abandoned, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 262) the vote was:

Ayes, 38:

Boswell
Deluhery
Gentleman
Hall
Horn
Jensen
Mann
Palmer

Bruner
Doyle
Gettings
Hannon
Hultman
Kinley
Miller, A.V.
Readinger

Carr
Drake
Goodwin
Hester
Husak
Lind
Miller, C.P.
Rensink

Corning
Fuhrman
Gronstal
Holden
Hutchins
Lloyd-Jones
Nystrom
Rife

Schwengels Varn	Soorholtz Wells	Sturgeon	Taylor
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Nays, 10:

Dieleman Priebe Vande Hoef	Fraise Riordan Welsh	Murphy Scott	Peterson Tieden
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Absent or not voting, 2:

Coleman	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 File 169

On motion of Senator Sturgeon, House File 169, a bill for an act creating a lead abatement program within the Iowa department of public health, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 169) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Gentleman	Holden
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Absent or not voting, 2:

Coleman

Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 258

On motion of Senator Murphy, House File 258, a bill for an act relating to program grants under the Iowa department of public health for substance abuse programs, with report of committee recommending passage, was taken up for consideration.

Senator Murphy offered amendment S—3512 filed by Senators Murphy and Miller of Des Moines on April 10, 1987, to page 1 of the bill.

Senator Murphy asked and received unanimous consent that action on amendment S—3512 and **House File 258** be **deferred**.

UNFINISHED BUSINESS (Deferred April 10, 1987)

House File 355

The Senate resumed consideration of the conference committee report and House File 355, a bill for an act relating to and making supplemental appropriations for the fiscal year beginning July 1, 1986 and ending June 30, 1987 and providing an effective date, deferred April 10, 1987.

Senator Varn moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 355) 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	Deluhery
Dieleman	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Riordan	Scott	Varn
Wells	Welsh		

Nays, 22:

Corning	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Readinger	Rensink
Rife	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef		

Absent or not voting, 2:

Coleman Sturgeon

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 355** be **immediately messaged** to the House.

COMMITTEE REPORT

AGRICULTURE

Final Bill Action: HOUSE FILE 619, a bill for an act relating to foreclosure and redemption of real property, by removing certain restrictions on redemption in certain cases, providing a cause of action against the receiver in certain cases, permitting the use of independent appraisers to determine the value of the homestead, providing for the designation of a residential homestead right of a former owner to repurchase or lease a residential homestead, providing for the designation of a homestead right of a former owner to repurchase or lease a homestead, providing that a titleholder and former owner may execute certain agreements, providing dates of applicability, and providing an effective date.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Priebe, A. Miller, Boswell, Fraise, Hall, Husak, Scott and Soorholtz. Nays, 2: Hester and Rensink. Voting present, 1: Goodwin. Absent or not voting, 3: Fuhrman, Peterson and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent to refer **House Files 433 and 619** from the Regular Calendar to the committee on **Commerce**.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 9, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 589, a bill for an act to strike the repeal of the tax for equipment replacement at the area schools.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:00 noon, until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

BUSINESS AND LABOR RELATIONS

Convened: April 10, 1987, 9:20 a.m.

Members Present: Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Holden, Horn, Hultman and Palmer.

Members Absent: Gettings (excused), Vande Hoef (excused) and Welsh.

Committee Business: Recommended passage of House File 580 as amended.

Adjourned: 9:35 a.m.

EDUCATION

Convened: April 10, 1987, 11:35 a.m.

Members Present: Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

Members Absent: none.

Committee Business: Deferred action on House Concurrent Resolution 21; recommended passage of House File 650 as amended.

Adjourned: 11:50 a.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 10, 1987, 12:15 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Murphy, Rife and Varn.

Members Absent: Schwengels and Sturgeon.

Committee Business: Recommended passage of House File 640 as amended.

Adjourned: 12:20 p.m.

JUDICIARY

Convened: April 10, 1987, 9:45 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

Members Absent: Coleman (excused).

Committee Business: Recommended passage of House Files 525, 209 and 624; recommended passage of House File 591 as amended.

Adjourned: 10:35 a.m.

LOCAL GOVERNMENT

Convened: April 10, 1987, 8:12 a.m.

Members Present: A. Miller, Chair; Fraise, Vice Chair; Goodwin, Jensen, Taylor and Wells.

Members Absent: Vande Hoef, Ranking Member (excused); Hall, Kinley and C. Miller.

Committee Business: Recommended passage of House Files 518 and 634.

Adjourned: 8:25 a.m.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Convened: April 10, 1987, 12:05 p.m.

Members Present: Boswell, Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt and Rensink.

Members Absent: Peterson, Vice Chair and Vande Hoef (both excused).

Committee Business: Recommended passage of House Files 636 and 433; recommended passage of House File 646 as amended.

Adjourned: 12:20 p.m.

PETITIONS

The following petitions were presented and placed on file by:

Senator Dieleman from thirty-four residents of Polk and Story Counties favoring House File 631, groundwater protection act.

Senator Holden from one hundred six residents of Scott County favoring liability and malpractice reform legislation.

Senator Holden from thirty-two residents of Scott County opposing legislation legalizing riverboat gambling in Iowa.

Senator Hutchins from fifty-one residents of Wapello, Monroe, Davis, Johnson and Iowa Counties favoring Senate Concurrent Resolution 4, relating to the board of regents ten-year building program including a Laser Research Center at the University of Iowa; and urging an override of the Governor's veto of S.C.R. 4.

Senator Hutchins from fifty-one residents of Linn County favoring House File 499, relating to funding for education including salary increases for teachers.

Senator Scott from twenty-five residents of Cerro Gordo County favoring legislation legalizing riverboat gambling in Iowa.

COMMITTEE REPORTS

AGRICULTURE

Final Bill Action: HOUSE FILE 621, a bill for an act requiring the state vehicle dispatcher and other state agencies to solicit bids for ethanol-blended gasoline when advertising for bids for gasoline.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Priebe, A. Miller, Hester, Boswell, Fraise, Goodwin, Hall, Husak, Rensink, Scott and Soorholtz. Nays, none. Absent or not voting, 3: Fuhrman, Peterson and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 649, a bill for an act relating to exemptions from execution and attachment by revising provisions governing the exemption of insurance policies, proceeds, and benefits, cash, and certain other personal property, and providing other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3521.

Final Vote: Ayes, 11: Priebe, A. Miller, Hester, Boswell, Fraise, Goodwin, Hall, Husak, Rensink, Scott and Sooholtz. Nays, none. Absent or not voting, 3: Fuhrman, Peterson and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Final Bill Action: HOUSE FILE 646, a bill for an act relating to the exchange of information regarding underground facilities and excavations affecting underground facilities.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3518.

Final Vote: Ayes, 10: Boswell, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt and Rensink. Nays, none. Absent or not voting, 2: Peterson and Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 262 passed the Senate on April 13, 1987.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which House File 262 passed the Senate on April 13, 1987.

JOHN JENSEN

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 Mary Huggins. Senator Gentleman.

Eighty fifth grade students from Black Hawk Elementary School, Waterloo, Iowa, accompanied by Mrs. Martin, Miss Tonn, Mr. Barck, Principal Murtinger and PTA parents. Senators Lind and Corning.

AMENDMENTS FILED

S—3517	S.F.	499	Ray Taylor
S—3518	H.F.	646	Small Business & Economic Development
S—3519	H.F.	600	Joe Welsh
S—3520	H.F.	244	Commerce (Corrected amendment)
S—3521	H.F.	649	Agriculture

AFTERNOON SESSION

The Senate reconvened at 1:35 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 42 present, 8 absent and a quorum present.

President Zimmerman took the chair at 1:44 p.m.

**CONSIDERATION OF BILLS
(Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order House Files 207, 90, 315 and 489.

House File 207

On motion of Senator Sturgeon, House File 207, a bill for an act relating to the approval of chemical substitutes and antagonists programs, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 207) the vote was:

Ayes, 45:

- | | | | |
|--------------|------------|-------------|------------|
| Boswell | Bruner | Carr | Coleman |
| Corning | Deluhery | Dieleman | Doyle |
| Drake | Fraise | Fuhrman | Gentleman |
| Gettings | Goodwin | Gronstal | Hannon |
| Hester | Holden | Holt | Horn |
| Hultman | Husak | Hutchins | Jensen |
| Kinley | Lind | Lloyd-Jones | Mann |
| Miller, C.P. | Nystrom | Peterson | Readinger |
| Rensink | Rife | Riordan | Schwengels |
| Scott | Soorholtz | Sturgeon | Taylor |
| Tieden | Vande Hoef | Varn | Wells |
| Welsh | | | |

Nays, none.

Absent or not voting, 5:

Hall	Miller, A.V.	Murphy	Palmer
Priebe			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 90

On motion of Senator Taylor, House File 90, a bill for an act relating to investigations of the cause and manner of death for patients enrolled in a hospice program, 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?" (H.F. 90) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hall	Palmer	Priebe	Sturgeon
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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 315

On motion of Senator Schwengels, House File 315, a bill for an act relating to the indemnification of eligible special exhibit items and the limitations of indemnity coverage of these items, 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. 315) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Palmer	Sturgeon
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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 489

On motion of Senator Varn, House File 489, a bill for an act relating to ensuring that the title to agricultural land is not affected by the failure of a creditor to receive a mediation release, regardless of its validity, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 489) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Fuhrman	Palmer	Schwengels	Sturgeon
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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 Horn asked and received unanimous consent to take up out of order House Files 612, 47 and 92.

House File 612

On motion of Senator Fuhrman, House File 612, a bill for an act relating to appeal of a magistrate's decision, with report of committee recommending passage, was taken up for consideration.

Senator Fuhrman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 612) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A. V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hutchins	Palmer	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 47

On motion of Senator Hall, House File 47, a bill for an act relating to the appointment of township officers, with report of committee recommending passage, was taken up for consideration.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 47) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 92

On motion of Senator Hall, House File 92, a bill for an act relating to the council-manager-ward form of city government, with report of committee recommending passage, was taken up for consideration.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 92) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Palmer Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House Files 303, 410, 568, 131, 136, 193 and 251.

House File 303

On motion of Senator Goodwin, House File 303, a bill for an act relating to notice given by a city of an election, hearing, or other official action, with report of committee recommending passage, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **House File 303** be deferred.

House File 410

On motion of Senator Miller of Cerro Gordo, House File 410, a bill for an act relating to the interest of a city officer or employee in contracts for the purchase of goods and services by a city, with report of committee recommending passage, was taken up for consideration.

Senator Coleman offered amendment S—3437 filed by him on April 6, 1987, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3437 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 410) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Mann

Palmer

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 568

On motion of Senator Scott, House File 568, a bill for an act relating to the distribution of federal funds under Title III of the Job Training Partnership Act of 1982, with report of committee recommending passage, was taken up for consideration.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 568) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
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 131

On motion of Senator Horn, House File 131, a bill for an act relating to transfers to minors by amending the definition of benefit plan to include an individual's retirement account and by excluding compensation due a minor for services rendered from the types of property or debt eligible for transfer to the custodian of a minor, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 131) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
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 136

On motion of Senator Hannon, House File 136, a bill for an act relating to the disclosure of information concerning the family of a health care facility resident to a care review committee member, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 136) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
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 193

On motion of Senator Rife, House File 193, a bill for an act relating to the filing of a request for a contested case proceeding with a state agency, 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. 193) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins

Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 251

On motion of Senator Gentleman, House File 251, a bill for an act relating to advocates for certain individuals involuntarily hospitalized, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 251) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
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 Horn asked and received unanimous consent to take up out of order House Files 373, 398, 427, 490 and 492.

House File 373

On motion of Senator Lloyd-Jones, House File 373, a bill for an act relating to the division of deaf services of the department of human rights, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 373) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
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 398

On motion of Senator Fraise, House Files 398, a bill for an act relating to water districts, by providing for water service within two miles of a city and by providing for the determination and apportionment of cost attributed to the annexation of land, with

report of committee recommending passage, was taken up for consideration.

Senator Fraise offered amendment S—3473 filed by him on April 8, 1987, to page 1 of the bill.

Senator Vande Hoef called for a division of amendment S—3473: lines 3 and 4 and lines 7 and 8 as division S—3473A; lines 5 and 6 and lines 9 and 10 as division S—3473B.

Senator Fraise moved the adoption of division S—3473A, which motion prevailed by a voice vote.

Senator Fraise withdrew division S—3473B.

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. 398) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hultman Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 427

On motion of Senator Coleman, House File 427, a bill for an act relating to reprisals and orders with respect to certain disclosures of information by state employees, and providing a penalty, 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. 427) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Hultman	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 490

On motion of Senator Coleman, House File 490, a bill for an act relating to interstate agreements for provision of medical assistance services to adoptive families who participate in the subsidized adoption or adoption assistance program, 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. 490) the vote was:

Ayes, 49:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Carr

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 492

On motion of Senator Horn, House File 492, a bill for an act regarding schedule I and schedule IV controlled substances, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—3324 filed by the committee on Human Resources on March 30, 1987, to page 1 and to the title page of the bill and moved its adoption.

Amendment S—3324 was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 492) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	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 as amended was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House Files 507, 527, 579, 583 and 607.

House File 507

On motion of Senator Bruner, House File 507, a bill for an act relating to discrimination by employers and by labor unions, organizations, and officers on the basis of sex, and making a penalty applicable, 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. 507) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hultman Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 527

On motion of Senator Doyle, House File 527, a bill for an act relating to proportional registration by providing for credits of registration fees when changing the method of registration of vehicles and by requiring owners of vehicles subject to proportional registration to make application to either the state department of transportation or the county treasurer for registration and issuance of certificates of title, and providing an effective date, 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. 527) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer

Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hester	Hultman
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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 Coleman took the chair at 3:12 p.m.

House File 579

On motion of Senator Lloyd-Jones, House File 579, a bill for an act allowing issuance of personalized registration plates for travel trailers and for trailers regardless of the trailers' gross weight registrations, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 579) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Peterson

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 583

On motion of Senator Fraise, House File 583, a bill for an act relating to the procedures for adopting or amending county zoning ordinances, 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. 583) the vote was:

Ayes, 33:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hall
Hannon	Horn	Hutchins	Jensen
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Priebe
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Varn	Wells
Welsh			

Nays, 16:

Boswell	Corning	Fuhrman	Gentleman
Hester	Holden	Holt	Hultman
Husak	Lind	Peterson	Readinger
Rensink	Sturgeon	Tieden	Vande Hoef

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.

House File 607

On motion of Senator Horn, House File 607, a bill for an act relating to the maximum age for participation in an organized amateur boxing contest, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 607) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hester	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 6:

Corning	Gentleman	Hannon	Holden
Jensen	Lind		

Absent or not voting, 1:

Miller, C.P.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House Files 614, 630, 460 and 505.

House File 614

On motion of Senator Schwengels, House File 614, a bill for an act relating to sales of funeral services and funeral merchandise, revising regulatory and reporting provisions, requiring disclosures, requiring permits, providing penalties, providing for

the applicability of the Act, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Taylor offered amendment S—3527 filed by Senators Taylor and Priebe from the floor to pages 1, 18 and the title page of the bill.

Senator Welsh raised the point of order that amendment S—3527 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3527 out of order.

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. 614) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
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 630

On motion of Senator Mann, House File 630, a bill for an act relating to state liability for torts committed by juveniles while performing community service assignments pursuant to an order

of the juvenile court, 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. 630) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, 4:

Fuhrman	Lind	Peterson	Tieden
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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 460

On motion of Senator Horn, House File 460, a bill for an act relating to the contract provisions for certain certificated employees of certain institutions governed by the state board of regents, with report of committee recommending passage, was taken up for consideration.

Senator Hultman asked and received unanimous consent that action on **House File 460** be deferred.

House File 505

On motion of Senator Murphy, House File 505, a bill for an act relating to adoption decrees for children born outside of the United States, 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. 505) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
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 Horn asked and received unanimous consent to take up out of order House Files 506, 520, 576 and 585.

House File 506

On motion of Senator Palmer, House File 506, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce, with report of committee recommending passage, was taken up for consideration.

Senator Palmer offered amendment S—3408 filed by him on April 3, 1987, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—3408 was adopted by a voice vote.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 506) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Kinley took the chair at 3:48 p.m.

House File 520

On motion of Senator Sturgeon, House File 520, a bill for an act relating to the regulation of membership campgrounds, membership camping operators, and membership camping contracts, requiring registration and disclosures, providing for cancellation of membership camping contracts, providing remedies, providing penalties, and providing properly related matters, with report of committee recommending passage, was taken up for consideration.

President Zimmerman took the chair at 3:54 p.m.

Senator Sturgeon offered amendment S—3528 filed by Senators Sturgeon and Tieden from the floor to page 21 of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—3528 and **House File 520** be deferred.

House File 576

On motion of Senator Boswell, House File 576, a bill for an act providing for the grading and marking of Iowa seal agricultural products, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 576) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Taylor	Tieden	Varn	Wells
Welsh			

Nays, 3:

Gentleman	Jensen	Vande Hoef
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Absent or not voting, 2:

Schwengels	Sturgeon
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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 585

On motion of Senator Mann, House File 585, a bill for an act relating to including consumer rental purchase agreements in the consumer credit code, 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. 585) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent to take up out of order House File 639.

House File 639

On motion of Senator Jensen, House File 639, a bill for an act relating to investments of Iowa life insurance companies, with report of committee recommending passage, was taken up for consideration.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 639) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 258

The Senate resumed consideration of House File 258 and amendment S—3512, previously deferred.

Senator Gentleman raised the point of order that amendment S—3512 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3512 out of order.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 258) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings

Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BUSINESS PENDING

House File 520

The Senate resumed consideration of House File 520 and amendment S—3528, previously deferred.

Senator Sturgeon moved the adoption of amendment S—3528, which motion prevailed by a voice vote.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 520) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott

Sturgeon
Varn

Taylor
Wells

Tieden
Welsh

Vande Hoef

Nays, 2:

Gentleman

Lind

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.

UNFINISHED BUSINESS
(Deferred March 27, 1987)

Senate File 104

The Senate resumed consideration of Senate File 104, a bill for an act requiring certain persons to report suspected dependent adult abuse to the department of human services and providing penalties, and amendment S—3179 by the committee on Human Resources to pages 1, 2 and the title page of the bill, offered and deferred March 27, 1987.

Senator Gentleman withdrew amendment S—3312 filed by her on March 27, 1987, to page 1 of amendment S—3179.

Senator Gentleman offered amendment S—3314 filed by her on March 27, 1987, to page 1 of amendment S—3179.

Senator Gentleman asked and received unanimous consent that action on amendment S—3314 to amendment S—3179 be deferred.

Senator Hannon asked and received unanimous consent that action on amendment S—3179 be deferred.

Senator Sturgeon offered amendment S—3458 filed by him on April 8, 1987, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—3458 was adopted by a voice vote.

(Amendment S—3179, previously deferred, to Senate File 104, was out of order.)

Senator Sturgeon asked and received unanimous consent that **House File 660 be substituted for Senate File 104** as amended.

Senator Sturgeon asked and received unanimous consent that action on **House File 660 be deferred** and that the bill be placed on the calendar under **unfinished business**.

UNFINISHED BUSINESS CALENDAR (Deferred April 10, 1987)

House File 500

On motion of Senator Mann, House File 500, a bill for an act relating to the state civil rights law and the civil rights commission, was taken up for further consideration (substituted for Senate File 297 and deferred on April 10, 1987).

Senator Mann offered amendment S—3534 filed by him from the floor to pages 1, 2 and the title page of the bill.

Senator Carr raised the point of order that amendment S—3534 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3534 in order.

Senator Hultman asked and received unanimous consent that action on amendment S—3534 and **House File 500 be deferred**.

UNFINISHED BUSINESS CALENDAR (Deferred April 10, 1987)

House File 641

On motion of Senator Schwengels, House File 641, a bill for an act relating to wastewater treatment facility and making variances granted subject to the review of the environmental protection commission, was taken up for further consideration (substituted for Senate File 337 and deferred April 10, 1987).

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. 641) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Schwengels asked and received unanimous consent that **Senate File 337** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR (Deferred April 10, 1987)

House File 487

On motion of Senator Varn, House File 487, a bill for an act relating to the payment and collection of the criminal penalty surcharge, was taken up for further consideration (substituted for Senate File 352 and deferred on April 10, 1987).

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 487) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Readinger	Rensink
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 4:

Peterson	Priebe	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.

WITHDRAWN

Senator Varn asked and received unanimous consent that **Senate File 352** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR
(Deferred April 10, 1987)

House File 356

On motion of Senator Boswell, House File 356, a bill for an act relating to the transfer of the property or assets of a cooperative association by sale, other disposition, or by merger, was taken up for further consideration (substituted for Senate File 366 and deferred on April 10, 1987).

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. 356) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A. V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	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.

WITHDRAWN

Senator Boswell asked and received unanimous consent that **Senate File 366** be **withdrawn** from further consideration of the Senate.

BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 402** be referred from the Regular Calendar to the committee on **State Government**.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 33** be referred from the Regular Calendar to the committee on **Rules and Administration**.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 34, by committee on Judiciary, a resolution relating to the establishment of an interim study committee on mandatory auto insurance.

Read first time and placed on calendar.

APPENDIX

COMMITTEE REPORTS

JUDICIARY

Final Bill Action: SENATE CONCURRENT RESOLUTION 34, a resolution relating to the establishment of an interim study committee on mandatory auto insurance.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 13: Doyle, Mann, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 624, a bill for an act relating to the distribution, transportation, storage, and acts or activities involving the use of an incendiary or explosive device or material, establishing permits, licenses, and fees, and providing penalties.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3523.

Final Vote: Ayes, 8: Doyle, Mann, Carr, Fraise, Hester, Horn, Taylor and Varn. Nays, 5: Holt, Deluhery, Drake, Fuhrman and Gentleman. Absent or not voting, 1: Coleman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F. 589 Ways and Means

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty sixth grade students from Washington Elementary School, Atlantic, Iowa, accompanied by Kathy Larsen. Senator Hester.

AMENDMENTS FILED

S—3522	H.F.	600	Michael Gronstal
S—3523	H.F.	624	Judiciary
S—3524	H.F.	600	Michael Gronstal
S—3525	H.F.	499	Joe Welsh
S—3526	H.F.	167	Richard Drake Hurley Hall
S—3527	H.F.	614	Ray Taylor Berl E. Priebe
S—3528	H.F.	520	Al Sturgeon Dale Tieden
S—3529	S.F.	499	Charles Bruner
S—3530	H.F.	346	John Soorholtz Bob Carr
S—3531	H.F.	499	Eugene Fraise
S—3532	H.F.	594	Forrest Schwengels
S—3533	H.F.	594	Forrest Schwengels Richard Drake
S—3534	H.F.	500	Tom Mann, Jr.
S—3535	H.F.	210	Julia Gentleman Beverly Hannon

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:15 p.m., until 9:00 a.m., Tuesday, April 14, 1987.

JOURNAL OF THE SENATE

NINETY-THIRD CALENDAR DAY
SIXTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 14, 1987

The Senate met in regular session at 9:08 a.m., President pro tempore Kinley presiding.

Prayer was offered by the Honorable John W. Jensen, member of the Senate from Bremer County, Plainfield, Iowa.

The Journal of Monday, April 13, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Miller of Des Moines for the morning on request of Senator Husak.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1987, passed the following bills in which the concurrence of the House was asked:

Senate File 137, a bill for an act relating to the pricing of the Code of Iowa and related publications.

Senate File 268, a bill for an act relating to the affirmation and reenactment of certain provisions of law concerning public employees, including provisions relating to state employee discipline and grievances, the public employment relations board, reprisals against state employees, and the public employees' retirement system, and providing an effective date.

Senate File 270, a bill for an act affirming and reenacting certain provisions affecting the tax laws, and providing an effective date.

Senate File 271, a bill for an act affirming and reenacting certain provisions of law concerning the powers and procedures of public bodies and providing an effective date.

Senate File 303, a bill for an act relating to the merger and consolidation of cooperative associations, by defining the fair market value of assets held by an association and providing for determining the fair value of an equity interest held by a dissenting member.

Senate File 434, a bill for an act relating to issuance of certificates of inspection for boilers used on tourist railroads or tourist trains and providing an effective date.

ALSO: That the House has on April 10, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 605, a bill for an act relating to the state sales, services, and use tax and the local option hotel-motel tax on the rental of the mobile homes and the spaces within them.

This bill was read first time and **passed on file**.

BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate Concurrent Resolution 34** be referred from the Regular Calendar to the committee on **Rules and Administration**.

APPOINTEES EXCUSED FROM INTRODUCTION

Senator Husak asked and received unanimous consent that the following Governor's appointees listed on the En Bloc Confirmation Calendar be excused from introduction before the Senate because of medical reasons:

Ruby Abebe as a member of the Iowa State Civil Rights Commission; J.T. Watson as a member of the Council on Human Services and Jeannette Miller as a member of the Dietetic Examining Board.

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 BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House Files 132, 409, 394, 360, 378, 407, 416, 494 and 318.

House File 132

On motion of Senator Varn, House File 132, a bill for an act relating to the final report of a personal representative in probate, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 132) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, none.

Absent or not voting, 4:

Jensen	Miller, C.P.	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.

House File 409

On motion of Senator Wells, House File 409, a bill for an act relating to the procedures used for the taking of property for public transportation purposes, 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. 409) the vote was:

Ayes, 40:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Fuhrman	Gettings
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Vande Hoef	Varn	Wells	Welsh

Nays, 8:

Boswell	Coleman	Drake	Fraise
Gentleman	Holden	Hultman	Tieden

Absent or not voting, 2:

Goodwin	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 394

On motion of Senator Sturgeon, House File 394, a bill for an act relating to nonlocal business entities, particularly transient merchants and out-of-state contractors and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 394) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Hultman	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 360

On motion of Senator Varn, House File 360, a bill for an act relating to the decision of guardians regarding life-sustaining procedures, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 360) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Tieden

Absent or not voting, 2:

Hultman 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 378

On motion of Senator Varn, House File 378, a bill for an act relating to the dissemination and redissemination of criminal history data to the Iowa department of public health for purposes of employment screening for juvenile substance abuse treatment programs, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 378) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A. V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	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.

House File 407

On motion of Senator Hall, House File 407, a bill for an act relating to violations of 321J.2 and retention of records of motor vehicle violations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hall offered amendment S—3366 filed by the committee on Transportation on April 1, 1987, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3366 was adopted by a voice vote.

Senator Hall moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 407) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman

Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	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 as amended was agreed to.

House File 416

On motion of Senator Varn, House File 416, a bill for an act relating to consumer frauds and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 416) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	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.

House File 494

On motion of Senator Lloyd-Jones, House File 494, a bill for an act requiring mobile home dealers to apply for a certificate of title for mobile homes received as a trade-in and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—3365 filed by the committee on Transportation on April 1, 1987, to pages 2 through 4 and the title page of the bill and moved its adoption.

Amendment S—3365 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 494) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	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 as amended was agreed to.

House File 318

On motion of Senator Miller of Cerro Gordo, House File 318, a bill for an act relating to the use of county and municipal infractions, 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. 318) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A. V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Gentleman Holden

Absent or not voting, 2:

Hultman Miller, C.P.

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 House Files 176, 324, 328, 346, 379, 412, 464, 488, 513, 523 and 536.

House File 176

On motion of Senator Vande Hoef, House File 176, a bill for an act relating to the requirements for the loaning by a library of library materials or equipment having a value of five hundred dollars or more, 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. 176) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Dieleman

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.

House File 324

On motion of Senator Miller of Cerro Gordo, House File 324, a bill for an act authorizing the joint investment of funds by counties, cities, and city utilities, 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. 324) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P. Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 328

On motion of Senator Hannon, House File 328, a bill for an act relating to the licensure and regulation of birth centers and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—3466 filed by the committee on Human Resources on April 8, 1987, to page 14 of the bill and moved its adoption.

Amendment S—3466 was adopted by a voice vote.

Senator Lind offered amendment S—3495 filed by him on April 9, 1987, to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 26.

Amendment S—3495 lost.

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. 328) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A. V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, 8:

Drake	Fuhrman	Goodwin	Holt
Hultman	Peterson	Rife	Tieden

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.

House File 346

On motion of Senator Lloyd-Jones, House File 346, a bill for an act relating to temporary certificates issued by the board of

medical examiners, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 10:30 a.m.

Senator Soorholtz offered amendment S—3530 filed by Senators Soorholtz and Carr on April 13, 1987, to page 2 and the title page of the bill and moved its adoption.

Amendment S—3530 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 346) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 3:

Goodwin	Jensen	Rife
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Absent or not voting, 4:

Hultman	Miller, C.P.	Schwengels	Sturgeon
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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 379

On motion of Senator Goodwin, House File 379, a bill for an act relating to the employment of persons in public service jobs,

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. 379) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Schwengels
Scott	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Drake	Hultman	Lind	Miller, C.P.
Rife	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 412

On motion of Senator Bruner, House File 412, a bill for an act relating to child abuse, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—3465 filed by the committee on Human Resources on April 8, 1987, to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3465 was adopted by a voice vote.

Senator Gentleman asked and received unanimous consent that action on **House File 412** be deferred.

House File 464

On motion of Senator Rensink, House File 464, a bill for an act relating to the receipt and sale of protected game by a nonprofit corporation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rensink offered amendment S—3463 filed by the committee on Natural Resources on April 8, 1987, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3463 was adopted by a voice vote.

Senator Rensink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 464) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Drake	Hultman	Miller, C.P.	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 488

On motion of Senator Mann, House File 488, a bill for an act relating to the time period for a hearing on the revocation of a person's license for operating a motor vehicle while under the influence of alcohol or a drug, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann offered amendment S—3461 filed by the committee on Judiciary on April 8, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3461 was adopted by a voice vote.

Senator Mann asked and received unanimous consent that action on **House File 488** be deferred.

House File 513

On motion of Senator Mann, House File 513, a bill for an act relating to interstate rendition of persons charged with failure to provide support, 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. 513) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Dieleman

Absent or not voting, 2:

Hultman 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 523

On motion of Senator Wells, House File 523, a bill for an act relating to the financial authority of political subdivisions by authorizing loan agreements, the issuance of bonds for additional purposes, and the payment of interest from bond proceeds, 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. 523) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	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 536

On motion of Senator Wells, House File 536, a bill for an act relating to public bonds by specifying requirements for the issuance of certain bonds, providing for the use of bond proceeds, and providing for the security of certain bonds, 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. 536) 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	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Riordan	Soorholtz	Sturgeon	Vande Hoef
Varn	Wells	Welsh	

Nays, 22:

Coleman	Corning	Fraise	Fuhrman
Hall	Hester	Holden	Holt
Jensen	Lind	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Schwengels	Scott
Taylor	Tieden		

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.

Senator Husak asked and received unanimous consent to take up out of order House Files 574, 587, 596, 615 and 623.

House File 574

On motion of Senator Varn, House File 574, a bill for an act relating to the crime of forgery and related fraudulent criminal acts, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3459 filed by the committee on Judiciary on April 8, 1987, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—3459 was adopted by a voice vote.

Senator Varn offered amendment S—3536 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3536 was adopted by a voice vote.

Senator Varn asked and received unanimous consent that action on **House File 574** be deferred.

House File 587

On motion of Senator Dieleman, House File 587, a bill for an act relating to the licensing and regulation of architects, and providing penalties, 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. 587) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Resink	Rife	Riordan	Schwengels

Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 596

On motion of Senator Palmer, House File 596, a bill for an act relating to the time for designating the period for which certain employer payments shall be allocated, 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. 596) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
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 615

On motion of Senator Mann, House File 615, a bill for an act relating to providing workers' compensation coverage for emergency medical personnel and providing authority for their certification, 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. 615) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 623

On motion of Senator Lloyd-Jones, House File 623, a bill for an act relating to the identification, protection, planning, and promotion of public highways and roads along scenic regions of the state, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 623) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 4:

Gentleman	Holden	Jensen	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Husak asked and received unanimous consent to take up out of order House Files 241, 408, 411, 426, 517, 533, 540 and 556.

House File 241

On motion of Senator Hester, House File 241, a bill for an act requiring Iowa state university of science and technology to use resources connected with institutions of the Iowa department of corrections, in order to conduct agricultural research, development, and testing projects, with report of committee recommending passage, was taken up for consideration.

President pro tempore Kinley took the chair at 11:27 a.m.

Senator Husak offered amendment S—3551 filed by Senators Fraise and Husak from the floor to page 1 of the bill and moved its adoption.

Amendment S—3551 was adopted by a voice vote.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 241) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Drake

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 408

On motion of Senator Horn, House File 408, a bill for an act to authorize the parties to a dissolution to waive the filing of a financial statement only after approval by the court, with report of committee recommending passage, was taken up for consideration.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 408) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Peterson Tieden

Absent or not voting, 2:

Drake Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 411

On motion of Senator Miller of Cerro Gordo, House File 411, a bill for an act relating to the grain indemnity fund, by eliminating credit sale contracts from its protection, providing for distribution of receivership assets, excluding proceeds of the fund, raising minimum net worth requirements, and providing definitions eliminating participation by federally licensed warehouses, and providing a penalty for late payment of fees, eligibility standards, for the appointment of additional members to the Iowa grain indemnity fund board, the adjustment of fees, a procedure for determining the value of losses, requirements for recovery from the fund, and the retroactive applicability of certain of its provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo asked and received unanimous consent that action on amendment S—3491 filed by the committee on Agriculture on April 9, 1987, to pages 1, 2 and the title page of the bill be deferred.

Senator Miller of Cerro Gordo withdrew amendment S—3253 filed by him on March 24, 1987, to pages 1, 2 and the title page of the bill.

Senator Miller of Cerro Gordo moved the adoption of amendment S—3491, previously deferred.

Amendment S—3491 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 411) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	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 as amended was agreed to.

House File 426

On motion of Senator Hester, House File 426, a bill for an act requiring lenders or other secured parties to provide to debtors copies of documents signed by the debtors, with report of committee recommending passage, was taken up for consideration.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 426) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 517

On motion of Senator Rife, House File 517, a bill for an act relating to requirements for lender reporting to the title guaranty division, 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. 517) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings

Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 533

On motion of Senator Scott, House File 533, a bill for an act relating to weight restrictions for vehicles on bridges and culverts and including a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Jensen offered amendment S—3484 filed by the committee on Transportation on April 9, 1987, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3484 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on **House File 533** be deferred.

RECESS

On motion of Senator Husak, the Senate recessed at 12:05 p.m., until 2:00 p.m.

APPENDIX**REPORT OF COMMITTEE MEETING****ENVIRONMENT AND ENERGY UTILITIES**

Convened: April 13, 1987, 9:13 a.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Murphy, Rife, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Discussed House File 631 (groundwater bill).

Adjourned: 10:10 a.m.

SUBCOMMITTEE ASSIGNMENTS**House File 345**

AGRICULTURE: Fuhrman, Chair; Vande Hoef and Peterson

House File 576

AGRICULTURE: Boswell, Chair; Goodwin and Hall

House File 619

AGRICULTURE: Priebe, Chair; Husak and Soorholtz

House File 621

AGRICULTURE: Hester, Chair; Peterson and Scott

House File 626

AGRICULTURE: Husak, Chair; Soorholtz and Fraise

House File 633

AGRICULTURE: Husak, Chair; Fraise and Goodwin

House File 649

AGRICULTURE: Priebe, Chair; Husak and Soorholtz

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-one fifth grade students from UW-BCL Middle School, Union, Iowa, accompanied by John Ehn and Mary Pieper. Senators Jensen and Taylor.

Twenty-seven fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Scott McShek. Senator Gentleman.

Sixty sixth grade students from Britt Elementary School, Britt, Iowa. Senator Priebe.

Ten tenth and eleventh grade students from Lynnville-Sully High School, Sully, Iowa. Senator Soorholtz.

AMENDMENTS FILED

S—3536	H.F.	574	Richard Varn
S—3537	H.F.	626	Emil Husak
S—3538	H.F.	655	Richard Varn Tom Mann, Jr.
S—3539	H.F.	660	Beverly Hannon Julia Gentleman
S—3540	H.F.	500	Lee Holt Richard Drake Hurley Hall William Dieleman Linn Fuhrman Calvin Hultman
S—3541	H.F.	499	Ray Taylor
S—3542	H.F.	540	James Riordan Beverly Hannon
S—3543	H.F.	244	Richard Drake
S—3544	H.F.	636	James Riordan

AFTERNOON SESSION

The Senate reconvened at 2:03 p.m., President Zimmerman presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 10, 1987, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 264, a bill for an act relating to revocation of a property tax exemption (S—3546).

Senate File 266, a bill for an act relating to the affirmation of certain provisions of law concerning judicial procedures and court enforced orders, and providing an effective date (S—3547).

Senate File 319, a bill for an act relating to the condition of a building as a basis for the filing of a petition or hearing procedures (S—3545).

ALSO: That the House has on April 10, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 665, a bill for an act authorizing a tax levy for city libraries by petition and referendum.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fuhrman for the afternoon and April 15, 1987, on request of Senator Hultman.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order House Files 610 and 640.

House File 610

On motion of Senator Lind, House File 610, a bill for an act to grant the commissioner of insurance the authority to approve discretionary group insurance, with report of committee recommending passage, was taken up for consideration.

Senator Lind moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 610) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Miller, A. V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Corning	Fuhrman	Kinley	Mann
Miller, C.P.	Murphy		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 640

On motion of Senator Gronstal, House File 640, a bill for an act relating to revenue adjustments and revised revenue requirements to be reflected in rates and charges to customers of certain public utilities based on the federal Tax Reform act of 1986, with civil penalties applicable and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—3513 filed by the committee on Environment and Energy Utilities on April 10, 1987, to strike everything after the enacting clause of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3513 and **House File 640** be deferred.

House File 540

On motion of Senator Boswell, House File 540, a bill for an act relating to the planning, acquisition, development, and operation of welcome centers on highways and at other locations throughout the state, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Boswell offered amendment S—3487 filed by the committee on Small Business and Economic Development on April 9, 1987, to pages 1, 2 and 4 of the bill and moved its adoption.

Amendment S—3487 was adopted by a voice vote.

Senator Riordan offered amendment S—3542 filed by Senators Riordan and Hannon from the floor to pages 2 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 19.

Amendment S—3542 was adopted.

Senator Holden asked and received unanimous consent that action on **House File 540** be deferred.

House File 556

On motion of Senator Hannon, House File 556, a bill for an act relating to, and defining, bed and breakfast inns, and subjecting violators to existing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Hannon moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 556) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A. V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman	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 Husak asked and received unanimous consent to take up out of order House Files 600, 626 and 654.

House File 600

On motion of Senator Gronstal, House File 600, a bill for an act relating to elections and political activity and subjecting violators to a penalty, 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 600** be deferred.

House File 626

On motion of Senator Husak, House File 626, a bill for an act relating to the agricultural development authority, by expanding certain definitions, providing requirements for certain farmers to participate in certain programs, providing programs to assist eligible beef cattle producers, making appropriations, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—3492 filed by the committee on Agriculture on April 9, 1987, to strike everything after the enacting clause and to the title page of the bill.

Senator Husak offered amendment S—3537 filed by him from the floor to page 2 of amendment S—3492 and moved its adoption.

Amendment S—3537 was adopted by a voice vote.

Senator Schwengels offered amendment S—3561 filed by him from the floor to pages 1 through 3 and 8 of amendment S—3492 and moved its adoption.

Amendment S—3561 was adopted by a voice vote.

Senator Husak moved the adoption of amendment S—3492 as amended.

A record roll call was requested.

On the question "Shall amendment S—3492 as amended be adopted?" (H.F. 626) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readerger

Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 3:

Gentleman	Peterson	Sturgeon
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Absent or not voting, 4:

Fuhrman	Holden	Holt	Rensink
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Amendment S—3492 as amended was adopted.

President pro tempore Kinley took the chair at 3:35 p.m.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 626) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 5:

Gentleman	Holden	Lind	Peterson
Sturgeon			

Absent or not voting, 1:

Fuhrman

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

House File 540

The Senate resumed consideration of House File 540, previously deferred.

Senator Holden offered amendment S—3562 filed by him from the floor to the title page of the bill and moved its adoption.

Amendment S—3562 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. 540) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman	Jensen
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

BUSINESS PENDING

House File 640

The Senate resumed consideration of House File 640 and amendment S—3513, previously deferred.

President Zimmerman took the chair at 3:56 p.m.

Senator Sturgeon offered amendment S—3560 filed by Senators Sturgeon, Lind and Bruner from the floor to amendment S—3513 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3560 to amendment S—3513 be adopted?” (H.F. 640) the vote was:

Ayes, 14:

Bruner	Carr	Deluhery	Doyle
Horn	Kinley	Lind	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Riordan
Sturgeon	Welsh		

Nays, 35:

Boswell	Coleman	Corning	Dieleman
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Hultman
Husak	Hutchins	Jensen	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	

Absent or not voting, 1:

Fuhrman

Amendment S—3560 lost.

Senator Gronstal moved the adoption of amendment S—3513, which motion prevailed 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. 640) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none

Absent or not voting, 2:

Fuhrman Hultman

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, President Zimmerman 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.

MOTIONS TO RECONSIDER WITHDRAWN

Senator Welsh withdrew the motion to reconsider the vote by which the Senate confirmed the appointment of Mary Ellis as

Director of the Department of Public Health, filed by him on March 31, 1987, and found on page 995 of the Senate Journal.

Senator Taylor withdrew the motion to reconsider the vote by which the Senate confirmed the appointment of Mary Ellis as Director of Public Health, filed by him on April 1, 1987, and found on page 1049 of the Senate Journal.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Welsh called up the appointment of Patrick D. Cavanaugh as Director of the Department of Management, placed on the Individual Confirmation Calendar on February 18, 1987.

Senator Welsh moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Jensen	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Wells	Welsh

Nays, 6:

Gronstal	Lind	Murphy	Peterson
Riordan	Varn		

Absent or not voting, 4:

Fuhrman	Holt	Hutchins	Tieden
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hester called up the appointment of Douglas Smalley as a member of the Natural Resource Commission, placed on the Individual Confirmation Calendar on March 30, 1987, and found on page 990 of the Senate Journal.

Senator Hester moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 44:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Hall	Hester	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 3:

Bruner	Gronstal	Hannon
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Absent or not voting, 3:

Fuhrman	Holden	Holt
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hall called up the appointment of Rick Young as a member of the Natural Resource Commission, placed on the Individual Confirmation Calendar on March 30, 1987, and found on page 990 of the Senate Journal.

Senator Hall moved the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Hall	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 4:

Bruner	Gronstal	Hannon	Riordan
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Absent or not voting, 3:

Fuhrman	Holt	Miller, A.V.
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Sturgeon called up the appointment of Elmer Vermeer as a member of the Commission of Elder Affairs, placed on the Individual Confirmation Calendar on April 2, 1987.

Senator Sturgeon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman Holt

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Hannon called up the appointment of John Fitzgibbon as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 7, 1987.

Senator Hannon moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 42:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Hall
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Wells	Welsh		

Nays, 5:

Bruner	Gronstal	Hannon	Riordan
Varn			

Absent or not voting, 3:

Carr	Fuhrman	Holt
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Murphy called up the appointment of Marvin Pomerantz as a member of the State Board of Regents, placed on the Individual Confirmation Calendar on April 7, 1987.

Senator Murphy moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 40:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gentleman	Goodwin	Hall	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Rife	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, 8:

Bruner	Carr	Gettings	Gronstal
Hannon	Peterson	Riordan	Varn

Absent or not voting, 2:

Fuhrman	Holt
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Lloyd-Jones called up the appointment of Roger Fair as a member of the State Transportation Commission, placed on the Individual Confirmation Calendar on April 1, 1987, and found on page 1024 of the Senate Journal.

Senator Lloyd-Jones moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Corning	Drake	Gentleman	Goodwin
Hester	Hultman	Jensen	Kinley
Lind	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	

Nays, 24:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hall	Hannon	Holden
Horn	Husak	Hutchins	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Peterson
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 3:

Boswell	Fuhrman	Holt
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The appointee not having received a two-thirds vote was declared to have **failed to be confirmed** by the Senate.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Larry Tuel as Executive Director of the Iowa Finance Authority.

Marian Roberts and Jill Bouslog as members of the Commission on the Deaf.

Francis Hellert as a member of the Social Work Examining Board.

John Robert Miller as a member of the State Soil Conservation Committee.

Margaret Turk as a member of the Cosmetology Examining Board.

Clark Yeager as a member of the Environmental Protection Commission.

Burtwin Day as a member of the Iowa Higher Education Loan Authority.

Lynda Zachar as a member of the Investment Board (IPERS).

Phyllis J. Priest as a member of the Mental Health and Mental Retardation Commission.

Rick Jennings and Joan Grant as members of the Psychology Examining Board.

Khalil Kingsbury as a member of the Iowa High Technology Council.

Ruby Abebe as a member of the Iowa State Civil Rights Commission.

J.T. Watson as a member of the Council on Human Services.

Jeannette Miller and Connie Freese as members of the Dietetic Examining Board.

Kathryn Youberg and Ruth DeVries as members of the State Foster Care Review Board.

Jeffrey Benson as a member of the Landscape Architectural Examining Board.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan

Schwengels
Taylor
Wells

Scott
Tieden
Welsh

Soorholtz
Vande Hoef

Sturgeon
Varn

Nays, none.

Absent or not voting, 4:

Boswell

Fuhrman

Holden

Holt

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1987, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 30, a concurrent resolution to exempt bills sponsored by the appropriations committees of the House and the Senate from subsection 3 of Joint Rule 20.

This resolution was read first time and **passed on file**.

APPENDIX

STUDY BILL RECEIVED

SSB 245 Ways and Means

Relating to property taxes by allowing an income tax credit for owning or renting a homestead, adjusting the elderly and disabled homestead credit and reimbursement schedule, decreasing the school foundation property tax levy, and freezing state aid under the school foundation formula and providing effective dates.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.C.R.	30	Rules and Administration
H.F.	605	Ways and Means
H.F.	665	Ways and Means

MOTIONS TO RECONSIDER

(Governor's Appointees)

MADAM PRESIDENT: I move to reconsider the vote by which the Senate confirmed the appointment of Patrick D. Cavanaugh as Director of the Department of Management on April 14, 1987.

TOM MANN, JR.

MADAM PRESIDENT: I move to reconsider the vote by which the Senate confirmed the appointment of Patrick D. Cavanaugh as Director of the Department of Management on April 14, 1987.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the appointment of Roger Fair as a member of the State Transportation Commission on April 14, 1987.

PATRICK J. DELUHERY

MADAM PRESIDENT: I move to reconsider the vote by which the Senate refused to confirm the appointment of Roger Fair as a member of the State Transportation Commission on April 14, 1987.

EDGAR H. HOLDEN

PRESENTATION OF VISITORS

President Zimmerman welcomed the following visitors who were present in the Senate chamber as the guests of Senator Vande Hoef:

Mr. Don Castleberry, National Park Service, Omaha, Nebraska regional office and Mr. Mac Berg, National Park Service, West Branch, Iowa.

AMENDMENTS FILED

S—3545	S. F.	319	House amendment
S—3546	S. F.	264	House amendment
S—3547	S. F.	266	House amendment
S—3548	H.F.	469	Calvin Hultman
S—3549	H.F.	469	Calvin Hultman
S—3550	H.F.	500	Edgar Holden William Dieleman Lee Holt Richard Drake Calvin Hultman
S—3551	H.F.	241	Eugene Fraise Emil J. Husak
S—3552	H.F.	499	Richard Varn Larry Murphy Bob Carr
S—3553	H.F.	488	Tom Mann, Jr.
S—3554	H.F.	500	Richard Drake Hurley Hall William Dieleman Calvin Hultman
S—3555	H.F.	499	Edgar Holden Larry Murphy
S—3556	H.F.	580	Tom Mann, Jr.
S—3557	H.F.	499	Forrest V. Schwengels

S-3558	H.F.	499	Forrest V. Schwengels
S-3559	H.F.	499	Forrest V. Schwengels
S-3560	H.F.	640	Al Sturgeon Jim Lind Charles Bruner
S-3561	H.F.	626	Forrest V. Schwengels
S-3562	H.F.	540	Edgar H. Holden
S-3563	H.F.	655	Richard Varn Tom Mann, Jr.
S-3564	H.F.	600	Julia B. Gentleman
S-3565	H.F.	617	Edgar H. Holden William D. Palmer
S-3566	H.F.	617	Edgar H. Holden William Palmer
S-3567	H.F.	624	Wally Horn
S-3568	H.F.	624	Jim Lind
S-3569	H.F.	603	Jean Lloyd-Jones
S-3570	H.F.	617	Edgar Holden William Palmer
S-3571	H.F.	499	Joy Corning Richard Varn
S-3572	H.F.	499	Joy Corning Beverly Hannon
S-3573	H.F.	499	Joy Corning
S-3574	H.F.	412	Julia Gentleman
S-3575	H.F.	499	Wally Horn
S-3576	H.F.	499	Wally Horn
S-3577	H.F.	499	Wally Horn
S-3578	H.F.	499	Wally Horn Joy Corning
S-3579	H.F.	499	Edgar Holden Jack W. Hester
S-3580	H.F.	499	Richard Varn
S-3581	H.F.	574	Richard Varn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:57 p.m., until 9:00 a.m., Wednesday, April 15, 1987.

JOURNAL OF THE SENATE

NINETY-FOURTH CALENDAR DAY
SIXTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 15, 1987

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Berl Priebe, member of the Senate from Kossuth County, Algona, Iowa.

The Journal of Tuesday, April 14, 1987, 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:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 1987, passed the following bills in which the concurrence of the House was asked:

Senate File 90, a bill for an act relating to the county responsible for payment of costs for commitment or admission to a state hospital for the mentally ill.

Senate File 105, a bill for an act relating to the degree of evidence required for termination or nonrenewal of a school administrator's contract.

Senate File 129, a bill for an act relating to the sale of unused highway right of way by the county board of supervisors.

Senate File 231, a bill for an act relating to the date on which a pleading is considered filed.

Senate File 265, a bill for an act relating to the publication of notices of public hearings, bond sales, adopted regulations, and elections.

Senate File 272, a bill for an act repealing a pilot program regarding second opinions on elective surgery for medical assistance recipients.

Senate File 292, a bill for an act relating to the establishment of a building materials fire toxicity filing system.

Senate File 316, a bill for an act to provide that a leased motor vehicle shall be registered in the county of the lessee's residence.

Senate File 420, a bill for an act relating to the method to be used by the department of employment services for reporting unemployment statistics.

ALSO: That the House has on April 13, 1987, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 26, a concurrent resolution recognizing C. Joseph Giangreco for service to the Iowa School for the Deaf.

This bill was read first time and **passed on file**.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 617, 654, 655 and 658.

House File 617

On motion of Senator Holden, House File 617, a bill for an act relating to financial institutions, with report of committee recommending passage, was taken up for consideration.

Senator Holden asked and received unanimous consent to withdraw amendment S—3566 filed by Senators Holden and Palmer on April 14, 1987, to page 13 of the bill.

Senator Holden offered amendment S—3570 filed by Senators Holden and Palmer on April 14, 1987, to page 3 of the bill.

Senator Hutchins raised the point of order that amendment S—3570 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3570 in order.

Senator Hutchins asked and received unanimous consent that action on **House File 617** be **deferred** (amendment S—3570 pending).

House File 654

On motion of Senator Deluhery, House File 654, a bill for an act relating to the funding of the energy bank program, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that action on **House File 654** be **deferred**.

House File 655

On motion of Senator Varn, House File 655, a bill for an act relating to civil actions by removing the one hundred mile limit on subpoenas to witnesses in civil cases, by limiting the award of attorney's fees in small claims court in a court having actual jurisdiction, and by providing a cause of action against a person filing certain false claims on real property, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—3538 filed by Senators Varn and Mann on April 14, 1987, to page 3 and the title page of the bill and moved its adoption.

Amendment S—3538 was adopted by a voice vote.

Senator Varn asked and received unanimous consent to withdraw amendment S—3563 filed by Senators Varn and Mann on April 14, 1987, to page 3 and the title page of the bill.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 655) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Miller, A. V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Fuhrman	Jensen	Mann	Miller, C.P.
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 658

On motion of Senator Peterson, House File 658, a bill for an act relating to the allocation of the state ceiling on private activity bonds for tax-exempt purposes and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **House File 658** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 209, 375 and 395.

House File 209

On motion of Senator Horn, House File 209, a bill for an act relating to the enforcement of protective orders and orders to vacate the homestead in dissolution cases, and providing for the application of penalties, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **House File 209** be deferred.

House File 375

On motion of Senator Varn, House File 375, a bill for an act relating to the crime of conspiracy, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—3501 filed by the committee on Judiciary on April 10, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3501 was adopted by a voice vote.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 375) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Coleman	Gentleman
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Absent or not voting, 6:

Corning	Drake	Fuhrman	Jensen
Mann	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 395

On motion of Senator Tieden, House File 395, a bill for an act relating to the taking of animals and subjecting violators to penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tieden offered amendment S—3515 filed by the committee on Natural Resources on April 10, 1987, to pages 3, 4, 5, 12, 14, 15, 19 and 21 of the bill.

Senator Taylor called for a division of amendment S—3515: lines 3 through 19 and 22 through 41 as division S—3515A; lines 20 through 21 as division S—3515B.

Senator Tieden moved the adoption of division S—3515A, which motion prevailed by a voice vote.

Senator Taylor asked and received unanimous consent that action on division S—3515B be deferred for consideration of amendment S—3302.

Senator Coleman took the chair at 10:14 a.m.

Senator Taylor offered amendment S—3302 filed by him on March 26, 1987, to page 19 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 9.

Amendment S—3302 was adopted.

With the adoption of amendment S—3302, the Chair ruled division S—3515B, previously deferred, and amendment S—3608 filed by Senator Fraise from the floor to pages 3 and 4 of the bill, out of order.

With the adoption of division S—3515A, the Chair ruled amendment S—3606 filed by Senator Taylor from the floor to page 19 of the bill, out of order.

Senator Hall asked and received unanimous consent that action on **House File 395** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 580 and 525.

House File 580

On the motion of Senator Wells, House File 580, a bill for an act relating to the granting of leaves of absence to persons disabled by pregnancy, providing for their reinstatement, and providing for an employer's liability, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wells asked and received unanimous consent that action on House File 580 be deferred.

House File 525

On motion of Senator Gentleman, House File 525, a bill for an act relating to the jurisdiction of the juvenile court in hospital admission of minors and the admission procedures for minors, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 525) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsch		

Nays, none.

Absent or not voting, 4:

Fuhrman	Hultman	Jensen	Mann
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

MOTION TO RECONSIDER ADOPTED

Senator Deluhery called up the motion to reconsider the vote by which the Senate refused to confirm the appointment of Roger Fair as a member of the State Transportation Commission, filed by him on April 14, 1987, found on page 1317 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Hannon	Tieden
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Absent or not voting, 4:

Fuhrman	Mann	Miller, A.V.	Murphy
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The motion prevailed.

Senator Lloyd-Jones moved that the appointment of Roger Fair be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, 3:

Bruner	Gronstal	Hannon
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Absent or not voting, 4:

Fuhrman	Mann	Miller, A.V.	Welsh
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

The motion to reconsider the vote by which the Senate refused to confirm the appointment of Roger Fair as a member of the State Transportation Commission filed by Senator Holden on April 14, 1987, and found on page 1318 of the Senate Journal, was out of order.

MOTION TO RECONSIDER LOST

Senator Hultman called up the motion to reconsider the vote by which the Senate confirmed the appointment of Patrick D. Cavanaugh as Director of the Department of Management, filed by him on April 14, 1987, found on page 1317 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" the vote was:

Ayes, 7:

Deluhery	Gronstal	Lind	Miller, A.V.
Peterson	Varn	Welsh	

Nays, 41:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Hall	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lloyd-Jones
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Wells			

Absent or not voting, 2:

Fuhrman	Mann
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The motion lost.

The motion to reconsider the vote by which the Senate confirmed the appointment of Patrick D. Cavanaugh as Director of the Department of Management, filed by Senator Mann on April 14, 1987, and found on page 1317 of the Senate Journal, 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 Zimmerman presiding.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 1987, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 70, a bill for an act relating to motor vehicle fuel pumps and public scales by revising provisions governing licensing, inspection, calibration, and sealing by the department of agriculture and land stewardship and providing a penalty (S—3601).

Senate File 138, a bill for an act relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985 (S—3602).

Senate File 148, a bill for an act relating to gender balance in the appointment and election of judicial nominating commissioners (S—3599).

Senate File 195, a bill for an act relating to the duties of the state board of tax review (S—3603).

Senate File 424, a bill for an act relating to the administration of the campaign finance disclosure laws (S—3600).

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:02 p.m., until 1:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENT

House File 433

COMMERCE: Rife, Chair; Holden and Welsh

REPORT OF COMMITTEE MEETING

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 13, 1987, 5:30 p.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Murphy, Rife, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Discussed House File 631 (groundwater bill).

Recessed: 6:25 p.m.

Reconvened: April 14, 1987, 8:10 a.m.

Members Present: All members present.

Committee Business: Discussed House File 631.

Recessed: 9:15 a.m.

Reconvened: April 14, 1987, 1:15 p.m.

Members Present: All members present.

Committee Business: Discussed House File 631.

Recessed: 2:05 p.m.

Reconvened: April 14, 1987, 6:15 p.m.

Members Present: All members present except Senator Soorholtz.

Committee Business: House File 631 failed recommendation for passage as amended.

Adjourned: 7:05 p.m.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-four fifth grade students from Waukee Middle School, Waukee, Iowa, accompanied by Susan Hope, Marilyn Anfinson and Larry Kischer. Senator Riordan and President Zimmerman.

Forty-three fifth grade students from Lincoln Elementary Center, Mechanicsville and Stanwood, Iowa, accompanied by Mrs. Rife and Mrs. Miller. Senator Hannon.

Twenty-nine fifth grade students from Cody Elementary School, LeClaire, Iowa, accompanied by Harold Hubbard and Mrs. Norma Hofmann. Senator Holden.

Twenty-seven fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Paul Linn. Senator Gentleman.

Seventy-five eighth grade students from Sumner Junior High School, Sumner, Iowa, accompanied by Brian Stead. Senator Jensen.

Curt Lindstrom, Morien Nielsen, Stig Stask, Steen Hintze, Michelle Skov, Irene Hjort, Tom Ahlberg and Solvejg Henn, representatives of a danish youth peace campaign "NEXT STOP NEVADA". The group, guests of President Zimmerman, were accompanied by Robert Perry, Ed Fallon and Mary Hock.

AMENDMENTS FILED

S—3582	H.F.	499	Larry Murphy
S—3583	H.F.	499	Larry Murphy
S—3584	H.F.	499	Larry Murphy
S—3585	H.F.	499	George Kinley
S—3586	H.F.	499	Jim Lind
			Larry Murphy
			William Dieleman
S—3587	H.F.	499	Ray Taylor
S—3588	H.F.	499	Jack Rife

S—3589	H.F.	499	Jack Rife
S—3590	H.F.	499	Ray Taylor
S—3591	H.F.	499	Larry Murphy
S—3592	H.F.	499	Ray Taylor
S—3593	H.F.	499	Dale Tieden
S—3594	H.F.	499	Larry Murphy
S—3595	H.F.	499	Dale L. Tieden Larry Murphy
S—3596	H.F.	499	Ray Taylor
S—3597	H.F.	617	Donald V. Doyle
S—3598	H.F.	499	Jack Rife
S—3599	S.F.	148	House amendment
S—3600	S.F.	424	House amendment
S—3601	S.F.	70	House amendment
S—3602	S.F.	138	House amendment
S—3603	S.F.	195	House amendment
S—3604	H.F.	658	John Peterson Berl Priebe
S—3605	H.F.	499	Michael E. Gronstal
S—3606	H.F.	395	Ray Taylor
S—3607	H.F.	499	Edgar H. Holden
S—3608	H.F.	395	Eugene Fraise
S—3609	H.F.	499	Larry Murphy
S—3610	H.F.	499	Richard Varn Larry Murphy
S—3611	H.F.	499	Wally Horn Joy Corning
S—3612	H.F.	499	Wally Horn Joy Corning
S—3613	H.F.	499	Beverly Hannon John Jensen James Riordan Eugene Fraise Donald Gettings Forrest Schwengels
S—3614	H.F.	304	John W. Jensen Wilmer Rensink
S—3615	H.F.	304	John W. Jensen Wilmer Rensink
S—3616	H.F.	499	Richard Varn
S—3617	H.F.	499	Joe Welsh

AFTERNOON SESSION

The Senate reconvened at 1:35 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 41 present, 9 absent and a quorum present.

President Zimmerman took the chair at 1:40 p.m.

CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Hutchins called up the following appointees on the En Bloc Confirmation Calendar:

Karen Ann Voecks as a member of the Barber Examining Board.

Marian Bourek as a member of the Medical Examining Board.

Earl Yoder and Neil Ronfeldt as members of the Iowa Finance Authority.

Daniel Dittmore as a member of the Iowa Product Development Corporation.

Senator Hutchins moved that the foregoing appointees be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz

Sturgeon
Varn

Taylor
Wells

Tieden
Welsh

Vande Hoef

Nays, none.

Absent or not voting, 3:

Fuhrman

Kinley

Mann

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 House File 499.

House File 499

On motion of Senator Murphy, House File 499, a bill for an act relating to education including salary increases, efficiencies, and education enhancement, relating to the establishment of an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the retention of quality teachers, and the enhancement of the quality and effectiveness of teachers; activities of the state board of education relating to the accreditation process; duration of a superintendent's contract; open enrollment of pupils in contiguous school districts; postsecondary enrollment options for certain high school students; redrawing boundary lines of area education agencies; plans for a governance structure for merged area schools; majority vote for school district bond issues under certain conditions; date of the organizational meeting of school corporations; annual publication of financial statements; sharing interscholastic activity programs; adoption of student achievement goals; provision for intercollegiate athletic activities at merged area schools; procedure for opting out of whole grade sharing; calculation of enrollment of school districts; weighting for non-English-speaking students; and provide effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

INTRODUCTION OF BILL

Senate File 503, by Administrative Rules Review Committee, a bill for an act relating to the deletion of certain obsolete rules from the Iowa administrative code.

Read first time and **placed on calendar**.

BUSINESS PENDING

House File 499

The Senate resumed consideration of House File 499.

Senator Murphy offered amendment S—3493 filed by the committee on Education on April 9, 1987, to pages 2 through 6, 8 through 10, 12 through 24, 26 through 36 and the title page of the bill and called for a division:

Division S—3493A: Page 1, lines 3 through 50; page 2 and page 3, lines 1 through 38.

Division S—3493B: Page 3, lines 39 through 50 and pages 4 through 39.

Senator Murphy asked and received unanimous consent that action on division S—3493A be deferred.

Senator Corning offered amendment S—3572 filed by Senators Corning and Hannon on April 14, 1987, to pages 3, 4, and 17 of division S—3493B and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 26.

Amendment S—3572 lost.

Senator Holden offered amendment S—3555 filed by Senators Holden and Murphy on April 14, 1987, to pages 4, 25, 31, 34 and 37 of division S—3493B and moved its adoption.

Amendment S—3555 was adopted by a voice vote.

Senator Taylor offered amendment S—3587 filed by him from the floor to pages 4, 14, 20, 22, 25 through 32, 34, 37 and 39 of division S—3493B and called for a division:

Division S—3587A: Page 1, lines 4 through 50; page 2 and page 3, lines 1 through 5 and 13 through 18.

Division S—3587B: Page 3, lines 6 through 12.

Senator Taylor withdrew division S—3587B to division S—3493B.

Senator Taylor moved the adoption of division S—3587A to division S—3493B and requested a record roll call.

On the question “Shall division S—3587A to division S—3493B be adopted?” (H.F. 499) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Corning	Gentleman	Goodwin	Hannon
Hester	Holden	Holt	Hultman
Jensen	Lind	Nystrom	Priebe
Readinger	Rensink	Rife	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef			

Nays, 26:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Gronstal	Hall	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Riordan	Sturgeon	Varn
Wells	Welsh		

Absent or not voting, 3:

Coleman Fuhrman Mann

Division S—3587A lost.

Senator Varn offered amendment S—3552 filed by Senators Varn, Murphy and Carr on April 14, 1987, to pages 5 and 14 of division S—3493B.

Senator Hultman called for a division of amendment S—3552: lines 4 through 10 and line 22 as division S—3552A; lines 11 through 21 as division S—3552B.

Senator Varn moved the adoption of division S—3552A to division S—3493B.

A record roll call was requested.

On the question “Shall division S—3552A to division S—3493B be adopted?” (H.F. 499) the vote was:

Ayes, 18:

Bruner	Carr	Deluhery	Dieleman
Doyle	Gentleman	Gronstal	Holt
Hutchins	Kinley	Lloyd-Jones	Miller, A.V.
Murphy	Peterson	Riordan	Sturgeon
Varn	Welsh		

Nays, 29:

Boswell	Corning	Drake	Fraise
Gettings	Goodwin	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Jensen	Lind	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rensink	Rife	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Wells			

Absent or not voting, 3:

Coleman Fuhrman Mann

Division S—3552A lost.

Senator Varn moved the adoption of division S—3552B to division S—3493B.

A record roll call was requested.

On the question “Shall division S—3552B to division S—3493B be adopted?” (H.F. 499) the vote was:

Ayes, 24:

Bruner	Carr	Deluhery	Dieleman
Doyle	Gentleman	Gronstal	Holden
Holt	Horn	Hutchins	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Peterson	Priebe	Scott
Sturgeon	Varn	Wells	Welsh

Nays, 24:

Boswell	Coleman	Corning	Drake
Fraise	Gettings	Goodwin	Hall
Hannon	Hester	Hultman	Husak
Jensen	Nystrom	Palmer	Readinger
Rensink	Rife	Riordan	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Absent or not voting, 2:

Fuhrman Mann

Division S—3552B lost.

Senator Lind offered amendment S—3586 filed by Senators Lind, Murphy and Dieleman from the floor to pages 5 and 7 of division S—3493B.

Senator Hultman raised the point of order that amendment S—3586 to division S—3493B was not germane.

The Chair ruled the point well taken and amendment S—3586 out of order.

Senator Murphy offered amendment S—3609 filed by him from the floor to page 8 of division S—3493B and moved its adoption.

Amendment S—3609 was adopted by a voice vote.

Senator Taylor offered amendment S—3541 filed by him on April 14, 1987, to pages 10 and 11 of division S—3493B and moved its adoption.

Amendment S—3541 was adopted by a voice vote.

Senator Varn offered amendment S—3580 filed by him on April 14, 1987, to page 12 of division S—3493B and moved its adoption.

Amendment S—3580 was adopted by a voice vote.

Senator Varn offered amendment S—3625 filed by him from the floor to page 12 of division S—3493B and moved its adoption.

Amendment S—3625 was adopted by a voice vote.

Senator Varn withdrew amendment S—3616 filed by him from the floor to pages 12 through 14 of division S—3493B.

Senator Varn offered amendment S—3610 filed by Senators Varn and Murphy from the floor to page 13 of division S—3493B and moved its adoption.

Amendment S—3610 was adopted by a voice vote.

Senator Taylor offered amendment S—3590 filed by him from the floor to pages 13, 14, 35 and 36 of division S—3493B and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 25.

Amendment S—3590 lost.

Senator Horn offered amendment S—3576 filed by him on April 14, 1987, to page 14 of division S—3493B and moved its adoption.

Amendment S—3576 was adopted by a voice vote.

Senator Fraise offered amendment S—3531 filed by him on April 13, 1987, to pages 15 and 16 of division S—3493B and moved its adoption.

Amendment S—3531 was adopted by a voice vote.

With the adoption of amendment S—3531, the Chair ruled amendment S—3623 filed by Senators Jensen and Hester from the floor to pages 15, 16, 20, 27 and 29 of division S—3493B, out of order.

Senator Gronstal offered amendment S—3605 filed by him from the floor to pages 20 and 39 of division S—3493B and moved its adoption.

Amendment S—3605 lost by a voice vote.

Senator Corning offered amendment S—3573 filed by her on April 14, 1987, to page 20 of division S—3493B and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3573 to division S—3493B be adopted?” (H.F. 499) the vote was:

Ayes, 19:

Corning	Drake	Gentleman	Goodwin
Hester	Holden	Holt	Hultman
Jensen	Kinley	Nystrom	Peterson
Readinger	Rensink	Schwengels	Sturgeon
Taylor	Tieden	Vande Hoef	

Nays, 25:

Boswell	Carr	Deluhery	Dieleman
Doyle	Fraise	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Lind	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Priebe	Rife	Riordan
Scott	Soorholtz	Varn	Wells
Welsh			

Absent or not voting, 6:

Bruner	Coleman	Fuhrman	Gettings
Lloyd-Jones	Mann		

Amendment S—3573 lost.

Senator Taylor offered amendment S—3592 filed by him from the floor to page 20 of division S—3493B and moved its adoption.

Amendment S—3592 lost by a voice vote.

President pro tempore Kinley took the chair at 6:08 p.m.

Senator Holden offered amendment S—3579 filed by Senators Holden and Hester on April 14, 1987, to pages 21, 22, 24, 27, 28 and 31 of division S—3493B and moved its adoption.

Amendment S—3579 was adopted by a voice vote.

Senator Horn offered amendment S—3578 filed by Senators Horn and Corning on April 14, 1987, to pages 22 and 39 of division S—3493B.

Senator Gentleman asked and received unanimous consent that action on amendment S—3578 be deferred for consideration of amendment S—3624.

Senator Gentleman offered amendment S—3624 filed by her from the floor to page 22 of division S—3493B and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3624 to division S—3493B be adopted?" (H.F. 499) the vote was:

Ayes, 18:

Corning	Drake	Gentleman	Goodwin
Hall	Hester	Holden	Jensen
Kinley	Lind	Palmer	Peterson
Priebe	Readinger	Soorholtz	Taylor
Tieden	Welsh		

Nays, 28:

Boswell	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gronstal
Hannon	Holt	Horn	Hultman
Husak	Hutchins	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Rensink
Rife	Riordan	Schwengels	Scott
Sturgeon	Vande Hoef	Varn	Wells

Absent or not voting, 4:

Bruner

Fuhrman

Gettings

Mann

Amendment S—3624 lost.

The Senate resumed consideration of amendment S—3578 to pages 22 and 39 of division S—3493B, previously deferred.

Senator Horn moved the adoption of amendment S—3578 to division S—3493B.

A non record roll call was requested.

The ayes were 27, nays 17.

Amendment S—3578 was adopted.

With the adoption of amendment S—3578, the Chair ruled amendment S—3619 filed by Senator Jensen from the floor to page 22 of division S—3493B, out of order.

Senator Corning asked and received unanimous consent that action on amendment S—3571 filed by Senators Corning and Varn on April 14, 1987, to pages 22, 23 and 38 of division S—3493B be deferred for consideration of amendment S—3589.

Senator Rife offered amendment S—3589 filed by him from the floor to pages 22, 23, 38 and 39 of division S—3493B, moved its adoption and requested a non record roll call.

The ayes were 15, nays 27.

Amendment S—3589 lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Dieleman for the remainder of the day on request of Senator Husak.

BUSINESS PENDING

House File 499

The Senate resumed consideration of House File 499.

Senator Corning moved the adoption of amendment S—3571 to pages 22, 23 and 38 of division S—3493B, previously deferred.

A non record roll call was requested.

The ayes were 20, nays 25.

Amendment S—3571 lost.

Senator Murphy offered amendment S—3591 filed by him from the floor to pages 28 and 29 of division S—3493B and moved its adoption.

Amendment S—3591 was adopted by a voice vote.

Senator Varn offered amendment S—3620 filed by him from the floor to pages 29 and 34 of division S—3493B and called for a division: lines 4 through 9, as division S—3620A; lines 10 through 15 as division S—3620B and lines 16 through 22 as division S—3620C.

Senator Varn moved the adoption of division S—3620A to division S—3493B, which motion prevailed by a voice vote.

Senator Varn withdrew division S—3620B to division S—3493B.

Senator Varn moved the adoption of division S—3620C to division S—3493B, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **House File 499** be deferred (divisions S—3493A and S—3493B as amended pending).

COMMITTEE REPORT

RULES AND ADMINISTRATION

Final Bill Action: HOUSE CONCURRENT RESOLUTION 30, a resolution to exempt bills sponsored by the appropriations committees of the House and the Senate from subsection 3 of Joint Rule 20.

Recommendation: DO PASS.

Final Vote: Ayes, 5: Kinley, Gronstal, Hutchins, Jensen and Hultman. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 30.

House Concurrent Resolution 30

On motion of Senator Hutchins, House Concurrent Resolution 30, a resolution to exempt bills sponsored by the appropriations committees of the House and the Senate from subsection 3 of Joint Rule 20, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins moved the adoption of House Concurrent Resolution 30, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolution 30** be immediately messaged to the House.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

Senate Concurrent Resolution 33

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

Senate Concurrent Resolution 34

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

House File 589

WAYS AND MEANS: Murphy, Chair; Soorholtz and Riordan

House File 590

WAYS AND MEANS: Mann, Chair; Husak and Holt

House File 605

WAYS AND MEANS: Murphy, Chair; Soorholtz and Riordan

House File 665

WAYS AND MEANS: Husak, Chair; Readinger and Palmer

House File 666

WAYS AND MEANS: Dieleman, Chair; Holt and Gronstal

BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.C.R. 26 Rules and Administration

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-eight twelfth grade students from Charter-Oak-Ute High School, Charter Oak, Iowa, accompanied by Wally and Linda Welander and Ron and Judy Gloede. Senators Doyle and Hutchins.

Thirty-five twelfth grade students from Fox Valley High School, Cantril, Iowa, accompanied by Joyce Bachman. Senator Fraise.

The following visitors were present in the Senate gallery:

Forty-two sixth grade students from Milford Community School, Milford, Iowa, accompanied by Evelyn Anderson. Senator Holt.

AMENDMENTS FILED

S—3618	H.F.	499	Edgar Holden John W. Jensen Richard Vande Hoef Norman J. Goodwin David Readinger Richard Drake
S—3619	H.F.	499	John Jensen
S—3620	H.F.	499	Richard Varn
S—3621	H.F.	591	C. Joseph Coleman
S—3622	H.F.	591	C. Joseph Coleman
S—3623	H.F.	499	John Jensen Jack Hester
S—3624	H.F.	499	Julia Gentleman
S—3625	H.F.	499	Richard Varn
S—3626	H.F.	499	Patrick Deluhery Ray Taylor John W. Jensen William Dieleman
S—3627	H.F.	499	Ray Taylor
S—3628	H.F.	646	Alvin V. Miller
S—3629	H.F.	499	Edgar H. Holden Julia Gentleman
S—3630	H.F.	499	Richard Varn
S—3631	H.F.	499	John Jensen

S—3632	H.F.	499	Richard Varn Larry Murphy
S—3633	H.F.	499	John Jensen Jack Hester
S—3634	H.F.	499	Larry Murphy
S—3635	H.F.	499	Wally Horn Joy Corning
S—3636	H.F.	499	Larry Murphy
S—3637	H.F.	499	Joe J. Welsh
S—3638	H.F.	499	Wally Horn Joy Corning
S—3639	H.F.	499	Larry Murphy
S—3640	H.F.	499	Larry Murphy
S—3641	H.F.	499	George R. Kinley
S—3642	H.F.	499	Jack Rife

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:12 p.m., until 9:00 a.m., Thursday, April 16, 1987.

JOURNAL OF THE SENATE

NINETY-FIFTH CALENDAR DAY
SIXTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 16, 1987

The Senate met in regular session at 9:08 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Leonard L. Boswell, member of the Senate from Decatur County, Davis City, Iowa.

The Journal of Wednesday, April 15, 1987, was approved.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1987, passed the following bills in which the concurrence of the House was asked:

Senate File 13, a bill for an act relating to the protection of buyers of farm products against the enforcement of liens by secured parties and providing dates for the effectiveness and applicability of the Act.

Senate File 76, a bill for an act relating to third-party payor reimbursements for patient charges at a mental health institute.

Senate File 161, a bill for an act relating to the sentence to be served by a person convicted as an habitual offender of the motor vehicle laws.

Senate File 198, a bill for an act relating to the payment of special assessments on property acquired by eminent domain and providing an effective date.

Senate File 257, a bill for an act relating to the payment for crop damages within the right-of-way of drainage improvements.

Senate File 267, a bill for an act relating to the affirmation and reenactment of certain provisions of law concerning the regulation of certain businesses and occupations, and providing an effective date.

Senate File 273, a bill for an act relating to the definition of foster care.

Senate File 338, a bill for an act relating to environmental protection performance standards for coal mining and providing an effective date.

Senate File 381, a bill for an act to legalize the payment of a sales tax refund claim to the city of Epworth, Iowa, by the department of revenue and finance.

Senate File 388, a bill for an act relating to the filing time for nomination petitions for a special election to elect a member of a board of directors of a school district.

Senate File 423, a bill for an act relating to the subcontractor's right to file a mechanic's lien against the property for which labor is performed or material is furnished.

Senate File 428, a bill for an act relating to the protection of buyers of fine art and providing a penalty.

Senate File 451, a bill for an act relating to the acquisition of legal settlement in a county.

Senate File 459, a bill for an act relating to handicapped parking spaces, making penalties applicable and providing an effective date.

Senate File 463, a bill for an act relating to the development and implementation by the agricultural development authority of programs to provide economic assistance on behalf of agricultural producers within the state and providing an effective date.

Senate File 470, a bill for an act relating to corporate takeovers.

ALSO: That the House has on April 14, 1987, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 106, a bill for an act relating to evaluations of the performance of school administrators including requiring the adoption of job descriptions and evaluation criteria and procedures (S—3643).

Senate File 214, a bill for an act authorizing a city with a population of five thousand or less to reduce council membership to three by referendum (S—3644).

Senate File 222, a bill for an act to prohibit the sale or gift of smokeless tobacco to a minor and providing for application of a penalty (S—3645).

Senate File 290, a bill for an act relating to the requirement for foster parent training, confidentiality requirements for foster care review boards, and incorporating a penalty (S—3646).

Senate File 399, a bill for an act establishing a motorcycle rider education fund, increasing fees for certain operator's licenses, crediting moneys to the fund, and appropriating moneys from the fund to the department of education to reimburse sponsors of motorcycle rider education courses for the costs of the courses (S—3647).

Senate File 449, a bill for an act relating to the operation and administration of the department of employment services by correcting statutory omissions, inaccuracies, and inconsistencies to reflect or alter current practices, by limiting certain penalties, by continuing the reimbursable status of certain enterprises and businesses sold or transferred by reimbursable employers, and by authorizing the release of certain job service information to certain public or quasi-public officials and entities and certain business and labor organizations (S—3648).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 29 present, 21 absent and a quorum present.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House Files 142, 624, 79, 472, 603, 633, 221 and 316.

House File 142

On motion of Senator Peterson, House File 142, a bill for an act relating to the operation of motorboats, with report of committee recommending passage, was taken up for consideration.

Senator Peterson asked and received unanimous consent that action on **House File 142** be **deferred**.

House File 624

On motion of Senator Horn, House File 624, a bill for an act relating to the distribution, transportation, storage, and acts or activities involving the use of an incendiary or explosive device or material, establishing permits, licenses, and fees, and providing penalties, 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 624** be **deferred**.

House File 79

On motion of Senator Lloyd-Jones, House File 79, a bill for an act prohibiting smoking in certain public places and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **House File 79** be **deferred**.

House File 472

On motion of Senator Lloyd-Jones, House File 472, a bill for an act to authorize the funding of state park and institutional road projects and county conservation parkway projects from RISE funds, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **House File 472** be **deferred**.

House File 603

On motion of Senator Lloyd-Jones, House File 603, a bill for an act establishing and appropriating from a housing trust fund and appropriating its funds, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that action on **House File 603** be **deferred**.

House File 633

On motion of Senator Husak, House File 633, a bill for an act relating to restrictions on the number of acres of agricultural land that authorized farm corporations or authorized trusts may acquire or otherwise obtain or lease, restricting persons from being shareholders or beneficiaries in more than a certain number of authorized farm corporations or authorized trusts, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 633** be **deferred**.

House File 221

On motion of Senator Husak, House File 221, a bill for an act to increase the fee for the wildlife habitat stamp, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that action on **House File 221** be **deferred**.

House File 316

On motion of Senator Husak, House File 316, a bill for an act relating to park user permits and providing a penalty and an effective date, 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 316** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 567, 588, 493, 634, 621, 164, 601, 575 and 649.

House File 567

On motion of Senator Gentleman, House File 567, a bill for an act relating to permanency planning for children by providing for dispositional and placement review hearings for certain children subject to the jurisdiction of the juvenile court, by authorizing permanency placement orders for certain children in need of assistance, by modifying certain grounds and procedures for the termination of parental rights, and by establishing an adoption exchange, with report of committee recommending passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **House File 567** be **deferred**.

House File 588

On motion of Senator Gentleman, House File 588, a bill for an act relating to child in need of assistance proceedings, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **House File 588** be **deferred**.

House File 493

On motion of Senator Fraise, House File 493, a bill for an act to provide office space and other physical facilities for the district court administrator, with report of committee recommending passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **House File 493** be **deferred**.

House File 634

On motion of Senator Fraise, House File 634, a bill for an act relating to county moneys which may be allocated to the secondary road fund, with report of committee recommending passage, was taken up for consideration.

Senator Fraise asked and received unanimous consent that action on **House File 634** be deferred.

House File 621

On motion of Senator Hester, House File 621, a bill for an act requiring the state vehicle dispatcher and other state agencies to solicit bids for ethanol-blended gasoline when advertising for bids for gasoline, with report of committee recommending passage, was taken up for consideration.

Senator Hester asked and received unanimous consent that action on **House File 621** be deferred.

House File 164

On motion of Senator Gronstal, House File 164, a bill for an act relating to the discretion of a notary public in performing notarial services, and limiting that discretion, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 164** be deferred.

House File 601

On motion of Senator Hannon, House File 601, a bill for an act relating to organ and tissue identification and transplantation, by creating a commission to develop a state plan for human organ and tissue transplants and requiring certain criteria in the state plan including organ and tissue procurement, registration and distribution, recipient selection criteria, transplant center eligibility, informed consent, confidentiality, and costs, requiring a certificate of need for certain transplant services, specifying a protocol for organ and tissue identification in hospitals, specifying duties of the Iowa department of public health and the department of human services, and the collection of information regarding organ and tissue transplants, with report of committee recommending passage, was taken up for consideration.

Senator Hannon asked and received unanimous consent that action on **House File 601** be deferred.

House File 575

On motion of Senator Hannon, House File 575, a bill for an act relating to the acquisition, development, promotion, and management of land for recreation trails, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon asked and received unanimous consent that action on **House File 575** be deferred.

House File 649

On motion of Senator Priebe, House File 649, a bill for an act relating to exemptions from execution and attachment by revising provisions governing the exemption of insurance policies, proceeds, and benefits, cash, and certain other personal property, and providing other properly related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that action on **House File 649** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 310, 620, 636, 518, 642, 377, 345, 244, 167, 380 and 646.

House File 310

On motion of Senator Hannon, House File 310, a bill for an act relating to acquired immune deficiency syndrome including the establishment of a central registry for victims and screening and testing procedures, with report of committee recommending passage, was taken up for consideration.

Senator Hannon asked and received unanimous consent that action on **House File 310** be deferred.

House File 620

On motion of Senator Schwengels, House File 620, a bill for an act relating to the acquisition and protection of significant elements of the state's natural open space heritage, with report

of committee recommending amendment and passage, was taken up for consideration.

Senator Schwengels asked and received unanimous consent that action on **House File 620** be deferred.

House File 636

On motion of Senator Riordan, House File 636, a bill for an act relating to international trade by establishing the Iowa export business finance program, directing the department of economic development, to the extent funds are available, to provide for certain economic development activities and services, and suggesting the legislative council study the feasibility of establishing a world trade institute and its programs and activities, with report of committee recommending passage, was taken up for consideration.

Senator Riordan asked and received unanimous consent that action on **House File 636** be deferred.

House File 518

On motion of Senator Miller of Cerro Gordo, House File 518, a bill for an act relating to powers and duties of certain political subdivisions in relation to their operational procedures and financial arrangements, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo asked and received unanimous consent that action on **House File 518** be deferred.

House File 642

On motion of Senator Corning, House File 642, a bill for an act relating to immunizations of certain students attending nonprofit postsecondary educational institutions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Corning asked and received unanimous consent that action on **House File 642** be deferred.

House File 377

On motion of Senator Carr, House File 377, a bill for an act relating to public financing of political campaigns, appropriating funds, and providing penalties and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Carr asked and received unanimous consent that action on **House File 377** be deferred.

House File 345

On motion of Senator Fuhrman, House File 345, a bill for an act relating to the procedures for authorization of drainage district improvements, with report of committee recommending passage, was taken up for consideration.

Senator Fuhrman asked and received unanimous consent that action on **House File 345** be deferred.

House File 244

On motion of Senator Hutchins, House File 244, a bill for an act relating to progress payments, final payments, and retention from payments made to subcontractors on public improvement construction projects, 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 244** be deferred.

House File 167

On motion of Senator Coleman, House File 167, a bill for an act relating to fees for and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent that action on **House File 167** be deferred.

House File 380

On motion of Senator Rensink, House File 380, a bill for an act relating to the contracting of indebtedness for county conservation purposes, with report of committee recommending passage, was taken up for consideration.

Senator Rensink asked and received unanimous consent that action on **House File 380** be **deferred**.

House File 646

On motion of Senator Rife, House File 646, a bill for an act relating to the exchange of information regarding underground facilities and excavations affecting underground facilities, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rife asked and received unanimous consent that action on **House File 646** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House Files 429 and 650.

House File 429

On motion of Senator Jensen, House File 429, a bill for an act providing that under certain circumstances the owner of a vehicle which is violating the warning lamps or stop arm of a school bus shall be deemed to be the driver and making penalties applicable, with report of committee recommending passage, was taken up for consideration.

Senator Jensen asked and received unanimous consent that action on **House File 429** be **deferred**.

House File 650

On motion of Senator Dieleman, House File 650, a bill for an act relating to providing private instruction and this Act is repealed July 1, 1990, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman asked and received unanimous consent that action on **House File 650** be **deferred**.

UNFINISHED BUSINESS
(Deferred April 15, 1987)

House File 499

The Senate resumed consideration of House File 499, a bill for an act relating to education including salary increases, efficiencies, and education enhancement, relating to the establishment of an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the retention of quality teachers, and the enhancement of the quality and effectiveness of teachers; activities of the state board of education relating to the accreditation process; duration of a superintendent's contract; open enrollment of pupils in contiguous school districts; postsecondary enrollment options for certain high school students; redrawing boundary lines of area education agencies; plans for a governance structure for merged area schools; majority vote for school district bond issues under certain conditions; date of the organizational meeting of school corporations; annual publication of financial statements; sharing interscholastic activity programs; adoption of student achievement goals; provision for intercollegiate athletic activities at merged area schools; procedure for opting out of whole grade sharing; calculation of enrollment of school districts; weighting for non-English-speaking students; and provide effective dates, divisions S—3493A and S—3493B, as amended, deferred on April 15, 1987.

Senator Tieden withdrew amendment S—3593 filed by him on April 15, 1987, to pages 32 through 35 of division S—3493B.

Senator Taylor asked and received unanimous consent that action on amendment S—3517 filed by him on April 13, 1987, to pages 32 and 33 of division S—3493B be deferred.

Senator Tieden offered amendment S—3595 filed by Senators Tieden and Murphy on April 15, 1987, to pages 32 and 33 of division S—3493B and moved its adoption.

Amendment S—3595 was adopted by a voice vote.

With the adoption of amendment S—3595 the Chair ruled amendment S—3517 to pages 32 and 33 of division S—3493B, previously deferred, out of order.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman of the remainder of the morning on request of Senator Horn.

BUSINESS PENDING

House File 499

The Senate resumed consideration of House File 499.

Senator Holden offered amendment S—3629 filed by Senators Holden and Gentleman on April 15, 1987, to pages 10 and 11 of division S—3493B and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 26.

Amendment S—3629 lost.

Senator Taylor offered amendment S—3627 filed by him on April 15, 1987, to page 12 of division S—3493B and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 26.

Amendment S—3627 lost.

Senator Varn offered amendment S—3630 filed by him on April 15, 1987, to pages 12 through 14 of division S—3493B and moved its adoption.

Amendment S—3630 was adopted by a voice vote.

Senator Jensen offered amendment S—3631 filed by him on April 15, 1987, to page 22 of division S—3493B, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3631 to division S—3493B be adopted?" (H.F. 499) the vote was:

Ayes, 4:

Fuhrman	Holden	Jensen	Lind
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Nays, 37:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gentleman	Gettings	Gronstal	Hannon
Hester	Holt	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Tieden	Vande Hoef	Varn
Welsh			

Absent or not voting, 9:

Coleman	Drake	Goodwin	Hall
Hultman	Mann	Sturgeon	Taylor
Wells			

Amendment S—3631 lost.

Senator Jensen asked and received unanimous consent to withdraw amendment S—3633 filed by Senators Jensen and Hester on April 15, 1987, to pages 15, 16, 20 and 27 through 29 of division S—3493B.

Senator Murphy offered amendment S—3639 filed by him on April 15, 1987, to page 39 of division S—3493B and moved its adoption.

Amendment S—3639 was adopted by a voice vote.

Senator Holden asked and received unanimous consent that action on division S—3493B as amended be deferred.

Senator Murphy asked and received unanimous consent to withdraw division S—3493A, deferred April 15, 1987.

The Chair ruled the following amendments to division S—3493A out of order:

S—3575 filed by Senator Horn on April 14, 1987, to page 1.

S—3582 filed by Senator Murphy on April 15, 1987, to page 3.

S—3584 filed by Senator Murphy on April 15, 1987, to page 3 and 39.

S—3585 filed by Senator Kinley on April 15, 1987, to page 1.

S—3594 filed by Senator Murphy on April 15, 1987, to page 3.

S—3598 filed by Senator Rife on April 15, 1987, to pages 1 through 3.

S—3611 filed by Senators Horn and Corning on April 15, 1987, to page 3.

S—3612 filed by Senators Horn and Corning on April 15, 1987, to page 3.

S—3617 filed by Senator Welsh on April 15, 1987, to page 1.

S—3618 filed by Senators Holden, et al., on April 15, 1987, to pages 1 and 2.

Senator Corning withdrew amendment S—3417 filed by her on April 6, 1987, to page 1 of the bill.

Senator Corning asked and received unanimous consent that action on amendment S—3418 filed by her on April 6, 1987, to page 1 of the bill be deferred.

Senator Varn offered amendment S—3632 filed by Senators Varn and Murphy on April 15, 1987, to pages 2 through 10 and 12 through 15 of the bill.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hutchins for the remainder of the morning on request of Senator Husak.

BUSINESS PENDING

House File 499

The Senate resumed consideration of House File 499 and amendment S—3632.

Senator Rife offered amendment S—3642 filed by him on April 15, 1987, to pages 1 through 4 of amendment S—3632, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3642 to amendment S—3632 be adopted?” (H.F. 499) the vote was:

Ayes, 14:

Drake	Fuhrman	Gentleman	Goodwin
Hall	Hester	Holden	Hultman
Jensen	Rife	Schwengels	Taylor
Tieden	Welsh		

Nays, 31:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Holt
Horn	Husak	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Varn	

Absent or not voting, 5:

Coleman	Hutchins	Mann	Vande Hoef
Wells			

Amendment S—3642 lost.

Senator Taylor called for a division of amendment S—3632:

Page 2, lines 25 and 26 as division S—3632A.

Page 3, lines 44 and 45 as division S—3632B.

Page 1, lines 3 through 50; page 2, lines 1 through 24 and 27 through 50; page 3, lines 1 through 43 and 46 through 50 and page 4 as division S—3632C.

Senator Murphy moved the adoption of division S—3632A, which motion prevailed by a voice vote.

Senator Murphy offered amendment S—3636 filed by him on April 15, 1987, to division S—3632B and moved its adoption.

Amendment S—3636 was adopted by a voice vote.

Senator Varn moved the adoption of division S—3632B as amended, which motion prevailed by a voice vote.

Senator Holden offered amendment S—3655 filed by him from the floor to division S—3632C.

Senator Husak asked and received unanimous consent that action on **House File 499** be **deferred** (amendment S—3655 pending).

RECESS

On motion of Senator Husak, the Senate recessed at 12:09 p.m., until 1:30 p.m.

APPENDIX

PRESENTATION OF VISITORS

The Chair welcomed the Honorable Arthur L. Gratias, former member of the Senate from Floyd County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-eight fifth grade students from Colo Elementary School, Colo, Iowa, accompanied by Liz Robinson. Senator Bruner.

Forty-five government students from Rock Falls Senior High School, Nora Springs, Iowa, accompanied by Frank Altman. Senator Scott.

AMENDMENTS FILED

S-3643	S.F.	106	House amendment
S-3644	S.F.	214	House amendment
S-3645	S.F.	222	House amendment
S-3646	S.F.	290	House amendment
S-3647	S.F.	399	House amendment
S-3648	S.F.	449	House amendment
S-3649	H.F.	395	Hurley Hall Dale Tieden Charles Miller
S-3650	H.F.	649	Richard Vande Hoef Kenneth Scott John Jensen Jack Hester Alvin Miller Al Sturgeon Wilmer Rensink Berl Priebe Eugene Fraise
S-3651	S.F.	493	House amendment
S-3652	S.F.	282	House amendment
S-3653	S.F.	374	House amendment

S-3654	H.F.	617	Michael Gronstal
S-3655	H.F.	499	Edgar Holden
S-3656	H.F.	429	Donald V. Doyle
S-3657	H.F.	499	Ray Taylor
S-3658	H.F.	429	Donald V. Doyle
S-3659	H.F.	429	Donald V. Doyle
S-3660	H.F.	600	Joe Welsh
S-3661	H.F.	499	Edgar Holden
S-3662	H.F.	429	Donald Doyle
S-3663	H.F.	429	Donald Doyle
S-3664	H.F.	499	Edgar Holden
S-3665	H.F.	429	Donald Doyle
S-3666	H.F.	429	Donald Doyle
S-3667	H.F.	429	Donald Doyle

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Zimmerman 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.

BUSINESS PENDING

House File 499

The Senate resumed consideration of House File 499, division S—3632C and amendment S—3655 to division S—3632C, previously deferred.

Senator Holden moved the adoption of amendment S—3655 to page 1 of division S—3632C.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 19, nays 25.

Amendment S—3655 lost.

Senator Lloyd-Jones took the chair at 2:18 p.m.

President Zimmerman took the chair at 2:29 p.m.

Senator Kinley offered amendment S—3641 filed by him on April 15, 1987, to pages 1 and 2 of division S—3632C, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3641 to division S—3632C be adopted?" (H.F. 499) the vote was:

Ayes, 22:

Coleman	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Hultman	Husak	Jensen	Kinley
Miller, C.P.	Peterson	Readinger	Rife
Schwengels	Soorholtz	Sturgeon	Tieden
Vande Hoef	Welsh		

Nays, 28:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Holt
Horn	Hutchins	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Priebe	Rensink	Riordan
Scott	Taylor	Varn	Wells

Amendment S—3641 lost.

Senator Holden offered amendment S—3661 filed by him from the floor to page 1 of division S—3632C and moved its adoption.

Amendment S—3661 lost by a voice vote.

Senator Welsh offered amendment S—3637 filed by him on April 15, 1987, to page 1 of division S—3632C and moved its adoption.

Amendment S—3637 was adopted by a voice vote.

Senator Horn offered amendment S—3635 filed by Senators Horn and Corning on April 15, 1987, to page 3 of division S—3632C and moved its adoption.

Amendment S—3635 was adopted by a voice vote.

Senator Murphy offered amendment S—3640 filed by him on April 15, 1987, to page 4 of division S—3632C and moved its adoption.

Amendment S—3640 was adopted by a voice vote.

Senator Murphy offered amendment S—3634 filed by him on April 15, 1987, to page 4 of division S—3632C and moved its adoption.

Amendment S—3634 was adopted by a voice vote.

Senator Hannon offered amendment S—3673 filed by Senators Hannon and Boswell from the floor to page 1 of division S—3632C and moved its adoption.

Amendment S—3673 was adopted by a voice vote.

Senator Murphy moved the adoption of division S—3632C as amended, which motion prevailed by a voice vote.

The Senate resumed consideration of division S—3493B as amended, previously deferred.

Senator Holden offered amendment S—3664 filed by him from the floor to page 11 of division S—3493B and moved its adoption.

Amendment S—3664 was adopted by a voice vote.

Senator Taylor offered amendment S—3657 filed by him from the floor to page 18 of division S—3493B and moved its adoption.

Amendment S—3657 was adopted by a voice vote.

Senator Fuhrman offered amendment S—3668 filed by him from the floor to page 32 of division S—3493B and moved its adoption.

Amendment S—3668 lost by a voice vote.

With the adoption of amendment S—3579, the Chair ruled amendment S—3675 filed by Senators Taylor, et al from the floor to pages 4, 14 through 17, 20 through 22, 24 through 34 and 36 through 39 of division S—3493B, out of order.

Senator Murphy moved the adoption of division S—3493B as amended, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—3525 filed by him on April 13, 1987, to pages 11 and 14 of the bill.

Senator Corning raised the point of order that amendment S—3525 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3525 in order.

Senator Welsh moved the adoption of amendment S—3525, which motion prevailed by a voice vote.

Senator Horn offered amendment S—3638 filed by Senators Horn and Corning on April 15, 1987, to page 13 of the bill and moved its adoption.

Amendment S—3638 was adopted by a voice vote.

Senator Horn offered amendment S—3577 filed by him on April 14, 1987, to page 15 of the bill and moved its adoption.

Amendment S—3577 was adopted by a voice vote.

Senator Rife offered amendment S—3588 filed by him on April 15, 1987, to page 15 of the bill and moved its adoption.

Amendment S—3588 was adopted by a voice vote.

Senator Taylor withdrew amendment S—3596 filed by him on April 15, 1987, to page 15 of the bill.

Senator Holden withdrew amendment S—3607 filed by him on April 15, 1987, to page 15 of the bill.

Senator Schwengels offered amendment S—3557 filed by him on April 14, 1987, to page 18 of the bill and moved its adoption.

Amendment S—3557 lost by a voice vote.

Senator Schwengels offered amendment S—3558 filed by him on April 14, 1987, to page 18 of the bill and moved its adoption.

Amendment S—3558 lost by a voice vote.

Senator Schwengels offered amendment S—3559 filed by him on April 14, 1987, to page 18 of the bill and moved its adoption.

Amendment S—3559 lost by a voice vote.

Senator Hannon offered amendment S—3613 filed by Senators Hannon, et al., on April 15, 1987, to pages 33 and 34 of the bill.

Senator Hannon offered amendment S—3674 filed by her from the floor to amendment S—3613 and moved its adoption.

Amendment S—3674 was adopted by a voice vote.

Senator Hannon moved the adoption of amendment S—3613 as amended.

A record roll call was requested.

On the question "Shall amendment S—3613 as amended be adopted?" (H.F. 499) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Boswell	Coleman	Doyle	Fraise
Fuhrman	Gettings	Goodwin	Hall
Hannon	Hester	Holden	Hultman
Jensen	Miller, A.V.	Peterson	Priebe
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Vande Hoef	Welsh

Nays, 25:

Bruner	Carr	Corning	Deluhery
Dieleman	Drake	Gentleman	Gronstal
Holt	Horn	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Nystrom	Palmer
Readinger	Rensink	Sturgeon	Tieden
Varn			

Absent or not voting, 1:

Wells

Amendment S—3613 as amended lost.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wells for the remainder of the day on request of Senator Hutchins.

BUSINESS PENDING

House File 499

The Senate resumed consideration of House File 499.

Senator Deluhery offered amendment S—3626 filed by Senators Deluhery, et al., on April 15, 1987, to pages 35 and 36 of the bill and moved its adoption.

Amendment S—3626 was adopted by a voice vote.

Senator Murphy offered amendment S—3583 filed by him on April 15, 1987, to page 36 of the bill and moved its adoption.

Amendment S—3583 was adopted by a voice vote.

Senator Welsh filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3632C to House File 499 was adopted by the Senate on April 16, 1987.

The motion prevailed by a voice vote and division S—3632C to pages 2 through 10 and 12 through 15 of the bill, was taken up for reconsideration.

Senator Horn offered amendment S—3676 filed by him from the floor to pages 1 through 4 of division S—3632C and moved its adoption.

A non record roll call was requested.

The ayes were 8, nays 38.

Amendment S—3676 lost.

Senator Coleman took the chair at 5:00 p.m.

Senator Welsh offered amendment S—3678 filed by him from the floor to page 3 of division S—3632C and moved its adoption.

Amendment S—3678 was adopted by a voice vote.

Senator Murphy asked and received unanimous consent that action on division S—3632C as amended be deferred.

Senator Corning moved the adoption of amendment S—3418 to page 1 of the bill, previously deferred.

A non record roll call was requested.

The ayes were 31, nays 16.

Amendment S—3418 was adopted.

Senator Varn filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3678 to division S—3632C to House File 499 was adopted by the Senate on April 16, 1987.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Gronstal	Horn	Lind
Lloyd-Jones	Mann	Miller, C.P.	Murphy
Nystrom	Palmer	Readinger	Riordan
Sturgeon	Varn		

Nays, 27:

Boswell	Coleman	Fraise	Fuhrman
Goodwin	Hall	Hannon	Hester
Holden	Holt	Hultman	Husak
Hutchins	Jensen	Kinley	Miller, A.V.
Peterson	Priebe	Rensink	Rife
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

Absent or not voting, 1:

Wells

The motion lost.

President Zimmerman took the chair at 5:39 p.m.

Senator Murphy moved the adoption of division S—3632C as amended, which motion prevailed 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. 499) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Gronstal	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Varn	Welsh

Nays, 9:

Gentleman	Goodwin	Hall	Hester
Jensen	Readinger	Rife	Schwengels
Vande Hoef			

Absent or not voting, 1:

Wells

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 499** be **immediately messaged** to the House.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 591.

House File 591

On motion of Senator Horn, House File 591, a bill for an act relating to domestic abuse, assaults involving an act of domestic abuse, and court order issued and enforced pursuant to the

domestic abuse law, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on **House File 591** be deferred.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 481, a bill for an act relating to state tax revenues and expenditures by altering the individual income tax rates, withholding, standard deductions, and personal exemptions and credits; increasing the state sales, services, and use tax and providing for refunds for certain contractors as a result of that increase; adjusting the allowable growth under the school foundation formula; and providing effective dates (S—3681).

HOUSE AMENDMENT CONSIDERED

Senate File 481

Senator Bruner called up for consideration Senate File 481, a bill for an act relating to state tax revenues and expenditures by altering the individual income tax rates, withholding, standard deductions, and personal exemptions and credits; increasing the state sales, services, and use tax and providing for refunds for certain contractors as a result of that increase; adjusting the allowable growth under the school foundation formula; and providing effective dates, amended by the House, and moved that the Senate concur in House amendment S—3681 filed April 16, 1987.

The motion lost by a voice vote and the Senate refused to concur in the House amendment.

Senator Hutchins asked and received unanimous consent that **Senate File 481** be immediately messaged to the House.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 14, 1987, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 282, a bill for an act to revise provisions relating to dangerous weapons and the carrying of dangerous weapons and knives, and providing penalties (S—3652).

Senate File 373, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities (S—3680).

Senate File 374, a bill for an act relating to statutory corrections of a noncontroversial and nonsubstantive nature (S—3653).

Senate File 493, a bill for an act relating to the creation of a statewide regional network of small business economic development corporations to assist in providing financing for small business on the state (S—3651).

APPENDIX

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to House File 655, the following technical correction was made:

1. Page 1, line 9, the word "jurisdictions" was changed to the word "jurisdiction".

ALSO:

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 298, the following technical corrections were made:

1. Page 7, line 17, the words "Section 10" was changed to the words "Section 11".

2. Page 2, line 30, the words "class "E" liquor" was changed to the words "class "E" liquor".

3. Page 3, line 4, the letters ""E".A" were changed to the letters ""E". A".

4. Page 3, line 27, the words "ten a.m. and" were changed to the words "ten a.m. and".

5. Page 5, line 24, the words "premises. Upon" were changed to the words "premises. Upon".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fourth, fifth and sixth grade students from Sac and Fox Settlement School, Tama, Iowa, accompanied by Janey Swartz, Joe Everton and Priscilla Wanatee. Senator Husak.

AMENDMENTS FILED

S—3668	H.F.	499	Linn Fuhrman
S—3669	H.F.	429	Donald Doyle

S—3670	H.F.	429	Donald Doyle
S—3671	H.F.	580	Jim Lind
S—3672	H.F.	580	Jim Lind
S—3673	H.F.	499	Beverly Hannon Leonard Boswell
S—3674	H.F.	499	Beverly Hannon
S—3675	H.F.	499	Ray Taylor Eugene Fraise Hurley Hall Dale Tieden C. Joseph Coleman
S—3676	H.F.	499	Wally Horn
S—3677	S.F.	106	Edgar Holden
S—3678	H.F.	499	Joe Welsh
S—3679	S.F.	285	Edgar Holden
S—3680	S.F.	373	House amendment
S—3681	S.F.	481	House amendment
S—3682	H.F.	429	Donald Doyle
S—3683	H.F.	395	Hurley W. Hall

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:12 p.m., until 1:00 p.m., Monday, April 20, 1987.

JOURNAL OF THE SENATE

NINETY-NINTH CALENDAR DAY
SIXTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 20, 1987

The Senate met in regular session at 1:30 p.m., President Zimmerman presiding.

Prayer was offered by the Honorable Richard Vande Hoef, member of the Senate from Osceola County, Harris, Iowa.

The Journal of Thursday, April 16, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holden for the afternoon on request of Senator Hultman.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1987, amended and adopted, the following concurrent resolution in which the concurrence of the Senate is asked:

Senate Concurrent Resolution 11, a concurrent resolution to petition the Federal Communications Commission to increase the wattage of KWDM (S—3686).

ALSO: That the House has on April 15, 1987, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 17, a concurrent resolution urging the President and Congress of the United States to enact legislation for the establishment of the National Western Historic Trails Center in Council Bluff, Iowa.

This bill was read first time and **passed on file**.

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

HOUSE AMENDMENTS CONSIDERED

Senate File 266

Senator Doyle called up for consideration Senate File 266, a bill for an act relating to the affirmation of certain provisions of law concerning judicial procedures and court enforced orders, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—3547 filed April 14, 1987.

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. 266) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none

Absent or not voting, 4:

Gronstal

Holden

Jensen

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 138

Senator Husak called up for consideration Senate File 138, a bill for an act relating to the extension of the foreclosure moratorium as provided in the governor's declaration of economic emergency made on October 1, 1985, amended by the House, and moved that the Senate concur in House amendment S—3602 filed April 15, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Husak moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 138) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A. V.	Miller, C. P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Gronstal

Holden

Jensen

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
(Ways and Means Calendar)

Senate File 499

On motion of Senator Bruner, Senate File 499, a bill for an act relating to the federal low-income housing credit by providing for its allocation and designating the Iowa finance authority as the housing credit agency, was taken up for consideration.

Senator Bruner withdrew amendment S—3430 filed by him on April 6, 1987, to strike everything after the enacting clause and to the title page of the bill.

Senator Bruner offered amendment S—3529 filed by him on April 13, 1987, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—3529 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. 499) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluherly	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Holden

Jensen

Mann

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 101

On motion of Senator Dieleman, Senate File 101, a bill for an act relating to mobile home taxes, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S—3415 filed by the committee on Ways and Means on April 3, 1987, to pages 4, 5 and the title page of the bill and moved its adoption.

Amendment S—3415 was adopted by a voice vote.

Senator Dieleman withdrew amendment S—3120 filed by him on March 9, 1987, to pages 4, 5 and the title page of the bill.

Senator Dieleman withdrew amendment S—3140 filed by him on March 11, 1987, to pages 4, 5 and the title page of the bill.

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. 101) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Holden Jensen

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

House File 266

On motion of Senator Riordan, House File 266, a bill for an act relating to the exemption from the state sales, services and use tax of the gross receipts from the sale of foods purchased with federal food stamps and providing an effective date, 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. 266) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Holden Jensen Miller, A.V. Peterson

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 374

On motion of Senator Dieleman, House File 374, a bill for an act relating to eligibility for a mobile home reduced tax rate, a military service property tax exemption, the filing of late claims for a homestead tax credit and military service property tax exemption, an exemption from the real estate transfer tax, continuing education for assessors and deputy assessors, the length of board of review sessions, and appeal rights, 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. 374) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A. V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Holden	Jensen	Peterson
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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 Concurrent Resolution 32

On motion of Senator Gronstal, Senate Concurrent Resolution 32, a resolution urging the Congress of the United States to amend the Interstate Commerce Act to allow states to collect sales or use taxes from outstate sellers, was taken up for consideration.

Senator Gronstal moved the adoption of Senate Concurrent Resolution 32, which motion prevailed by a voice vote.

UNFINISHED BUSINESS (Deferred March 12, 1987)

House File 334

The Senate resumed consideration of House File 334, a bill for an act relating to cigarette and tobacco tax assessment periods, penalties and appeal periods, offsetting of claims against the state with a person's liabilities to the state, tax return confidentiality, the filing of sales and services tax refund claims, audit periods for sales, services, and use tax returns, use tax penalty, and penalties for interfering with department of revenue and finance employees in the performance of their duties and providing effective dates, deferred March 12, 1987.

Senator Taylor offered amendment S—3175 filed by him on March 16, 1987, to page 7 of the bill and moved its adoption.

Amendment S—3175 was adopted by a voice vote.

Senator Doyle offered amendment S—3173 filed by Senators Doyle, Dieleman and Mann on March 16, 1987, to page 9 and the title page of the bill and moved its adoption.

Amendment S—3173 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on **House File 334** be deferred.

UNFINISHED BUSINESS
(Deferred April 10, 1987)

House File 210

On motion of Senator Gentleman, House File 210, a bill for an act relating to certain admissions to health care facilities, was taken up for further consideration (substituted for Senate File 280 and deferred April 10, 1987).

Senator Gentleman offered amendment S—3535 filed by Senators Gentleman and Hannon on April 13, 1987, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3535 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. 210) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Fraise

Absent or not voting, 6:

Hester	Holden	Jensen	Mann
Murphy	Sturgeon		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Gentleman asked and received unanimous consent that **Senate File 280** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 10, 1987)

House File 594

On motion of Senator Schwengels, House File 594, a bill for an act relating to the regulation of pharmacists and pharmacies and to administration, dispensing, and distribution of certain drugs, and providing penalties, was taken up for further consideration (substituted for Senate File 446 and deferred April 10, 1987).

Senator Schwengels offered amendment S—3532 filed by him on April 13, 1987, to pages 10 and 23 of the bill and moved its adoption.

Amendment S—3532 was adopted by a voice vote.

Senator Schwengels offered amendment S—3533 filed by Senators Schwengels and Drake on April 13, 1987, to page 17 of the bill and moved its adoption.

Amendment S—3533 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. 594) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann

Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

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.

WITHDRAWN

Senator Schwengels asked and received unanimous consent that **Senate File 446** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 10, 1987)

House File 595

On motion of Senator Hannon, House File 595, a bill for an act to establish a system of certificates of title for vessels, was taken up for further consideration (substituted for Senate File 436 and deferred April 10, 1987).

Senator Hannon offered amendment S—3691 filed by her from the floor to pages 3, 5, 7 and the title page of the bill and moved its adoption.

Amendment S—3691 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. 595) the vote was:

Ayes, 36:

Bruner	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Mann	Miller, A. V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rensink	Riordan	Schwengels
Vande Hoef	Varn	Wells	Welsh

Nays, 12:

Boswell	Carr	Fuhrman	Gentleman
Lloyd-Jones	Murphy	Peterson	Scott
Soorholtz	Sturgeon	Taylor	Tieden

Absent or not voting, 2:

Holden	Rife
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

WITHDRAWN

Senator Hannon asked and received unanimous consent that **Senate File 436** be **withdrawn** from further consideration of the Senate.

BILLS REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **Senate File 92** be referred from the Unfinished Business Calendar to the committee on **State Government**.

Senator Horn asked and received unanimous consent that **House File 114** be referred from the Regular Calendar to the committee on **Natural Resources** and **House File 304** be referred from the Regular Calendar to the committee on **Local Government**.

ADOPTION OF RESOLUTION
(Regular Calendar)

Senate Concurrent Resolution 30

On motion of Senator Varn, Senate Concurrent Resolution 30, a concurrent resolution relating to the establishment of occupational therapy programs, with report of committee recommending passage, was taken up for consideration.

Senator Varn moved the adoption of Senate Concurrent Resolution 30, which motion prevailed by a voice vote.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Horn asked and received unanimous consent to take up for consideration Senate File 503.

Senate File 503

On motion of Senator Priebe, Senate File 503, a bill for an act relating to the deletion of certain obsolete rules from the Iowa administrative 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. 503) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

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 10, 1987)

House File 602

On motion of Senator Riordan, House File 602, a bill for an act providing for the appointment of a person to administer the inspection of meat and poultry under chapter 189A, was taken up for further consideration (substituted for Senate File 313 and deferred April 10, 1987).

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. 602) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hall	Hannon
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 6:

Goodwin	Hester	Hultman	Peterson
Rensink	Rife		

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.

WITHDRAWN

Senator Riordan asked and received unanimous consent that **Senate File 313** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS

(Deferred April 14, 1987)

House File 412

The Senate resumed consideration of House File 412, a bill for an act relating to child abuse, deferred April 14, 1987.

Senator Gentleman offered amendment S—3574 filed by her on April 14, 1987, to pages 3, 8 and 9 of the bill and moved its adoption.

Amendment S—3574 lost 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. 412) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor

Tieden
Welsh

Vande Hoef

Varn

Wells

Nays, none.

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.

UNFINISHED BUSINESS

(Deferred April 14, 1987)

House File 488

The Senate resumed consideration of House File 488, a bill for an act relating to the time period for a hearing on the revocation of a person's license for operating a motor vehicle while under the influence of alcohol or a drug, deferred April 14, 1987.

Senator Mann offered amendment S—3553 filed by him on April 14, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3553 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. 488) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 2:

Holden

Hultman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate Files 499, 101, 503** and **Senate Concurrent Resolutions 30 and 32** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 13, 1987)

House File 460

The Senate resumed consideration of House File 460, a bill for an act relating to the provisions for certain certificated employees of certain institutions governed by the state board of regents, deferred April 13, 1987.

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. 460) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Dieleman

Holden

Lind

Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 15, 1987)

House File 395

The Senate resumed consideration of House File 395, a bill for an act relating to the taking of animals and subjecting violators to penalties, deferred April 15, 1987.

Senator Hall offered amendment S—3683 filed by him on April 16, 1987, to page 20 of the bill.

Senator Gentleman raised the point of order that amendment S—3683 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3683 out of order.

Senator Hall asked and received unanimous consent that action on **House File 395** be deferred.

UNFINISHED BUSINESS
(Deferred April 15, 1987)

House File 580

The Senate resumed consideration of House File 580, a bill for an act relating to the granting of leaves of absence to persons disabled by pregnancy, providing for their reinstatement, and providing for an employer's liability, deferred April 15, 1987.

Senator Mann offered amendment S—3556 filed by him on April 14, 1987, to strike everything after the enacting clause and to the title page of the bill.

Senator Lind offered amendment S—3671 filed by him on April 16, 1987, to amendment S—3556 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 22.

Amendment S—3671 was adopted.

Senator Welsh filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3671 to amendment S—3556 to House File 580 was adopted by the Senate on April 20, 1987.

A non record roll call was requested.

The ayes were 25, nays 22.

The motion prevailed and amendment S—3671 by Senator Lind to amendment S—3556, was taken up for reconsideration.

Senator Lind moved the adoption of amendment S—3671 to amendment S—3556.

A record roll call was requested.

On the question "Shall amendment S—3671 to amendment S—3556 be adopted?" (H.F. 580) the vote was:

Ayes, 20:

Drake	Fuhrman	Goodwin	Hall
Hester	Holt	Hultman	Jensen
Kinley	Lind	Nystrom	Peterson
Readinger	Rensink	Rife	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 27:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Fraise
Gentleman	Gettings	Hannon	Horn
Husak	Hutchins	Lloyd-Jones	Mann

Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Riordan	Scott	Sturgeon
Varn	Wells	Welsh	

Absent or not voting, 3:

Dieleman	Gronstal	Holden
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Amendment S—3671 lost.

Senator Readinger asked and received unanimous consent that action on amendment S—3556 and **House File 580** be deferred.

UNFINISHED BUSINESS (Deferred April 15, 1987)

House File 654

The Senate resumed consideration of House File 654, a bill for an act relating to the funding of the energy bank program, deferred April 15, 1987.

Senator Deluhery offered amendment S—3479 filed by the committee on Environment and Energy Utilities on April 9, 1987, to pages 1, 2 and 3 of the bill and moved its adoption.

Amendment S—3479 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?” (H.F. 654) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott

Soorholtz
Varn

Sturgeon
Wells

Taylor
Welsh

Vande Hoef

Nays, 1:

Tieden

Absent or not voting, 2:

Dieleman

Holden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 16, 1987)

House File 167

The Senate resumed consideration of House File 167, a bill for an act relating to fees for and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment, deferred April 16, 1987.

Senator Doyle offered amendment S—3485 filed by the committee on Transportation on April 9, 1987, to pages 1 through 3 and the title page of the bill.

Senator Drake offered amendment S—3526 filed by Senators Drake and Hall on April 13, 1987, to amendment S—3485.

Senator Doyle raised a point of order that under Senate Rule 12, amendment S—3526 to amendment S—3485 was out of order because it amended the committee amendment by reinstating the bill's language, therefore leaving the bill unchanged.

The Chair ruled the point not well taken.

President pro tempore Kinley took the chair at 5:01 p.m.

Senator Drake moved the adoption of amendment S—3526 to amendment S—3485 and requested a record roll call.

On the question "Shall amendment S—3526 to amendment S—3485 be adopted?" (H.F. 167) the vote was:

Ayes, 18:

Bruner	Drake	Fuhrman	Gettings
Goodwin	Hall	Holt	Hultman
Jensen	Lind	Lloyd-Jones	Nystrom
Readinger	Rensink	Rife	Schwengels
Taylor	Vande Hoef		

Nays, 30:

Boswell	Carr	Coleman	Corning
Deluhery	Doyle	Fraise	Gentleman
Gronstal	Hannon	Hester	Horn
Husak	Hutchins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Varn
Wells	Welsh		

Absent or not voting, 2:

Dieleman	Holden
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Amendment S—3526 lost.

Senator Doyle moved the adoption of amendment S—3485, which motion prevailed by a voice vote.

With the adoption of amendment S—3485, the Chair ruled amendment S—3693 filed by Senator Coleman from the floor to page 1 of the bill, out of order.

Senator Coleman offered amendment S—3694 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—3694 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. 167) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Horn
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Varn	Wells	Welsh

Nays, 12:

Drake	Fuhrman	Holt	Hultman
Jensen	Lloyd-Jones	Nystrom	Readinger
Rensink	Rife	Schwengels	Vande Hoef

Absent or not voting, 2:

Dieleman	Holden
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

UNFINISHED BUSINESS
(Deferred April 16, 1987)

House File 310

The Senate resumed consideration of House File 310, a bill for an act relating to acquired immune deficiency syndrome including the establishment of a central registry for victims and screening and testing procedures, deferred on April 16, 1987.

Senator Hannon offered amendment S—3692 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3692 was adopted by a voice vote.

Senator Hannon offered amendment S—3689 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—3689 was adopted by a voice vote.

Senator Hultman raised the point of order that House File 310 should be referred to the committee on Appropriations under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Horn asked and received unanimous consent that action on **House File 310** be deferred.

APPENDIX**SUBCOMMITTEE ASSIGNMENT****House Concurrent Resolution 26**

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following reports:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on the 17th day of April, 1987:

Senate Files 137, 209, 268, 270, 271, 303, 382 and 434.

ALSO: That 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 20th day of April, 1987:

Senate Files 272 and 298.

JOHN F. DWYER
Secretary of the Senate

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in preparing the Senate amendment to House File 499, the following technical corrections were made:

1. On Senate amendment S—3632: Page 3, line 44, the word “words” was changed to the word “word”; after the adoption of Senate amendment S—3636.
2. On Senate amendment S—3493: Page 39, line 10, the number “136” was changed to “135”.
3. On Senate amendment S—3577: Page 1, line 5, the number “294.21A” was changed to “294A.21B”; after the adoption of Senate amendment S—3588.

JOHN F. DWYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 17, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

Senate File 137 — Relating to the pricing of the Code of Iowa and related publications.

Senate File 268 — Relating to the affirmation and reenactment of certain provisions of law concerning public employees, including provisions relating to state employee discipline and grievances, the public employment relations board, reprisals against state employees, and the public employees' retirement system, and providing an effective date.

Senate File 270 — Affirming and reenacting certain provisions affecting the tax laws, and providing an effective date.

Senate File 271 — Affirming and reenacting certain provisions of law concerning the powers and procedures of public bodies and providing an effective date.

Senate File 303 — Relating to the merger and consolidation of cooperative associations, by defining the fair market value of assets held by an association and providing for determining the fair value of an equity interest held by a dissenting member.

Senate File 434 — Relating to issuance of certificates of inspection for boilers used on tourist railroads or tourist trains and providing an effective date.

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

Convened: April 16, 1987, 1:15 p.m.

Members Present: Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

Members Absent: Mann.

Committee Business: Subcommittee approved and submitted proposed appropriations bill to the full Appropriations Committee.

Adjourned: 1:35 p.m.

APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY

Convened: April 16, 1987, 1:00 p.m.

Members Present: Gettings, Chair; Coleman, Vice Chair (arrived 1:05 p.m.); Holt, Ranking Member; Holden and Husak.

Members Absent: none.

Committee Business: Subcommittee amended and approved and submitted appropriations bill to the full Appropriations Committee.

Adjourned: 1:30 p.m.

PETITIONS

The following petitions opposing House File 188, relating to the possession of high-power, centerfire cartridge rifles during the shotgun hunting season for deer and subjecting violators to a penalty, were presented and placed on file by:

Senator Dieleman from forty-three residents of Warren County.
Senator Husak from sixty residents of Tama County.

The following petitions favoring a forceful and meaningful groundwater protection bill were presented and placed on file by:

Senator Hutchins from thirty-four residents of Iowa.
Senator Kinley from thirty-four residents of Story County.

The following petitions were presented and placed on file by:

Senator Goodwin from twenty-six resident of Clinton County opposing fare increases on the para transit vehicle operated by Great River Bend.

Senator Hannon from fifty-three residents of Polk County favoring Senate File 219, providing for public grants and public education relating to adolescent pregnancy prevention and services.

Senator Holden from twenty-four residents of Scott County favoring supplemental funding for the SAC-FOX Settlement School at the Mesquakie Indian Settlement.

Senator Kinley from thirteen residents of Polk County opposing tuition tax deductions, credits and vouchers.

Senator Kinley from thirteen residents of Polk County favoring legislative funding of the teachers' salary package.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 210 passed the Senate on April 20, 1987.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3535 to House File 210 was adopted by the Senate on April 20, 1987.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which House File 460 passed the Senate on April 20, 1987.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 488 passed the Senate on April 20, 1987.

TOM MANN, JR.

COMMITTEE REPORT

ENVIRONMENT AND ENERGY UTILITIES

Final Bill Action: HOUSE FILE 631, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing effective dates, and by providing for other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3698.

Final Vote: Ayes, 7: Deluhery, Soorholtz, Hultman, A. Miller, Murphy, Schwengels and Varn. Nays, 2: Gronstal and Sturgeon. Absent or not voting, 1: Rife.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S-3684	H.F.	244	John Jensen
S-3685	H.F.	469	Tom Mann, Jr.
S-3686	S. C. R.	11	House amendment
S-3687	H.F.	649	Jim Lind
S-3688	H.F.	500	Don Gettings
S-3689	H.F.	310	Beverly Hannon
S-3690	H.F.	345	Ray Taylor
S-3691	H.F.	595	Beverly Hannon
S-3692	H.F.	310	Beverly Hannon
S-3693	H.F.	167	C. Joseph Coleman
S-3694	H.F.	167	C. Joseph Coleman
S-3695	S. F.	399	C. Joseph Coleman
S-3696	H.F.	429	Donald V. Doyle
S-3697	H.F.	210	Emil J. Husak
S-3698	H.F.	631	Environment & Energy Utilities

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:30 p.m., until 9:00 a.m., Tuesday, April 21, 1987.

JOURNAL OF THE SENATE

ONE HUNDREDTH CALENDAR DAY
SIXTY-FOURTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 21, 1987

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Wilmer Rensink, member of the Senate from Sioux County, Sioux Center, Iowa.

The Journal of Monday, April 20, 1987, 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.

BILL REFERRED TO COMMITTEES

Senator Hutchins asked and received unanimous consent that **House File 631** be referred from the Ways and Means Calendar jointly to the committees on **Agriculture** and **Natural Resources** and be returned to the Senate Calendar by 12:00 noon, Wednesday, April 22, 1987.

HOUSE AMENDMENTS CONSIDERED

Senate File 264

Senator Gronstal called up for consideration Senate File 264, a bill for an act relating to revocation of a property tax exemption, amended by the House, and moved that the Senate concur in House amendment S—3546 filed April 14, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gronstal moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 264) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A. V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells			

Nays, none.

Absent or not voting, 5:

Coleman	Kinley	Miller, C.P.	Readerger
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senate File 319

Senator Palmer called up for consideration Senate File 319, a bill for an act relating to the condition of a building as a basis for the filing of a petition or hearing procedures, amended by the House, and moved that the Senate concur in House amendment S—3545 filed April 14, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Palmer moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 319) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	Varn
Wells			

Nays, none.

Absent or not voting, 5:

Hultman	Kinley	Miller, C.P.	Sturgeon
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 195

Senator Gronstal called up for consideration Senate File 195, a bill for an act relating to the duties of the state board of tax review, amended by the House, and moved that the Senate concur in House amendment S—3603 filed April 15, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gronstal moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 195) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, none.

Absent or not voting, 4:

Kinley	Miller, C.P.	Sturgeon	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.

Senate File 214

Senator Taylor called up for consideration Senate File 214, a bill for an act authorizing a city with a population of five thousand or less to reduce council membership by three by referendum, amended by the House, and moved that the Senate concur in House amendment S—3644 filed April 16, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Taylor moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 214) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall

Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, none.

Absent or not voting, 4:

Kinley	Miller, C.P.	Rife	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.

Senate File 290

Senator Vande Hoef called up for consideration Senate File 290, a bill for an act relating to the requirement for foster parent training, confidentiality requirements for foster care review boards, and incorporating a penalty, amended by the House, and moved that the Senate concur in House amendment S—3646 filed April 16, 1987.

A non record roll call was requested.

The ayes were 19, nays 26.

The motion lost and the Senate **refused to concur** in the House amendment.

Senate File 374

Senator Doyle called up for consideration Senate File 374, a bill for an act relating to statutory corrections of a noncontroversial and nonsubstantive nature, amended by the House, and moved that the Senate concur in House amendment S—3653 filed April 16, 1987.

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. 374) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Boswell	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.

Senate File 399

Senator Riordan called up for consideration Senate File 399, a bill for an act establishing a motorcycle rider education fund, increasing fees for certain operator's licenses, crediting moneys to the fund, and appropriating moneys from the fund to the department of education to reimburse sponsors of motorcycle rider education courses for the costs of the courses, amended by the House in House amendment S—3647 filed April 16, 1987.

Senator Coleman offered amendment S—3695 filed by him on April 20, 1987, to House amendment S—3647 and moved its adoption.

Amendment S—3695 was adopted by a voice vote.

Senator Riordan moved that Senate concur in House amendment S—3647 as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Riordan 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. 399) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Varn	Wells	Welsh	

Nays, 5:

Gentleman	Hultman	Priebe	Tieden
Vande Hoef			

Absent or not voting, 2:

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.

Senate File 449

Senator Gettings called up for consideration Senate File 449, a bill for an act relating to the operation and administration of the department of employment services by correcting statutory omissions, inaccuracies, and inconsistencies to reflect or alter current practices, by limiting certain penalties, by continuing the reimbursable status of certain enterprises and businesses sold or

transferred by reimbursable employers, and by authorizing the release of certain job service information to certain public or quasi-public officials and entities and certain business and labor organizations, amended by the House, and moved that the Senate concur in House amendment S—3648 filed April 16, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gettings moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 449) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holden	Holt	Horn
Jensen	Lind	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hannon	Hultman	Husak	Hutchins
Kinley	Lloyd-Jones	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 493

Senator Miller of Cerro Gordo called up for consideration Senate File 493, a bill for an act relating to the creation of a statewide regional network of small business economic development corporations to assist in providing financing for small businesses

in the state, amended by the House, and moved that the Senate concur in House amendment S—3651 filed April 16, 1987.

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. 493) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Hultman	Hutchins	Jensen	Kinley
Miller, C.P.	Taylor		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 424

Senator Carr called up for consideration Senate File 424, a bill for an act relating to the administration of the campaign finance disclosure laws, amended by the House in House amendment S—3600 filed April 15, 1987.

Senator Holden asked and received unanimous consent that action on House amendment S—3600 and **Senate File 424** be **deferred**.

UNFINISHED BUSINESS
(Deferred April 20, 1987)

House File 334

The Senate resumed consideration of House File 334, a bill for an act relating to cigarette and tobacco tax assessment periods, penalties and appeal periods, offsetting of claims against the state with a person's liabilities to the state, tax return confidentiality, the filing of sales and services tax refund claims, audit periods for sales, services, and use tax returns, use tax penalty, and penalties for interfering with department of revenue and finance employees in the performance of their duties and providing effective dates, deferred April 20, 1987.

Senator Holden offered amendment S—3166 filed by him on March 12, 1987, to the title page of the bill and moved its adoption.

Amendment S—3166 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 334) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Jensen	Lind
Lloyd-Jones	Mann	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Palmer

Absent or not voting, 5:

Hultman
Miller, C.P.

Hutchins

Kinley

Miller, A.V.

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

WITHDRAWN

Senator Dieleman asked and received unanimous consent that **Senate File 263** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS CALENDAR (Deferred April 10, 1987)

House File 661

On motion of Senator Holden, House File 661, a bill for an act creating an Iowa life and health insurance guaranty association, protecting persons, within limits, against the failure of certain life, health, and annuity contracts because of impairment or insolvency, specifying the powers and duties of the association, and providing administrative procedures and methods for the operation and financing of the association, including but not limited to the assessment of member insurers and the provision of a partial premium tax liability credit, was taken up for further consideration (substituted for Senate File 460 and deferred April 10, 1987).

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. 661) the vote was:

Ayes, 46:

Boswell
Corning
Drake
Gettings

Bruner
Deluhery
Fraise
Goodwin

Carr
Dieleman
Fuhrman
Gronstal

Coleman
Doyle
Gentleman
Hall

Hannon	Hester	Holden	Holt
Horn	Husak	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Hutchins	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.

WITHDRAWN

Senator Holden asked and received unanimous consent that **Senate File 460** be **withdrawn** from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 14, 1987)

House File 600

The Senate resumed consideration of House File 600, a bill for an act relating to elections and political activity and subjecting violators to a penalty, deferred April 14, 1987.

Senator Carr offered amendment S—3488 filed by the committee on State Government on April 9, 1987, to pages 1, 3 through 5, 9 through 11, 13, and 15 through 17 of the bill.

Senator Welsh offered amendment S—3660 filed by him on April 16, 1987, to pages 1, 3, 9, 10, 13, 14 and 16 of amendment S—3488 and moved its adoption.

Amendment S—3660 was adopted by a voice vote.

Senator Gentleman offered amendment S—3564 filed by her on April 14, 1987, to page 1 of amendment S—3488 and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 27.

Amendment S—3564 lost.

Senator Husak asked and received unanimous consent that action on amendment S—3488 as amended and **House File 600** be **deferred**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Welsh presiding.

President Zimmerman took the chair at 11:15 a.m.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 16, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 480, a bill for an act relating to things of value given to and received by public employees, officials, members of the general assembly, other persons serving in a public capacity, and candidates, mandating reporting of certain things of value, subjecting violators to penalties, and providing an effective date (S—3705).

ALSO: That the House has on April 16, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 474, a bill for an act relating to the waiver of homestead exemptions, and providing dates for the effectiveness and applicability of the Act.

ALSO: That the House has on April 16, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 671, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government for health and human rights, human services, the judicial branch, the department of justice, the

department of corrections, the board of parole, the auditor of state, campaign finance, employment services, inspections and appeals, employment relations, and commerce, and providing effective dates.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 21, 1987, insisted on its amendment to **Senate File 481**, a bill for an act relating to state tax revenues and expenditures by altering the individual income tax rates, withholding, standard deductions, and personal exemptions and credits; increasing the state sales, services, and use tax and providing for refunds for certain contractors as a result of that increase; adjusting the allowable growth under the school foundation formula; and the members of the **conference committee**, on the part of the House, are: The Representative from Johnson, Ms. Doderer, chair; the Representative from Linn, Mr. Brammer, the Representative from Polk, Ms. Carpenter, the Representative from Linn, Mr. Osterberg, and the Representative from Clinton, Mr. Schnekloth.

MOTION TO RECONSIDER WITHDRAWN

Senate File 28

Senator Welsh withdrew the motion to reconsider Senate File 28, a bill for an act relating to animal wastewater pollution by providing for an animal waste grant program, and requiring certain earthen manure storage facilities to meet technical standards, filed by him on February 2, 1987, and found on page 235 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 399 and 290 and House File 334** be immediately messaged to the House.

MOTION TO RECONSIDER WITHDRAWN

House File 488

Senator Mann withdrew the motion to reconsider House File 488, a bill for an act relating to the time period for a hearing on the revocation of a person's license for operating a motor vehicle while under the influence of alcohol or a drug, filed by him on April 20, 1987, and found on page 1407 of the Senate Journal.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:22 a.m., until 1:30 p.m.

APPENDIX

SUBCOMMITTEE ASSIGNMENTS

LSB 2949

APPROPRIATIONS: Welsh, Chair; Varn, Husak, Tieden and Jensen

LSB 6101

APPROPRIATIONS: Varn, Chair; Welsh, Lloyd-Jones, Tieden and Jensen

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 20, 1987, 5:25 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Schwengels and Varn.

Members Absent: Riordan and Sturgeon.

Committee Business: Assigned LSB 2949 (salary bill) to a subcommittee; assigned regents bonding bill to a subcommittee.

Adjourned: 5:35 p.m.

ENVIRONMENT AND ENERGY UTILITIES

Convened: April 20, 1987, 11:15 a.m.

Members Present: Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hultman, A. Miller, Murphy, Rife, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Discussed House File 631 and proposed amendments.

Recessed: 12:10 p.m.

Reconvened: 1:10 p.m.

Members Present: All members present.

Committee Business: Discussed House File 631 and proposed amendments.

Recessed: 1:30 p.m.

Reconvened: 5:40 p.m.

Members Present: All members present.

Committee Business: Recommended passage of House File 631 as amended.

Adjourned: 5:50 p.m.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which division S—3515A to House File 395 was adopted by the Senate on April 15, 1987.

EUGENE FRAISE

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 20, 1987, meeting with constituents on the clean water issue.

Had I been present, I would have voted "aye" on amendment S—3526 to amendment S—3485 to House File 167 and final passage of House Files 167, 460 and 654. I would have voted "nay" on amendment S—3671 to amendment S—3556 to House File 580.

WILLIAM W. DIELEMAN

BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 21, 1987, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 298, a bill for an act relating to the sale of alcoholic beverages, by allowing the alcoholic beverages division to assess a split-case charge when alcoholic liquor is sold in quantities which require a case to be split, by lowering the maximum markup on liquor sold by the division to class "E" licensees from sixty to fifty percent, by setting the bond for a class "E" license at a maximum of fifteen thousand dollars, by not requiring a bond from class "E" licensees who purchase alcoholic liquor from the division on a cash basis or by means that ensures that the division will receive full payment in advance of delivery, by providing for the issuance of a class "E" liquor control license to a city council in certain circumstances, by further restricting the issuance of a class "E" license to premises on or near which gasoline is sold, by allowing the division to deposit all the license fees collected from class "E" licensees in the beer and liquor control fund, by

allowing the advertisement of alcoholic liquor for sale, by repealing the fifty percent goods and services test to qualify for Sunday sales of alcoholic beverages or beer under a liquor control license or class "B" beer permit, by providing that a corporation only placing alcoholic liquor in bailment with the division is not doing business in Iowa for the purpose of determining its tax liability and making the provision retroactive, by requiring class "E" licensees to collect and refund the beverage container deposit on containers of alcoholic liquor, by striking a standing appropriation for the treatment of alcoholics, by allowing the division to sell liquor inventories in state stores to class "E" licensees at reduced prices as state stores are closed, and by allowing the division to continue sales of wine to class "A" and "B" wine permittees until inventories are depleted, by providing an appropriation to the department of health for the treatment of alcoholics from funds collected by the division for the deposit on containers of alcoholic liquor which are not disbursed in the payment of the refund, and providing an effective date.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-one second grade students from Waukee Elementary School, Waukee, Iowa, accompanied by Sue MacRae, Sally Bowman and Ms. Coppick-Groe. Senator Riordan and President Zimmerman.

AMENDMENTS FILED

S—3699	H.F.	429	Donald V. Doyle
S—3700	H.F.	429	Donald V. Doyle
S—3701	H.F.	649	George R. Kinley
			John E. Soorholtz
			Lee W. Holt
			John Nystrom
			Donald V. Doyle
			David M. Readinger
			William D. Palmer
			Leonard L. Boswell
			Norman J. Goodwin
			Wilmer Rensink
			Joe J. Welsh
			Jean Lloyd-Jones
			Charles P. Miller

Donald E. Gettings
 Charles Bruner
 John W. Jensen
 Richard Vande Hoef
 Kenneth Scott
 Alvin V. Miller
 Berl E. Priebe
 Jack W. Hester
 Bob Carr
 James Riordan
 Emil J. Husak
 Wally E. Horn
 Larry Murphy
 Al Sturgeon
 Forrest Schwengels
 Julia Gentleman
 Jim Lind
 C. Joseph Coleman
 Joy C. Corning
 Tom Mann, Jr.
 Lynn Fuhrman
 Charles Bruner
 Richard Drake
 Tom Mann, Jr.
 James Riordan
 House amendment
 Beverly Hannon
 Edgar Holden
 Julia Gentleman
 Tom Mann, Jr.
 Jim Lind

S-3702	H.F.	377
S-3703	H.F.	591
S-3704	H.F.	469
S-3705	S.F.	480
S-3706	H.F.	310
S-3707	H.F.	617
S-3708	H.F.	567
S-3709	H.F.	377
S-3710	H.F.	580

AFTERNOON SESSION

The Senate reconvened at 1:35 p.m., President Zimmerman 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.

BUSINESS PENDING

House File 600

The Senate resumed consideration of House File 600 and amendment S—3488 as amended by the committee on State Government, previously deferred.

Senator Gronstal offered amendment S—3524 filed by him on April 13, 1987, to page 9 of amendment S—3488 and moved its adoption.

Amendment S—3524 was adopted by a voice vote.

Senator Gronstal offered amendment S—3522 filed by him on April 13, 1987, to page 13 of amendment S—3488 and moved its adoption.

Amendment S—3522 was adopted by a voice vote.

With the adoption of amendment S—3660 to amendment S—3488, the Chair ruled amendment S—3519 filed by Senator Welsh on April 13, 1987, to pages 14 and 16 of amendment S—3488, out of order.

Senator Jensen raised the point of order that amendment S—3488 as amended was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3488 as amended in order.

Senator Carr moved the adoption of amendment S—3488 as amended.

A record roll call was requested.

On the question "Shall amendment S—3488 as amended be adopted?" (H.F. 600) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hall	Hannon	Holden
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Palmer	Peterson	Priebe	Readinger
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Varn	Wells	Welsh

Nays, 18:

Corning	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Hester	Holt
Horn	Hultman	Jensen	Murphy
Nystrom	Rensink	Rife	Schwengels
Tieden	Vande Hoef		

Amendment S—3488 as amended was adopted.

Senator Mann offered amendment S—3508 filed by him on April 10, 1987, to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 29.

Amendment S—3508 lost.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 600) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Fraise	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe

Riordan
Wells

Scott
Welsh

Sturgeon

Varn

Nays, 20:

Corning
Gentleman
Holt
Readinger
Soorholtz

Doyle
Goodwin
Hultman
Rensink
Taylor

Drake
Hester
Jensen
Rife
Tieden

Fuhrman
Holden
Nystrom
Schwengels
Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.C.R.	17	Natural Resources
H.F.	671	Appropriations

UNFINISHED BUSINESS (Deferred April 20, 1987)

House File 580

The Senate resumed consideration of House File 580, a bill for an act relating to the granting of leaves of absence to persons disabled by pregnancy, providing for their reinstatement, and providing for an employer's liability, and amendment S—3556 by Senator Mann to strike everything after the enacting clause and to the title page of the bill, deferred on April 20, 1987.

Senator Lind offered amendment S—3710 filed by him from the floor to amendment S—3556 and moved its adoption.

Amendment S—3710 was adopted by a voice vote.

Senator Readinger offered amendment S—3715 filed by Senators Readinger, Mann and Lind from the floor to amendment S—3556 and moved its adoption.

Amendment S—3715 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—3556 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—3556 as amended, the Chair ruled the following amendments out of order:

S—3503 filed by the committee on Business and Labor Relations on April 10, 1987, to page 2 of the bill.

S—3672 filed by Senator Lind on April 16, 1987, to page 1 of the bill.

S—3716 filed by Senator Lind from the floor to pages 1 and 2 of the bill.

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. 580) the vote was:

Ayes, 49:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Holden

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 20, 1987)

House File 310

The Senate resumed consideration of House File 310, a bill for an act relating to acquired immune deficiency syndrome including the establishment of a central registry for victims and screening and testing procedures, deferred on April 20, 1987.

Senator Hannon offered amendment S—3706 filed by her from the floor to page 1 of the bill and called for a division: lines 3 through 10 as division S—3706A and lines 11 through 15 as division S—3706B.

Senator Hannon withdrew division S—3706B.

Senator Hannon moved the adoption of division S—3706A, which motion prevailed 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. 310) the vote was:

Ayes, 50:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 600, 580 and 310** be **immediately messaged** to the House.

BUSINESS PENDING (House Amendment)

Senate File 424

The Senate resumed consideration of Senate File 424 and House amendment S—3600, previously deferred.

Senator Carr moved that the Senate concur in House amendment S—3600, which 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. 424) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Welsh

Nays, none.

Absent or not voting, 2:

Gettings	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.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 481** on the part of the Senate: Senators Bruner, Chair; Hultman, Drake, Husak and Kinley.

BILL 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 **State Government** and be returned to the Senate Calendar by 4:30 p.m., Thursday, April 23, 1987.

UNFINISHED BUSINESS CALENDAR (Deferred April 13, 1987)

House File 660

On motion of Senator Sturgeon, House File 660, a bill for an act relating to dependent adult abuse, providing penalties, and establishing an effective date, was taken up for further consideration (substituted for Senate File 104 and deferred April 13, 1987).

The Chair ruled amendment S—3539 filed by Senators Hannon and Gentleman on April 14, 1987, to page 2 of the bill out of order because the same subject matter had previously been considered by the Senate in amendment S—3310 to Senate File 104.

Senator Sturgeon offered amendment S—3460 filed by him on April 8, 1987, to page 4 of the bill and moved its adoption.

Amendment S—3460 was adopted by a voice vote.

Senator Riordan took the chair at 3:12 p.m.

Senator Welsh took the chair at 3:19 p.m.

Senator Sturgeon moved that the bill be read the last time now and placed upon its passage, 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, 38:

Boswell	Bruner	Carr	Coléman
Corning	Deluhery	Doyle	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hall	Holt	Horn	Hultman
Husak	Hutchins	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 11:

Dieleman	Drake	Gentleman	Hannon
Hester	Holden	Jensen	Mann
Rensink	Rife	Schwengels	

Absent or not voting, 1:

Kinley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Sturgeon asked and received unanimous consent that **Senate File 104** be **withdrawn** from further consideration of the Senate.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 660** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred April 20, 1987)

House File 395

The Senate resumed consideration of House File 395, a bill for an act relating to the taking of animals and subjecting violators to penalties, deferred April 20, 1987.

Senator Riordan took the chair at 3:27 p.m.

Senator Hall offered amendment S—3649 filed by Senators Hall, Tieden and Miller of Des Moines, on April 16, 1987, to page 21 of the bill and moved its adoption.

Amendment S—3649 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. 395) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake	Hultman	Hutchins
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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

Senator Fraise filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which House File 395 passed the Senate on April 21, 1987.

On the question "Shall the motion to reconsider be adopted?" (H.F. 395) the vote was:

Ayes, 40:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hester	Holden
Holt	Horn	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Nays, 2:

Hall	Tieden
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Absent or not voting, 8:

Bruner	Drake	Hultman	Husak
Kinley	Miller, C.P.	Taylor	Vande Hoef

The motion prevailed.

Senator Fraise moved to reconsider the vote by which House File 395 went to its last reading, which motion prevailed by a voice vote.

House File 395

On motion of Senator Tieden, House File 395, a bill for an act relating to the taking of animals and subjecting violators to penalties, was taken up for reconsideration.

Senator Fraise called up the motion to reconsider the vote by which division S—3515A was adopted by the Senate on April 15, 1987, filed by him on April 21, 1987, found on page 1425 of the Senate Journal and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 29.

The motion 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. 395) the vote was:

Ayes, 47:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 2:

Boswell	Fraise
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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.

Senator Horn asked and received unanimous consent that **House File 395** be immediately messaged to the House.

UNFINISHED BUSINESS
(Deferred April 16, 1987)

House File 620

The Senate resumed consideration of House File 620, a bill for an act relating to the acquisition and protection of significant elements of the state's natural open space heritage, deferred April 16, 1987.

Senator Hall offered amendment S—3464 filed by the committee on Natural Resources on April 8, 1987, to page 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 30, nays 6.

Amendment S—3464 was adopted.

Senator Hutchins asked and received unanimous consent that action on **House File 620** be deferred.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1987, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 219, a bill for an act providing for public grants and public education relating to adolescent pregnancy prevention and services by establishing a task force on adolescent pregnancy prevention and services, providing for pilot project grants relating to adolescent pregnancy prevention and services, and establishing a local advisory committee to public school boards regarding the inclusion or exclusion of human growth and development instruction in the school curriculum (S—3718).

Senate File 311, a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system, and providing a conditional effective date (S—3721).

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

APPENDIX

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 21, 1987, when the final vote was taken on Senate File 264.

Had I been present, I would have voted "aye".

DAVID READINGER

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twelve students from Iowa Lakes Community College, Esterville, Iowa, accompanied by Ken Nordstrom. Senator Holt.

AMENDMENTS FILED

S—3711	H.F.	633	Al Sturgeon
S—3712	H.F.	633	Al Sturgeon
S—3713	H.F.	631	Donald V. Doyle
S—3714	S.F.	373	Judiciary
S—3715	H.F.	580	David M. Readinger Tom Mann, Jr. Jim Lind
S—3716	H.F.	580	Jim Lind
S—3717	H.F.	377	Tom Mann, Jr.
S—3718	S.F.	219	House amendment
S—3719	H.F.	599	James Riordan Leonard Boswell Alvin V. Miller Berl Priebe Beverly Hannon William W. Dieleman Tom Mann, Jr. James Wells Kenneth Scott Eugene Fraise

			Donald Gettings
			Donald Doyle
			Charles P. Miller
			Charles Bruner
			Larry Murphy
			Wally E. Horn
			Jean Lloyd-Jones
			Emil J. Husak
			Joe Welsh
S—3720	H.F.	649	John W. Jensen
			Kenneth Scott
S—3721	S.F.	311	House amendment

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:08 p.m., until 9:00 a.m., Wednesday, April 22, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED FIRST CALENDAR DAY
SIXTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 22, 1987

The Senate met in regular session at 9:03 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Edgar H. Holden, member of the Senate from Scott County, Davenport, Iowa.

The Journal of Tuesday, April 21, 1987, was approved.

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 16, 1987)

House File 621

The Senate resumed consideration of House File 621, a bill for an act requiring the state vehicle dispatcher and other state agencies to solicit bids for ethanol-blended gasoline when advertising for bids for gasoline, deferred April 16, 1987.

Senator Hester moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 621) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings

Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Peterson	Priebe	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, none.

Absent or not voting, 8:

Drake	Hultman	Husak	Kinley
Miller, C.P.	Palmer	Readinger	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 16, 1987)

House File 634

The Senate resumed consideration of House File 634, a bill for an act relating to county moneys which may be allocated to the secondary road fund, deferred April 16, 1987.

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. 634) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, none.

Absent or not voting, 7:

Corning	Hannon	Husak	Kinley
Miller, C.P.	Readinger	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 16, 1987)

House File 636

The Senate resumed consideration of House File 636, a bill for an act relating to international trade by establishing the Iowa export business finance program, directing the department of economic development, to the extent funds are available, to provide for certain economic development activities and services, and suggesting the legislative council study the feasibility of establishing a world trade institute and its programs and activities, deferred April 16, 1987.

Senator Riordan offered amendment S—3544 filed by him on April 14, 1987, to page 6 of the bill and moved its adoption.

Amendment S—3544 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. 636) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon

Taylor
Wells

Tieden
Welsh

Vande Hoef

Varn

Nays, none.

Absent or not voting, 4:

Husak

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.

UNFINISHED BUSINESS (Deferred April 16, 1987)

House File 646

The Senate resumed consideration of House File 646, a bill for an act relating to the exchange of information regarding underground facilities and excavations affecting underground facilities, deferred April 16, 1987.

Senator Boswell offered amendment S—3518 filed by the committee on Small Business and Economic Development on April 13, 1987, to pages 2 through 4 of the bill.

Senator Boswell offered amendment S—3722 filed by him from the floor to amendment S—3518 and moved its adoption.

Amendment S—3722 was adopted by a voice vote.

Senator Boswell moved the adoption of amendment S—3518 as amended, which motion prevailed by a voice vote.

Senator Miller of Cerro Gordo withdrew amendment S—3628 filed by him on April 15, 1987, to page 4 of the bill.

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. 646) the vote was:

Ayes, 45:

Boswell
Corning

Bruner
Deluhery

Carr
Dieleman

Coleman
Doyle

Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Holden Tieden

Absent or not voting, 3:

Drake Mann Readinger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 16, 1987)

House File 633

The Senate resumed consideration of House File 633, a bill for an act relating to restrictions on the number of acres of agricultural land that authorized farm corporations or authorized trusts may acquire or otherwise obtain or lease, restricting persons from being shareholders or beneficiaries in more than a certain number of authorized farm corporations or authorized trusts, and providing penalties, deferred April 16, 1987.

Senator Sturgeon offered amendment S—3712 filed by him on April 21, 1987, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 35, nays 9.

Amendment S—3712 was adopted.

Senator Sturgeon withdrew amendment S—3711 filed by him on April 21, 1987, to page 1 of the bill.

Senator Vande Hoef asked and received unanimous consent that action on **House File 633** be deferred.

HOUSE AMENDMENTS CONSIDERED

Senate File 373

Senator Doyle called up for consideration Senate File 373, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities, amended by the House in House amendment S—3680 filed April 16, 1987.

Senator Mann offered amendment S—3714 filed by the committee on Judiciary on April 21, 1987, to pages 1, 26 and 27 of House amendment S—3680.

Senator Husak asked and received unanimous consent that action on House amendment S—3680, amendment S—3714 to House amendment S—3680 and **Senate File 373** be deferred.

Senate File 106

Senator Horn called up for consideration Senate File 106, a bill for an act relating to evaluations of the performance of school administrators including requiring the adoption of job descriptions and evaluation criteria and procedures, amended by the House, in House amendment S—3643 filed April 16, 1987.

Senator Husak asked and received unanimous consent that action on **Senate File 106** be deferred.

BUSINESS PENDING

Senate File 373

The Senate resumed consideration of Senate File 373, House amendment S—3680 and amendment S—3714 to House amendment S—3680, previously deferred.

Senator Mann moved the adoption of amendment S—3714 to pages 1, 26 and 27 of House amendment S—3680.

A non record roll call was requested.

The ayes were 28, nays 13.

Amendment S—3714 was adopted.

Senator Doyle moved that the Senate concur in House amendment S—3680 as amended, which 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 last time.

On the question “Shall the bill pass?” (S.F. 373) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Jensen

Absent or not voting, 2:

Mann Readinger

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the remainder of the day on request of Senator Holden and Senator Coleman for the remainder of the morning on request of Senator Hutchins.

BUSINESS PENDING

Senate File 106

The Senate resumed consideration of Senate File 106 and House amendment S—3643, previously deferred.

Senator Holden offered amendment S—3677 filed by him on April 16, 1987, to House amendment S—3643.

Senator Holden asked and received unanimous consent that action on House amendment S—3643, amendment S—3677 to House amendment S—3643 and **Senate File 106** be deferred.

HOUSE AMENDMENTS CONSIDERED

Senate File 222

Senator Hannon called up for consideration Senate File 222, a bill for an act to prohibit the sale or gift of smokeless tobacco to a minor and providing for application of a penalty, amended by the House, and moved that the Senate concur in House amendment S—3645 filed April 16, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hannon moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read last time.

On the question "Shall the bill pass?" (S.F. 222) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind

Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Tieden

Absent or not voting, 4:

Coleman	Drake	Hultman	Readerger
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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 Concurrent Resolution 11

Senator Gentleman called up for consideration Senate Concurrent Resolution 11, a concurrent resolution to petition the Federal Communications Commission to increase the wattage of KWDM, amended by the House, and moved that the Senate concur in House amendment S—3686 filed April 20, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gentleman moved that the resolution as amended by the House and concurred in by the Senate be adopted, which motion prevailed by a voice vote.

IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **House Files 621, 634, 636 and 646** and **Senate File 373** be **immediately messaged** to the House.

UNFINISHED BUSINESS
(Deferred April 15, 1987)

House File 658

The Senate resumed consideration of House File 658, a bill for an act relating to the allocation of the state ceiling on private activity bonds for tax-exempt purposes and providing an effective date, deferred April 15, 1987.

Senator Peterson offered amendment S—3604 filed by Senators Peterson and Priebe on April 15, 1987, to page 8 of the bill and moved its adoption.

Amendment S—3604 was adopted by a voice vote.

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. 658) the vote was:

Ayes, 46:

Boswell	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Bruner	Coleman	Hultman	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.

UNFINISHED BUSINESS
(Deferred April 16, 1987)

House File 380

The Senate resumed consideration of House File 380, a bill for an act relating to the contracting of indebtedness for county conservation purposes, deferred April 16, 1987.

Senator Hannon took the chair at 10:40 a.m.

Senator Rensink moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 380) the vote was:

Ayes, 42:

Boswell	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hall	Hester	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 3:

Gentleman	Holden	Peterson
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Absent or not voting, 5:

Bruner	Coleman	Hannon	Hultman
Readinger			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 16, 1987)

House File 472

The Senate resumed consideration of House File 472, a bill for an act to authorize the funding of state park and institutional

road projects and county conservation parkway projects from RISE funds, deferred April 16, 1987.

Senator Lloyd-Jones offered amendment S—3486 filed by the committee on Transportation on April 9, 1987, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3486 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 472) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Riordan
Schwengels	Scott	Sturgeon	Taylor
Tieden	Varn	Wells	Welsh

Nays, 9:

Drake	Fuhrman	Gentleman	Jensen
Peterson	Rensink	Rife	Soorholtz
Vande Hoef			

Absent or not voting, 5:

Coleman	Hester	Hultman	Mann
Readinger			

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 16, 1987)

House File 79

The Senate resumed consideration of House File 79, a bill for an act prohibiting smoking in certain public places and providing a penalty, deferred on April 16, 1987.

Senator Gentleman offered amendment S—3348 filed by the committee on State Government on April 1, 1987, to pages 1 and 3 of the bill.

Senator Carr called for a division of amendment S—3348: lines 3 through 6 as division S—3348A and lines 7 through 13 as division S—3348B.

Senator Holden asked and received unanimous consent that action on divisions S—3348A and S—3348B be deferred.

President Zimmerman took the chair at 11:10 a.m.

Senator Holden offered amendment S—3334 filed by him on March 31, 1987, to pages 1, 2 and 3 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—3334 and **House File 79** be deferred (divisions S—3348A and S—3348B pending).

BILL IN COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 631** remain in the joint committees on **Agriculture** and **Natural Resources** and returned to the Senate Calendar by 12:00 noon, Thursday, April 23, 1987.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 13, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 341, a bill for an act relating to the standard of proof required under forfeiture of property law.

ALSO: That the House has on April 20, 1987, passed the following bills in which the concurrence of the House was asked:

Senate File 130, a bill for an act to provide that moneys deposited in the barrel tax fund and the gallonage tax fund shall not revert to the state general fund without a specific appropriation, and providing for retroactive applicability of the Act.

Senate File 177, a bill for an act relating to the disposal of dead animals.

ALSO: That the House has on April 20, 1987, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

House File 170, a bill for an act to authorize the sale of the corporate shell of an insolvent insurance company and providing an effective date.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 35, by Committee on Appropriations, a concurrent resolution relating to the board of regents ten-year building program.

Read first time and placed on the Appropriations Calendar.

INTRODUCTION OF BILL

Senate File 504, by Committee on Appropriations, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, by providing adjustments for salaries, by providing coverage and adjustments for health, life, disability and dental insurance, by changing retirement benefits received by certain members of the Iowa public employees' retirement system, by creating a county compensation board and specifying its duties, by making coordinating amendments to the Code, and by providing effective dates.

Read first time and placed on the Appropriations Calendar.

RECESS

On motion of Senator Hutchins, the Senate recessed at 11:14 a.m., until 1:15 p.m.

APPENDIX

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE CONCURRENT RESOLUTION 35, a concurrent resolution relating to the board of regents ten-year building program.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Welsh, Husak, Boswell, Dieleman, Fraise, Gettings, Jensen, Lind, Lloyd-Jones, Peterson, Riordan and Varn. Nays, 4: Tieden, Corning, Holt and Sturgeon. Absent or not voting, 2: Readinger and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 504, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, by providing adjustments for salaries, by providing coverage and adjustments for health, life, disability and dental insurance, by changing retirement benefits received by certain members of the Iowa public employees' retirement system, by creating a county compensation board and specifying its duties, by making coordinating amendments to the Code, and by providing effective dates.

Recommendation: APPROVED COMMITTEE RESOLUTION.

Final Vote: Ayes, 12: Welsh, Husak, Boswell, Fraise, Gettings, Jensen, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, 5: Tieden, Corning, Holt, Lind and Schwengels. Absent or not voting, 1: Dieleman.

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 from:

DEPARTMENT OF MANAGEMENT

A copy of the annual report of the Energy Fund Disbursement Council pursuant to Section 93.11(3) of the Code of Iowa. Received April 21, 1987.

DEPARTMENT OF NATURAL RESOURCES

A copy of the biennial report "Water Quality in Iowa During 1984 and 1985" prepared by the Surface and Groundwater Protection Bureau of the Environmental Protection Division of the Iowa Department of Natural Resources pursuant to Section 305b of the federal Clean Water Act. Received April 21, 1987.

DEPARTMENT OF HUMAN SERVICES

Two copies of a report entitled, "Report on the Bill of Rights for Persons with Mental Retardation, Developmental Disabilities or Chronic Mental Illness" pursuant to Chapter 249, Section 7 of the Acts of the 71st General Assembly, 1985 Session. Received April 22, 1987.

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES**

Convened: April 21, 1987, 10:55 a.m.

Members Present: Riordan, Chair; Hall, Vice Chair; Hester, Ranking Member; Priebe and Tieden.

Members Absent: none.

Committee Business: Subcommittee approved and submitted LSB 2942 to the full Appropriations Committee.

Adjourned: 11:10 a.m.

APPROPRIATIONS

Convened: April 21, 1987, 4:20 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Approved LSB 6101 and LSB 2949 as committee bills.

Adjourned: 5:02 p.m.

JUDICIARY

Convened: April 21, 1987, 11:00 a.m.

Members Present: Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Horn, Taylor and Varn.

Members Absent: Hester.

Committee Business: Adopted a committee amendment to the House amendment to Senate File 373.

Adjourned: 11:15 a.m.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 21, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 209 — Exempting gas public utilities having less than two thousand customers from the rate regulation authority of the utilities board and defining the areas in which such utilities remain subject to regulation and providing an effective date.

SENATE FILE 382 — Relating to Soil Conservation districts, by changing the name to soil and water conservation districts.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-nine members of the committees on Agriculture and Economics from Baden-Wuerttemberg, Germany, including the president of the Parliament and Mr. Link, Agriculture Chairman. Senators Hutchins and Priebe.

Ninety fifth grade students from Crossroads Park Elementary School, West Des Moines, Iowa, accompanied by Judy Anderson, Ms. Vukavich and Ms. Winegardener. Senator Gentleman.

The following visitors were present in the Senate gallery:

Sixty sixth grade students from Bryant Elementary School, Boone, Iowa, accompanied by Mrs. Orr. Senator Nystrom.

AMENDMENTS FILED

S—3722	H.F.	646	Leonard Boswell
S—3723	H.F.	79	Joe Welsh
			Jack Rife
			Linn Fuhrman
			William Palmer
			Alvin V. Miller
			John Soorholtz
			Forrest Schwengels
			Richard Drake
			John Nystrom
			Emil Husak
			C. Joseph Coleman
			James Riordan
S—3724	S.F.	282	Donald V. Doyle
S—3725	H.F.	671	Jamed Wells
S—3726	H.F.	79	Joe Welsh

AFTERNOON SESSION

The Senate reconvened at 1:25 p.m., President Zimmerman presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

COMMITTEE FROM THE HOUSE

A committee from the House appeared and announced that the House was ready to receive the Senate in joint convention.

In accordance with House Concurrent Resolution 6, duly adopted, the Senate proceeded to the House under the direction of the Secretary of the Senate and the Sergeant-at-arms.

JOINT CONVENTION PIONEER LAWMAKERS Forty-ninth Biennial Session House Chamber - 1:30 p.m.

In accordance with House Concurrent Resolution 6, the joint convention was called to order, President Zimmerman presiding.

President Zimmerman declared a quorum present and the joint convention duly organized.

Senator Hutchins moved that a committee of four be appointed to escort the Pioneer Lawmakers into the House chamber.

The motion prevailed by a voice vote and the President appointed as such committee Senators Coleman and Holt and Representatives Pavich and Halverson from Clayton.

The committee escorted the Pioneer Lawmakers to seats in the House chamber.

President Zimmerman presented the Honorable George R. Kinley, President pro tempore of the Senate, who welcomed the Pioneer Lawmakers on behalf of the Senate.

President Zimmerman presented the Honorable John Connors, Speaker pro tempore of the House of Representatives, who welcomed the Pioneer Lawmakers on behalf of the House of Representatives.

President Zimmerman presented the Honorable Eugene Hill, former member of the Senate from Jasper County, who responded to the welcome.

Senator Hill announced the legislators who were eligible to become members of the Pioneer Lawmakers and that George A. Wilson, lobbyist from West Des Moines and Kenneth Sullivan, journalist from Cedar Rapids, were awarded honorary membership in the Pioneer Lawmakers Association.

President Zimmerman then presented the Honorable Edward A. Wearin, Red Oak, Iowa, member of the Iowa Senate from 1961 to 1964, who addressed the joint convention.

Representative Connors moved that the joint convention be dissolved.

The motion prevailed by a voice vote.

The Senate returned to the Senate chamber and resumed regular session, President Zimmerman 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

House File 79

The Senate resumed consideration of House File 79, divisions S—3348A and S—3348B and amendment S—3334 to pages 1 through 3 of the bill, previously deferred.

Senator Holden moved the adoption of amendment S—3334.

A non record roll call was requested.

The ayes were 13, nays 36.

Amendment S—3334 lost.

Senator Gentleman moved the adoption of division S—3348A.

A non record roll call was requested.

The ayes were 23, nays 26.

Division S—3348A lost.

Senator Holden offered amendment S—3371 filed by him on April 2, 1987, to division S—3348B and moved its adoption.

Amendment S—3371 was adopted by a voice vote.

Senator Lloyd-Jones moved the adoption of division S—3348B as amended, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—3726 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—3726 was adopted by a voice vote.

Senator Welsh offered amendment S—3723 filed by Senators Welsh, et al., from the floor to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3723 be adopted?" (H.F. 79) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 22:

Coleman	Doyle	Drake	Fuhrman
Goodwin	Holden	Holt	Horn
Husak	Hutchins	Kinley	Miller, A.V.
Nystrom	Palmer	Peterson	Readinger
Rife	Riordan	Schwengels	Soorholtz
Tieden	Welsh		

Nays, 26:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Fraise	Gentleman

Gettings	Gronstal	Hall	Hannon
Jensen	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Priebe	Rensink
Scott	Sturgeon	Taylor	Vande Hoef
Varn	Wells		

Absent or not voting, 2:

Hester Hultman

Amendment S—3723 lost.

Senator Holden offered amendment S—3333 filed by him on March 31, 1987, to pages 3 and 4 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 26, nays 23.

Amendment S—3333 was adopted.

Senator Welsh withdrew amendment S—3738 filed by him from the floor to page 4 of the bill.

Senator Fraise filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3723 to House File 79 failed to be adopted by the Senate on April 22, 1987.

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.

The motion prevailed and amendment S—3723 to page 2 of the bill, was taken up for reconsideration.

Senator Hutchins asked and received unanimous consent that action on amendment S—3723 and **House File 79** be deferred.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 20, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 139, a bill for an act relating to economic development, by declaring economic development as a public purpose and by allowing money received from the county government assistance fund or the municipal assistance fund to be used for economic development projects (S—3730).

INTRODUCTION OF BILL

Senate File 505, by Committee on Ways and Means, a bill for an act relating to property taxes by allowing an income tax credit for owning or renting a homestead, adjusting the elderly and disabled homestead credit and reimbursement schedule, decreasing the school foundation property tax levy, and freezing state aid under the school foundation formula and providing effective dates.

Read first time and placed on the Ways and Means Calendar.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 658 and 380** be immediately messaged to the House.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 22, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 272 — Repealing a pilot program regarding second opinions on elective surgery for medical assistance recipients.

HOUSE FILE 427 — Relating to reprisals and orders with respect to certain disclosures of information by state employees, and providing a penalty.

HOUSE FILE 607 — Relating to the maximum age for participation in an organized amateur boxing contest.

HOUSE FILE 612 — Relating to appeal of a magistrate's decision.

HOUSE FILE 630 — Relating to state liability for torts committed by juveniles while performing community service assignments pursuant to an order of the juvenile court.

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 505 (SSB 245), a bill for an act relating to property taxes by allowing an income tax credit for owning or renting a homestead, adjusting the elderly and disabled homestead credit and reimbursement schedule, decreasing the school foundation property tax levy, and freezing state aid under the school foundation formula and providing effective dates.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Bruner, Boswell, Husak, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Hester, Holt and Soorholtz. Nays, 2: Drake and Holden. Absent or not voting, 1: Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 589, a bill for an act to strike the repeal of the tax for equipment replacement at the area schools.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt and Soorholtz. Nays, none. Absent or not voting, 1: Readinger.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 590, a bill for an act relating to the declaration of value on the transfer of property by certain federal agencies and instrumentalities.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bruner, Husak, Boswell, Gronstal, Dieleman, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt and Soorholtz. Nays, none. Absent or not voting, 1: Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 605, a bill for an act relating to the state sales, services, and use tax and the local option hotel-motel tax on the rental of the mobile homes and the spaces within them.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt and Soorholtz. Nays, none. Absent or not voting, 1: Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 666, a bill for an act to provide that a homestead tax credit claim need not be refiled when the homestead is transferred to one of the spouses pursuant to a dissolution of marriage.

Recommendation: DO PASS.

Final Vote: Ayes, 14: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt and Soorholtz. Nays, none. Absent or not voting, 1: Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED**SSB 246 Ways and Means**

Relating to investment pools for raising funds to be used for investment in certain small businesses by authorizing the boards of directors of area schools to approve the plans for organizing such investment pools and providing an individual income tax credit for taxpayers who place funds into such investment pools.

SSB 247 Appropriations

Making an appropriation for the support of the engineering and land surveying examining board and revising certain statutory provisions relating to engineering and land surveying services.

SUBCOMMITTEE ASSIGNMENTS**SSB 246**

WAYS AND MEANS: Boswell, Chair; Holden and Gronstal

House File 601

STATE GOVERNMENT: Gronstal, Chair; Welsh and Schwengels

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 22nd day of April, 1987:

Senate Files 451, 381, 13, 273, 428, 265, 388, 257, 463, 105, 129, 198, 90, 231, 292, 316, 76, 338, 470, 459 and 161.

JOHN F. DWYER
Secretary of the Senate

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 76, the following technical correction was made:

1. Title page, line 1, the words "third party payor" was changed to the words "third-party payor".

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 13, the following technical correction was made:

1. Page 2, line 35, the words "Section 554.9307 is amended" was changed to the words "Section 554.9307, Code 1987, is amended".

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 292, the following technical correction was made:

1. Page 1, line 15, the words "standard-making" was changed to "standards-making".

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 470, the following technical correction was made:

1. Page 3, line 5, the words "publicly-traded equity" were changed to the words "publicly traded equity".

JOHN F. DWYER
Secretary of the Senate

AMENDMENTS FILED

S—3727	H.F.	429	Donald Doyle
S—3728	H.F.	650	Beverly Hannon Al Sturgeon Julia Gentleman Michael Gronstal Jean Lloyd-Jones Bob Carr Joy Corning Charles Bruner
S—3729	H.F.	650	Beverly Hannon Al Sturgeon Julia Gentleman Michael Gronstal Jean Lloyd-Jones Bob Carr Joy Corning Charles Bruner
S—3730	S.F.	139	House amendment

S—3731	H.F.	429	Donald V. Doyle
S—3732	S.F.	311	C. Joseph Coleman
S—3733	H.F.	617	Forrest V. Schwengels
S—3734	H.F.	649	John W. Jensen Kenneth Scott Jack Hester
S—3735	H.F.	518	Ray Taylor
S—3736	H.F.	518	Ray Taylor
S—3737	H.F.	518	Edgar H. Holden
S—3738	H.F.	79	Joe J. Welsh
S—3739	H.F.	617	Forrest Schwengels
S—3740	H.F.	79	Joe J. Welsh

RECESS

On motion of Senator Hutchins, the Senate recessed at 5:34 p.m., until 7:30 p.m.

EVENING SESSION

The Senate reconvened at 7:30 p.m. in the Senate chamber for a joint Senate and House memorial session, Senator Coleman presiding.

JOINT MEMORIAL SERVICE

“The Lord’s Prayer”.....Albert Hay Malotte
Senator Jack Hester, accompanied by Clarretta De Groot

MEMORIALS — SENATE

Reading: Senator Beverly Hannon

MEMORIALS — HOUSE

Reading: Representative Janet Adams

MEMORIALS — SENATE

Reading: Senator Jim Lind

MEMORIALS — HOUSE

Reading: Representative Dennis M. Cohoon

“Joy Comes In The Morning”.....Bill Gaither
Harriet Vande Hoef

MEMORIAL — HOUSE AND SENATE

Reading: Senator Lee Holt

MEMORIALS — HOUSE

Reading: Representative Russell J. Eddie

MEMORIALS — SENATE

Reading: Senator William Dieleman

“Day By Day”.....Lina Sandell Berg
Senator and Mrs. Ray Taylor, accompanied by Gerry Rydell

MEMORIALS — HOUSE

Reading: Representative Josephine Gruhn

MEMORIALS — SENATE

Reading: Senator Hurley Hall

IN MEMORIAM

SERVED IN THE HOUSE OF REPRESENTATIVES AND SENATE

Honorable Thomas Lind (Black Hawk County) House—67th (2nd), 68th, 69th, 69x
and 69xx. (Black Hawk County) Senate—70th and 71st (1st).

SERVED IN THE SENATE

Honorable G.D. “Don” Bellman (Warren County) 55th and 56th.

Honorable Louis P. Culver (Crawford County) 66th, 67th and 68th.

Honorable Elvie L. Dreezen (Ida County) 69th.

Honorable Arthur H. Jacobson (Allamakee County) 51st, 52nd, 52x, 53rd and 54th.

Honorable Eli C. Myrland (Monona County) 55th, 56th, 57th and 58th.

Honorable John A. Neighbour (Lucas County) 71st (1st).

Honorable Carroll L. Price (Marion County) 58th and 59th.

Honorable Don A. Risk (Buchanan County) 53rd, 54th, 55th and 56th.

Honorable Richard Turner (Pottawattamie County) 59th, 60th and 60x.

Honorable Loyd H. Van Patten (Warren County) 53rd and 54th.

SERVED IN THE HOUSE OF REPRESENTATIVES

Honorable Albert H. Detje (Tama) 61st.

Honorable Keith H. Dunton (Keokuk) 58th, 59th, 60th, 60x, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th and 67x.

Honorable William M. Fandel (Palo Alto) 53rd.

Honorable Harry R. Gittins (Pottawattamie) 59th, 60th, 60x and 62nd.

Honorable Roscoe E. Greenwood (Mills) 57th and 58th.

Honorable Millard F. Hicklin (Louisa) 50th, 50x, 51st, 52nd, 52x and 53rd.

Honorable Frank T. McGill (Sioux) 46th and 46x.

Honorable Fred Mohrfeld (Tama) 62nd and 63rd.

Honorable Andrew J. Nielsen (Pottawattamie) 49th, 50th, 50x, 51st, 52nd and 52x.

Honorable James E. Patton (Delaware) 58th, 59th, 60th, 60x, 61st and 62nd.

Honorable George L. Paul (Poweshiek) 52nd, 52x, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th and 60x.

Honorable Amos Peterson (Chickasaw) 55th and 56th.

Honorable Jack A. Rooney (Pottawattamie) 58th.

Honorable Hillman H. Sersland (Winneshiek) 55th, 56th, 57th, 58th, 59th, 60th and 60x.

Honorable Walden T. Smith (Des Moines) 52nd and 52x.

Honorable Nathan F. Sorg (Linn) 62nd, 63rd and 64th.

Honorable Lyle R. Stephens (Plymouth) 65th, 66th, 67th and 67x.

Honorable Charles F. Strothman (Henry) 60th, 60x, 61st, 62nd, 63rd, 64th and 65th.

Honorable Henry W. Wormley (Plymouth) 50th, 50x and 51st.

Candlelighters

Senator Joy Corning
Senator Eugene Fraise
Representative Ron J. Corbett
Representative Mary A. Lundby

Hosts

Senator Leonard L. Boswell
Senator Donald Doyle
Senator Dale Tieden
Representative Jack Beaman
Representative Kenneth De Groot
Representative Teresa Garman

SENATE MEMORIAL COMMITTEE

Honorable C. Joseph Coleman, Chair
Honorable Donald V. Doyle
Honorable Lee Holt
Honorable Forrest V. Schwengels

HOUSE MEMORIAL COMMITTEE

Honorable Mark A. Haverland, Chair
Honorable Betty Jean Clark
Honorable Kenneth De Groot
Honorable Josephine Gruhn

ADJOURNMENT

On motion of Senator Doyle, the Senate adjourned at 8:10 p.m., until 9:00 a.m., Thursday, April 23, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED SECOND CALENDAR DAY
SIXTY-SIXTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 23, 1987

The Senate met in regular session at 9:16 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable William W. Dieleman, member of the Senate from Marion County, Pella, Iowa.

The Journal of Wednesday, April 22, 1987, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 216, a bill for an act allowing therapeutically certified optometrists to employ and supply certain pharmaceutical agents and to treat certain conditions (S-3742).

ALSO: That the House has on April 21, 1987, adopted the following concurrent resolution in which the concurrence of the House was asked:

Senate Concurrent Resolution 20, a concurrent resolution urging the postmaster general to issue a special commemorative stamp to honor Harry Lloyd Hopkins.

ALSO: That the House has on April 21, 1987, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 241, a bill for an act requiring Iowa state university of science and technology to use resources connected with institutions of the Iowa department of corrections, in order to conduct agricultural research, development, and testing projects.

House File 346, a bill for an act relating to temporary certificates issued by the board of medical examiners and the board of podiatry examiners.

House File 464, a bill for an act relating to the receipt and sale of protected game, fur-bearing animal, or fish by a nonprofit corporation.

House File 492, a bill for an act regarding schedule I, schedule II, and schedule IV controlled substances.

House File 494, a bill for an act requiring mobile home dealers to apply for a certificate of title for certain used mobile homes acquired by the dealers and making penalties applicable.

ALSO: That the House has on April 21, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 673, a bill for an act to impose the premium tax on risk retention groups.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 22, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 327, a bill for an act increasing the tax on tobacco products and on cigarettes and little cigars and imposing an inventory tax on cigarettes and little cigars, unused tax stamps and metered imprints and providing an effective date.

This bill was read first time and **passed on file**.

HOUSE AMENDMENT CONSIDERED

Senate File 70

Senator Scott called up for consideration Senate File 70, a bill for an act relating to motor vehicle fuel pumps and public scales by revising provisions governing licensing, inspection, calibration, and sealing by the department of agriculture and land stewardship and providing a penalty, amended by the House, and moved that the Senate concur in House amendment S—3601 filed April 15, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Scott 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.

Senator Priebe filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the last reading of Senate File 70 on April 23, 1987.

The motion lost by a voice vote.

On the question "Shall the bill pass?" (S.F. 70) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, none.

Voting present, 1:

Lind

Absent or not voting, 3:

Dieleman	Kinley	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.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman 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.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Fraise presiding.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 15, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 276, a bill for an act relating to the regulation of long-term care insurance (S—3752).

ALSO: That the House has on April 21, 1987, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 479, a bill for an act relating to the use and application of pesticides and making penalties applicable (S—3753).

Senate File 461, a bill for an act relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all satellite terminals in this state or their data processing centers be directly connected to a central routing unit (S—3751).

ALSO: That the House has on April 21, 1987, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 371, a bill for an act authorizing the state department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, providing penalties, and providing an effective date (S—3750 to H—3360).

RECESS

On motion of Senator Husak, the Senate recessed at 12:08 p.m., until 1:30 p.m.

APPENDIX**REPORTS OF COMMITTEE MEETINGS****APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

Convened: April 22, 1987, 5:15 p.m.

Members Present: Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

Members Absent: none.

Committee Business: Subcommittee amended and approved proposed appropriations bill.

Adjourned: 5:21 p.m.

JOINT MEETING OF THE COMMITTEES ON AGRICULTURE AND NATURAL RESOURCES

Convened: April 21, 1987, 11:00 a.m.

Members Present: Priebe and Hall, Co-Chairs; A. Miller and Priebe, Co-Vice Chairs; Hester and Schwengels, Co-Ranking Members; Boswell, Fraise, Fuhrman, Goodwin, Husak, Peterson, Rensink, Scott, Soorholtz, Vande Hoef, Doyle, Hannon and Tieden.

Members Absent: none.

Committee Business: Discussed House File 631.

Adjourned: 11:44 a.m.

JOINT MEETING OF THE COMMITTEES ON AGRICULTURE AND NATURAL RESOURCES

Convened: April 21, 1987, 5:03 p.m.

Members Present: Priebe and Hall, Co-Chairs; A. Miller and Priebe, Co-Vice Chairs; Hester and Schwengels, Co-Ranking Members; Boswell, Fraise, Fuhrman, Goodwin, Husak, Peterson, Rensink, Scott, Soorholtz, Vande Hoef, Doyle, Hannon and Tieden.

Members Absent: none.

Committee Business: Discussed House File 631.

Adjourned: 6:00 p.m.

**JOINT MEETING OF THE COMMITTEES ON AGRICULTURE AND
NATURAL RESOURCES**

Convened: April 22, 1987, 1:25 p.m.

Members Present: Priebe and Hall, Co-Chairs; A. Miller and Priebe, Co-Vice Chairs; Hester and Schwengels, Co-Ranking Members; Boswell, Fraise, Fuhrman, Goodwin, Husak, Peterson, Rensink, Scott, Soorholtz, Vande Hoef, Doyle and Tieden.

Members Absent: Hannon.

Committee Business: Discussed House File 631.

Adjourned: 3:25 p.m.

WAYS AND MEANS

Convened: April 22, 1987, 11:15 a.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Drake, Hester, Holt and Soorholtz.

Members Absent: Readinger.

Committee Business: Assigned bills to subcommittees; recommended passage of House Files 590, 589, 605 and 666; approved SSB 245 as a committee bill.

Adjourned: 11:30 a.m.

COMMUNICATION

The following communication was received in the office of the Secretary of the Senate:

Dear Secretaries, Senators, Staff, Doormen and all my friends:

Thank you for the beautiful flower and lovely robe.

Your thoughtfulness is greatly appreciated. Enjoyed reading the cards and hearing from all of you.

I am feeling better every day and hope to see you before the session ends.

God bless you all,
BEVERLEY GETTINGS

EXPLANATIONS OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 23, 1987. Had I been present, I would have voted "aye" on Senate File 70.

WILLIAM W. DIELEMAN

MADAM PRESIDENT: On the final vote on House Files 658 and 380 on April 22, 1987, I attempted to vote from the floor, and although the President announced my vote, it was not recorded on the voting system. If it had been recorded, my votes would have been "aye" on both bills.

CHARLES BRUNER

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-four twelfth grade students from Urbana High School, Urbana, Iowa, accompanied by Sharyl Stulken and Harlan Bell. Senator Husak.

Thirty-six eighth grade students from Pella Christian School, Pella, Iowa, accompanied by Jim Deboef. Senator Dieleman.

Thirty-five fifth grade students from Sacred Heart School, West Des Moines, Iowa, accompanied by Sue Bata. Senator Gentleman.

Forty-six fifth grade students from Hanawalt Elementary School, Des Moines, Iowa, accompanied by Sue Renaud. Senator Gentleman.

Sixty-two twelfth grade students from Belle Plaine Senior High School, Belle Plaine, Iowa, accompanied by Jeff Henderson. Senator Husak.

Ninety-five twelfth grade students from Johnston High School, Johnston, Iowa, accompanied by David Pitz, Larry Strickler and Pat Kinsey. Senator Palmer.

The following visitors were present in the Senate gallery:

Nineteen twelfth grade students from Nesco High School, Zearing, Iowa, accompanied by Jack Roberts. Senator Nystrom.

Twenty-eight eighth grade students from West Harrison Junior/Senior High School, Mondamin, Iowa, accompanied by Darlene Hime, Daniel Penkert and LeRoy Clark. Senator Hester.

AMENDMENTS FILED

S-3741	H.F.	567	Tom Mann, Jr.
S-3742	S.F.	216	House amendment
S-3743	S.F.	501	William Dieleman
S-3744	S.F.	504	John W. Jensen Julia Gentleman
S-3745	H.F.	590	Edgar Holden
S-3746	S.F.	311	C. Joseph Coleman
S-3747	H.F.	518	Hurley Hall
S-3748	S.F.	351	Forrest Schwengels
S-3749	S.F.	504	Bill Hutchins Calvin Hultman Bob Carr John Nystrom Joe Welsh
S-3750	H.F.	371	House amendment
S-3751	S.F.	461	House amendment
S-3752	S.F.	276	House amendment
S-3753	S.F.	479	House amendment
S-3754	H.F.	631	Tom Mann, Jr.
S-3755	H.F.	631	Tom Mann, Jr.
S-3756	H.F.	631	Tom Mann, Jr.

AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., President Zimmerman presiding.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 21, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 469, a bill for an act relating to the confinement and treatment of persons convicted of a violation of operating a motor vehicle while intoxicated by requiring counties to provide temporary confinement for offenders under the supervision of the department of corrections who violate the conditions of treatment programs, by providing that a work release program may include out-of-state work or treatment placement, by specifying that an offender committing a third offense shall serve the minimum thirty-day term in the county jail, and may be sentenced to up to one year in the county jail, by providing that a person convicted of a second or subsequent offense shall be ordered to undergo a substance abuse evaluation, by providing that a person convicted of a third or subsequent offense or an offender whose substance abuse evaluation recommended treatment may be sentenced to the custody of the department of corrections who shall assign the person to a facility pursuant to section 246.513 or to treatment in the community under supervision of the department, by requiring judicial district departments of correctional services to provide programs for offenders under chapter 321J, by providing that a requirement for a mandatory minimum sentence for repeat offenders shall not apply to offenders under chapter 321J, and by providing that an offender under chapter 321J who is under the supervision of the department of corrections shall receive a clothing allowance and expense money allotted to inmates when the offender is assigned to a community-based corrections program (S—3757).

QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

UNFINISHED BUSINESS (Deferred April 22, 1987)

Senate File 106

The Senate resumed consideration of Senate File 106, a bill for an act relating to evaluations of the performance of school administrators including requiring the adoption of job descriptions and evaluation criteria and procedures, House amendment S—3643 and amendment S—3677 to House amendment S—3643, deferred April 22, 1987.

Senator Holden moved the adoption of amendment S—3677 to House amendment S—3643, which motion lost by a voice vote.

Senator Horn moved that the Senate concur in House amendment S—3643, which 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. 106) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Drake

Tieden

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 Zimmerman 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.

COMMITTEE REPORT

JOINT MEETING OF THE COMMITTEES ON AGRICULTURE AND NATURAL RESOURCES

Final Bill Action: HOUSE FILE 631, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing effective dates, and by providing for other properly related matters.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—3770 and 3771.

Final Vote: (Agriculture): Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Goodwin, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. (Natural Resources): Hall, Priebe, Schwengels, Doyle, Goodwin, Hester, Husak, Rensink, Peterson, Scott and Tieden. Nays, 1: Hannon.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 631** be referred from the Regular Calendar to the committee on **Ways and Means** and returned to the Senate Calendar by 10:00 a.m., Friday, April 24, 1987.

HOUSE AMENDMENT CONSIDERED

Senate File 311

Senator Gettings called up for consideration Senate File 311, a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system, and providing a conditional effective date, amended by the House in House amendment S—3721 filed April 21, 1987.

Senator Coleman offered amendment S—3746 filed by him from the floor to House amendment S—3721.

Senator Coleman asked and received unanimous consent that action on amendment S—3746 to House amendment S—3721 be deferred.

Senator Coleman offered amendment S—3732 filed by him on April 22, 1987, to House amendment S—3721.

Senator Jensen asked and received unanimous consent that action on House amendment S—3721 and **Senate File 311** be **deferred** (amendments S—3746 and S—3732 to House amendment S—3721 pending).

CONSIDERATION OF RESOLUTION (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 35.

Senate Concurrent Resolution 35

On motion of Senator Varn, Senate Concurrent Resolution 35, a concurrent resolution relating to the board of regents ten-year building program, was taken up for consideration.

Senator Hannon asked and received unanimous consent that action **Senate Concurrent Resolution 35** be deferred.

BUSINESS PENDING

Senate File 311

The Senate resumed consideration of Senate File 311, House amendment S—3721 and amendments S—3746 and S—3732 to House amendment S—3721, previously deferred.

Senator Coleman moved the adoption of amendment S—3732 to House amendment S—3721.

A non record roll call was requested.

The ayes were 27, nays 21.

Amendment S—3732 was adopted.

Senator Coleman moved the adoption of amendment S—3746 to House amendment S—3721, which motion prevailed by a voice vote.

Senator Gettings moved that the Senate concur in House amendment S—3721 as amended.

A non record roll call was requested.

The ayes were 18, nays 29.

The motion lost and the Senate **refused to concur** in House amendment S—3721 as amended.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 504.

Senate File 504

On motion of Senator Welsh, Senate File 504, a bill for an act relating to the compensation and benefits for public officials and employees by specifying salary rates and ranges, by providing adjustments for salaries, by providing coverage and adjustments

for health, life, disability and dental insurance, by changing retirement benefits received by certain members of the Iowa public employees' retirement system, by creating a county compensation board and specifying its duties, by making coordinating amendments to the Code, and by providing effective dates, was taken up for consideration.

Senator Kinley offered amendment S—3760 filed by Senators Kinley, et al., from the floor to page 1 of the bill and moved its adoption.

Amendment S—3760 was adopted by a voice vote.

Senator Gettings offered amendment S—3769 filed by him from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—3769 was adopted by a voice vote.

Senator Gentleman offered amendment S—3761 filed by her from the floor to pages 12 and 13 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3761 be adopted?" (S.F. 504) the vote was:

Ayes, 10:

Corning	Gentleman	Goodwin	Gronstal
Hester	Holden	Lind	Palmer
Taylor	Tieden		

Nays, 39:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Hall
Hannon	Holt	Horn	Hultman
Hutchins	Jensen	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Vande Hoef
Varn	Wells	Welsh	

Absent or not voting, 1:

Husak

Amendment S—3761 lost.

Senator Kinley offered amendment S—3762 filed by Senators Kinley, et al., from the floor to pages 12 through 14 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3762 be adopted?” (S.F. 504) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Corning	Gentleman	Goodwin	Hall
Hannon	Hester	Holden	Holt
Hultman	Kinley	Lind	Palmer
Priebe	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	

Nays, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Horn	Hutchins	Jensen	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Readinger	Rensink
Rife	Riordan	Schwengels	Varn
Wells	Welsh		

Absent or not voting, 1:

Husak

Amendment S—3762 lost.

Senator Hutchins offered amendment S—3749 filed by Senators Hutchins, et al., from the floor to pages 13 and 14 of the bill and moved its adoption.

Amendment S—3749 was adopted by a voice vote.

Senator Jensen offered amendment S—3744 filed by Senators Jensen and Gentleman from the floor to page 14 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3744 be adopted?" (S.F. 504) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Corning	Drake	Fraise
Gentleman	Goodwin	Gronstal	Hall
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Miller, C.P.	Nystrom	Palmer	Readinger
Rensink	Schwengels	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	

Nays, 22:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fuhrman	Gettings
Hannon	Holt	Kinley	Lloyd-Jones
Miller, A.V.	Murphy	Peterson	Priebe
Rife	Riordan	Scott	Soorholtz
Wells	Welsh		

Absent or not voting, 1:

Mann

Amendment S—3744 was adopted.

Senator Gentleman offered amendment S—3763 filed by her from the floor to pages 15 through 17 and 19 through 23 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—3763 be adopted?" (S.F. 504) the vote was:

Ayes, 17:

Corning	Gentleman	Goodwin	Hannon
Hester	Holden	Holt	Kinley
Lind	Palmer	Rensink	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef			

Nays, 33:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hall	Horn	Hultman	Husak
Hutchins	Jensen	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rife
Riordan	Schwengels	Varn	Wells
Welsh			

Amendment S—3763 lost.

Senator Welsh offered amendment S—3768 filed by Senators Welsh and Varn from the floor to page 22 of the bill.

Senator Hultman raised the point of order that amendment S—3768 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3768 in order.

Senator Welsh moved the adoption of amendment S—3768, which motion prevailed by a voice vote.

Senator Lind offered amendment S—3773 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—3773 lost 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. 504) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Horn
Hutchins	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Readinger	Rensink	Riordan

Schwengels	Sturgeon	Varn	Wells
Welsh			

Nays, 21:

Boswell	Corning	Gentleman	Goodwin
Hall	Hannon	Hester	Holden
Holt	Hultman	Husak	Jensen
Kinley	Lind	Priebe	Rife
Scott	Soorholtz	Taylor	Tieden
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 504** be immediately messaged to the House.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	327	Ways and Means
H.F.	673	Ways and Means

BUSINESS PENDING

Senate Concurrent Resolution 35

The Senate resumed consideration of Senate Concurrent Resolution 35, previously deferred.

Senator Hannon offered amendment S—3772 filed by her from the floor to page 4 of the resolution, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3772 be adopted?” (S.C.R. 35) the vote was:

Ayes, 14:

Bruner	Carr	Deluhery	Fraise
Gronstal	Hannon	Lloyd-Jones	Mann
Murphy	Priebe	Riordan	Scott
Sturgeon	Welsh		

Nays, 34:

Boswell	Coleman	Corning	Dieleman
Doyle	Drake	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Readinger	Rensink	Rife
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells		

Absent or not voting, 2:

Hultman	Schwengels
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Amendment S—3772 lost.

Senator Gentleman offered amendment S—3776 filed by her from the floor to page 5 of the resolution and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 23.

Amendment S—3776 lost.

Senator Varn moved the adoption of Senate Concurrent Resolution 35.

On the question "Shall the resolution be adopted?" (S.C.R. 35) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Boswell	Bruner	Carr	Deluhery
Dieleman	Fraise	Gettings	Goodwin
Gronstal	Horn	Husak	Hutchins
Jensen	Lind	Lloyd-Jones	Miller, A.V.

Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Riordan
Scott	Tieden	Varn	Welsh

Nays, 16:

Coleman	Corning	Doyle	Drake
Fuhrman	Gentleman	Hall	Hannon
Hester	Kinley	Mann	Palmer
Rife	Soorholtz	Sturgeon	Taylor

Absent or not voting, 6:

Holden	Holt	Hultman	Schwengels
Vande Hoef	Wells		

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 35** be **immediately messaged** to the House.

HOUSE AMENDMENT CONSIDERED

Senate File 219

Senator Hannon called up for consideration Senate File 219, a bill for an act providing for public grants and public education relating to adolescent pregnancy prevention and services by establishing a task force on adolescent pregnancy prevention and services, providing for pilot project grants relating to adolescent pregnancy prevention and services, and establishing a local advisory committee to public school boards regarding the inclusion or exclusion of human growth and development instruction in the school curriculum, amended by the House in House amendment S—3718 filed April 21, 1987.

Senator Rensink offered amendment S—3758 filed by him from the floor to House amendment S—3718.

Senator Hannon raised the point of order that amendment S—3758 to House amendment S—3718 was not germane.

The Chair ruled the point not well taken and amendment S—3758 in order.

Senator Rensink moved the adoption of amendment S—3758 to House amendment S—3718.

Amendment S—3758 lost by a voice vote.

Senator Corning asked and received unanimous consent that action on House amendment S—3718 and **Senate File 219** be deferred.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 22, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 458, a bill for an act relating to the abatement of taxes by the county (S—3767).

ALSO: That the House has on April 22, 1987, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 398, a bill for an act relating to water districts, by providing for water service within two miles of a city and by providing for the determination and apportionment of cost attributed to the annexation of land.

House File 506, a bill for an act relating to the regulation of the insurance business conducted in the state by the insurance division of the department of commerce.

APPENDIX

COMMITTEE REPORTS

STATE GOVERNMENT

Final Bill Action: SENATE FILE 501, a bill for an act relating to the organization and procedures of state government, by making modifications to the authority for and procedures relating to governmental budget and finance administration, by making modifications in the authority for and procedures relating to state personnel administration, by making modifications to the powers, procedures, and structure of certain state governmental agencies, by making adjustments to the 1986 legislation reorganizing state government, by making other related adjustments and modifications, and by providing an effective date.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3765.

Final Vote: Ayes, 9: Carr, Dieleman, Nystrom, Bruner, Gronstal, Lloyd-Jones, Horn, C. Miller and Welsh. Nays, 4: Coleman, Drake, Gentleman and Rife. Absent or not voting, 2: Schwengels and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 601, a bill for an act relating to organ and tissue identification and transplantation, by creating a commission to develop a state plan for human organ and tissue transplants and requiring certain criteria in the state plan including organ and tissue procurement, registration and distribution, recipient selection criteria, transplant center eligibility, informed consent, confidentiality, and costs, requiring a certificate of need for certain transplant services, specifying a protocol for organ and tissue identification in hospitals, specifying duties of the Iowa department of public health and the department of human services, and the collection of information regarding organ and tissue transplants.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3764.

Final Vote: Ayes, 11: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gronstal, Lloyd-Jones, Horn, C. Miller and Welsh. Nays, 2: Gentleman and Rife. Absent or not voting, 2: Schwengels and Soorholtz.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 23, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 76 — Relating to third party payor reimbursements for patient charges at a mental health institute.

SENATE FILE 90 — Relating to the county responsible for payment of costs for commitment or admission to a state hospital for the mentally ill.

SENATE FILE 129 — Relating to the sale of unused highway right of way by the county board of supervisors.

SENATE FILE 161 — Relating to the sentence to be served by a person convicted as an habitual offender of the motor vehicle laws.

HOUSE FILE 134 — Relating to the delegation of the authority to prevent, abate, or control air pollution.

HOUSE FILE 207 — Relating to the approval of chemical substitutes and antagonists program.

HOUSE FILE 583 — Relating to the procedures for adopting or amending county zoning ordinances.

HOUSE FILE 614 — Relating to sales of funeral services and funeral merchandise, revising regulatory and reporting provisions, requiring disclosures, requiring permits, providing penalties, providing for the applicability of the act, and providing an effective date.

HOUSE FILE 641 — Relating to the wastewater treatment facility and making variances granted subject to the review of the environmental protection commission.

PRESENTATION OF VISITORS

The following visitors were present in the Senate gallery:

Twenty-seven twelfth grade students from Central Webster Schools, Burnside, Iowa, accompanied by Jim Ainslie. Senator Coleman.

Twenty sixth grade students from Gilmore City-Bradgate Community School, Gilmore City, Iowa, accompanied by Harold Troyer. Senator Priebe.

Fifty-five ninth grade students from Lake Mills Senior High School, Lake Mills, Iowa accompanied by Bill Byrnes. Senator A. Miller.

AMENDMENTS FILED

S—3757	S. F.	469	House amendment
S—3758	S. F.	219	Wilmer Rensink
S—3759	H. F.	666	William Dieleman
S—3760	S. F.	504	George Kinley Richard Drake James Wells Wally E. Horn Donald V. Doyle Tom Mann, Jr.
S—3761	S. F.	504	Julia Gentleman
S—3762	S. F.	504	George Kinley Berl Priebe Dale Tieden Jim Lind
S—3763	S. F.	504	Julia Gentleman
S—3764	H. F.	601	State Government
S—3765	S. F.	501	State Government
S—3766	H. F.	650	Wally Horn
S—3767	S. F.	458	House amendment
S—3768	S. F.	504	Joe Welsh Richard Varn
S—3769	S. F.	504	Don Gettings
S—3770	H. F.	631	Agriculture & Natural Resources
S—3771	H. F.	631	Agriculture & Natural Resources
S—3772	S. C. R.	35	Beverly Hannon
S—3773	S. F.	504	Jim Lind
S—3774	S. F.	501	Bob Carr
S—3775	H. F.	599	Ray Taylor Donald V. Doyle Richard Varn
S—3776	S. C. R.	35	Julia Gentleman
S—3777	H. F.	650	Larry Murphy
S—3778	H. F.	650	Wally Horn

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:12 p.m., until 9:00 a.m., Friday, April 24, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED THIRD CALENDAR DAY
SIXTY-SEVENTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, April 24, 1987

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Lee W. Holt, member of the Senate from Clay County, Spencer, Iowa.

The Journal of Thursday, April 23, 1987, was approved.

HOUSE AMENDMENT CONSIDERED

Senate File 216

Senator Dieleman called up for consideration Senate File 216, a bill for an act allowing therapeutically certified optometrists to employ and supply certain pharmaceutical agents and to treat certain conditions, amended by the House, and moved that the Senate concur in House amendment S—3742 filed April 23, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate 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. 216) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gronstal	Hannon
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Peterson	Rensink	Rife	Riordan

Schwengels
Tieden

Scott
Vande Hoef

Soorholtz
Varn

Taylor
Wells

Nays, 7:

Corning
Holden

Gentleman
Lind

Goodwin
Readinger

Hall

Absent or not voting, 7:

Gettings
Priebe

Kinley
Sturgeon

Miller, A.V.
Welsh

Palmer

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 311 be immediately messaged to the House.

HOUSE AMENDMENT CONSIDERED (Deferred April 23, 1987)

Senate File 219

The Senate resumed consideration of Senate File 219, a bill for an act providing for public grants and public education relating to adolescent pregnancy prevention and services by establishing a task force on adolescent pregnancy prevention and services, providing for pilot project grants relating to adolescent pregnancy prevention and services, and establishing a local advisory committee to public school boards regarding the inclusion or exclusion of human growth and development instruction in the school curriculum, and House amendment S—3718, deferred on April 23, 1987.

Senator Hannon moved that the Senate concur in House amendment S—3718, which motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hannon moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 219) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hannon	Hester	Horn
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Palmer	Peterson	Readinger
Rife	Riordan	Soorholtz	Sturgeon
Varn	Wells		

Nays, 16:

Dieleman	Fuhrman	Hall	Holden
Holt	Husak	Hutchins	Jensen
Nystrom	Priebe	Rensink	Schwengels
Scott	Taylor	Tieden	Vande Hoef

Absent or not voting, 4:

Hultman	Kinley	Murphy	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 AMENDMENT CONSIDERED

Senate File 469

Senator Doyle called up for consideration Senate File 469, a bill for an act relating to the confinement and treatment of persons convicted of a violation of operating a motor vehicle while intoxicated by requiring counties to provide temporary confinement for offenders under the supervision of the department of corrections who violate the conditions of treatment programs, by providing that a work release program may include out-of-state work or treatment placement, by specifying that an offender committing a third offense shall serve the minimum thirty-day term in the county jail, and may be sentenced to up to one year in the county jail, by providing that a person convicted of a second or subsequent offense shall be ordered to undergo a substance abuse evaluation, by providing that a person convicted of a third or subsequent offense or an offender whose substance abuse evaluation recommended treatment may be sentenced to the

custody of the department of corrections who shall assign the person to a facility pursuant to section 246.513 or to treatment in the community under supervision of the department, by requiring judicial district departments of correctional services to provide programs for offenders under chapter 321J, by providing that a requirement for a mandatory minimum sentence for repeat offenders shall not apply to offenders under chapter 321J, and by providing that an offender under chapter 321J who is under the supervision of the department of corrections shall receive a clothing allowance and expense money allotted to inmates when the offender is assigned to a community-based corrections program, amended by the House, and moved that the Senate concur in House amendment S—3757 filed April 23, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate 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. 469) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells			

Nays, none.

Absent or not voting, 5:

Drake	Hultman	Kinley	Miller, A.V.
Welsh			

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 Files 589 and 605.

House File 589

On motion of Senator Murphy, House File 589, a bill for an act to strike the repeal of the tax for equipment replacement at the area schools, 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. 589) the vote was:

Ayes, 39:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Soorholtz	Sturgeon
Taylor	Tieden	Wells	

Nays, 6:

Carr	Fuhrman	Goodwin	Peterson
Scott	Varn		

Absent or not voting, 5:

Hultman	Kinley	Miller, A.V.	Vande Hoef
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

House File 605

On motion of Senator Murphy, House File 605, a bill for an act relating to the state sales, services, and use tax and the local option hotel-motel tax on the rental of the mobile homes and the spaces within them, 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. 605) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, 2:

Gentleman	Peterson
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Absent or not voting, 2:

Kinley	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 16, 1987)

House File 650

The Senate resumed consideration of House File 650, a bill for an act relating to providing private instruction and this Act is repealed July 1, 1990, deferred April 16, 1987.

Senator Horn offered amendment S—3778 filed by him on April 23, 1987, to strike everything after the enacting clause of the bill.

Senator Horn asked and received unanimous consent that action on amendment S—3778 be deferred.

Senator Murphy offered amendment S—3785 filed by him from the floor to strike everything after the enacting clause of the bill.

Senator Taylor offered amendment S—3791 filed by him from the floor to amendment S—3785, moved its adoption and requested a record roll call.

On the question “Shall amendment S—3791 to amendment S—3785 be adopted?” (H.F. 650) the vote was:

Ayes, 20:

Boswell	Coleman	Dieleman	Doyle
Gentleman	Goodwin	Holden	Holt
Jensen	Kinley	Lind	Nystrom
Palmer	Rensink	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 27:

Bruner	Carr	Corning	Deluhery
Fraise	Fuhrman	Gettings	Gronstal
Hall	Hannon	Hester	Horn
Husak	Hutchins	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Peterson
Priebe	Readinger	Rife	Riordan
Sturgeon	Varn	Wells	

Absent or not voting, 3:

Drake	Hultman	Welsh
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Amendment S—3791 lost.

Senator Murphy moved the adoption of amendment S—3785 and requested a record roll call.

On the question “Shall amendment S—3785 be adopted?” (H.F. 650) the vote was:

Ayes, 3:

Holden	Rensink	Schwengels
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Nays, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Horn	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	Varn
Wells			

Absent or not voting, 6:

Drake	Holt	Hultman	Jensen
Sturgeon	Welsh		

Amendment S—3785 lost.

President pro tempore Kinley took the chair at 11:00 a.m.

Senator Horn moved the adoption of amendment S—3778, previously deferred.

A record roll call was requested.

On the question “Shall amendment S—3778 be adopted?” (H.F. 650) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Bruner	Corning	Drake	Gettings
Gronstal	Hall	Hannon	Horn

Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Readinger	Rife
Sturgeon	Varn	Wells	

Nays, 25:

Boswell	Coleman	Deluhery	Dieleman
Doyle	Fraise	Fuhrman	Gentleman
Goodwin	Holden	Holt	Hultman
Jensen	Lind	Miller, C.P.	Nystrom
Rensink	Riordan	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Welsh			

Absent or not voting, 2:

Carr	Hester
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Amendment S—3778 lost.

Senator Dieleman offered amendment S—3510 filed by the committee on Education on April 10, 1987, to pages 1 through 4 and the title page of the bill.

Senator Murphy offered amendment S—3786 filed by him from the floor to pages 1 through 4 of amendment S—3510 and called for a division:

Division S—3786A: Page 1, lines 15 through 32.

Division S—3786B: Page 1, lines 4 through 14 and lines 33 through 50; pages 2, 3, 4 and lines 1 through 24 of page 5.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson for the remainder of the day on request of Senator Husak.

BUSINESS PENDING

House File 650

The Senate resumed consideration of House File 650.

Senator Murphy moved the adoption of division S—3786A and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 26.

Division S—3786A lost.

Senator Murphy withdrew division S—3786B.

Senator Dieleman offered amendment S—3779 filed by him from the floor to pages 1 and 4 of amendment S—3510 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 20, nays 29.

Amendment S—3779 lost.

Senator Hutchins asked and received unanimous consent that action on amendment S—3510 be deferred.

Senator Riordan filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3778 to House File 650 failed to be adopted by the Senate on April 24, 1987.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (H.F. 650) the vote was:

Ayes, 26:

Bruner	Carr	Coleman	Corning
Deluhery	Fuhrman	Gettings	Gronstal
Hannon	Hester	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Palmer	Readinger
Rife	Riordan	Sturgeon	Varn
Wells	Welsh		

Nays, 22:

Dieleman	Doyle	Drake	Fraise
Gentleman	Goodwin	Hall	Holden
Holt	Hultman	Jensen	Lind
Miller, C.P.	Nystrom	Priebe	Rensink
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef		

Absent or not voting, 2:

Boswell Peterson

The motion prevailed and amendment S—3778 by Senator Horn to strike everything after the enacting clause of the bill, was taken up for reconsideration.

Senator Taylor asked and received unanimous consent that action on amendment S—3778 and **House File 650** be deferred (amendment S—3510 pending).

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 23, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 471, a bill for an act relating to indemnification and limitation on liability of directors and officers and to liability of persons who volunteer services to the state or a municipality or a nonprofit organization (S—3798).

ALSO: That the House has on April 24, 1987, passed the following concurrent resolution in which the concurrence of the Senate is asked:

House Concurrent Resolution 35, a concurrent resolution suggesting that “Quality and Productivity” be made a theme for the marketing of the state.

This bill was read first time and **passed on file**.

INTRODUCTION OF BILLS

Senate File 506, by Hutchins and Hultman, a bill for an act relating to the expanding employment incentive under the unemployment compensation law and providing for the Act's applicability.

Read first time and **passed on file**.

Senate File 507, by Hutchins and Hultman, a bill for an act relating to the adoption of a benefit ratio unemployment compensation contribution array system and providing for the Act's applicability.

Read first time and **passed on file**.

Senate File 508, by Committee on Ways and Means, a bill for an act relating to investment pools for raising funds to be used for investment in certain small businesses by authorizing the boards of directors of area schools to approve the plans for organizing such investment pools and providing an individual income tax credit for taxpayers who place funds into such investment pools.

Read first time and **placed on the Ways and Means Calendar**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:22 p.m., until 1:30 p.m.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

JOINT MEETING OF THE COMMITTEES ON AGRICULTURE AND NATURAL RESOURCES

Convened: April 23, 1987, 10:50 a.m.

Members Present: Priebe and Hall, Co-Chairs; A. Miller and Priebe, Co-Vice Chairs; Hester and Schwengels, Co-Ranking Members; Boswell (arrived 11:10 a.m.), Fraise, Fuhrman, Goodwin, Husak, Peterson, Rensink, Scott (arrived 11:20 a.m.), Soorholtz, Vande Hoef, Doyle, Hannon and Tieden.

Members Absent: none.

Committee Business: Recommended passage of House File 631 as amended.

Adjourned: 11:40 a.m.

STATE GOVERNMENT

Convened: April 23, 1987, 11:46 a.m.

Members Present: Carr, Chair; Dieleman, Vice Chair (arrived 11:56 a.m.); Nystrom, Ranking Member; Bruner, Coleman, Gronstal, Drake, Gentleman, Lloyd-Jones, Horn, C. Miller, Rife and Welsh.

Members Absent: Schwengels and Soorholtz (both excused).

Committee Business: Recommended passage of Senate File 501 as amended and House File 601 as amended.

Adjourned: 12:20 p.m.

COMMITTEE REPORTS

WAYS AND MEANS

Final Bill Action: SENATE FILE 508 (SSB 246), a bill for an act relating to investment pools for raising funds to be used for investment in certain small businesses by authorizing the boards of directors of area schools to approve the plans for organizing such investment pools and providing an individual income tax credit for taxpayers who place funds into such investment pools.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 9: Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Riordan, Drake and Soorholtz. Nays, 4: Bruner, Holden, Holt and Hester. Absent or not voting, 2: Readinger and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 631, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing effective dates, and by providing for other properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Bruner, Husak, Gronstal, Murphy, Soorholtz, Drake, Mann, Dieleman, Boswell, Riordan and Hester. Nays, 2: Holden and Holt. Absent or not voting, 2: Readinger and Palmer.

Fiscal Note: REQUIRED UNDER JOINT RULE 17.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-five eighth grade students from St. Edwards School, Waterloo, Iowa, accompanied by Don Sullivan. Senators Corning and Lind.

Twenty-seven sixth grade students from the Netherlands Reformed Christian School, Rock Valley, Iowa, accompanied by Elaine Obbink. Senator Rensink.

The following visitors were present in the Senate gallery:

Sixty sixth grade students from Garner-Hayfield Junior High School, Garner, Iowa, accompanied by Leanne Carroll, Sandy Stille and Nancy Nelson. Senator Priebe.

Forty fourth grade students from Grimes Elementary School, Grimes, Iowa, accompanied by Ardith Jenison. Senator Palmer.

AMENDMENTS FILED

S-3779	H.F.	650	William Dieleman
S-3780	H.F.	631	Jack Rife
S-3781	H.F.	567	Tom Mann, Jr.
S-3782	H.F.	631	Jack Hester
S-3783	H.F.	631	Jack Hester Hurley Hall
S-3784	H.F.	469	James Wells
S-3785	H.F.	650	Larry Murphy
S-3786	H.F.	650	Larry Murphy
S-3787	H.F.	650	Ray Taylor
S-3788	H.F.	631	Michael Gronstal Forrest Schwengels
S-3789	H.F.	631	Michael Gronstal Forrest Schwengels
S-3790	H.F.	631	Hurley Hall Richard Vande Hoef Berl Priebe Linn Fuhrman
S-3791	H.F.	650	Ray Taylor
S-3792	H.F.	631	Larry Murphy
S-3793	H.F.	631	James Riordan
S-3794	H.F.	631	James Riordan
S-3795	H.F.	631	Patrick J. Deluhery Berl E. Priebe Hurley W. Hall
S-3796	H.F.	631	James Riordan
S-3797	H.F.	631	James Riordan
S-3798	S.F.	471	House amendment
S-3799	H.F.	631	James Riordan
S-3800	H.F.	631	Jack Hester Hurley Hall

AFTERNOON SESSION

The Senate reconvened at 1:39 p.m., President Zimmerman presiding.

QUORUM CALL

Senator Gronstal requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Gronstal asked and received unanimous consent to take up out of order House File 590.

House File 590

On motion of Senator Mann, House File 590, a bill for an act relating to the declaration of value on the transfer of property by certain federal agencies and instrumentalities, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—3745 filed by him on April 23, 1987, to pages 1 and 2 of the bill.

Senator Mann raised the point of order that amendment S—3745 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3745 in order.

Senator Holden moved the adoption of amendment S—3745.

Amendment S—3745 lost 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. 590) the vote was:

Ayes, 40:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells

Nays, none.

Absent or not voting, 10:

Bruner	Carr	Drake	Hultman
Husak	Kinley	Nystrom	Peterson
Tieden	Welsh		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 631.

House File 631

On motion of Senator Deluhery, House File 631, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing effective dates, and by providing for other properly related matters, with report of committee on Environment and Energy Utilities recommending amendment and passage, and report of committees on Agriculture and Natural

Resources recommending amendments and passage, was taken up for consideration.

Senator Deluhery offered amendment S—3698 filed by the committee on Environment and Energy Utilities on April 20, 1987, to pages 1 through 4, 6 through 11, 14, 20 through 22, 25 through 35, 37, 40 through 42, 45, 48, 50 and 58 of the bill.

Senator Priebe offered amendment S—3771 filed by the committees on Agriculture and Natural Resources on April 23, 1987, to pages 1 through 4, 6, 7, 9, 10, 12 and 13 of amendment S—3698 and moved its adoption.

Amendment S—3771 was adopted by a voice vote.

With the adoption of amendment S—3771 to amendment S—3698, the Chair ruled amendment S—3754 filed by Senator Mann on April 23, 1987, to pages 1 and 2 of amendment S—3698, out of order.

Senator Mann offered amendment S—3755 filed by him on April 23, 1987, to page 1 of amendment S—3698 and moved its adoption.

Amendment S—3755 lost by a voice vote.

With the adoption of amendment S—3771 to amendment S—3698, the Chair ruled amendment S—3794 filed by Senator Riordan from the floor to page 2 of amendment S—3698, out of order.

Senator Riordan offered amendment S—3797 filed by him from the floor to page 6 of amendment S—3698 and moved its adoption.

Amendment S—3797 was adopted by a voice vote.

With the adoption of amendment S—3771 to amendment S—3698, the Chair ruled amendment S—3801 filed by Senators Hall, et al., from the floor to page 10 of amendment S—3698, out of order.

Senator Murphy offered amendment S—3792 filed by him from the floor to page 12 of amendment S—3698 and moved its adoption.

Amendment S—3792 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—3698 as amended, which motion prevailed by a voice vote.

Senator Hall offered amendment S—3770 filed by the committees on Agriculture and Natural Resources on April 23, 1987, to pages 2 through 5, 7 through 11, 20, 25 through 28, 30 through 33, 35, 45, 49 through 50 and 53 through 59 of the bill and called for a division:

Division S—3770A: Page 1, lines 3 through 15; page 2, lines 8 through 50; pages 3 and 4; page 5, lines 1 through 11 and 33 through 50; page 6; page 7, lines 1 through 26.

Division S—3770B: Page 1, lines 16 through 50; page 2, lines 1 through 7; page 5, lines 12 through 32.

Senator Hall asked and received unanimous consent to withdraw division S—3770B.

Senator Riordan withdrew amendment S—3793 filed by him from the floor to page 4 of division S—3770A.

Senator Riordan withdrew amendment S—3799 filed by him from the floor to page 4 of division S—3770A.

Senator Boswell offered amendment S—3809 filed by him from the floor to page 4 of division S—3770A and moved its adoption.

Amendment S—3809 was adopted by a voice vote.

Senator Deluhery offered amendment S—3795 filed by Senators Deluhery, Priebe and Hall from the floor to page 4 of division S—3770A and moved its adoption.

Amendment S—3795 was adopted by a voice vote.

Senator Deluhery offered amendment S—3807 filed by Senators Deluhery, Hall and Priebe from the floor to page 5 of division S—3770A and moved its adoption.

Amendment S—3807 was adopted by a voice vote.

Senator Hall moved the adoption of division S—3770A as amended, which motion prevailed by a voice vote.

Senator Welsh raised a point of order that with the adoption of division S—3770 as amended, House File 631 should be referred to the committee on Appropriations.

The Chair ruled the point well taken.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Vande Hoef for the remainder of the day on request of Senator Hultman and Senator Gettings for the remainder of the day on request of Senator Gronstal.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. F.	506	Business and Labor Relations
S. F.	507	Business and Labor Relations
H. C. R.	35	Small Business & Economic Development

BUSINESS PENDING

House File 631

The Senate resumed consideration of House File 631.

Senator Rife offered amendment S—3780 filed by him from the floor to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3780 be adopted?" (H.F. 631) the vote was:

Ayes, 31:

Boswell	Coleman	Corning	Doyle
Drake	Fraise	Fuhrman	Goodwin
Hall	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A. V.
Palmer	Peterson	Priebe	Readinger

Rensink
Soorholtz

Rife
Taylor

Schwengels
Tieden

Scott

Nays, 15:

Bruner
Gentleman
Miller, C.P.
Varn

Carr
Gronstal
Murphy
Wells

Deluhery
Hannon
Riordan
Welsh

Dieleman
Lloyd-Jones
Sturgeon

Absent or not voting, 4:

Gettings

Mann

Nystrom

Vande Hoef

Amendment S—3780 was adopted.

Senator Hutchins asked unanimous consent that action on House File 631 be deferred.

Senator Hutchins withdrew his request.

Senator Murphy withdrew amendment S—3516 filed by him on April 10, 1987, to pages 9 and 27 of the bill.

Senator Hester offered amendment S—3782 filed by him from the floor to page 15 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 15.

Amendment S—3782 was adopted.

With the adoption of amendment S—3698 as amended, the Chair ruled the following amendments out of order:

S—3804 filed by Senators Drake and Gronstal from the floor to pages 23 and 25 of the bill.

S—3805 filed by Senators Drake and Gronstal from the floor to page 25 of the bill.

Senator Hall offered amendment S—3810 filed by Senators Hall, et al., from the floor to page 32 of the bill and moved its adoption.

Amendment S—3810 was adopted by a voice vote.

With the adoption of amendment S—3698 as amended, the Chair ruled amendment S—3790 filed by Senators Hall, et al., from the floor to pages 34 and 35 of the bill, out of order.

Senator Hester offered amendment S—3800 filed by Senators Hester and Hall from the floor to page 45 of the bill and moved its adoption.

Amendment S—3800 was adopted by a voice vote.

Senator Hester asked and received unanimous consent to withdraw amendment S—3783 filed by Senators Hester and Hall from the floor to page 45 of the bill.

Senator Mann withdrew amendment S—3756 filed by him on April 23, 1987, to page 1 of the bill.

Senator Gronstal offered amendment S—3788 filed by Senators Gronstal and Schwengels from the floor to page 49 of the bill and moved its adoption.

Amendment S—3788 was adopted by a voice vote.

Senator Doyle offered amendment S—3713 filed by him on April 21, 1987, to pages 49 and 52 of the bill and moved its adoption.

Amendment S—3713 was adopted by a voice vote.

Senator Gronstal offered amendment S—3789 filed by Senators Gronstal and Schwengels from the floor to pages 50 and 51 of the bill and called for a division: lines 3 and 4 as division S—3789A; lines 5 through 45 as division S—3789B.

Senator Gronstal asked and received unanimous consent to withdraw division S—3789A.

Senator Gronstal called for a further division of division S—3789B: lines 5 through 26 as division S—3789B and lines 27 through 45 as division S—3789C.

Senator Gronstal asked and received unanimous consent to withdraw division S—3789B.

Senator Gronstal moved the adoption of division S—3789C, which motion prevailed by a voice vote.

Senator Murphy offered amendment S—3511 filed by him on April 10, 1987, to page 50 of the bill and called for a division: lines 3 through 17 as division S—3511A and lines 18 through 23 as division S—3511B.

Senator Murphy withdrew division S—3511B.

Senator Murphy moved the adoption of division S—3511A, which motion lost by a voice vote.

Senator Riordan offered amendment S—3796 filed by him from the floor to page 51 of the bill and moved its adoption.

Amendment S—3796 was adopted by a voice vote.

Senator Priebe offered amendment S—3812 filed by him from the floor to page 32 of the bill and moved its adoption.

Amendment S—3812 was adopted by a voice vote.

Senator Hall filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3770A as amended to House File 631 was adopted by the Senate on April 24, 1987.

The motion prevailed by a voice vote and division S—3770A was taken up for reconsideration.

Senator Hall called for a further division of division S—3770A:

Division S—3770A: Page 1, lines 3 through 7 and 9 through 14; page 2, lines 8 through 50; page 3; page 4, lines 1 through 38; page 5, lines 34 through 50; page 6; page 7, lines 1 through 26.

Division S—3770C: Page 1, lines 8 and 15; page 4, lines 39 through 50; page 5, lines 1 through 11 and line 33.

Senator Hall asked and received unanimous consent to withdraw division S—3770C.

Senator Hall moved the adoption of division S—3770A as previously amended, which motion prevailed by a voice vote.

Pursuant to the point of order raised by Senator Welsh on page 1520 of the Senate Journal, **House File 631** was referred to the committee on **Appropriations**.

The Senate stood at ease until the fall of the gavel

The Senate resumed session, President Zimmerman presiding.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 510 (SSB 248), a bill for an act relating to the conducting of classified research at institutions under the state board of regents.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 12: Welsh, Husak, Tieden, Boswell, Corning, Fraise, Holt, Lloyd-Jones, Readinger, Schwengels, Sturgeon and Varn. Nays, 5: Dieleman, Jensen, Lind, Peterson and Riordan. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: HOUSE FILE 631, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing effective dates, and by providing for other properly related matters.

Recommendation: DO PASS.

Final Vote: Ayes, 17: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

UNFINISHED BUSINESS (Deferred April 16, 1987)

House File 567

The Senate resumed consideration of House File 567, a bill for

an act relating to permanency planning for children by providing for dispositional and placement review hearings for certain children subject to the jurisdiction of the juvenile court, by authorizing permanency placement orders for certain children in need of assistance, by modifying certain grounds and procedures for the termination of parental rights, and by establishing an adoption exchange, deferred April 16, 1987.

Senator Mann withdrew amendment S—3741 filed by him on April 23, 1987, to page 1 of the bill.

Senator Mann offered amendment S—3781 filed by him from the floor to page 1 of the bill.

Senator Varn offered amendment S—3814 filed by him from the floor to amendment S—3781 and moved its adoption.

Amendment S—3814 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—3781 as amended, which motion prevailed by a voice vote.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester for the remainder of the day on request of Senator Hultman.

BUSINESS PENDING

House File 567

The Senate resumed consideration of House File 567.

Senator Gentleman offered amendment S—3708 filed by her on April 21, 1987, to page 7 of the bill and moved its adoption.

Amendment S—3708 was adopted by a voice vote.

Senator Gentleman offered amendment S—3816 filed by Senators Gentleman, et al., from the floor to page 10 and to the title page of the bill.

Senator Bruner raised the point of order that amendment S—3816 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3816 in order.

Senator Gentleman moved the adoption of amendment S—3816, which motion prevailed by a voice vote.

Senator Carr offered amendment S—3817 filed by Senators Carr, Mann and Gentleman from the floor to page 4 of the bill and moved its adoption.

Amendment S—3817 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. 567) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gettings	Hester	Holden	Nystrom
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 589, 605 and 590** be **immediately messaged** to the House.

BUSINESS PENDING**House File 631**

The Senate resumed consideration of House File 631, (with report of the committee on Appropriations recommending passage).

Senator Deluhery filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I moved to reconsider the vote by which amendment S—3698 as amended to House File 631 was adopted by the Senate on April 24, 1987.

The motion prevailed by a voice vote and amendment S—3698 as amended by the committee on Environment and Energy Utilities, was taken up for reconsideration.

With the withdrawal of division S—3770C, the Chair ruled amendment S—3807 to division S—3770C, previously adopted, out of order.

Senator Hall offered amendment S—3818 filed by him from the floor to amendment S—3698 and moved its adoption.

Amendment S—3818 was adopted by a voice vote.

Senator Deluhery moved the adoption of amendment S—3698 as amended, which motion prevailed by a voice vote.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 631) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Readinger	Rensink	Rife
Schwengels	Scott	Soorholtz	Taylor
Tieden	Varn	Wells	Welsh

Nays, 5:

Hannon	Mann	Peterson	Riordan
Sturgeon			

Absent or not voting, 5:

Gettings	Hester	Holden	Nystrom
Vande Hoef			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 631** be immediately messaged to the House.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 333, a bill for an act relating to the use of telecommunications systems and services for educational instructional purposes and providing an effective date (S—3811).

INTRODUCTION OF BILLS

Senate File 509, by Committee on Appropriations, a bill for an act making an appropriation for the support of the engineering and land surveying examining board and revising certain

statutory provisions relating to engineering and land surveying services.

Read first time and placed on the Appropriations Calendar.

Senate File 510, by Committee on Appropriations, a bill for an act relating to the conducting of classified research at institutions under the state board of regents.

Read first time and placed on the Appropriations Calendar.

Senate File 511, by Committee on Appropriations, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government relating to elected officials, the executive council, management, revenue and finance, personnel, general services, economic development, agriculture, natural resources, and education, providing effective dates, and making certain provisions retroactive.

Read first time and placed on the Appropriations Calendar.

APPENDIX
SUBCOMMITTEE ASSIGNMENTS

House File 327

WAYS AND MEANS: Dieleman, Chair; Soorholtz and Bruner

House File 673

WAYS AND MEANS: Gronstal, Chair; Hester and Murphy

SSB 251

WAYS AND MEANS: Drake, Chair; Bruner and Readinger

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 423, the following technical correction was made:

1. Page 3, line 21, the words "amended as follows" were changed to the words "amended to read as follows".

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3779 to amendment S—3510 to House File 650 failed to be adopted by the Senate on April 24, 1987.

WILLIAM DIELEMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 567 passed the Senate on April 24, 1987.

BEVERLY A. HANNON

MADAM PRESIDENT: I move to reconsider the vote by which House File 567 passed the Senate on April 24, 1987.

JULIA GENTLEMAN

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 509 (SSB 247), a bill for an act making an appropriation for the support of the engineering and land surveying examining board and revising certain statutory provisions relating to engineering and land surveying services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Holt and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE FILE 511, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government relating to elected officials, the executive council, management, revenue and finance, personnel, general services, economic development, agriculture, natural resources, and education, providing effective dates, and making certain provisions retroactive.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Gettings.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STUDY BILLS RECEIVED

SSB 248 Appropriations

Relating to the conducting of classified research at institutions under the state board of regents.

SSB 249 Ways and Means

To increase the rate of excise taxes on motor fuel and special fuel to replace federal aid highway funds.

SSB 250 Ways and Means

Relating to the increase in the state real estate transfer tax.

SSB 251 Ways and Means

To increase the rate of excise taxes on motor fuel and special fuel to replace federal aid highway funds.

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty eighth grade students from West Sioux Middle School, Hawarden, Iowa, accompanied by Jerry Jans. Senator Rensink.

Fifth and sixth grade students from Rockwell-Swaledale Elementary School, Rockwell-Swaledale, Iowa, accompanied by Mrs. Staley. Senators A. Miller and Scott.

Fifty-five eighth grade students from Van Buren Junior High School, Keosauqua, Iowa, accompanied by Juanita Strait. Senator Fraise and President Zimmerman.

AMENDMENTS FILED

S—3801	H.F.	631	Hurley Hall Jack Hester Berl Priebe Patrick Deluhery
S—3802	H.F.	210	Eugene Fraise
S—3803	H.F.	79	Joe Welsh
S—3804	H.F.	631	Richard Drake Michael Gronstal
S—3805	H.F.	631	Richard Drake Michael Gronstal
S—3806	H.F.	650	Wally Horn
S—3807	H.F.	631	Patrick Deluhery Hurley Hall Berl E. Priebe
S—3808	S.F.	282	Donald V. Doyle
S—3809	H.F.	631	Leonard Boswell

S—3810	H.F.	631	Hurley Hall Jack Hester Berl E. Priebe Patrick J. Deluhery
S—3811	S.F.	333	House amendment
S—3812	H.F.	631	Berl Priebe
S—3813	H.F.	599	Richard Varn Donald V. Doyle Ray Taylor
S—3814	H.F.	567	Richard Varn
S—3815	S.F.	139	Edgar H. Holden
S—3816	H.F.	567	Julia B. Gentleman Donald V. Doyle David Readinger Al Sturgeon Tom Mann, Jr. Calvin Hultman Richard Drake Jim Lind C. Joseph Coleman Wally Horn Jack Hester Patrick J. Deluhery Richard Varn Ray Taylor Bob Carr Eugene Fraise Lee Holt John Jensen Linn Fuhrman
S—3817	H.F.	567	Bob Carr Tom Mann, Jr. Julia Gentleman
S—3818	H.F.	631	Hurley Hall

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:52 p.m., until 10:00 a.m., Monday, April 27, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED SIXTH CALENDAR DAY
SIXTY-EIGHTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, April 27, 1987

The Senate met in regular session at 10:14 a.m., President Zimmerman presiding.

Prayer was offered by Father John Vakulskas, Jr., pastor of the Sacred Heart Church, Early, Iowa.

The Journal of Friday, April 24, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Coleman for the day and Senator Murphy for the morning on request of Senator Hutchins.

BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 511** be referred from the Appropriations Calendar to the committee on **Ways and Means** and returned to the Senate Appropriations Calendar by 9:00 a.m., Tuesday, April 28, 1987.

UNFINISHED BUSINESS (Deferred April 14, 1987)

House File 574

The Senate resumed consideration of House File 574, a bill for an act relating to the crime of forgery and related fraudulent criminal acts, and providing penalties, deferred on April 14, 1987.

Senator Varn offered amendment S—3581 filed by him on April 14, 1987, to pages 1 through 3 of the bill and called for a division: lines 3 through 16 and line 50 as division S—3581A and lines 17 through 49 as division S—3581B.

Senator Varn moved the adoption of division S—3581A, which motion prevailed by a voice vote.

Senator Varn withdrew division S—3581B.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 574) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A. V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, none.

Absent or not voting, 4:

Coleman	Jensen	Murphy	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 16, 1987)

House File 244

The Senate resumed consideration of House File 244, a bill for an act relating to progress payments, final payments, and retention from payments made to subcontractors on public improvement construction projects, deferred on April 16, 1987.

Senator Palmer offered amendment S—3520 filed by the committee on Commerce on April 13, 1987, to page 1 of the bill.

Senator Gentleman raised the point of order that amendment S—3520 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3520 in order.

Senator Palmer moved the adoption of amendment S—3520, which motion prevailed by a voice vote.

With the adoption of amendment S—3520, the Chair ruled the following amendments out of order:

S—3498 filed by the committee on Commerce on April 9, 1987, to page 1 of the bill.

S—3684 filed by Senator Jensen on April 20, 1987, to page 1 of the bill.

Senator Drake offered amendment S—3543 filed by him on April 14, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3543 lost by a voice vote.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 244) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Corning
Doyle	Drake	Fraise	Fuhrman
Gettings	Gronstal	Hannok	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 7:

Goodwin	Hall	Holden	Holt
Rensink	Rife	Taylor	

Voting present, 1:

Gentleman

Absent or not voting, 5:

Coleman
Murphy

Deluhery

Dieleman

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 16, 1987)

House File 345

The Senate resumed consideration of House File 345, a bill for an act relating to the procedures for authorization of drainage district improvements, deferred on April 16, 1987.

Senator Taylor offered amendment S—3690 filed by him on April 20, 1987, to page 2 of the bill and called for a division: lines 3 through 9 as division S—3690A and lines 10 through 38 as division S—3690B..

Senator Taylor withdrew division S—3690A.

Senator Taylor moved the adoption of division S—3690B, which motion prevailed by a voice vote.

Senator Fuhrman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 345) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer

Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Coleman	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 April 16, 1987)

House File 575

The Senate resumed consideration of House File 575, a bill for an act relating to the acquisition, development, promotion, and management of land for recreation trails, deferred April 16, 1987.

Senator Hannon offered amendment S—3505 filed by the committee on Natural Resources on April 10, 1987, to page 3 of the bill and moved its adoption.

Amendment S—3505 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. 575) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gentleman	Goodwin	Gronstal	Hall
Hannon	Hester	Husak	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rensink	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 9:

Drake	Fuhrman	Holden	Holt
Hultman	Jensen	Peterson	Rife
Taylor			

Absent or not voting, 5:

Coleman	Gettings	Horn	Hutchins
Murphy			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred April 16, 1987)

House File 603

The Senate resumed consideration of House File 603, a bill for an act establishing and appropriating from a housing trust fund and appropriating its funds, deferred April 16, 1987.

Senator Lloyd-Jones offered amendment S—3569 filed by her on April 14, 1987, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—3569 was adopted by a voice vote.

Senator Lloyd-Jones moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 603) the vote was:

Ayes, 27:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gentleman	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Palmer	Priebe
Readinger	Riordan	Scott	Sturgeon
Varn	Wells	Welsh	

Nays, 19:

Drake	Fuhrman	Goodwin	Hall
Hester	Holden	Holt	Jensen
Lind	Miller, C.P.	Nystrom	Peterson
Rensink	Rife	Schwengels	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 4:

Coleman	Gettings	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.

INTRODUCTION OF BILL

Senate File 512, by Husak, a bill for an act to exempt from taxes transactions entered into or consummated on the Meskwaki Indian settlement in Tama county, Iowa.

Read first time and **passed on file**.

RECESS

On motion of Senator Husak, the Senate recessed at 11:49 a.m., until 1:30 p.m.

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 24, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 13 — Relating to the protection of buyers of farm products against the enforcement of liens by secured parties and providing dates for the effectiveness and applicability of the act.

SENATE FILE 105 — Relating to the degree of evidence required for termination or nonrenewal of a school administrator's contract.

SENATE FILE 198 — Relating to the payment of special assessments on property acquired by eminent domain and providing an effective date.

SENATE FILE 231 — Relating to the date on which a pleading is considered filed.

SENATE FILE 257 — Relating to the payment for crop damages within the right-of-way of drainage improvements.

SENATE FILE 265 — Relating to the publication of notices of public hearings, bond sales, adopted regulations, and elections.

SENATE FILE 273 — Relating to the definition of foster care.

SENATE FILE 292 — Relating to the establishment of a building materials fire toxicity filing system.

SENATE FILE 316 — To provide that a leased motor vehicle shall be registered in the county of the lessee's residence.

SENATE FILE 338 — Relating to environmental protection performance standards for coal mining and providing an effective date.

SENATE FILE 381 — To legalize the payment of a sales tax refund claim to the city of Epworth, Iowa, by the Department of Revenue and Finance.

SENATE FILE 388 — Relating to the filing time for nomination petitions for a special election to elect a member of a board of directors of a school district.

SENATE FILE 428 — Relating to the protection of buyers of fine art and providing a penalty.

SENATE FILE 451 — Relating to the acquisition of legal settlement in a county.

SENATE FILE 459 — Relating to handicapped parking spaces, making penalties applicable and providing an effective date.

SENATE FILE 463 — Relating to the development and implementation by the agricultural development authority of programs to provide economic assistance on behalf of agricultural producers within the state and providing an effective date.

SENATE FILE 470 — Relating to corporate takeovers.

HOUSE FILE 132 — Relating to the final report of a personal representative in probate.

HOUSE FILE 169 — Creating a lead abatement program within the Iowa Department of Public Health.

HOUSE FILE 176 — Relating to the requirements for the loaning by a library of library materials or equipment having a value of five hundred dollars or more.

HOUSE FILE 251 — Relating to advocates for certain individuals involuntarily hospitalized.

HOUSE FILE 373 — Relating to the Division of Deaf Services of the Department of Human Rights.

HOUSE FILE 378 — Relating to the dissemination and redissemination of criminal history data to the Iowa Department of Public Health for purposes of employment screening for juvenile substance abuse treatment programs, and providing a penalty.

HOUSE FILE 394 — Relating to nonlocal business entities, particularly transient merchants and out-of-state contractors and providing penalties.

HOUSE FILE 409 — Relating to the procedures used for the taking of property for public transportation purposes.

HOUSE FILE 513 — Relating to interstate rendition of persons charged with failure to provide support.

HOUSE FILE 610 — To grant the commissioner of insurance the authority to approve discretionary group insurance.

HOUSE FILE 639 — Relating to investments of Iowa life insurance companies.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate on the afternoon of April 24, 1987.

Had I been present, I would have voted "aye" on House Files 567 and 631.

RICHARD VANDE HOEF

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 22, 1987, 5:40 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Peterson, Readinger, Riordan and Varn.

Members Absent: Lloyd-Jones, Schwengels and Sturgeon.

Committee Business: Approved LSB 2737, Economic Development and Iowa Plan Subcommittee report as amended to be incorporated into the Appropriations Committee bill.

Recessed: 6:05 p.m.

Reconvened: April 23, 1987, 2:05 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Approved LSB 2932, Education Appropriations Subcommittee report as amended to be incorporated into the Appropriations Committee bill.

Recessed: 3:40 p.m.

Reconvened: April 23, 1987, 7:20 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

Members Absent: Holt and Schwengels.

Committee Business: Approved SSB 247 as a committee bill; approved LSB 2590, Administration Appropriations Subcommittee report as amended to be incorporated into the Appropriations Committee bill.

Adjourned: 8:35 p.m.

WAYS AND MEANS

Convened: April 24, 1987, 8:39 a.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Murphy, Riordan, Holt, Drake, Hester, Readinger and Soorholtz.

Members Absent: Palmer.

Committee Business: Recommended passage of House File 631 and approved SSB 246 as a committee bill.

Adjourned: 9:10 a.m.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 27th day of April, 1987:

SENATE FILES 267, 420, 423 and 474.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five sixth grade students from Anita Elementary School, Anita, Iowa. Senator Hester.

Sixty second and fourth grade students from Melrose Elementary School, accompanied by Pat Scieszinski. Senator Peterson.

SUBCOMMITTEE ASSIGNMENTS

House File 631

WAYS AND MEANS: Riordan, Chair; Soorholtz and Gronstal

SSB 250

WAYS AND MEANS: Mann, Chair; Readinger and Gronstal

PETITIONS

The following petitions were presented and placed on file by:

Senators Hannon and Boswell from three hundred sixty-seven residents of Iowa favoring legislation to recognize the brain injured as disabled.

Senator Schwengels from three hundred seventy residents of Jefferson, Washington and Van Buren Counties opposing House File 188, possession of high powered rifles in a deer hunting area.

Senator Priebe from ninety-one residents of Kossuth County favoring legislation for the removal of Section 411 of House File 631, which mandates an automatic annual increase in solid waste fees.

Senator Priebe from one thousand three hundred forty-three residents of Kossuth, Hancock, Winnebago, Humboldt, Pocahontas and Palo Alto Counties opposing an increase in the tax on cigarettes.

Senator Husak from five hundred thirty-six residents of Tama, Marshall, Poweshiek, Benton and Jasper Counties favoring legislation for state funding to be appropriated for completion of the renovation of Union Grove Lake, as matching funds for a federal grant have already been secured.

AMENDMENTS FILED

S—3819	H.F.	518	Ray Taylor
S—3820	S.F.	501	John Soorholtz
			Berl E. Priebe
			Jack Rife
			William D. Palmer
S—3821	S.F.	501	Jack Rife
S—3822	S.F.	501	Jack Rife

S—3823

S.F.

511

Wally E. Horn
Calvin O. Hultman
Emil J. Husak
Michael Gronstal
David Readinger
John Nystrom
Leonard Boswell
Wilmer Rensink

AFTERNOON SESSION

The Senate reconvened at 1:33 p.m., 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.

UNFINISHED BUSINESS
(Deferred April 16, 1987)**House File 601**

The Senate resumed consideration of House File 601, a bill for an act relating to organ and tissue identification and transplanted, by creating a commission to develop a state plan for human organ and tissue transplants and requiring certain criteria in the state plan including organ and tissue procurement, registration and distribution, recipient selection criteria, transplant center eligibility, informed consent, confidentiality, and costs, requiring a certificate of need for certain transplant services, specifying a protocol for organ and tissue identification in hospitals, specifying duties of the Iowa department of public health and the department of human services, and the collection of information regarding organ and tissue transplants, with report of committee on State Government recommending amendment and passage, was taken up for further consideration (deferred on April 16, 1987, and referred to the committee on State Government on April 21, 1987).

President Zimmerman took the chair at 1:50 p.m.

Senator Lloyd-Jones offered amendment S—3764 filed by the committee on State Government on April 23, 1987, to pages 1, 2, 5 and 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3764 be adopted?" (H.F. 601) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Carr	Corning	Deluhery	Dieleman
Fraise	Holden	Horn	Hultman
Husak	Hutchins	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Palmer	Rife
Schwengels	Soorholtz	Tieden	Varn
Welsh			

Nays, 26:

Boswell	Bruner	Doyle	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Jensen	Kinley	Lind	Mann
Miller, C.P.	Peterson	Priebe	Readinger
Rensink	Riordan	Scott	Sturgeon
Taylor	Vande Hoef		

Absent or not voting, 3:

Coleman	Gettings	Wells
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Amendment S—3764 lost.

Senator Welsh asked and received unanimous consent that action on **House File 601** be deferred.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the remainder of the day on request of Senator Hutchins.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Husak asked and received unanimous consent to take up for consideration Senate File 510.

Senate File 510

On motion of Senator Varn, Senate File 510, a bill for an act relating to the conducting of classified research at institutions under the state board of regents, was taken up for consideration.

Senator Holden raised the point of order that under Joint Rule 20, Senate File 510 was not eligible for debate.

The Chair ruled the point not well taken.

Senator Varn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 510) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell	Carr	Corning	Deluhery
Dieleman	Drake	Fraise	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Priebe	Readinger	Riordan
Schwengels	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, 20:

Doyle	Fuhrman	Gentleman	Goodwin
Hall	Hester	Holden	Holt
Jensen	Lind	Miller, C.P.	Nystrom
Palmer	Peterson	Rensink	Rife
Soorholtz	Taylor	Tieden	Vande Hoef

Absent or not voting, 4:

Bruner	Coleman	Gettings	Hultman
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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

WAYS AND MEANS

Final Bill Action: SENATE FILE 511, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government relating to elected officials, the executive council, management, revenue and finance, personnel, general services, economic development, agriculture, natural resources, and education, providing effective dates, and making certain provisions retroactive.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Bruner, Husak, Dieleman, Gronstal, Mann, Palmer, Riordan, Holden, Drake, Hester, Holt and Soorholtz. Nays, none. Absent or not voting, 3: Murphy, Boswell and Readinger.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senator Husak asked and received unanimous consent to take up for consideration Senate File 511.

Senate File 511

On motion of Senator Welsh, Senate File 511, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government relating to elected officials, the executive council, management, revenue and finance, personnel, general services, economic development, agriculture, natural resources, and education, providing effective dates, and making certain provisions retroactive, with report of committee on Ways and Means recommending passage, was taken up for consideration.

Action on Senate File 511 was temporarily deferred.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the remainder of the day on request of Senator Hultman.

QUORUM CALL

Senator Gronstal requested a non record roll call to determine that a quorum was present.

The vote revealed 36 present, 14 absent and a quorum present.

BUSINESS PENDING

Senate File 511

The Senate resumed consideration of Senate File 511.

Senator Hutchins asked and received unanimous consent that action on **Senate File 511** be **deferred**.

UNFINISHED BUSINESS (Deferred April 15, 1987)

House File 617

The Senate resumed consideration of House File 617, a bill for an act relating to financial institutions and amendment S—3570 by Senators Holden and Palmer to page 3 of the bill, deferred on April 15, 1987.

Senator Rife offered amendment S—3844 filed by him from the floor to strike everything after the enacting clause of the bill.

Senator Gronstal asked and received unanimous consent that action on amendment S—3844 and **House File 617** be **deferred** (amendment S—3570 pending).

UNFINISHED BUSINESS
(Pending April 9, 1987)

Senate File 351

The Senate resumed consideration of Senate File 351, a bill for an act relating to the acquisition of an interest in banks conducting a banking business in Iowa or bank holding companies controlling one or more banks conducting a banking business in Iowa by an out-of-state bank holding company, amendment S—3358 as amended by Senator Gronstal to strike everything after the enacting clause of the bill, pending on April 9, 1987.

Senator Schwengels offered amendment S—3748 filed by him on April 23, 1987, to page 4 of amendment S—3358 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3748 to amendment S—3358 be adopted?” (S.F. 351) the vote was:

Ayes, 20:

Boswell	Fraise	Fuhrman	Hannon
Hester	Hutchins	Jensen	Miller, A.V.
Murphy	Peterson	Priebe	Rensink
Rife	Schwengels	Scott	Soorholtz
Taylor	Tieden	Varn	Welsh

Nays, 27:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Holden	Holt	Horn	Hultman
Husak	Kinley	Lind	Lloyd-Jones
Mann	Palmer	Readinger	Riordan
Sturgeon	Vande Hoef	Wells	

Absent or not voting, 3:

Coleman	Miller, C.P.	Nystrom
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Amendment S—3748 lost.

Senator Holden offered amendment S—3481 filed by him on April 9, 1987, to page 12 of amendment S—3358 and moved its adoption.

Amendment S—3481 was adopted by a voice vote.

Senator Deluhery offered amendment S—3499 filed by him on April 10, 1987, to page 10 of amendment S—3358 and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 24.

Amendment S—3499 lost.

Senator Rife asked and received unanimous consent that action on amendment S—3358 as amended and **Senate File 351** be **deferred**.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 574, 244, 345, 575, 603** and **Senate File 510** be **immediately messaged** to the House.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 24, 1987, 4:55 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn.

Members Absent: Gettings (excused).

Committee Business: Approved LSB 2974 and SSB 248 as committee bills; recommended passage of House File 631.

Adjourned: 5:10 p.m.

SUBCOMMITTEE ASSIGNMENT

Senate File 511

WAYS AND MEANS: Bruner, Chair; Holden and Boswell

STUDY BILL RECEIVED

SSB 252 Ways and Means

Relating to fees charged for hazardous wastes and deposited in the hazardous waste remedial fund.

COMMUNICATION

The following communication has been received and placed on file in the office of the Secretary of the Senate on April 24, 1987:

A copy of the annual report of the Iowa Business Development Credit Corporation pursuant to Chapter 496b of the Code of Iowa.

PETITION

The following petition was presented and placed on file by:

Senator Palmer from one hundred forty-one residents of Polk County opposing tuition tax credit.

AMENDMENTS FILED

S-3824	S.F.	511	Jack Rife
S-3825	S.F.	511	Michael Gronstal
S-3826	H.F.	429	Tom Mann, Jr.
S-3827	H.F.	666	Donald V. Doyle
S-3828	S.F.	501	Jack Rife
S-3829	S.F.	511	Forrest V. Schwengels
S-3830	S.F.	511	John W. Jensen
S-3831	S.F.	511	John Soorholtz
S-3832	S.F.	511	William W. Dieleman
			Leonard L. Boswell
			John W. Jensen
			Eugene Fraise
			Lee Holt
			John Soorholtz
			Berl E. Priebe
			Jack Hester
S-3833	S.F.	511	Berl E. Priebe
			John Jensen
S-3834	S.F.	511	Joe Welsh
			John Soorholtz
S-3835	S.F.	511	Michael Gronstal
S-3836	S.F.	511	Leonard Boswell
S-3837	S.F.	511	Edgar H. Holden
S-3838	S.F.	511	James Riordan
S-3839	S.F.	511	Michael Gronstal
S-3840	S.F.	511	Beverly Hannon
S-3841	S.F.	511	Tom Mann, Jr.
S-3842	S.F.	511	Bob Carr
S-3843	S.F.	511	Richard Varn
S-3844	H.F.	617	Jack Rife
S-3845	H.F.	617	Forrest Schwengels
S-3846	S.F.	501	Bob Carr
S-3847	S.F.	511	John Jensen
S-3848	S.F.	511	Leonard Boswell
S-3849	S.F.	511	Wilmer Rensink
S-3850	S.F.	511	Wilmer Rensink

S—3851	H.F.	649	Kenneth Scott Richard Vande Hoef James Riordan John Jensen Alvin V. Miller James Wells Wally Horn
S—3852	S.F.	511	James Riordan

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:58 p.m., until 9:00 a.m., Tuesday, April 28, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED SEVENTH CALENDAR DAY
SIXTY-NINTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, April 28, 1987

The Senate met in regular session at 9:02 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Patrick J. Deluhery, member of the Senate from Scott County, Davenport, Iowa.

The Journal of Monday, April 27, 1987, was approved.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the morning on request of Senator Hutchins.

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1987, passed the following bill in which the concurrence of the House was asked:

Senate File 179, a bill for an act to provide that a single person may claim a homestead exempt from judicial sale.

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 CALENDAR
(Deferred April 10, 1987)

House File 469

On motion of Senator Mann, House File 469, a bill for an act to regulate the circumstance and procedure under which an employer may request a drug test of an employee or an applicant for employment and providing a penalty, was taken up for further consideration (substituted for Senate File 2 and deferred April 10, 1987).

Senator Mann offered amendment S—3685 filed by him on April 20, 1987, to pages 1 through 4 and the title page of the bill.

Senator Hultman raised the point of order that amendment S—3685 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3685 out of order.

Senator Hutchins asked and received unanimous consent that action on **House File 469** be **deferred**.

UNFINISHED BUSINESS
(Deferred April 27, 1987)

Senate File 511

The Senate resumed consideration of Senate File 511, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government relating to elected officials, the executive council, management, revenue and finance, personnel, general services, economic development, agriculture, natural resources, and education, providing effective dates, and making certain provisions retroactive, deferred April 27, 1987.

Senator Jensen offered amendment S—3847 filed by him on April 27, 1987, to page 1 of the bill, moved its adoption and requested a non record roll call.

The ayes were 19, nays 24.

Amendment S—3847 lost.

Senator Priebe offered amendment S—3833 filed by Senators Priebe and Jensen on April 27, 1987, 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 29, nays 19.

Amendment S—3833 was adopted.

Senator Welsh offered amendment S—3857 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—3857 was adopted by a voice vote.

Senator Carr offered amendment S—3842 filed by him on April 27, 1987, to pages 15 and 16 of the bill and moved its adoption.

Amendment S—3842 was adopted by a voice vote.

Senator Riordan offered amendment S—3852 filed by him on April 27, 1987, to page 18 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 34.

Amendment S—3852 lost.

PRESENTATION OF PELLA TULIP QUEEN

Senator Dieleman appeared at the rostrum and presented Patti De Nooy, Queen of the Fifty-second Annual Pella Tulip Time Festival, who in turn introduced the members of her court: Julie Bogaards, Paula Jo Malin, Lesli Dawn Quade and Jill Ann Van Zee.

Queen Patti invited the members of the Senate to attend the Tulip Time Festival in Pella on May 7, 8 and 9, 1987.

The Queen, her attendants and their parents distributed the famous Dutch cookies to the senators and staff.

BUSINESS PENDING**Senate File 511**

The Senate resumed consideration of Senate File 511.

Senator Riordan offered amendment S—3863 filed by him from the floor to page 20 of the bill.

Senator Husak raised the point of order that amendment S—3863 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3863 out of order.

Senator Holden withdrew amendment S—3837 filed by him on April 27, 1987, to pages 23 and 30 of the bill.

Senator Gronstal offered amendment S—3839 filed by him on April 27, 1987, to page 24 of the bill.

Senator Welsh asked and received unanimous consent that action on amendment S—3839 and debate on Division II of Senate File 511 be deferred for consideration of amendments to Division III.

Senator Boswell offered amendment S—3848 filed by him on April 27, 1987, to pages 30 and 31 of the bill and moved its adoption.

Amendment S—3848 was adopted by a voice vote.

Senator Hannon offered amendment S—3840 filed by her on April 27, 1987, to page 32 of the bill.

Senator Boswell withdrew amendment S—3858 filed by him from the floor to amendment S—3840.

Senator Boswell offered amendment S—3864 filed by him from the floor to amendment S—3840 and moved its adoption.

Amendment S—3864 was adopted by a voice vote.

Senator Hannon moved the adoption of amendment S—3840 as amended, which motion prevailed by a voice vote.

Senator Gronstal offered amendment S—3835 filed by him on April 27, 1987, to page 33 of the bill and moved its adoption.

Amendment S—3835 was adopted by a voice vote.

Senator Boswell offered amendment S—3836 filed by him on April 27, 1987, to page 34 of the bill and moved its adoption.

Amendment S—3836 was adopted by a voice vote.

Senator Lind offered amendment S—3859 filed by Senators Lind, et al., from the floor to page 36 of the bill and moved its adoption.

Amendment S—3859 was adopted by a voice vote.

Senator Soorholtz offered amendment S—3834 filed by Senators Welsh and Soorholtz on April 27, 1987, to page 37 of the bill and moved its adoption.

Amendment S—3834 was adopted by a voice vote.

Senator Soorholtz withdrew amendment S—3831 filed by him on April 27, 1987, to page 37 of the bill.

Senator Vande Hoef offered amendment S—3853 filed by him from the floor to pages 39 and 59 of the bill and called for a division: lines 2 through 12 as division S—3853B and lines 13 through 27 as division S—3853A.

Senator Vande Hoef moved the adoption of division S—3853A, which motion prevailed by a voice vote.

Senator Vande Hoef withdrew division S—3853B.

Senator Gentleman offered amendment S—3868 filed by her from the floor to pages 39 and 67 through 69 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3868 be adopted?" (S.F. 511) the vote was:

Ayes, 13:

Drake	Fuhrman	Gentleman	Goodwin
Gronstal	Hester	Hultman	Jensen
Readinger	Rife	Schwengels	Taylor
Tieden			

Nays, 32:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Holden	Holt	Horn
Husak	Hutchins	Lind	Lloyd-Jones
Mann	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Riordan	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 5:

Coleman	Hall	Hannon	Kinley
Vande Hoef			

Amendment S—3868 lost.

Senator Readinger offered amendment S—3862 filed by him from the floor to pages 39, 40, 59, 60, 65 and 66 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3862 be adopted?" (S.F. 511) the vote was:

Ayes, 25:

Doyle	Drake	Fuhrman	Goodwin
Hester	Holden	Holt	Hultman
Jensen	Kinley	Mann	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Taylor	Tieden
Vande Hoef			

Nays, 21:

Boswell	Bruner	Carr	Corning
Dieleman	Fraise	Gentleman	Gronstal
Hall	Hannon	Horn	Hutchins
Lind	Lloyd-Jones	Miller, A. V.	Miller, C.P.
Murphy	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 4:

Coleman	Deluhery	Gettings	Husak
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Amendment S—3862 was adopted.

(Senate File 511 pending on recess).

HOUSE MESSAGE RECEIVED

The following message was received from the Chief Clerk of the House:

MADMA PRESIDENT: I am directed to inform your honorable body that the House has on April 24, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 359, a bill for an act relating to movement of vehicles of excess size, weight, and load (S—3854).

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:06 p.m., until 1:30 p.m.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

The Foreign Candy Company, Inc. — For 1987 Small Business of the Year. Senator Rensink (April 28, 1987).

REPORT OF COMMITTEE MEETING

WAYS AND MEANS

Convened: April 27, 1987, 11:55 a.m.

Members Present: Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Dieleman, Gronstal, Mann, Palmer, Riordan, Holt, Drake, Hester and Soorholtz.

Members Absent: Boswell, Readinger and Murphy.

Committee Business: Recommended passage of Senate File 511.

Adjourned: 12:00 noon.

SUBCOMMITTEE ASSIGNMENT

SSB 252

WAYS AND MEANS: Gronstal, Chair; Soorholtz and Murphy

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3712 to House File 633 was adopted by the Senate on April 22, 1987.

JACK RIFE

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirteen members of The United Methodist Church, Woodward, Iowa. Senator Riordan.

Forty-five eighth grade students from McGowen Junior High School, Knoxville, Iowa, accompanied by Elaine Farner. Senator Dieleman.

Forty fifth grade students from Adkins Elementary School, Adkins, Iowa, accompanied by Dawn Anderson. Senator Husak.

The following visitors were present in the Senate gallery:

Forty-five fourth grade students from Fairview Elementary School, Grinnell, Iowa, accompanied by Linda Shults. Senator Varn.

AMENDMENTS FILED

S—3853	S. F.	511	Richard Vande Hoef
S—3854	S. F.	359	House amendment
S—3855	H. F.	633	James Riordan Al Sturgeon Richard Vande Hoef
S—3856	S. F.	511	Wilmer Rensink
S—3857	S. F.	511	Joe Welsh
S—3858	S. F.	511	Leonard Boswell
S—3859	S. F.	511	Jim Lind Joy Corning Richard Varn Jean Lloyd-Jones
S—3860	S. F.	511	Jim Lind Hurley Hall
S—3861	S. F.	511	Jim Lind
S—3862	S. F.	511	David Readinger
S—3863	S. F.	511	James Riordan
S—3864	S. F.	511	Leonard Boswell
S—3865	S. F.	511	Richard Varn
S—3866	S. F.	511	Joe Welsh
S—3867	H. F.	649	Kenneth Scott John Jensen
S—3868	S. F.	511	Julia Gentleman
S—3869	S. F.	511	Julia Gentleman

S—3870	S. F.	511	Forrest Schwengels
S—3871	H. F.	469	Tom Mann, Jr.
S—3872	S. F.	501	Edgar H. Holden
S—3873	S. F.	511	Wilmer Rensink Richard Varn

AFTERNOON SESSION

The Senate reconvened at 1:38 p.m., President Zimmerman presiding.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Soorholtz for a portion of the afternoon session on request of Senator Hultman.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

BUSINESS PENDING

Senate File 511

The Senate resumed consideration of Senate File 511, pending on recess.

Senator Gentleman offered amendment S—3869 filed by her from the floor to pages 40, 41 and 47 of the bill and moved its adoption.

Amendment S—3869 lost by a voice vote.

Senator Gentleman offered amendment S—3875 filed by Senators Gentleman and Corning from the floor to page 37 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3875 be adopted?" (S.F. 511) the vote was:

Ayes, 24:

Coleman	Corning	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Hannon
Hester	Holden	Holt	Hultman

Jensen	Lind	Lloyd-Jones	Nystrom
Peterson	Readinger	Rensink	Rife
Schwengels	Soorholtz	Taylor	Vande Hoef

Nays, 25:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Gronstal
Hall	Horn	Husak	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Priebe	Riordan	Scott
Sturgeon	Tieden	Varn	Wells
Welsh			

Absent or not voting, 1:

Hutchins

Amendment S—3875 lost.

Senator Rensink offered amendment S—3873 filed by Senators Rensink and Varn from the floor to page 41 of the bill and moved its adoption.

Amendment S—3873 was adopted by a voice vote.

With the adoption of amendment S—3873, the Chair ruled the following amendments out of order:

S—3849 filed by Senator Rensink on April 27, 1987, to page 41 of the bill.

S—3850 filed by Senator Rensink on April 27, 1987, to page 41 of the bill.

Senator Jensen offered amendment S—3830 filed by him on April 27, 1987, to pages 42, 69, 70 and 81 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3830 be adopted?" (S.F. 511) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Husak	Jensen
Kinley	Nystrom	Peterson	Priebe
Rensink	Rife	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 25:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Hutchins	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Readinger
Riordan	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 1:

Mann

Amendment S—3830 lost.

Senator Varn offered amendment S—3865 filed by him from the floor to pages 43 through 46, 51, 52, 55 through 57, 65, 70, 72, 74, 77, 80 and 81 of the bill and called for a division:

Division S—3865A: Page 1, lines 2 through 50, page 2 and page 3, lines 1 through 5.

Division S—3865B: Page 3, lines 6 through 50 and page 4.

On motions by Senator Varn, divisions S—3865A and S—3865B were adopted by a voice vote.

Senator Hannon offered amendment S—3880 filed by Senators Hannon, et al., from the floor to page 49 of the bill and moved its adoption.

Amendment S—3880 was adopted by a voice vote.

Senator Dieleman offered amendment S—3832 filed by Senators Dieleman, et al., on April 27, 1987, to page 51 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 32.

Amendment S—3832 lost.

Senator Varn offered amendment S—3874 filed by him from the floor to page 51 of the bill and moved its adoption.

Amendment S—3874 was adopted by a voice vote.

Senator Hannon offered amendment S—3885 filed by Senators Hannon and Holden from the floor to page 55 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3885 be adopted?” (S.F. 511) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Boswell	Bruner	Coleman	Doyle
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hannon	Holden	Kinley
Mann	Miller, A.V.	Miller, C.P.	Priebe
Riordan	Schwengels	Scott	Sturgeon
Vande Hoef			

Nays, 27:

Carr	Corning	Deluhery	Dieleman
Fraise	Gettings	Hester	Holt
Horn	Hultman	Husak	Jensen
Lind	Lloyd-Jones	Murphy	Nystrom
Palmer	Peterson	Readinger	Rensink
Rife	Soorholtz	Taylor	Tieden
Varn	Wells	Welsh	

Absent or not voting, 2:

Drake	Hutchins
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Amendment S—3885 lost.

Senator Mann offered amendment S—3841 filed by him on April 27, 1987, to page 43 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3841 be adopted?" (S.F. 511) the vote was:

Ayes, 22:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gettings
Horn	Husak	Kinley	Lloyd-Jones
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Readinger	Riordan	Sturgeon
Wells	Welsh		

Nays, 27:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Hultman	Jensen	Lind	Mann
Miller, A.V.	Nystrom	Rensink	Rife
Schwengels	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	

Absent or not voting, 1:

Hutchins

Amendment S—3841 lost.

Senator Sturgeon withdrew amendment S—3876 filed by him from the floor to page 56 of the bill.

Senator Rensink offered amendment S—3856 filed by him from the floor to page 57 of the bill and moved its adoption.

Amendment S—3856 was adopted by a voice vote.

Senator Horn offered amendment S—3823 filed by Senators Horn, et al., on April 27, 1987, to page 64 of the bill.

Senator Varn offered amendment S—3843 filed by him on April 27, 1987, to amendment S—3823, moved its adoption and requested a non record roll call.

The ayes were 8, nays 33.

Amendment S—3843 lost.

Senator Horn moved the adoption of amendment S—3823.

A record roll call was requested.

On the question “Shall amendment S—3823 be adopted?” (S.F. 511) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Dieleman	Drake	Gentleman	Gettings
Gronstal	Hall	Hester	Horn
Hultman	Husak	Hutchins	Kinley
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Readinger	Rensink
Rife	Riordan	Schwengels	Soorholtz
Taylor	Vande Hoef	Wells	Welsh

Nays, 15:

Corning	Deluhery	Doyle	Fraise
Fuhrman	Goodwin	Hannon	Holden
Holt	Lind	Peterson	Scott
Sturgeon	Tieden	Varn	

Absent or not voting, 3:

Jensen	Mann	Priebe
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Amendment S—3823 was adopted.

Senator Rife filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3865A to Senate File 511 was adopted by the Senate on April 28, 1987.

The motion prevailed by a voice vote and division S—3865A by Senator Varn to pages 43 through 46, 51, 52, 55 through 57, 70, 72, 74, 77 and 80 of the bill, was taken up for reconsideration.

Senator Rife asked and received unanimous consent that action on division S—3865A be deferred.

Senator Holden filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3865B to Senate File 511 was adopted by the Senate on April 28, 1987.

The motion prevailed by a voice vote and division S—3865B by Senator Varn to page 81 of the bill, was taken up for reconsideration.

Senator Holden called for a further division of amendment S—3865:

Division S—3865A: Page 1, lines 2 through 50, page 2 and page 3, line 1.

Division S—3865B: Page 3, lines 2 through 50 and page 4.

Senator Varn moved the adoption of division S—3865A, which motion prevailed by a voice vote.

Senator Varn asked and received unanimous consent that action on division S—3865B be deferred.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has, on April 28, 1987, **insisted on** its amendment to **Senate File 311**, a bill for an act increasing the speed limit to sixty-five miles per hour on fully controlled-access, divided, multilaned highways including the interstate highway system; and the members of the **conference committee**, on the part of the House, are: The Representative from Mitchell, Mr. Koenigs, chair; the Representative from Des Moines, Mr. Cohoon, the Representative from Lyon, Mr. De Groot, the Representative from Bremer, Mr. Lageschulte, and the Representative from Johnson, Ms. Neuhauser.

ALSO: That the House has on April 28, 1987, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the Senate is asked:

House File 631, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing

effective dates, and by providing for other properly related matters.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 311** on the part of the Senate: Senators Gettings, Chair; Coleman, Horn, Jensen and Drake.

BUSINESS PENDING

Senate File 511

The Senate resumed consideration of Senate File 511.

Senator Rife offered amendment S—3824 filed by him on April 27, 1987, to pages 80 through 82 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3824 be adopted?" (S.F. 511) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 18:

Bruner	Corning	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hester	Hultman	Lloyd-Jones	Mann
Peterson	Readinger	Rife	Riordan
Schwengels	Varn		

Nays, 32:

Boswell	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Hall	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Rensink
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Wells	Welsh

Amendment S—3824 lost.

Senator Varn moved the adoption of division S—3865B to page 81 of the bill, previously deferred, which motion lost by a voice vote.

Senator Gronstal offered amendment S—3890 filed by Senators Gronstal, et al., from the floor to page 80 of the bill.

Senator Hultman raised the point of order that amendment S—3890 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3890 in order.

Senator Gronstal moved the adoption of amendment S—3890.

A non record roll call was requested.

The ayes were 16, nays 30.

Amendment S—3890 lost.

Senator Gronstal offered amendment S—3825 filed by him on April 27, 1987, to page 81 of the bill and moved its adoption.

Amendment S—3825 was adopted by a voice vote.

The Senate resumed consideration of Division I of Senate File 511.

Senator Priebe offered amendment S—3878 filed by Senators Priebe and Welsh from the floor to page 7 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 32.

Amendment S—3878 lost.

President pro tempore Kinley took the chair at 6:21 p.m.

Senator Welsh offered amendment S—3866 filed by him from the floor to pages 9 and 17 of the bill and moved its adoption.

Amendment S—3866 was adopted by a voice vote.

The Senate resumed consideration of Division II of Senate File 511.

Senator Gronstal moved the adoption of amendment S—3839 to page 24 of the bill, previously deferred.

Amendment S—3839 was adopted by a voice vote.

Senator Riordan offered amendment S—3838 filed by him on April 27, 1987, to pages 27 and 82 of the bill and moved its adoption.

Amendment S—3838 was adopted by a voice vote.

Senator Lind offered amendment S—3861 filed by him from the floor to page 29 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 13, nays 32.

Amendment S—3861 lost.

Senator Schwengels offered amendment S—3870 filed by him from the floor to page 29 of the bill and moved its adoption.

Amendment S—3870 was adopted by a voice vote.

Senator Schwengels offered amendment S—3829 filed by him on April 27, 1987, to page 30 of the bill and moved its adoption.

Amendment S—3829 was adopted by a voice vote.

Senator Lind asked and received unanimous consent to withdraw amendment S—3860 filed by Senators Lind and Hall from the floor to page 30 of the bill.

President Zimmerman took the chair at 6:55 p.m.

Senator Riordan filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3875 to page 37 of Senate File 511 failed to be adopted by the Senate on April 28, 1987.

The motion lost by a voice vote.

Senator Mann filed the following motion to reconsider from the floor and moved its adoption:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3841 to page 43 of Senate File 511 failed to be adopted by the Senate on April 28, 1987.

A non record roll call was requested.

The ayes were 13, nays 31.

The motion lost.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 511) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Holt	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Riordan	Scott	Soorholtz
Vande Hoef	Varn	Wells	Welsh

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hannon	Hester
Holden	Hultman	Jensen	Lind
Readinger	Rife	Schwengels	Taylor
Tieden			

Absent or not voting, 1:

Sturgeon

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 511 be immediately messaged** to the House.

SENATE INSISTS

House File 631

Senator Deluhery called up for consideration House File 631, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing effective dates, and by providing for other properly related matters, amended by the Senate, and moved that the Senate insists on it 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 **House File 631** on the part of the Senate: Senators Deluhery, Chair; Priebe, Murphy, Tieden and Rife.

INTRODUCTION OF BILL

Senate File 513, 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.

APPENDIX

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 27, 1987, 5:00 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Approved LSB 2962 as a committee bill.

Adjourned: 6:14 p.m.

SUBCOMMITTEE ASSIGNMENTS

Senate File 506

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Gettings and Hultman

Senate File 507

BUSINESS AND LABOR RELATIONS: Hultman, Chair; Wells and Mann

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 513, 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, 18: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn. Nays, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 506, a bill for an act relating to the expanding employment incentive under the unemployment compensation law and providing for the Act's applicability.

Recommendation: DO PASS.

Final Vote: Ayes, 8: Wells, Mann, Fuhrman, Holden, Horn, Palmer, Vande Hoef and Welsh. Nays, none. Absent or not voting, 2: Gettings and Hultman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3874	S.F.	511	Richard Varn
S—3875	S.F.	511	Julia Gentleman Joy Corning
S—3876	S.F.	511	Al Sturgeon
S—3877	S.F.	469	James Wells
S—3878	S.F.	511	Berl E. Priebe Joe J. Welsh
S—3879	H.F.	601	Larry Murphy
S—3880	S.F.	511	Beverly A. Hannon Michael Gronstal James Riordan Charles Bruner Julia Gentleman Linn Fuhrman Jack Hester Wilmer Rensink C. Joseph Coleman
S—3881	H.F.	601	Larry Murphy
S—3882	H.F.	601	Larry Murphy
S—3883	H.F.	469	James Riordan
S—3884	S.F.	501	Calvin Hultman
S—3885	S.F.	511	Beverly A. Hannon Edgar Holden
S—3886	H.F.	617	Edgar Holden Patrick Deluhery
S—3887	S.F.	501	Joe Welsh
S—3888	S.F.	501	Joe Welsh

S—3889	S.F.	461	Patrick Deluhery Richard Drake William Palmer Dale L. Tieden William W. Dieleman John W. Jensen
S—3890	S.F.	511	Michael E. Gronstal Tom Mann, Jr. Beverly A. Hannon Charles Bruner
S—3891	H.F.	599	James Riordan
S—3892	S.F.	501	Bob Carr
S—3893	S.F.	501	Bob Carr
S—3894	S.F.	501	Bob Carr
S—3895	S.F.	501	Bob Carr

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:20 p.m., until 9:00 a.m., Wednesday, April 29, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED EIGHTH CALENDAR DAY
SEVENTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Wednesday, April 29, 1987

The Senate met in regular session at 9:09 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Clarence Landis, pastor of the St. Peters United Church of Christ, Atlantic, Iowa.

The Journal of Tuesday, April 28, 1987, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 1987, 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 399, a bill for an act establishing a motorcycle rider education fund, increasing fees for certain operator's licenses, crediting moneys to the fund, and appropriating moneys from the fund to the department of education to reimburse sponsors of motorcycle rider education courses for the costs of the courses.

ALSO: That the House has on April 27, 1987, receded from its amendment and passed the following bill in which the concurrence of the House was asked:

Senate File 290, a bill for an act relating to the requirement for foster parent training, confidentiality requirements for foster care review boards, and incorporating a penalty.

ALSO: That the House has on April 27, 1987, refused to concur in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 395, a bill for an act relating to the taking of animals and subjecting violators to penalties.

ALSO: That the House has on April 27, 1987, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bills in which the concurrence of the Senate is asked:

House File 130, a bill for an act relating to the notice required for forfeiture of real estate contracts (S—3896 to H—3130).

House File 167, a bill for an act relating to fees for and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment (S—3897 to H—3896).

ALSO: That the House has on April 27, 1987, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 328, a bill for an act relating to the licensure and regulation of birth centers and providing penalties.

House File 375, a bill for an act relating to the crime of conspiracy, and providing penalties.

House File 410, a bill for an act relating to the interest of a city officer or employee in contracts for the purchase of goods and services by a city.

House File 412, a bill for an act relating to child abuse.

House File 520, a bill for an act relating to the regulation of membership campgrounds, membership camping operators, and membership camping contracts, requiring registration and disclosures, providing for cancellation of membership camping contracts, providing remedies, providing penalties, and providing properly related matters.

House File 540, a bill for an act relating to the planning, acquisition, development, and operation of welcome centers on highways and at other locations throughout the state.

House File 594, a bill for an act relating to the regulation of pharmacists and pharmacies and to administration, dispensing, and distribution of certain drugs, and providing penalties.

House File 595, a bill for an act to establish a system of certificates of title for vessels and providing an effective date.

House File 646, a bill for an act relating to the exchange of information regarding underground facilities and excavations affecting underground facilities.

House File 660, a bill for an act relating to dependent adult abuse, providing penalties, and establishing an effective date.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the morning on request of Senator Hultman.

CONSIDERATION OF BILL (Regular Calendar)

Senate File 501

On motion of Senator Carr, Senate File 501, a bill for an act relating to the organization and procedures of state government, by making modifications to the authority for and procedures relating to governmental budget and finance administration, by making modifications in the authority for and procedures relating to state personnel administration, by making modifications to the powers, procedures, and structure of certain state governmental agencies, by making adjustments to the 1986 legislation reorganizing state government, by making other related adjustments and modifications, and by providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, President Zimmerman presiding.

Senator Carr offered amendment S—3765 filed by the committee on State Government on April 23, 1987, to pages 4, 21, 22, 24, 25, 27 through 29, 33, 34, 38, 40, 41, 45, 46, 48, 49, 52, 53, 55, 56, 59, 60, 65, 74, 80 through 82, 84, 86, 87, 109, 112 and 113 of the bill.

Senator Carr offered amendment S—3894 filed by him on April 28, 1987, to page 2 of amendment S—3765 and moved its adoption.

Amendment S—3894 was adopted by a voice vote.

Senator Carr offered amendment S—3892 filed by him on April 28, 1987, to pages 7 through 11 of amendment S—3765 and moved its adoption.

Amendment S—3892 was adopted by a voice vote.

Senator Rife withdrew amendment S—3822 filed by him on April 27, 1987, to pages 11 through 13 of amendment S—3765.

Senator Rife offered amendment S—3828 filed by him on April 27, 1987, to pages 11 through 13 of amendment S—3765 and called for a division: line 3 as division S—3828A and lines 4 and 5 as division S—3828B.

Senator Rife moved the adoption of division S—3828A.

A non record roll call was requested.

The ayes were 16, nays 26.

Division S—3828A lost.

Senator Rife withdrew division S—3828B.

Senator Rife withdrew amendment S—3899 filed by him from the floor to page 24 of amendment S—3765.

Senator Carr offered amendment S—3774 filed by him on April 23, 1987, to page 24 of amendment S—3765 and moved its adoption.

Amendment S—3774 was adopted by a voice vote.

Senator Rife offered amendment S—3906 filed by him from the floor to pages 20 through 22 of amendment S—3765 and moved its adoption.

Amendment S—3906 was adopted by a voice vote.

Senator Carr moved the adoption of amendment S—3765 as amended, which motion prevailed by a voice vote.

Senator Carr offered amendment S—3895 filed by him on April 28, 1987, to pages 9, 29, 30, 37, 38, 62, 64, 65 and 67 through 69 of the bill and moved its adoption.

Amendment S—3895 was adopted by a voice vote.

Senator Rife offered amendment S—3821 filed by him on April 27, 1987, to pages 16, 17 and 45 through 48 of the bill and called for a division: lines 2 and 3 and 5 through 7 as division S—3821A; line 4 as division S—3821B.

Senator Rife withdrew division S—3821A.

Senator Rife moved the adoption of division S—3821B.

A non record roll call was requested.

The ayes were 15, nays 25.

Division S—3821B lost.

The Chair ruled amendment S—3898 filed by Senator Rife from the floor to division S—3821A, out of order.

Senator Hannon offered amendment S—3907 filed by her from the floor to page 16 of the bill and moved its adoption.

Amendment S—3907 was adopted by a voice vote.

Senator Hultman offered amendment S—3884 filed by him on April 28, 1987, to page 17 of the bill and moved its adoption.

Amendment S—3884 was adopted by a voice vote.

Senator Rife offered amendment S—3903 filed by him from the floor to page 17 of the bill and moved its adoption.

Amendment S—3903 lost by a voice vote.

Senator Welsh withdrew amendment S—3888 filed by him on April 28, 1987, to pages 20, 21 and 109 of the bill.

Senator Welsh offered amendment S—3902 filed by him from the floor to pages 20, 21 and 109 of the bill.

Senator Doyle called for a division of amendment S—3902: lines 2 and 3 as division S—3902A and lines 4 through 13 as division S—3902B.

Senator Welsh moved the adoption of division S—3902A, which motion prevailed by a voice vote.

The Chair ruled the following amendments out of order:

Division S—3902B.

S—3908 filed by Senator Mann from the floor to pages 20 and 21 of the bill.

S—3904 filed by Senator Mann from the floor to page 21 of the bill.

Senator Holden offered amendment S—3872 filed by him on April 28, 1987, to page 34 of the bill.

Senator Gronstal raised the point of order that amendment S—3872 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3872 in order.

Senator Holden moved the adoption of amendment S—3872.

A non record roll call was requested.

The ayes were 19, nays 23.

Amendment S—3872 lost.

Senator Carr offered amendment S—3893 filed by him on April 28, 1987, to page 41 of the bill and moved its adoption.

Amendment S—3893 was adopted by a voice vote.

Senator Welsh offered amendment S—3887 filed by him on April 28, 1987, to pages 42 and 43 of the bill.

Senator Gentleman raised the point of order that amendment S—3887 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3887 in order.

Senator Welsh moved the adoption of amendment S—3887, which motion prevailed by a voice vote.

Senator Soorholtz offered amendment S—3820 filed by Senators Soorholtz, et al., on April 27, 1987, to pages 49 and 113 of the bill.

Senator Carr raised the point of order that amendment S—3820 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3820 in order.

Senator Carr asked and received unanimous consent that action on amendment S—3820 be deferred.

Senator Dieleman offered amendment S—3743 filed by him on April 23, 1987, to page 60 of the bill and moved its adoption.

Amendment S—3743 lost by a voice vote.

Senator Carr offered amendment S—3846 filed by him on April 27, 1987, to page 61 of the bill and moved its adoption.

Amendment S—3846 was adopted by a voice vote.

Senator Kinley offered amendment S—3901 filed by Senators Kinley, Rife and Soorholtz from the floor to pages 106, 107, 113 and 114 of the bill.

Senator Carr raised the point of order that amendment S—3901 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3901 in order.

Senator Kinley moved the adoption of amendment S—3901 and requested a record roll call.

On the question “Shall amendment S—3901 be adopted?” (S.F. 501) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Boswell	Coleman	Dieleman	Doyle
Fraise	Gentleman	Hall	Hannon
Holden	Holt	Horn	Husak
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Varn	Wells	

Nays, 18:

Bruner	Carr	Corning	Deluhery
Drake	Fuhrman	Goodwin	Gronstal
Hester	Hutchins	Jensen	Lloyd-Jones
Murphy	Readinger	Taylor	Tieden
Vande Hoef	Welsh		

Absent or not voting, 5:

Gettings	Hultman	Nystrom	Schwengels
Sturgeon			

Amendment S—3901 was adopted.

Senator Dieleman offered amendment S—3905 filed by him from the floor to page 113 of the bill and moved its adoption.

Amendment S—3905 was adopted by a voice vote.

(Senate File 501 and amendment S—3820 pending on recess).

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 27, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 669, a bill for an act relating to intermediate care facilities for the mentally ill.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 28, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 676, a bill for an act relating to the imposition and repeal of a local option sales and services tax and providing effective dates.

This bill was read first time and **passed on file**.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:29 p.m., until 2:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

BUSINESS AND LABOR RELATIONS

Convened: April 28, 1987, 12:10 p.m.

Members Present: Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Holden, Horn, Palmer, Vande Hoef and Welsh.

Members Absent: Gettings and Hultman (excused).

Committee Business: Recommended passage of Senate File 506.

Adjourned: 12:15 p.m.

REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 511, the following technical corrections were made:

1. Page 15, line 33, the letter "b" was changed to the letter "a".
2. Page 15, line 35, the letter "c" was changed to the letter "b".
3. Page 16, line 3, the letter "d" was changed to the letter "c".
4. Page 33, line 26, the number "15" was changed to the number "16".
5. Page 82, line 3, the numbers "410, 411, 415, 422, and 423" were changed to the numbers "410, 411, and 424".

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-four sixth grade students from Dexfield Elementary School, Dexter, Iowa, accompanied by Dorothy Sanborn. Senator Riordan.

Seventeen eighth grade students from Lutheran Inter-Parish School, Williamsburg, Iowa, accompanied by Duane Miller. Senator Varn.

Twenty-nine eleventh grade students from Maharishi High School, Fairfield, Iowa, accompanied by Jo Anne Orange and Richard Bell. Senator Schwengels.

Forty eleventh grade students from Guthrie Center High School, Guthrie Center, Iowa, accompanied by Connie Skow. Senator Riordan.

Twenty-five students from Aurelia High School, Aurelia, Iowa, accompanied by Kevin Ritchie and Gary DeWall. Senator Vande Hoef.

One hundred fourteen eighth grade students from Winterset Middle School, Winterset, Iowa, accompanied by Gary Christensen, Bonnie Bass and Steve Corkrean. Senator Riordan.

Forty-nine fifth grade students from Grant Elementary School, Oskaloosa, Iowa, accompanied by Margaret Mattix. Senator Schwengels.

Don Wright, Lister Ingham, Jr., Mervyn Willias and Trevor Sullivan, cattle breeders from Australia, accompanied by Tom Zimmerman. President Zimmerman.

AMENDMENTS FILED

S—3896	H.F.	130	House amendment
S—3897	H.F.	167	House amendment
S—3898	S.F.	501	Jack Rife
S—3899	S.F.	501	Jack Rife
S—3900	S.F.	351	Jack Rife
S—3901	S.F.	501	George Kinley Jack Rife John Soorholtz
S—3902	S.F.	501	Joe Welsh
S—3903	S.F.	501	Jack Rife
S—3904	S.F.	501	Tom Mann, Jr.
S—3905	S.F.	501	William W. Dieleman
S—3906	S.F.	501	Jack Rife

S-3907	S.F.	501	Beverly Hannon
S-3908	S.F.	501	Tom Mann, Jr.
S-3909	S.F.	501	Beverly Hannon
S-3910	S.F.	501	Joe Welsh Bob Carr
S-3911	S.F.	501	Bob Carr John Soorholtz

AFTERNOON SESSION

The Senate reconvened at 3:00 p.m., President Zimmerman presiding.

QUORUM CALL

Senator Husak requested a non record roll call to determine that a quorum was present.

The vote revealed 29 present, 21 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Husak presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

BUSINESS PENDING

Senate File 501

The Senate resumed consideration of Senate File 501 and amendment S—3820, previously deferred.

Senator Welsh offered amendment S—3910 filed by Senators Welsh and Carr from the floor to page 113 of the bill and moved its adoption.

Amendment S—3910 was adopted by a voice vote.

Senator Hannon withdrew amendment S—3909 filed by her from the floor to page 1 of the bill.

President Zimmerman took the chair at 5:06 p.m.

Senator Holden offered amendment S—3914 filed by Senators Holden and Carr from the floor to page 34 of the bill and moved its adoption.

Amendment S—3914 was adopted by a voice vote.

The Senate resumed consideration of amendment S—3820 to pages 49 and 113 of the bill, previously deferred.

Senator Carr offered amendment S—3911 filed by Senators Carr and Soorholtz from the floor to pages 1, 6 and 7 of amendment S—3820 and moved its adoption.

Amendment S—3911 was adopted by a voice vote.

Senator Soorholtz moved the adoption of amendment S—3820 as amended, which motion prevailed by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 501) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Readinger	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hester	Holden	Hultman
Jensen	Lind	Miller, C.P.	Nystrom
Rensink	Rife	Schwengels	Taylor
Tieden	Vande Hoef		

Absent or not voting, 2:

Holt	Kinley
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **Senate File 501** be **immediately messaged** to the House.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. F.	512	Ways and Means
H.F.	669	Human Resources
H.F.	676	Ways and Means

HOUSE AMENDMENTS CONSIDERED

Senate File 276

Senator Sturgeon called up for consideration Senate File 276, a bill for an act relating to the regulation of long-term care insurance, amended by the House, and moved that the Senate concur in House amendment S—3752 filed April 23, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Sturgeon 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, 39:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gentleman	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Hultman
Husak	Jensen	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Readinger
Rensink	Rife	Riordan	Schwengels
Soorholtz	Sturgeon	Taylor	Tieden
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 11:

Coleman	Drake	Fuhrman	Gettings
Holt	Horn	Hutchins	Kinley
Priebe	Scott	Vande Hoef	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 458

Senator Miller of Cerro Gordo called up for consideration Senate File 458, a bill for an act relating to the abatement of taxes by the county, amended by the House, and moved that the Senate concur in House amendment S—3767 filed April 23, 1987.

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. 458) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Husak	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Readinger	Rensink
Rife	Riordan	Schwengels	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Coleman	Drake	Gettings	Holt
Horn	Hultman	Hutchins	Jensen
Kinley	Priebe	Scott	Vande Hoef

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senate File 461

Senator Deluhery called up for consideration Senate File 461, a bill for an act relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all satellite terminals in this state or their data processing centers be directly connected to a central routing unit, amended by the House in House amendment S—3751 filed April 23, 1987.

Senator Deluhery offered amendment S—3889 filed by Senators Deluhery, et al., on April 28, 1987, to House amendment S—3751 and moved its adoption.

Amendment S—3889 was adopted by a voice vote.

Senator Holden offered amendment S—3912 filed by him from the floor to House amendment S—3751 and moved its adoption.

A non record roll call was requested.

The ayes were 33, nays 11.

Amendment S—3912 was adopted.

Senator Hutchins asked and received unanimous consent that action on House amendment S—3751 as amended and **Senate File 461** be deferred.

Senate File 479

Senator Varn called up for consideration Senate File 479, a bill for an act relating to the use and application of pesticides and making penalties applicable, amended by the House in House amendment S—3753 filed April 23, 1987.

Senator Mann raised the point of order that House amendment S—3753 was not germane.

The Chair stated she would take the point under advisement and would rule at a later time.

Senator Hutchins asked and received unanimous consent that action on House amendment S—3753 and **Senate File 479** be deferred.

INTRODUCTION OF BILLS

Senate Joint Resolution 12, by committee on Appropriations, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of congress until an intervening election of representatives has occurred.

Read first time and **placed on the Appropriations Calendar.**

Senate File 514, by committee on Appropriations, a bill for an act to appropriate moneys for educational improvement, including moneys for teacher salaries, benefits, and sabbaticals and for the education of certain children.

Read first time and **placed on the Appropriations Calendar.**

APPENDIX

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 29, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 267 — Relating to the affirmation and reenactment of certain provisions of law concerning the regulation of certain businesses and occupations, and providing an effective date.

SENATE FILE 474 — Relating to the waiver of homestead exemptions, and providing dates for the effectiveness and applicability of the Act.

HOUSE FILE 47 — Relating to the appointment of township officers.

HOUSE FILE 90 — Relating to the investigations of the cause and manner of death for patients enrolled in a hospice program.

HOUSE FILE 136 — Relating to the disclosure of information concerning the family of a health care facility resident to a care review committee member.

HOUSE FILE 193 — Relating to the filing of a request for a contested case proceeding with a state agency.

HOUSE FILE 487 — Relating to the payment and collection of the criminal penalty surcharge.

HOUSE FILE 489 — Relating to ensuring that the title to agricultural land is not affected by the failure of a creditor to receive a mediation release, regardless of its validity.

HOUSE FILE 507 — Relating to discrimination by employers and by labor unions, organizations, and officers on the basis of sex, and making a penalty applicable.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: SENATE FILE 514, a bill for an act to appropriate moneys for educational improvement, including moneys for teacher salaries, benefits, and sabbaticals and for the education of certain children.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Final Bill Action: SENATE JOINT RESOLUTION 12, a joint resolution ratifying a proposed amendment to the Constitution of the United States to provide for a delay in an increase in compensation to members of congress until an intervening election of representatives has occurred.

Recommendation: APPROVED COMMITTEE JOINT RESOLUTION.

Final Vote: Ayes, 17: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3912 to House amendment S—3751 to Senate File 461 was adopted by the Senate on April 29, 1987.

JIM RIORDAN

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—3912 to House amendment S—3751 to Senate File 461 was adopted by the Senate on April 29, 1987.

EDGAR H. HOLDEN

AMENDMENTS FILED

S—3912	S.F.	461	Edgar H. Holden
S—3913	H.F.	617	Edgar H. Holden
S—3914	S.F.	501	Edgar H. Holden
			Bob Carr

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:45 p.m., until 9:00 a.m., Thursday, April 30, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED NINTH CALENDAR DAY
SEVENTY-FIRST SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, April 30, 1987

The Senate met in regular session at 9:07 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Walden Paige, pastor of the United Methodist Church, Garwin, Iowa.

The Journal of Wednesday, April 29, 1987, was approved.

INTRODUCTION OF RESOLUTION

Senate Concurrent Resolution 36, by Carr, Wells and Horn, a concurrent resolution relating to the types of businesses that may receive state funds or benefit from state programs.

Read first time and **passed on file**.

Senator Carr took the chair at 9:13 a.m.

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 BILLS (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 508.

Senate File 508

On motion of Senator Boswell, Senate File 508, a bill for an act relating to investment pools for raising funds to be used for investment in certain small businesses by authorizing the boards of directors of area schools to approve the plans for organizing such investment pools and providing an individual income tax credit for taxpayers who place funds into such investment pools, was taken up for consideration.

President Zimmerman took the chair at 9:30 a.m.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 508) the vote was:

Ayes, 31:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraiser	Fuhrman	Gettings
Hall	Hannon	Hester	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A. V.	Miller, C.P.
Nystrom	Palmer	Peterson	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Vande Hoef	Wells	Welsh	

Nays, 13:

Bruner	Carr	Corning	Gentleman
Goodwin	Gronstal	Holden	Lind
Lloyd-Jones	Readinger	Rensink	Taylor
Varn			

Absent or not voting, 6:

Deluhery	Hultman	Murphy	Priebe
Rife	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 666.

House File 666

On motion of Senator Dieleman, House File 666, a bill for an act to provide that a homestead tax credit claim need not be refiled when the homestead is transferred to one of the spouses pursuant to a dissolution of marriage, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—3827 filed by him on April 27, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3827 was adopted by a voice vote.

Senator Dieleman offered amendment S—3759 filed by him on April 23, 1987, to page 1 and the title page of the bill and moved its adoption.

Amendment S—3759 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 666) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Holden Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

CONSIDERATION OF BILL
(Appropriations Calendar)

Senate File 509

On motion of Senator Nystrom, Senate File 509, a bill for an act making an appropriation for the support of the engineering and land surveying examining board and revising certain statutory provisions relating to engineering and land surveying services, was taken up for consideration.

Senator Nystrom offered amendment S—3915 filed by Senators Nystrom and Carr from the floor to page 2 of the bill and moved its adoption.

Amendment S—3915 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 509) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Vande Hoef	Varn
Wells	Welsh		

Nays, 3:

Gentleman	Schwengels	Taylor
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Absent or not voting, 5:

Deluhery
Tieden

Murphy

Priebe

Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS

(Deferred April 16, 1987)

House File 316

The Senate resumed consideration of House File 316, a bill for an act relating to park user permits and providing a penalty and an effective date, deferred April 16, 1987.

Senator Husak offered amendment S—3506 filed by the committee on Natural Resources on April 10, 1987, to pages 1, 2 and 3 of the bill and moved its adoption.

Amendment S—3506 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 316) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Gentleman

Palmer

Absent or not voting, 2:

Deluhery

Rife

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 508, 509** and **House File 666** be **immediately messaged** to the House.

UNFINISHED BUSINESS (Deferred April 28, 1987)

House File 469

The Senate resumed consideration of House File 469, a bill for an act to regulate the circumstance and procedure under which an employer may request a drug test of an employee or an applicant for employment and providing a penalty, deferred on April 28, 1987.

Senator Mann offered amendment S—3871 filed by him on April 28, 1987, to strike everything after the enacting clause and to the title page of the bill.

Senator Riordan offered amendment S—3883 filed by him on April 28, 1987, to amendment S—3871 and moved its adoption.

Amendment S—3883 was adopted by a voice vote.

With the adoption of amendment S—3883 to amendment S—3871, the chair ruled amendment S—3877 filed by Senator Wells on April 28, 1987, to amendment S—3871, out of order.

Senator Mann moved the adoption of amendment S—3871 as amended.

A non record roll call was requested.

The ayes were 29, nays 15.

Amendment S—3871 as amended was adopted.

With the adoption of amendment S—3871 as amended, the Chair ruled the following amendments out of order:

S—3388 filed by Senator Wells on April 2, 1987, to page 1 of the bill.

S—3443 filed by Senators Wells, et al., on April 7, 1987, to page 1 of the bill.

S—3497 filed by Senators Drake, et al., on April 9, 1987, to pages 1 and 3 of the bill.

S—3548 filed by Senator Hultman on April 14, 1987, to page 2 of the bill.

S—3549 filed by Senator Hultman on April 14, 1987, to page 1 of the bill.

With the ruling of the chair on April 28, 1987, that amendment S—3685 was not germane, the Chair ruled the following amendments to amendment S—3685 out of order:

S—3704 filed by Senator Riordan on April 21, 1987.

S—3784 filed by Senator Wells on April 24, 1987.

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. 469) the vote was:

Ayes, 31:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hannon	Horn
Husak	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Scott	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 16:

Dieleman	Drake	Fuhrman	Goodwin
Hall	Hester	Holden	Holt

Jensen
Schwengels

Lind
Taylor

Rensink
Tieden

Rife
Vande Hoef

Absent or not voting, 3:

Deluhery

Hultman

Hutchins

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 167

Senator Coleman called up for consideration House File 167, a bill for an act relating to fees for and duration of motor vehicle licenses and requiring motor vehicle licenses and nonoperator's identification cards issued to persons under twenty-one years of age to contain a profile photograph and providing an effective date and conditional repeal and reenactment, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3897 to Senate amendment H—3896 filed April 29, 1987.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

UNFINISHED BUSINESS (Deferred April 16, 1987)

House File 518

The Senate resumed consideration of House File 518, a bill for an act relating to powers and duties of certain political subdivisions in relation to their operational procedures and financial arrangements, and providing an effective date, deferred April 16, 1987.

Senator Miller of Cerro Gordo offered amendment S—3509 filed by the committee on Local Government on April 10, 1987, to pages 4 and 5 and the title page of the bill and moved its adoption.

Amendment S—3509 was adopted by a voice vote.

With the adoption of amendment S—3509, the Chair ruled the following amendments to House File 518 out of order:

S—3735 filed by Senator Taylor on April 22, 1987, to pages 4 and 5.

S—3736 filed by Senator Taylor on April 22, 1987, to pages 4 and 5.

S—3737 filed by Senator Holden on April 22, 1987, to pages 4 and 5.

S—3747 filed by Senator Hall on April 23, 1987, to pages 4 and 5.

S—3819 filed by Senator Taylor on April 27, 1987, to pages 4 and 5.

S—3919 filed by Senator Vande Hoef from the floor to pages 4 and 5.

Senator Miller of Cerro Gordo asked and received unanimous consent that action on **House File 518** be **deferred**.

UNFINISHED BUSINESS
(Deferred April 21, 1987)

House File 620

The Senate resumed consideration of House File 620, a bill for an act relating to the acquisition and protection of significant elements of the state's natural open space heritage, deferred on April 21, 1987.

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. 620) the vote was:

Ayes, 44:

Boswell
Corning

Bruner
Dieleman

Carr
Doyle

Coleman
Drake

Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Gentleman Holden

Absent or not voting, 4:

Deluhery Hultman Hutchins Mann

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 Husak called up the motion to reconsider House File 210 filed by him on April 20, 1987, found on page 1407 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 210) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Tieden

Absent or not voting, 3:

Deluhery

Hutchins

Palmer

The motion prevailed.

Senator Husak moved to reconsider the vote by which House File 210 went to its last reading, which motion prevailed by a voice vote.

House File 210

On motion of Senator Gentleman, House File 210, a bill for an act relating to certain admissions to health care facilities, was taken up for reconsideration.

Senator Husak called up the motion to reconsider the vote by which the Senate adopted amendment S—3535 on April 20, 1987, filed by him on April 20, 1987, and found on page 1407 of the Senate Journal.

Senator Husak moved the adoption of the motion to reconsider, which motion prevailed by a voice vote and amendment S—3535 by Senators Gentleman and Hannon to pages 1 and 2 of the bill, was taken up for reconsideration.

Senator Husak offered amendment S—3697 filed by him on April 20, 1987, to amendment S—3535 and moved its adoption.

Amendment S—3697 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that action on amendment S—3535 as amended and **House File 210** be **deferred**.

BUSINESS PENDING

House File 518

The Senate resumed consideration of House File 518, previously deferred.

Senator Hall offered amendment S—3921 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—3921 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3921 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. 518) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Drake	Holden	Husak
Palmer			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Horn asked and received unanimous consent that **House File 518** be **immediately messaged** to the House.

UNFINISHED BUSINESS CALENDAR (Deferred April 10, 1987)

House File 599

On motion of Senator Taylor, House File 599, a bill for an act relating to mortgage foreclosures by establishing an alternative

mortgage foreclosure proceeding with final judicial sale and rights in lieu of redemption, and establishing nonjudicial foreclosure proceedings upon waiver of deficiency judgments, was taken up for further consideration (substituted for Senate File 468 and deferred April 10, 1987).

Senator Riordan offered amendment S—3719 filed by Senators Riordan, et al., on April 21, 1987, to pages 1, 7 and the title page of the bill.

Senator Riordan withdrew amendment S—3891 filed by him on April 28, 1987, to amendment S—3719.

Senator Riordan offered amendment S—3917 filed by him from the floor to amendment S—3719 and moved its adoption.

Amendment S—3917 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—3719 as amended, which motion prevailed by a voice vote.

Senator Taylor offered amendment S—3775 filed by Senators Taylor, Doyle and Varn on April 23, 1987, to pages 2 through 7 of the bill.

Senator Varn offered amendment S—3813 filed by Senators Varn, Doyle and Taylor on April 24, 1987, to amendment S—3775 and moved its adoption.

Amendment S—3813 was adopted by a voice vote.

Senator Taylor moved the adoption of amendment S—3775 as amended, which motion prevailed by a voice vote.

Senator Coleman took the chair at 11:51 a.m.

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. 599) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings

Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Fuhrman Rife

Absent or not voting, 2:

Hultman Kinley

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 Horn asked and received unanimous consent that **House Files 469 and 599** be **immediately messaged** to the House.

WITHDRAWN

Senator Taylor asked and received unanimous consent that **Senate File 468** be withdrawn from further consideration of the Senate.

UNFINISHED BUSINESS (Deferred April 29, 1987)

Senate File 461

The Senate resumed consideration of Senate File 461, a bill for an act relating to electronic funds transfers by providing for limiting liability of financial institutions for unauthorized electronic funds transfers involving the customer's account, altering restrictions on the establishment, location, and use of satellite terminals, adding definitions, and requiring that all

satellite terminals in this state or their data processing centers be directly connected to a central routing unit and House amendment S—3751 as amended, deferred on April 29, 1987.

Senators Riordan and Holden withdrew the motions to reconsider the vote by which the Senate adopted amendment S—3912 by Senator Holden on April 29, 1987, to House amendment S—3751, filed by them on April 29, 1987, and found on page 1601 of the Senate Journal.

Senator Deluhery moved that the Senate concur in House amendment S—3751 as amended, which motion prevailed by a voice vote.

Senator Deluhery moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 461) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Drake	Fuhrman	Hultman	Kinley
Murphy			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 28, 1987, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

House File 488, a bill for an act relating to the time period for a hearing on the revocation of a person's license for operating a motor vehicle while under the influence of alcohol or a drug.

House File 636, a bill for an act relating to international trade by establishing the Iowa export business finance program, directing the department of economic development, to the extent funds are available, to provide for certain economic development activities and services, and suggesting the legislative council study the feasibility of establishing a world trade institute and its programs and activities.

House File 654, a bill for an act relating to the funding of the energy bank program.

House File 655, a bill for an act relating to civil actions by removing the one hundred mile limit on subpoenas to witnesses in civil cases, by limiting the award of attorney's fees in small claims actions, by requiring actions to be brought in small claims court in a court having actual jurisdiction, and by providing a cause of action against a person filing certain false claims on real property.

ALSO: That the House has on April 28, 1987, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

House File 407, a bill for an act relating to violations of 321J.2 and retention of records of motor vehicle violations.

ALSO: That the House has on April 28, 1987, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 334, a bill for an act relating to cigarette and tobacco tax assessment periods, penalties and appeal periods, offsetting of claims against the state with a person's liabilities to the state, tax return confidentiality, the filing of sales and services tax refund claims, audit periods for sales, services, and use tax returns, use tax penalty, and penalties for interfering with department of revenue and finance employees in the performance of their duties and providing effective dates (S—3918 to H—3883).

ALSO: That the House has on April 28, 1987, ruled out of order the Senate amendment to the House amendment according to Joint Rules 11 and 12 to the following bill in which the concurrence of the House was asked:

Senate File 373, a bill for an act relating to statutory corrections which adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, and remove ambiguities.

ALSO: That the House has on April 29, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 274, a bill for an act relating to the exporting of Iowa grain, by providing for the establishment of an Iowa agricultural export trading company; establishing a certified Iowa grain program; a new division of agriquality inspection within the department of agriculture and land stewardship; a state grain terminal and shippers program; a foreign sale facilitation system; and a sealed carrier receptacle program; and imposing penalties (S—3920).

ALSO: That the members of the **conference committee**, appointed April 29, 1987, on **House File 631**, a bill for an act relating to public health and safety by establishing measures to improve and protect groundwater quality and to manage substances which pose health and safety hazards, by establishing goals, policies, funding mechanisms, including taxes and fees, and administrative provisions for the measures, by establishing programs relating to the management of agricultural activities, solid waste disposal, household hazardous wastes, storage tanks, fertilizers, pesticides, landfills, and watersheds, by providing penalties, establishing effective dates, and by providing for other properly related matters, on the part of the House are: The Representative from Story, Mr. Rosenberg, chair; the Representative from Winneshiek, Mr. Johnson, the Representative from Kossuth, Ms. Mullins, the Representative from Plymouth, Mr. Paulin and the Representative from Black Hawk, Mr. Shoultz.

RECESS

On motion of Senator Horn, the Senate recessed at 12:10 p.m., until 1:30 p.m.

APPENDIX

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 70, the following technical correction was made:

- 1. Page 1, line 8, the word "SUBECTION" was changed to the word "SUBSECTION".

I report that in enrolling Senate File 493, the following technical correction was made:

- 1. Page 5, line 28, the word "section" was changed to the word "sections".

I report that in engrossing Senate amendment S—3901 to Senate File 501, the following technical correction was made:

- 1. Page 3, lines 44 and 45, the words "1001 through 1008" was changed to "293 through 299 and 301".

JOHN F. DWYER
Secretary of the Senate

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 29, 1987, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 420 — Relating to the method to be used by the Department of Employment Services for reporting unemployment statistics.

Also:

That on April 30, 1987, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 423 — Relating to the subcontractor's right to file a mechanic's lien against the property for which labor is performed or material is furnished.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Mr. and Mrs. Virgil Thompson, Anamosa, Iowa — Celebrating their 50th wedding anniversary. Senator Hannon (April 30, 1987).

Mr. and Mrs. Clifford Crow, Anamosa, Iowa — Celebrating their 50th wedding anniversary. Senator Hannon (April 30, 1987).

Mr. and Mrs. Merle Ballou, Olin, Iowa — Celebrating their 50th wedding anniversary. Senator Hannon (April 30, 1987).

Mr. and Mrs. Brenton Pearson, Anamosa, Iowa — Celebrating their 50th wedding anniversary. Senator Hannon (April 30, 1987).

SUBCOMMITTEE ASSIGNMENT

House File 676

WAYS AND MEANS: Gronstal, Chair; Hester and Mann

REPORT OF COMMITTEE MEETING

APPROPRIATIONS

Convened: April 29, 1987, 1:50 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

Members Absent: Schwengels.

Committee Business: Approved LSB 2980 as a committee bill and LSB 2971 as a committee joint resolution.

Recessed: 4:45 p.m.

Reconvened: April 29, 1987, 5:55 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

Members Absent: Gettings, Holt and Schwengels

Committee Business: Recommended passage of House File 671 as amended.

Adjourned: 7:15 p.m.

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 316 passed the Senate on April 30, 1987.

JOHN W. JENSEN

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five eighth grade students from West Central Junior High School, Maynard, Iowa, accompanied by Ron Rusche. Senator Murphy.

One hundred fifth grade students from Maurice-Orange City Elementary School, Orange City, Iowa, accompanied by Paul Koets, Phil Bach and Wilma Leslie. Senator Rensink.

Thirty-eight twelfth grade students from Garwin Community school, Garwin, Iowa. Senator Husak.

Twenty-eight fifth grade students from Cambridge Elementary School, Cambridge, Iowa, accompanied by Joanne Larson. Senator Bruner.

Twenty-nine sixth grade students from Gladbrook Elementary School, Gladbrook, Iowa, accompanied by Barb Schwarck. Senator Husak.

Fifth grade students, members of the Iowana Council of Camp Fire Girls from Anamosa, Cedar Rapids, Marion and Springville, Iowa, accompanied by Marilyn Merrill. Senator Hannon.

AMENDMENTS FILED

S—3915	S. F.	509	John Nystrom Bob Carr
S—3916	S. F.	471	Tom Mann, Jr.
S—3917	H. F.	599	James Riordan
S—3918	H. F.	334	House amendment
S—3919	H. F.	518	Richard Vande Hoef

S—3920	S. F.	274	House amendment
S—3921	H. F.	518	Hurley Hall

AFTERNOON SESSION

The Senate reconvened at 1:38 p.m., Senator Coleman presiding.

QUORUM CALL

Senator Fraise requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 1:40 p.m.

The vote revealed 40 present, 10 absent and a quorum present.

BUSINESS PENDING

House File 210

The Senate resumed consideration of House File 210 and amendment S—3535 as amended by Senator Gentleman and Hannon to pages 1 and 2 of the bill, previously deferred.

Senator Fraise withdrew amendment S—3802 filed by him on April 24, 1987, to amendment S—3535.

Senator Fraise offered amendment S—3922 filed by him from the floor to amendment S—3535 and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 24.

Amendment S—3922 lost.

Senator Gentleman moved the adoption of amendment S—3535 as amended, which motion prevailed by a voice vote.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 210) the vote was:

Ayes, 45:

Boswell
Corning
Drake

Bruner
Deluhery
Fraise

Carr
Dieleman
Fuhrman

Coleman
Doyle
Gentleman

Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hultman	Kinley	Miller, C.P.	Murphy
Soorholtz			

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 371

Senator Coleman called up for consideration House File 371, a bill for an act authorizing the department of transportation to adopt and administer federal motor carrier safety and hazardous materials transportation regulations, establishing reporting requirements, making technical corrections, providing penalties, and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3750 to Senate amendment H—3360 filed April 23, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate 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?" (H.F. 371) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Deluhery	Drake	Kinley	Murphy
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 16, 1987)

House File 142

The Senate resumed consideration of House File 142, a bill for an act relating to the operation of motorboats, deferred April 16, 1987.

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. 142) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Lind

Lloyd-Jones
Nystrom
Readinger
Schwengels
Vande Hoef

Mann
Palmer
Rensink
Scott
Varn

Miller, A.V.
Peterson
Rife
Sturgeon
Wells

Miller, C.P.
Priebe
Riordan
Taylor
Welsh

Nays, none.

Absent or not voting, 6:

Holden
Soorholtz

Jensen
Tieden

Kinley

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 13, 1987)

House File 500

The Senate resumed consideration of House File 500, a bill for an act relating to the state civil rights law and the civil rights commission, and amendment S—3534 by Senator Mann to pages 1, 2 and the title page of the bill, deferred April 13, 1987.

Senator Drake offered amendment S—3554 filed by Senators Drake, et al., on April 14, 1987, to pages 1 and 2 of amendment S—3534, moved its adoption and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 23, nays 24.

Amendment S—3554 lost.

Senator Gettings offered amendment S—3688 filed by him on April 20, 1987, to page 1 of amendment S—3534 and moved its adoption.

Amendment S—3688 was adopted by a voice vote.

Senator Holt offered amendment S—3540 filed by Senators Holt, et al., on April 14, 1987, to page 3 of amendment S—3534 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3540 to amendment S—3534 be adopted?" (H.F. 500) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 28:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Jensen	Lind	Miller, C.P.
Nystrom	Peterson	Readinger	Rensink
Rife	Schwengels	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	Varn

Nays, 20:

Boswell	Bruner	Carr	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Palmer
Priebe	Riordan	Sturgeon	Wells

Absent or not voting, 2:

Coleman	Welsh
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Amendment S—3540 was adopted.

Senator Holden offered amendment S—3550 filed by Senators Holden, et al., on April 14, 1987 to page 3 of amendment S—3534 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3550 to amendment S—3534 be adopted?" (H.F. 500) the vote was:

Ayes, 21:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Readinger	Rensink
Rife	Schwengels	Taylor	Tieden
Vande Hoef			

Nays, 26:

Boswell	Bruner	Carr	Deluhery
Doyle	Fraise	Gronstal	Hannon
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Absent or not voting, 3:

Coleman	Gettings	Priebe
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Amendment S—3550 lost.

Senator Mann moved the adoption of amendment S—3534 as amended.

A non record roll call was requested.

The ayes were 27, nays 16.

Amendment S—3534 as amended 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. 500) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Colèman
Corning	Deluhery	Doyle	Fraise
Gentleman	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Scott
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Nays, 16:

Dieleman	Drake	Fuhrman	Goodwin
Hester	Holden	Holt	Hultman
Jensen	Lind	Nystrom	Rensink
Schwengels	Taylor	Tieden	Vande Hoef

Absent or not voting, 1:

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

MOTIONS TO RECONSIDER WITHDRAWN

House File 316

Senator Jensen withdrew the motion to reconsider the vote by which House File 316, a bill for an act relating to park user permits and providing a penalty and an effective date, passed the Senate on April 30, 1987, filed by him on April 30, 1987, and found on page 1623 of the Senate Journal.

House File 262

Senator Husak withdrew the motion to reconsider House File 262, a bill for an act relating to the number of days wherein a vehicle shall not be considered abandoned, filed by him on April 13, 1987, and found on page 1233 of the Senate Journal.

Senator Jensen withdrew the motion to reconsider House File 262, filed by him on April 13, 1987, and found on page 1233 of the Senate Journal.

House File 460

Senator Hultman withdrew the motion to reconsider House File 460, a bill for an act relating to the contract provisions for certain certificated employees of certain institutions governed by the state board of regents, filed by him on April 20, 1987, and found on page 1407 of the Senate Journal.

WITHDRAWN

Senator Mann asked and received unanimous consent that **Senate File 297** be **withdrawn** from further consideration of the Senate.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 28, 1987, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bills in which the concurrence of the Senate is asked:

House File 580, a bill for an act relating to the granting of leaves of absence to persons disabled by pregnancy, providing for their reinstatement, and providing for an employer's liability (S—3924 to H—3889).

House File 640, a bill for an act relating to revenue adjustments and revised revenue requirements to be reflected in rates and charges to customers of certain public utilities based on the federal Tax Reform Act of 1986, with civil penalties applicable and providing an effective date (S—3923 to H—3842).

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 210, 371, 142, 262, 316 and 460** be **immediately messaged** to the House.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 640

Senator Gronstal called up for consideration House File 640, a bill for an act relating to revenue adjustments and revised revenue requirements to be reflected in rates and charges to customers of certain public utilities based on the federal Tax Reform Act of 1986, with civil penalties applicable and providing an effective date, amended by the Senate, further amended by the House in House amendment S—3923 to Senate amendment H—3842 filed April 30, 1987.

Senator Gronstal asked and received unanimous consent that action on House amendment S—3923 to Senate amendment H—3842 and **House File 640** be deferred.

UNFINISHED BUSINESS CALENDAR
(Deferred April 10, 1987)

House File 515

On motion of Senator Gentleman, House File 515, a bill for an act relating to the appointment of court appointed special advocates, and providing an effective date, was taken up for further consideration (substituted for Senate File 444 and deferred April 10, 1987).

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. 515) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Tieden

Absent or not voting, 6:

Holden	Holt	Hultman	Jensen
Mann	Palmer		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

WITHDRAWN.

Senator Gentleman asked and received unanimous consent that **Senate File 444** be **withdrawn** from further consideration of the Senate.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hester for the remainder of the day on request of Senator Vande Hoef.

BUSINESS PENDING

House File 640

The Senate resumed consideration of House File 640 and House amendment S—3923 to Senate amendment H—3842, previously deferred.

Senator Gronstal moved that the Senate concur in House amendment S—3923 to Senate amendment H—3842, which motion prevailed by a voice vote.

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. 640) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Gronstal
Hall	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Tieden
Varn	Wells	Welsh	

Nays, 7:

Drake	Fuhrman	Goodwin	Holden
Holt	Taylor	Vande Hoef	

Absent or not voting, 4:

Hannon	Hester	Mann	Palmer
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

HOUSE AMENDMENT CONSIDERED

Senate File 359

Senator Scott called up for consideration Senate File 359, a bill for an act relating to movement of vehicles of excess size, weight, and load, amended by the House, and moved that the Senate concur in House amendment S—3854 filed April 28, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Scott 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. 359) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluherly	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Holden	Holt	Horn	Husak
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hannon
Mann

Hester
Palmer

Hultman
Sturgeon

Hutchins

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Sturgeon took the chair at 3:50 p.m.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 513.

Senate File 513

On motion of Senator Welsh, Senate File 513, 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 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. 513) the vote was:

Ayes, 43:

Boswell
Corning
Fraise
Hall
Horn
Kinley
Miller, C.P.
Priebe
Riordan

Bruner
Deluhery
Fuhrman
Hannon
Husak
Lind
Murphy
Readinger
Schwengels

Carr
Doyle
Gettings
Holden
Hutchins
Lloyd-Jones
Palmer
Rensink
Scott

Coleman
Drake
Goodwin
Holt
Jensen
Miller, A.V.
Peterson
Rife
Soorholtz

Sturgeon
Wells

Taylor
Welsh

Tieden

Varn

Nays, 1:

Gentleman

Absent or not voting, 6:

Dieleman
Mann

Gronstal
Vande Hoef

Hester

Hultman

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 567

Senator Hannon withdrew the motion to reconsider House File 567, a bill for an act relating to permanency planning for children by providing for dispositional and placement review hearings for certain children subject to the jurisdiction of the juvenile court, by authorizing permanency placement orders for certain children in need of assistance, by modifying certain grounds and procedures for the termination of parental rights, and by establishing an adoption exchange, filed by her on April 24, 1987, and found on page 1530 of the Senate Journal.

Senator Gentleman withdrew the motion to reconsider House File 567 filed by her on April 24, 1987, and found on page 1530 of the Senate Journal.

IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 500, 620, 515, 640, 567** and **Senate 513** be immediately messaged to the House.

UNFINISHED BUSINESS
(Deferred April 14, 1987)

House File 533

The Senate resumed consideration of House File 533, a bill for an act relating to weight restrictions for vehicles on bridges and culverts and including a penalty, deferred on April 14, 1987.

Senator Scott moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 533) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Holden

Absent or not voting, 3:

Hester	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.

UNFINISHED BUSINESS
(Deferred April 22, 1987)

House File 633

The Senate resumed consideration of House File 633, a bill for

an act relating to restrictions on the number of acres of agricultural land that authorized farm corporations or authorized trusts may acquire or otherwise obtain or lease, restricting persons from being shareholders or beneficiaries in more than a certain number of authorized farm corporations or authorized trusts, and providing penalties, deferred April 22, 1987.

Senator Riordan offered amendment S—3927 filed by Senators Riordan and Vande Hoef from the floor to page 1 of the bill and moved its adoption.

Amendment S—3927 was adopted by a voice vote.

With the adoption of amendment S—3927, the Chair ruled out of order amendment S—3855 filed by Senators Riordan, Sturgeon and Vande Hoef on April 28, 1987, to amendment S—3712 (adopted on April 22, 1987).

President Zimmerman took the chair at 4:10 p.m.

Senator Rife withdrew the motion to reconsider the vote by which the Senate adopted amendment S—3712 by Senator Sturgeon on April 22, 1987, to page 1 of the bill, filed by him on April 28, 1987, and found on page 1564 of the Senate Journal.

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. 633) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hall	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Vande Hoef	Varn	Wells	Welsh

Nays, 11:

Corning	Fuhrman	Gentleman	Goodwin
Holden	Holt	Hultman	Jensen
Peterson	Rensink	Schwengels	

Absent or not voting, 7:

Drake
Readinger

Hannon
Rife

Hester
Tieden

Miller, C.P.

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 File 533** be immediately messaged to the House.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

APPENDIX

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM 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, 1987:

Senate Files 70, 106, 130, 138, 177, 195, 214, 222, 264 and 266.

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

House File 669

HUMAN RESOURCES: Hannon, Chair; Sturgeon and Corning

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 633 passed the Senate on April 30, 1987.

RICHARD VANDE Hoef

MADAM PRESIDENT: I move to reconsider the vote by which House File 633 passed the Senate on April 30, 1987.

BERL E. PRIEBE

MADAM PRESIDENT: I move to reconsider the vote by which House File 633 passed the Senate on April 30, 1987.

EMIL J. HUSAK

PRESENTATION OF GUESTS

President Zimmerman welcomed the following twelve year-old students who were present in the Senate chamber as the guests of Senator Palmer:

Cadray Nelson, Michelle Griffith, Johnanna Day and Erik Ackelson from Goodrell Transitional School, Des Moines, Iowa, who won the state competition in Problem Solving in Cedar Falls, Iowa. The students will compete in the national competition in Problem Solving in Ann Arbor, Michigan, on June 13-17, 1987.

COMMITTEE REPORTS

APPROPRIATIONS

Final Bill Action: HOUSE FILE 671, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government for health and human rights, human services, the judicial branch, the department of justice, the department of corrections, the board of parole, the auditor of state, campaign finance, employment services, inspections and appeals, employment relations, and commerce, and providing effective dates.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3925.

Final Vote: Ayes, 13: Welsh, Husak, Boswell, Corning, Dieleman, Fraise, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, 2: Tieden and Jensen. Absent or not voting, 3: Gettings, Holt and Schwengels.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Final Bill Action: HOUSE FILE 669, a bill for an act relating to intermediate care facilities for the mentally ill.

Recommendation: AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—3931.

Final Vote: Ayes, 7: Hannon, Gentleman, Bruner, Coleman, Corning, C. Miller and Readinger. Nays, 4: Carr, Lind, Sturgeon and Taylor. Absent or not voting, 1: Murphy.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

AMENDMENTS FILED

S—3922	H.F.	210	Eugene Fraise
S—3923	H.F.	640	House amendment
S—3924	H.F.	580	House amendment

S—3925	H.F.	671	Appropriations
S—3926	S.F.	514	John Peterson Al Sturgeon
S—3927	H.F.	633	James Riordan Richard Vande Hoef
S—3928	H.F.	617	Edgar Holden William Palmer
S—3929	H.F.	671	Donald V. Doyle Eugene Fraise Jim Lind Richard Vande Hoef Lee W. Holt Ray Taylor
S—3930	H.F.	617	Edgar H. Holden William D. Palmer
S—3931	H.F.	669	Human Resources

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:10 p.m., until 9:00 a.m., Friday, May 1, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED TENTH CALENDAR DAY
SEVENTY-SECOND SESSION DAY

Senate Chamber
Des Moines, Iowa, Friday, May 1, 1987

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by William Olmsted, pastor of the United Methodist Church, Greenfield, Iowa.

The Journal of Thursday, April 30, 1987, was approved.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 1987, passed the following bill in which the concurrence of the Senate is asked:

House File 675, a bill for an act relating to the determination, for purposes of the state sales, services, and use tax, of gross receipts and purchase price when tangible personal property is traded to the retailer as part of the transaction subject to the tax.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 24, 1987, amended and passed the following bill in which the concurrence of the Senate is asked:

Senate File 482, a bill for an act relating to the civil process and procedure for awarding interest on civil judgments and decrees, determining whether a sufficient burden of proof has been met for the awarding of punitive damages, and for allowing the consideration for previous payments for medical damages, and providing an effective date (S—3933).

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.

CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 671.

House File 671

On motion of Senator Welsh, House File 671, a bill for an act relating to and making appropriations to agencies, boards, commissions, departments, and programs of state government for health and human rights, human services, the judicial branch, the department of justice, the department of corrections, the board of parole, the auditor of state, campaign finance, employment services, inspections and appeals, employment relations, and commerce, and providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S—3925 filed by the committee on Appropriations on April 30, 1987, to pages 2 through 8, 21 through 24, 26, 29, 31 through 40, 42, 43, 46, 48 through 50, 52, 53, 55 through 68, 70, 75, 81 through 84 and 87 of the bill and called for a division:

Division S—3925A: Page 1, lines 3 through 50 and page 2, lines 1 through 33.

Division S—3925B: Page 2, lines 34 through 50; pages 3 through 7 and page 8, lines 1 through 34.

Division S—3925C: Page 8, lines 35 through 50; pages 9 through 18 and page 19, lines 1 through 26.

Division S—3925D: Page 19, lines 27 through 50 and page 20, lines 1 through 7.

Senator Hutchins called for a further division of division S—3925D:

Division S—3925D: Page 19, lines 27 through 42.

Division S—3925E: Page 19, lines 43 through 50 and page 20, lines 1 through 7.

Senator Mann offered amendment S—3936 filed by him from the floor to page 1 of division S—3925A and moved its adoption.

Amendment S—3936 lost by a voice vote.

Senator Horn offered amendment S—3934 filed by Senators Horn, Nystrom and Boswell from the floor to page 2 of division S—3925A and moved its adoption.

Amendment S—3934 was adopted by a voice vote.

Senator Sturgeon moved the adoption of division S—3925A as amended, which motion prevailed by a voice vote.

Senator Welsh asked and received unanimous consent that action on division S—3925B be deferred.

Senator Doyle offered amendment S—3929 filed by Senators Doyle, et al., on April 30, 1987, to pages 10 through 12 of division S—3925C and moved its adoption.

A non record roll call was requested.

The ayes were 34, nays 15.

Amendment S—3929 was adopted.

Senator Fraise offered amendment S—3938 filed by him from the floor to page 18 of division S—3925C and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 24.

Amendment S—3938 lost.

Senator Welsh offered amendment S—3939 filed by him from the floor to page 18 of division S—3925C and moved its adoption.

Amendment S—3939 was adopted by a voice vote.

Senator Doyle offered amendment S—3932 filed by him from the floor to page 19 of division S—3925C.

Senator Drake raised the point of order that amendment S—3932 to division S—3925C was not germane.

The Chair ruled the point well taken and amendment S—3932 out of order.

Senator Fraise moved the adoption of division S—3925C as amended, which motion prevailed by a voice vote.

Senator Peterson moved the adoption of division S—3925D, which motion prevailed by a voice vote.

Senator Hutchins raised the point of order that division S—3925E was not germane to the bill.

The Chair ruled the point well taken and division S—3925E out of order.

Senator Horn asked and received unanimous consent that action on division S—3925B and **House File 671** be **deferred**.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 1987, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 101, a bill for an act relating to mobile home taxes and providing an effective date (S—3943).

Senate File 342, a bill for an act relating to the assessment of costs to the owner of real estate subject to tax sale (S—3942).

ALSO: That the House has on April 30, 1987, amended the Senate amendment, concurred in the Senate amendment as amended, and passed the following bill in which the concurrence of the Senate is asked:

House File 499, a bill for an act relating to education including salary increases, efficiencies, and education enhancement, relating to the establishment of an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the retention of quality teachers, and the enhancement of the quality and effectiveness of teachers; activities of the state board of education relating to the accreditation process; duration of a superintendent's contract; open enrollment of pupils in contiguous school districts; postsecondary enrollment options for certain high school students; redrawing boundary lines of area education agencies; plans for a governance structure for merged area schools; majority vote for school district bond issues under certain conditions; date of the organizational meeting of school corporations; annual publication of financial statements; sharing interscholastic activity programs; adoption of student achievement goals; provision for intercollegiate athletic activities at merged area schools; procedure for opting out of whole grade sharing; calculation of enrollment of school districts; weighting for non-English-speaking students; and provide effective dates (S—3944 to H—3878).

INTRODUCTION OF BILL

Senate File 515, by committee on Appropriations, a bill for an act relating to the allocations and appropriations of lottery revenues and the programs for which the revenues may be used.

Read first time and placed on the Appropriations Calendar.

SENATE INSISTS

House File 395

Senator Tieden called up for consideration House File 395, a bill for an act relating to the taking of animals and subjecting violators to 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.

APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 395** on the part of the Senate: Senators Hall, Chair; Riordan, Hannon, Tieden and Taylor.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Gronstal presiding.

RECESS

On motion of Senator Hutchins, the Senate recessed at 12:07 p.m., until 1:15 p.m.

APPENDIX

CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

Lamoni High School Future Farmers of America — For hosting the Iowa High School Rodeo Association Rodeo at Lamoni. Senator Boswell (May 1, 1987).

REPORTS OF COMMITTEE MEETINGS

APPROPRIATIONS

Convened: April 30, 1987, 5:09 p.m.

Members Present: Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn.

Members Absent: none.

Committee Business: Amended and approved LSB 2961 as a committee bill.

Adjourned: 6:10 p.m.

HUMAN RESOURCES

Convened: April 30, 1987, 4:29 p.m.

Members Present: Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Readinger, Sturgeon and Taylor.

Members Absent: Murphy.

Committee Business: Assigned a bill to subcommittee; recommended passage of House File 669 as amended.

Adjourned: 5:00 p.m.

COMMITTEE REPORT

APPROPRIATIONS

Final Bill Action: SENATE FILE 515, a bill for an act relating to the allocations and appropriations of lottery revenues and the programs for which the revenues may be used.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 17: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lloyd-Jones, Peterson, Readinger, Riordan, Schwengels, Sturgeon and Varn. Nays, 1: Lind.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary of the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 1st day of May, 1987:

Senate Files 319, 341, 374, 424, 449 and 493.

JOHN F. DWYER
Secretary of the Senate

PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery on April 30, 1987:

Nineteen eighth grade students from Orange City Christian School, Orange City, Iowa, accompanied by Harvey Obhink. Senator Rensink.

Thirty-eight fifth and sixth grade students from Kanawha Elementary School, Kanawha, Iowa, accompanied by Marilyn Olson. Senator Taylor.

The Chair welcomed the following visitors who were present in the Senate gallery on May 1, 1987:

Fifth and sixth grade students from Harris-Lake Park Community Schools, Harris and Lake Park, Iowa, accompanied by John Nelson, Dave and Nancy Isgrig, Judy Brueggeman and Art Schumacher. Senators Vande Hoef and Holt.

Sixty-eight fifth and sixth grade students from Four Mile Elementary School, Des Moines, Iowa, accompanied by Rodney Hillipre. Senator Dieleman.

Fifty eighth grade students from Williamsburg Junior High School, Williamsburg, Iowa, accompanied by Dan Becker and Al Lammers. Senator Varn.

Twenty-five sixth grade students from James Elementary School, Ottumwa, Iowa, accompanied by Bob Snell and Mary Johnson. Senator Gettings.

Forty fifth grade students from Longfellow Elementary School, Des Moines, Iowa, accompanied by Betty Pitts. Senator Kinley.

Thirty-five sixth grade students from Boyden-Hull Community School, Boyden, Iowa, accompanied by Marcene Cox, Jan Van Voorst, Wayne Vander Schaff, Dean Hoogeveen and Vince Huls. Senators Rensink and Vande Hoef.

Five eighth grade students from Kanawha Christian School, Kanawha, Iowa. Senator Taylor.

Forty-one sixth grade students from New Hartford Elementary School, New Hartford, Iowa, accompanied by Evelyn Graff. Senator Jensen.

AMENDMENTS FILED

S—3932	H.F.	671	Donald V. Doyle
S—3933	S.F.	482	House amendment
S—3934	H.F.	671	Wally E. Horn John N. Nystrom Leonard Boswell
S—3935	H.F.	671	Beverly Hannon Charles Bruner Michael Gronstal Tom Mann, Jr.

S—3936	H.F.	671	Tom Mann, Jr.
S—3937	H.F.	671	Tom Mann, Jr.
S—3938	H.F.	671	Eugene Fraise
S—3939	H.F.	671	Joe Welsh
S—3940	H.F.	671	Joe Welsh
S—3941	H.F.	671	Joe Welsh
S—3942	S.F.	342	House amendment
S—3943	S.F.	101	House amendment
S—3944	H.F.	499	House amendment
S—3945	H.F.	671	Joe Welsh
S—3946	H.F.	671	Joe Welsh
			Jean Lloyd-Jones
S—3947	H.F.	671	Julia Gentleman
			Joy Corning
S—3948	S.F.	148	Jean Lloyd-Jones
			Beverly Hannon
			Bill Hutchins
			Charles Bruner
			Michael Gronstal
			Joy Corning
			Julia Gentleman
S—3949	H.F.	671	Charles Bruner
			Joe Welsh
			Jean Lloyd-Jones

AFTERNOON SESSION

The Senate reconvened at 1:15 p.m., President Zimmerman presiding.

QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Boswell for a portion of the afternoon on request of Senator Horn.

HOUSE AMENDMENT CONSIDERED

Senate File 148

Senator Bruner called up for consideration Senate File 148, a bill for an act relating to gender balance in the appointment and election of judicial nominating commissioners, amended by the House in House amendment S—3599 filed April 15, 1987.

Senator Lloyd-Jones offered amendment S—3948 filed by Senators Lloyd-Jones, et al., from the floor to House amendment S—3599 and moved its adoption.

Amendment S—3948 was adopted by a voice vote.

Senator Bruner moved that the Senate concur in House amendment S—3599 as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Bruner moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 148) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Gettings	Hultman	Mann
Miller, C.P.	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 16, 1987)

House File 493

The Senate resumed consideration of House File 493, a bill for an act to provide office space and other physical facilities for the district court administrator, deferred April 16, 1987.

Senator Fraise offered amendment S—3504 filed by Senators Fraise and Fuhrman on April 10, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3504 was adopted by a voice vote.

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. 493) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A. V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Deluhery	Hutchins	Mann
Miller, C.P.	Rensink		

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 130

Senator Varn called up for consideration House File 130, a bill for an act relating to the notice required for forfeiture of real estate contracts, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3896 to Senate amendment H—3130 filed April 29, 1987.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Varn 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, which motion prevailed, and the bill was read the last time.

On the question "Shall the bill pass?"(H.F. 130) the vote was:

Ayes, 43:

Bruner	Carr	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A. V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Deluhery	Husak	Mann
Miller, C.P.	Scott	Sturgeon	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 16, 1987)

House File 429

The Senate resumed consideration of House File 429, a bill for an act providing that under certain circumstances the owner of a vehicle which is violating the warning lamps or stop arm of a school bus shall be deemed to be the driver and making penalties applicable, deferred on April 16, 1987.

Senator Doyle offered amendment S—3665 filed by him on April 16, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3665 was adopted by a voice vote.

Senator Doyle offered amendment S—3670 filed by him on April 16, 1987, to page 1 of the bill.

Senator Hutchins asked and received unanimous consent that action on amendment S—3670 and **House File 429** be deferred.

BUSINESS PENDING

House File 671

The Senate resumed consideration of House File 671 and division S—3925B by the committee on Appropriations, previously deferred.

Senator Welsh withdrew amendment S—3940 filed by him from the floor to page 5 of division S—3925B.

Senator Welsh withdrew amendment S—3941 filed by him from the floor to page 5 of division S—3925B.

Senator Welsh offered amendment S—3946 filed by Senators Welsh and Lloyd-Jones from the floor to pages 2 and 3 of division S—3925B and called for a division: lines 4 through 16 as division S—3946A and lines 17 through 26 as division S—3946B.

Senator Welsh asked and received unanimous consent to withdraw division S—3946B.

Senator Welsh moved the adoption of division S—3946A to division S—3925B, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—3951 filed by Senators Welsh, et al., from the floor to pages 3 through 8 of division S—3925B and moved its adoption.

Amendment S—3951 was adopted by a voice vote.

Senator Gentleman offered amendment S—3947 filed by Senators Gentleman and Corning from the floor to page 6 of division S—3925B and moved its adoption.

Amendment S—3947 was adopted by a voice vote.

Senator Doyle withdrew amendment S—3952 filed by him from the floor to page 8 of division S—3925B.

Senator Hannon offered amendment S—3953 filed by Senators Hannon, et al., from the floor to pages 6 and 7 of division S—3925B and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3953 to division S—3925B be adopted?" (H.F. 671) the vote was:

Ayes, 19:

Boswell	Bruner	Coleman	Drake
Fraise	Fuhrman	Gentleman	Gronstal
Hannon	Holden	Kinley	Mann
Miller, C.P.	Palmer	Peterson	Readinger
Riordan	Soorholtz	Sturgeon	

Nays, 29:

Carr	Corning	Deluhery	Dieleman
Doyle	Gettings	Goodwin	Hall
Hester	Holt	Horn	Hultman
Husak	Hutchins	Lind	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Priebe
Rensink	Schwengels	Scott	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Absent or not voting, 2:

Jensen	Rife
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Amendment S—3953 lost.

Senator Lloyd-Jones moved the adoption of division S—3925B as amended, which motion prevailed by a voice vote.

BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	36	State Government
H. F.	675	Ways and Means

BUSINESS PENDING

House File 671

The Senate resumed consideration of House File 671.

With the adoption of division S—3925A, the chair ruled amendment S—3937 filed by Senator Mann from the floor to pages 1 and 2 of the bill, out of order.

Senator Dieleman offered amendment S—3950 filed by him from the floor to pages 27 and 28 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—3950 be adopted?” (H.F. 671) the vote was:

Ayes, 15:

Coleman	Dieleman	Hester	Holden
Holt	Hultman	Jensen	Kinley
Peterson	Priebe	Rensink	Scott
Taylor	Tieden	Vande Hoef	

Nays, 32:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Lind	Lloyd-Jones
Miller, A. V.	Miller, C.P.	Murphy	Palmer
Readinger	Rife	Riordan	Schwengels
Soorholtz	Sturgeon	Varn	Wells

Absent or not voting, 3:

Mann	Nystrom	Welsh
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Amendment S—3950 lost.

Senator Hannon offered amendment S—3935 filed by Senators Hannon, et al., from the floor to page 29 of the bill and moved its adoption.

Amendment S—3935 was adopted by a voice vote.

Senator Bruner offered amendment S—3949 filed by Senators Bruner, Welsh and Lloyd-Jones from the floor to page 33 of the bill and moved its adoption.

Amendment S—3949 was adopted by a voice vote.

Senator Welsh offered amendment S—3945 filed by him from the floor to page 56 of the bill and moved its adoption.

Amendment S—3945 was adopted by a voice vote.

Senator Wells offered amendment S—3725 filed by him on April 22, 1987, to page 70 of the bill and moved its adoption.

Amendment S—3725 was adopted by a voice vote.

Senator Hultman offered amendment S—3954 filed by Senators Hultman and Mann from the floor to page 21 of the bill.

Senator Carr raised the point of order that amendment S—3954 was not germane to the bill.

The Chair ruled the point well taken and amendment S—3954 out of order.

The Chair ruled amendment S—3955 filed by Senator Doyle from the floor to page 68 of the bill out of order because the same subject matter had previously been considered in amendment S—3932 which was ruled not germane.

Senator Welsh offered amendment S—3958 filed by him from the floor to page 74 of the bill.

Senator Peterson raised the point of order that amendment S—3958 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—3958 in order.

Senator Welsh moved the adoption of amendment S—3958, which motion prevailed by a voice vote.

Senator Priebe filed the following motion to reconsider from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which division S—3925B as amended to House File 671 was adopted by the Senate on May 1, 1987.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the remainder of the day on request of Senator Husak.

BUSINESS PENDING

House File 671

The Senate resumed consideration of House File 671 and the motion to reconsider division S—3925B as amended.

Senator Priebe moved the adoption of the motion to reconsider.

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.

The motion prevailed and division S—3925B as amended, was taken up for reconsideration.

Senator Priebe offered amendment S—3956 filed by Senators Priebe and Jensen from the floor to page 8 of division S—3925B and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—3956 to division S—3925B be adopted?" (H.F. 671) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Coleman	Dieleman	Doyle	Drake
Fraise	Fuhrman	Goodwin	Hall
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Scott	Taylor	Tieden
Vande Hoef	Wells		

Nays, 23:

Boswell	Bruner	Carr	Corning
Deluhery	Gentleman	Gronstal	Hannon
Holden	Holt	Kinley	Lind

Lloyd-Jones	Mann	Murphy	Peterson
Rensink	Riordan	Schwengels	Soorholtz
Sturgeon	Varn	Welsh	

Absent or not voting, 1:

Gettings

Amendment S—3956 was adopted.

Senator Lloyd-Jones moved the adoption of division S—3925B as amended, which motion prevailed by a voice vote.

Senator Lloyd-Jones offered amendment S—3959 filed by her from the floor to page 14 of the bill and moved its adoption.

Amendment S—3959 was adopted by a voice vote.

Senator Welsh offered amendment S—3960 filed by him from the floor to pages 3, 6 and 7 of the bill and moved its adoption.

Amendment S—3960 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. 671) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gronstal	Holt	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Nays, 14:

Drake	Fuhrman	Gentleman	Goodwin
Hall	Hester	Holden	Jensen
Lind	Rife	Schwengels	Taylor
Tieden	Vande Hoef		

Absent or not voting, 4:

Gettings

Hannon

Hultman

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 that **House File 671** be immediately messaged to the House.

APPENDIX

STUDY BILL RECEIVED

SSB 253 Ways and Means

Relating to the time for claiming urban revitalization tax exemptions.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

To Mrs. Tatiana Bodine and Tina Hall — In honor of Cornelius “Conny” Bodine, Jr., Mayor of Sioux City.

COMMITTEE REPORT

BUSINESS AND LABOR RELATIONS

Final Bill Action: SENATE FILE 507, a bill for an act relating to the adoption of a benefit ratio unemployment compensation contribution array system and providing for the Act’s applicability.

Recommendation: Ayes, 9: Wells, Mann, Fuhrman, Gettings, Holden, Hultman, Horn, Palmer and Welsh. Nays, none. Absent or not voting, 1: Vande Hoef.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate when the vote was taken on Senate File 148.

Had I been present, I would have voted “aye”.

DON GETTINGS

MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 148 passed the Senate on May 1, 1987.

BILL HUTCHINS

BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on May 1, 1987, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 138 — Relating to the extension of the foreclosure moratorium as provided in the Governor's declaration of economic emergency made on October 1, 1985, and providing for the retroactive applicability of the act and an effective date.

SENATE FILE 195 — Relating to the duties of the state board of tax review.

SENATE FILE 222 — To prohibit the sale or gift of smokeless tobacco to a minor and providing for application of a penalty.

SENATE FILE 264 — Relating to revocation of a property tax exemption and making the act retroactive.

REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 469, the following technical corrections were made:

1. Page 1, line 10, the word "corrections" was changed to the word "correctional".
2. Page 1, line 19, the word "corrections" was changed to the word "correctional".

I report that in enrolling Senate File 216, the following technical correction was made:

1. Page 2, line 8, the word "anti-glaucoma" was changed to the word "antiglaucoma".

JOHN F. DWYER
Secretary of the Senate

SUBCOMMITTEE ASSIGNMENT

SSB 253

WAYS AND MEANS: Dieleman, Chair; Holden and Boswell

PRESENTATION OF VISITOR

Senator Holt presented Ms. Karlon Glau, Legislative

Chairperson of the Iowa Federation of Women's Clubs, representing over seventeen thousand Iowa women which support the Iowa Talented and Gifted Program for children.

AMENDMENTS FILED

S—3950	H.F.	671	William W. Dieleman
S—3951	H.F.	671	Joe J. Welsh Jean Lloyd-Jones Charles Bruner Berl E. Priebe David M. Readinger
S—3952	H.F.	671	Donald V. Doyle
S—3953	H.F.	671	Beverly Hannon Julia Gentleman C. Joseph Coleman Tom Mann, Jr. Al Sturgeon James Riordan Michael E. Gronstal Richard F. Drake Linn Fuhrman Edgar H. Holden John Soorholtz
S—3954	H.F.	671	Calvin Hultman Tom Mann, Jr.
S—3955	H.F.	671	Donald V. Doyle
S—3956	H.F.	671	Berl Priebe John Jensen
S—3957	S.F.	514	Wally E. Horn Larry Murphy Richard Varn Donald V. Doyle Don Gettings James Wells Michael E. Gronstal Wilmer Rensink Jean Lloyd-Jones William W. Dieleman William D. Palmer David M. Readinger

			Beverly Hannon
			James Riordan
			Charles P. Miller
			Tom Mann, Jr.
			Jim Lind
			Alvin V. Miller
			Charles Bruner
			Leonard L. Boswell
			Patrick J. Deluhery
			Berl E. Priebe
			Kenneth D. Scott
			Joy Corning
S—3958	H.F.	671	Joe J. Welsh
S—3959	H.F.	671	Jean Lloyd-Jones
S—3960	H.F.	671	Joe Welsh

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:50 p.m., until 10:00 a.m., Monday, May 4, 1987.

JOURNAL OF THE SENATE

ONE HUNDRED THIRTEENTH CALENDAR DAY
SEVENTY-THIRD SESSION DAY

Senate Chamber
Des Moines, Iowa, Monday, May 4, 1987

The Senate met in regular session at 10:00 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend James Ryan, pastor of the First Christian Church, Des Moines, Iowa.

The Journal of Friday, May 1, 1987, was approved.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Husak for the morning and Senator Scott for the day on request of Senator Hutchins.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on April 30, 1987, passed the following bills in which the concurrence of the House was asked:

Senate File 146, a bill for an act relating to the agricultural loan assistance program of the Iowa agricultural development authority.

Senate File 499, a bill for an act relating to the federal low-income housing credit allowance.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

HOUSE MESSAGES RECEIVED

The following messages were received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on May 1, 1987, amended and passed the following bills in which the concurrence of the Senate is asked:

Senate File 455, a bill for an act relating to physical therapy by providing that physical therapy evaluation and treatment may be rendered without a prescription or referral (S—3962).

Senate File 510, a bill for an act relating to the conducting of classified research at institutions under the state board of regents (S—3963).

Senate Concurrent Resolution 35, a concurrent resolution relating to the board of regents ten-year building program (S—3964).

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.

LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the remainder of the day on request of Senator Horn.

HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

House File 499

Senator Murphy called up for consideration House File 499, a bill for an act relating to education including salary increases, efficiencies, and education enhancement, relating to the establishment of an educational excellence program consisting of three phases relating to the recruitment of quality teachers, the

retention of quality teachers, and the enhancement of the quality and effectiveness of teachers; activities of the state board of education relating to the accreditation process; duration of a superintendent's contract; open enrollment of pupils in contiguous school districts; postsecondary enrollment options for certain high school students; redrawing boundary lines of area education agencies; plans for a governance structure for merged area schools; majority vote for school district bond issues under certain conditions; date of the organizational meeting of school corporations; annual publication of financial statements; sharing interscholastic activity programs; adoption of student achievement goals; provision for intercollegiate athletic activities at merged area schools; procedure for opting out of whole grade sharing; calculation of enrollment of school districts; weighting for non-English-speaking students; and provide effective dates, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3944 to Senate amendment H—3878 filed May 1, 1987.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (H.F. 499) the vote was:

Ayes, 29:

Boswell	Bruner	Carr	Corning
Deluhery	Fraise	Gentleman	Gronstal
Hannon	Hester	Horn	Hutchins
Jensen	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rensink
Riordan	Soorholtz	Taylor	Varn
Wells			

Nays, 18:

Coleman	Dieleman	Doyle	Drake
Fuhrman	Goodwin	Hall	Holden
Holt	Hultman	Kinley	Peterson
Rife	Schwengels	Sturgeon	Tieden
Vande Hoef	Welsh		

Absent or not voting, 3:

Gettings	Husak	Scott
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The motion prevailed 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, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 499) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Drake	Fuhrman
Gronstal	Hannon	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Riordan
Soorholtz	Taylor	Varn	Welsh

Nays, 19:

Coleman	Doyle	Fraise	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Horn	Hultman	Jensen
Peterson	Rife	Schwengels	Sturgeon
Tieden	Vande Hoef	Wells	

Absent or not voting, 3:

Gettings	Husak	Scott
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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 274

Senator Riordan called up for consideration Senate File 274, a bill for an act relating to the exporting of Iowa grain, by providing for the establishment of an Iowa agricultural export trading company; establishing a certified Iowa grain program; a new division of agriquality inspection within the department of agriculture and land stewardship; a state grain terminal and shippers program; a foreign sale facilitation system; and a sealed carrier receptacle program; and imposing penalties, amended by

the House and moved that the Senate concur in House amendment S—3920 filed April 30, 1987.

A non record roll call was requested.

The ayes were 26, nays 19.

The motion prevailed 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 which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 274) the vote was:

Ayes, 27:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gronstal	Hall	Hannon	Horn
Hutchins	Kinley	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Riordan	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 17:

Corning	Drake	Gentleman	Goodwin
Hester	Holden	Holt	Jensen
Lind	Nystrom	Readinger	Rensink
Rife	Schwengels	Taylor	Tieden
Vande Hoef			

Absent or not voting, 6:

Coleman	Gettings	Hultman	Husak
Mann	Scott		

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 580

Senator Wells called up for consideration House File 580, a bill for an act relating to the granting of leaves of absence to persons disabled by pregnancy, providing for their reinstatement, and providing for an employer's liability, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—3924 to Senate amendment H—3889 filed April 30, 1987.

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 and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 580) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hannon	Holden	Horn
Hutchins	Jensen	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Readinger
Rife	Riordan	Schwengels	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, 5:

Hester	Holt	Lind	Rensink
Vande Hoef			

Absent or not voting, 7:

Coleman	Gettings	Hall	Hultman
Husak	Priebe	Scott	

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 12:00 noon, until 1:30 p.m.

APPENDIX

REPORT OF COMMITTEE MEETING

BUSINESS AND LABOR RELATIONS

Convened: May 1, 1987, 11:51 a.m.

Members Present: Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman, Palmer and Welsh.

Members Absent: Vande Hoef.

Committee Business: Recommended passage of Senate File 507.

Adjourned: 12:07 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 May, 1987:

Senate Files 179, 216 and 469.

JOHN F. DWYER
Secretary of the Senate

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 499 passed the Senate on May 4, 1987.

JOE WELSH

MADAM PRESIDENT: I move to reconsider the vote by which House File 499 passed the Senate on May 4, 1987.

LARRY MURPHY

PETITIONS

The following petitions were presented and placed on file by:

Senator Holden from thirty-five residents of Scott County favoring liability and malpractice reform.

Senator Scott from forty-one residents of Cerro Gordo County favoring pay adjustments at the community college level for all non-certified and certified employees.

AMENDMENTS FILED

S—3961	H.F.	617	Jack Rife
S—3962	S.F.	455	House amendment
S—3963	S.F.	510	House amendment
S—3964	S. C. R.	35	House amendment
S—3965	S.F.	515	William W. Dieleman
S—3966	S.F.	515	Jean Lloyd-Jones
S—3967	S.F.	471	William D. Palmer
S—3968	H.F.	377	Bob Carr

AFTERNOON SESSION

The Senate reconvened at 1:36 p.m., President Zimmerman 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 (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 515.

Senate File 515

On motion of Senator Boswell, Senate File 515, a bill for an act relating to the allocations and appropriations of lottery revenues and the programs for which the revenues may be used, was taken up for consideration.

Senator Dieleman withdrew amendment S—3965 filed by him from the floor to pages 5 and 12 of the bill.

Senator Lind offered amendment S—3970 filed by Senators Lind, Hannon and Sturgeon from the floor to page 9 of the bill and moved its adoption.

Amendment S—3970 was adopted by a voice vote.

Senator Boswell offered amendment S—3969 filed by him from the floor to page 9 of the bill and moved its adoption.

Amendment S—3969 was adopted by a voice vote.

Senator Horn offered amendment S—3972 filed by Senators Horn, et al., from the floor to page 9 of the bill and moved its adoption.

Amendment S—3972 was adopted by a voice vote.

President pro tempore Kinley took the chair at 2:27 p.m.

Senator Tieden offered amendment S—3976 filed by him from the floor to page 11 of the bill, moved its adoption and requested a non record roll call.

The ayes were 25, nays 20.

Amendment S—3976 was adopted.

Senator Rife offered amendment S—3971 filed by him from the floor to page 12 of the bill, moved its adoption and requested a non record roll call.

The ayes were 11, nays 30.

Amendment S—3971 lost.

Senator Lloyd-Jones offered amendment S—3966 filed by her from the floor to page 14 of the bill and moved its adoption.

Amendment S—3966 was adopted by a voice vote.

Senator Hannon offered amendment S—3973 filed by Senators Hannon, et al., from the floor to page 17 of the bill and moved its adoption.

Amendment S—3973 was adopted by a voice vote.

Senator Rife took the chair at 3:25 p.m.

Senator Sturgeon offered amendment S—3981 filed by him from the floor to page 3 of the bill.

Senator Boswell asked and received unanimous consent that action on amendment S—3981 be deferred.

Senator Palmer offered amendment S—3978 filed by Senators Palmer and Horn from the floor to page 4 of the bill and moved its adoption.

Amendment S—3978 was adopted by a voice vote.

Senator Welsh offered amendment S—3979 filed by him from the floor to pages 5 and 12 of the bill.

Senator Hannon offered amendment S—3983 filed by her from the floor to amendment S—3979.

Senator Hannon asked and received unanimous consent that action on amendment S—3983 to amendment S—3979 and amendment S—3979 be deferred.

President pro tempore Kinley took the chair at 3:42 p.m.

Senator Corning offered amendment S—3980 filed by Senators Corning, Gentleman and Schwengels from the floor to pages 5, 7 and 12 of the bill and moved its adoption.

Amendment S—3980 lost by a voice vote.

Senator Soorholtz took the chair at 4:17 p.m.

Senator Sturgeon offered amendment S—3982 filed by him from the floor to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 21.

Amendment S—3982 was adopted.

Senator Sturgeon withdrew amendment S—3986 filed by him from the floor to page 13 of the bill.

Senator Sturgeon moved the adoption of amendment S—3981 to page 3 of the bill, previously deferred.

A non record roll call was requested.

The ayes were 17, nays 24.

Amendment S—3981 lost.

The Senate resumed consideration of amendment S—3979 by Senator Welsh to pages 5 and 12 of the bill, previously deferred.

Senator Hannon withdrew amendment S—3983 to amendment S—3979, previously deferred.

Senator Hannon offered amendment S—3985 filed by her from the floor to amendment S—3979 and moved its adoption.

Amendment S—3985 lost by a voice vote.

Senator Welsh moved the adoption of amendment S—3979, which motion prevailed by a voice vote.

President pro tempore Kinley took the chair at 4:40 p.m.

Senator Hannon offered amendment S—3984 filed by her from the floor to page 18 of the bill and moved its adoption.

Amendment S—3984 lost 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. 515) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Drake	Fraise
Gettings	Gronstal	Hall	Hannon
Holden	Holt	Horn	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 8:

Doyle	Fuhrman	Gentleman	Goodwin
Hester	Jensen	Peterson	Schwengels

Absent or not voting, 5:

Deluhery	Hultman	Husak	Hutchins
Mann			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS (Deferred April 27, 1987)

Senate File 351

The Senate resumed consideration of Senate File 351, a bill for an act relating to the acquisition of an interest in banks conducting a banking business in Iowa or bank holding companies

controlling one or more banks conducting a banking business in Iowa by an out-of-state bank holding company, and amendment S—3358 as amended by Senator Gronstal to strike everything after the enacting clause of the bill, deferred April 27, 1987.

Senator Rife asked and received unanimous consent that action on amendment S—3900 filed by him on April 29, 1987, to pages 1 through 14 of amendment S—3358 be temporarily deferred.

(Senate File 351, amendment S—3900 to amendment S—3358 and amendment S—3358 pending on adjournment.)

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President pro tempore Kinley presiding.

APPENDIX

MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 499 passed the Senate on May 4, 1987.

JIM LIND

MADAM PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—3944 to Senate amendment H—3878 to House File 499 on May 4, 1987.

JIM LIND

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 515 passed the Senate on May 4, 1987.

BEVERLY A. HANNON

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 515 passed the Senate on May 4, 1987.

LEONARD L. BOSWELL

STUDY BILL RECEIVED

SSB 254 Ways and Means

Relating to the department of agriculture and land stewardship, by providing for the raising of certain fees and the depositing of certain fees into a regulatory trust fund.

AMENDMENTS FILED

S—3969	S. F.	515	Leonard Boswell
S—3970	S. F.	515	Jim Lind
			Beverly Hannon
			Al Sturgeon
S—3971	S. F.	515	Jack Rife
S—3972	S. F.	515	Wally E. Horn
			Richard Varn
			Al Sturgeon

			Joe Welsh
			Michael Gronstal
			Jim Lind
S—3973	S. F.	515	Beverly Hannon
			Michael Gronstal
			James Wells
			Jim Lind
			Eugene Fraise
			Tom Mann, Jr.
S—3974	H. F.	617	Forrest Schwengels
S—3975	H. F.	669	Beverly Hannon
			Bob Carr
			Donald V. Doyle
S—3976	S. F.	515	Dale L. Tieden
S—3977	H. F.	617	Edgar H. Holden
			William Palmer
S—3978	S. F.	515	William Palmer
			Wally Horn
S—3979	S. F.	515	Joe Welsh
S—3980	S. F.	515	Joy Corning
			Julia Gentleman
			Forrest Schwengels
S—3981	S. F.	515	Al Sturgeon
S—3982	S. F.	515	Al Sturgeon
S—3983	S. F.	515	Beverly Hannon
S—3984	S. F.	515	Beverly Hannon
S—3985	S. F.	515	Beverly Hannon
S—3986	S. F.	515	Al Sturgeon
S—3987	S. F.	351	Jack Rife
S—3988	H. F.	649	Berl Priebe
			Tom Mann, Jr.
			James Riordan
			John Jensen
			Richard Vande Hoef
			Kenneth Scott

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:36 p.m., until 8:00 a.m., Tuesday, May 5, 1987.