

**State of Iowa**

**1988**

# **JOURNAL OF THE SENATE**

**1988**

## **REGULAR SESSION SEVENTY-SECOND GENERAL ASSEMBLY**

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**Volume I  
January 11 - April 14**

**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

## 1988 Regular Session

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GEORGE R. KINLEY, <i>President Pro Tempore</i> .....	Des Moines
BILL HUTCHINS, <i>Majority Floor Leader</i> .....	Audubon
MICHAEL E. GRONSTAL, <i>Assistant Majority Floor Leader</i> .....	Council Bluffs
WALLY E. HORN, <i>Assistant Majority Floor Leader</i> .....	Cedar Rapids
EMIL J. HUSAK, <i>Assistant Majority Floor Leader</i> .....	Toledo
CALVIN O. HULTMAN, <i>Minority Floor Leader</i> .....	Red Oak
EDGAR H. HOLDEN, <i>Assistant Minority Floor Leader</i> .....	Davenport
JOHN W. JENSEN, <i>Assistant Minority Floor Leader</i> .....	Plainfield
JACK NYSTROM, <i>Assistant Minority Floor Leader</i> .....	Boone
JOHN F. DWYER, <i>Secretary of the Senate</i> .....	Des Moines
CYNTHIA A. CLINGAN, <i>Assistant Secretary</i> .....	Des Moines
ANN VER HEUL, <i>Legal Counsel</i> .....	Des Moines
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CAROLE ("C.J.") Kelly, <i>Journal Editor</i> .....	Altoona
CARYLL WILBUR, <i>Chief Indexer</i> .....	Indianola
DANITA EDWARDS, <i>Administrative Assistant to</i> <i>Lieutenant Governor</i> .....	Des Moines
BRETT J. TORESDAHL, <i>Administrative Assistant to</i> <i>Lieutenant Governor</i> .....	Des Moines
GREG NICHOLS, <i>Administrative Assistant to</i> <i>Majority Leader</i> .....	Des Moines
JUDY K. VINCHATTLE, <i>Administrative Assistant to</i> <i>Minority Leader</i> .....	West Des Moines
DENNIS HARBAUGH, <i>Majority Caucus Staff Director</i> .....	Des Moines



PAULA S. DIERENFELD, <i>Minority Caucus Staff Director</i> .....	Des Moines
STEPHEN CONWAY, <i>Majority Caucus Research Analyst</i> .....	Des Moines
MARY GANNON, <i>Majority Caucus Research Analyst</i> .....	Des Moines
WILLIAM B. HAIGH, <i>Majority Caucus Research Analyst</i> .....	Des Moines
THERESA L. KEHOE, <i>Majority Caucus Research Analyst</i> .....	Des Moines
DEBBIE O'LEARY, <i>Majority Caucus Research Analyst</i> .....	Des Moines
JAMES M. BOOSE, <i>Minority Caucus Research Analyst</i> .....	Des Moines
DAVID C. HUDSON, <i>Minority Caucus Research Analyst</i> .....	West Des Moines
CAROLANN JENSEN, <i>Minority Caucus Research Analyst</i> .....	Ames
SUZANNE JOHNSON, <i>Minority Caucus Research Analyst</i> .....	Des Moines
JULIE ELDER, <i>Assistant Journal Editor</i> .....	Des Moines
NANCY GIBSON, <i>Assistant Indexer</i> .....	Des Moines
LORI BRISTOL, <i>Executive Secretary to the Secretary of the Senate</i> .....	West Des Moines
ANNETTE M. NICHOLS, <i>Secretary to the Secretary of Senate</i> .....	Indianola
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CEE JAY STONEKING, <i>Recording Clerk</i> .....	Ankeny
MARY BUBAN, <i>Records and Supply Clerk</i> .....	Des Moines
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ANNE QUINLAN, <i>Assistant to Legal Counsel</i> .....	Johnston
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MARY BUSTAD, <i>Majority Caucus Staff Secretary</i> .....	Woodward
MARCY JOLLY, <i>Minority Caucus Staff Secretary</i> .....	Knoxville
JANET PETERSON, <i>Bill Clerk</i> .....	Des Moines
ALFRED J. KLOCKE, <i>Sergeant-at-arms</i> .....	Carroll

LYNN E. BRANDT, <i>Assistant Sergeant-at-arms</i> .....	Mingo
JACK LEVINE, <i>Assistant Sergeant-at-arms</i> .....	Des Moines
RAY J. PROSPERI, <i>Chief Doorkeeper</i> .....	Des Moines
SVEND A. CHRISTENSEN, <i>Doorkeeper</i> .....	Des Moines
CATHERINE L. DeHECK, <i>Doorkeeper</i> .....	Des Moines
ROBERT DOYLE, <i>Doorkeeper</i> .....	Des Moines
DOMENIC MORROW, <i>Doorkeeper</i> .....	Des Moines
FRANK J. MURPHY, <i>Doorkeeper</i> .....	Des Moines
E.A. SAMUELSON, <i>Doorkeeper</i> .....	Des Moines
MARY L. LEONARD, <i>Switchboard Operator</i> .....	Davenport
FREDDA WRIGHT, <i>Switchboard Operator</i> .....	Ankeny
ELEANOR HESSLING, <i>Postmaster</i> .....	Altoona
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> .....	West Des Moines
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

JUSTICES OF THE IOWA SUPREME COURT

ARTHUR A. MCGIVERIN, <i>Chief Justice</i> .....	Ottumwa
JAMES H. ANDREASEN, <i>Justice</i> .....	Algona
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
LINDA NEUMAN, <i>Justice</i> .....	Davenport
LOUIS SCHULTZ, <i>Justice</i> .....	Iowa City
BRUCE M. SNELL, JR., <i>Justice</i> .....	Ida Grove

IOWA COURT OF APPEALS JUDGES

LEO OXBERGER, <i>Chief Judge</i> .....	Des Moines
ALLEN L. DONIELSON, <i>Judge</i> .....	Des Moines
ALBERT L. HABHADON, <i>Judge</i> .....	Fort Dodge
MAYNARD J.V. HAYDEN, <i>Judge</i> .....	Indianola
ROSEMARY S. SACKETT, <i>Judge</i> .....	Spencer
DICK SCHLEGAL, <i>Judge</i> .....	Ottumwa

**MEMBERS OF THE SENATE  
SEVENTY-SECOND GENERAL ASSEMBLY  
1988 REGULAR SESSION**

**LEONARD L. BOSWELL**

Address ..... Davis City  
Age ..... 54  
Occupation ..... Farmer/Small Businessman  
Senatorial District ..... 46—Decatur, Adair, Adams, Cass, Clarke, Ringgold, Taylor, Union  
Former Legislative Service ..... 71, 72 (1st), 72X, 72XX

**CHARLES H. BRUNER**

Address ..... Ames  
Age ..... 39  
Senatorial District ..... 37—Story  
Former Legislative Service ..... 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

**BOB CARR**

Address ..... Dubuque  
Age ..... 50  
Occupation ..... Securities Broker  
Senatorial District ..... 18—Dubuque  
Former Legislative Service ..... 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

**C. JOSEPH COLEMAN**

Address ..... Clare  
Age ..... 64  
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, 72 (1st), 72X, 72XX

**JOY CORNING**

Address ..... Cedar Falls  
Age ..... 55  
Occupation ..... Homemaker  
Senatorial District ..... 12—Black Hawk  
Former Legislative Service ..... 71, 72 (1st), 72X, 72XX

**PAT DELUHERY**

Address ..... Davenport  
Age ..... 45  
Occupation ..... College Teacher  
Senatorial District ..... 21—Scott  
Former Legislative Service ..... 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

**WM. W. (BILL) DIELEMAN**

Address ..... Pella  
Age ..... 56  
Occupation ..... Life Insurance Underwriter  
Senatorial District ..... 35—Marion, Jasper, Polk, Warren  
Former Legislative Service ..... 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY  
1988 REGULAR SESSION—Continued

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DONALD V. DOYLE

Address ..... Sioux City  
Age ..... 62  
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, 72 (1st),  
72X, 72XX

RICHARD F. DRAKE

Address ..... Muscatine  
Age ..... 60  
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, 72 (1st), 72X, 72XX

EUGENE S. FRAISE

Address ..... Fort Madison  
Age ..... 55  
Occupation ..... Farmer  
Senatorial District ..... 31—Lee, Des Moines, Van Buren  
Former Legislative Service ..... 71 (2nd), 72 (1st), 72X, 72XX

LINN FUHRMAN

Address ..... Aurelia  
Age ..... 43  
Occupation ..... Farmer  
Senatorial District ..... 5—Buena Vista, Calhoun, Pocahontas, Sac, Webster  
Former Legislative Service ..... 72 (1st), 72X, 72XX

JULIA GENTLEMAN

Address ..... Des Moines  
Age ..... 56  
Occupation ..... Housewife  
Senatorial District ..... 41—Polk  
Former Legislative Service ..... 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

DONALD E. GETTINGS

Address ..... Ottumwa  
Age ..... 64  
Occupation ..... Retired—Deere & Co.  
Senatorial District ..... 33—Wapello, Appanoose, Davis  
Former Legislative Service ..... 67 (2nd), 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

NORMAN J. GOODWIN

Address ..... DeWitt  
Age ..... 75  
Occupation ..... Retired County Extension Director  
Senatorial District ..... 19—Clinton, Cedar  
Former Legislative Service ..... 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

viii MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY  
1988 REGULAR SESSION—Continued

MICHAEL E. GRONSTAL

Address ..... Council Bluffs  
Age ..... 37  
Senatorial District ..... 50—Pottawattamie  
Former Legislative Service ..... 70, 71, 72 (1st), 72X, 72XX

HURLEY W. HALL

Address ..... Marion  
Age ..... 52  
Occupation ..... Retired Telephone Engineer/Farmer  
Senatorial District ..... 24—Linn, Buchanan, Delaware  
Former Legislative Service ..... 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

BEVERLY A. HANNON

Address ..... Anamosa  
Age ..... 55  
Occupation ..... Homemaker/Student  
Senatorial District ..... 22—Jones, Cedar, Linn  
Former Legislative Service ..... 71, 72 (1st), 72X, 72XX

JACK W. HESTER

Address ..... Honey Creek  
Age ..... 58  
Occupation ..... Farmer  
Senatorial District ..... 49—Pottawattamie, Cass, Harrison, Shelby  
Former Legislative Service ..... 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

EDGAR H. HOLDEN

Address ..... Davenport  
Age ..... 73  
Occupation ..... Entrepreneur  
Senatorial District ..... 20—Scott  
Former Legislative Service ..... 62, 63, 64, 65, 67 (2nd), 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

LEE W. HOLT

Address ..... Spencer  
Age ..... 78  
Occupation ..... Automobile Dealer  
Senatorial District ..... 6—Clay, Dickinson, Emmett, Palo Alto  
Former Legislative Service ..... 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

WALLY E. HORN

Address ..... Cedar Rapids  
Age ..... 54  
Occupation ..... Teacher  
Senatorial District ..... 25—Linn  
Former Legislative Service ..... 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY  
1988 REGULAR SESSION—Continued

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CALVIN O. HULTMAN

Address ..... Red Oak  
Age ..... 46  
Occupation ..... Businessman  
Senatorial District ..... 47—Montgomery, Fremont, Mills, Page, Pottawattamie  
Former Legislative Service ..... 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

EMIL J. HUSAK

Address ..... Toledo  
Age ..... 57  
Occupation ..... Farmer  
Senatorial District ..... 38—Tama, Benton, Black Hawk, Marshall  
Former Legislative Service ..... 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

BILL HUTCHINS

Address ..... Audubon  
Age ..... 56  
Occupation ..... Businessman  
Senatorial District ..... 48—Audubon, Carroll, Crawford, Shelby  
Former Legislative Service ..... 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

JOHN W. JENSEN

Address ..... Plainfield  
Age ..... 61  
Occupation ..... Farmer  
Senatorial District ..... 11—Bremer, Black Hawk, Butler, Grundy  
Former Legislative Service ..... 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

GEORGE R. KINLEY

Address ..... Des Moines  
Age ..... 50  
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, 72 (1st), 72X, 72XX

JIM LIND

Address ..... Waterloo  
Age ..... 32  
Occupation ..... Service Station Owner/Operator  
Senatorial District ..... 13—Black Hawk  
Former Legislature Service ..... 71 (2nd), 72 (1st), 72X, 72XX

JEAN LLOYD-JONES

Address ..... Iowa City  
Age ..... 58  
Occupation ..... Legislator  
Senatorial District ..... 23—Johnson  
Former Legislative Service ..... 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

# MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY 1988 REGULAR SESSION—Continued

## TOM MANN, JR.

Address ..... Des Moines  
Age ..... 38  
Occupation ..... Attorney  
Senatorial District ..... 43—Polk  
Former Legislative Service ..... 70, 71, 72 (1st), 72X, 72XX

## ALVIN V. MILLER

Address ..... Ventura  
Age ..... 66  
Occupation ..... Insurance Agency  
Senatorial District ..... 10—~~Cerro Gordo~~, Winnebago, Worth  
Former Legislative Service ..... 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

## CHARLES P. MILLER

Address ..... Burlington  
Age ..... 69  
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, 72 (1st), 72X, 72XX

## LARRY MURPHY

Address ..... Oelwein  
Age ..... 35  
Occupation ..... Printing Broker/Writer  
Senatorial District ..... 14—~~Fayette~~, Black Hawk, Buchanan, Chickasaw  
Former Legislative Service ..... 71, 72 (1st), 72X, 72XX

## JACK NYSTROM

Address ..... Boone  
Age ..... 54  
Occupation ..... Legislator  
Senatorial District ..... 44—~~Boone~~, Carroll, Greene, Story  
Former Legislative Service ..... 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

## WILLIAM D. PALMER

Address ..... Des Moines  
Age ..... 52  
Occupation ..... Insurance Executive  
Senatorial District ..... 39—Polk  
Former Legislative Service ..... 61, 62, 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

## JOHN A. PETERSON

Address ..... Albia  
Age ..... 53  
Occupation ..... Livestock-Market Owner  
Senatorial District ..... 34—~~Monroe~~, Clark, Lucas, Warren, Wayne  
Former Legislation Service ..... 71 (2nd), 72 (1st), 72X, 72XX



MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY  
1988 REGULAR SESSION—Continued

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BERLE E. PRIEBE

Address .....Algona  
Age .....69  
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, 72 (1st), 72X, 72XX

DAVID M. READINGER

Address .....Des Moines  
Age .....52  
Occupation .....Sales  
Senatorial District .....42—Polk  
Former Legislative Service .....65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

WILMER RENSINK

Address .....Sioux Center  
Age .....54  
Occupation .....Farmer  
Senatorial District .....6—Sioux, Plymouth, Woodbury  
Former Legislative Service .....70, 71, 72 (1st), 72X, 72XX

JACK RIFE

Address .....Moscow  
Age .....44  
Occupation .....Farmer  
Senatorial District .....29—Muscatine, Scott  
Former Legislative Service .....70, 71, 72 (1st), 72X, 72XX

JAMES R. RIORDAN

Address .....Waukee  
Age .....38  
Occupation .....Nursery Owner  
Senatorial District .....45—Dallas, Adair, Guthrie, Madison  
Former Legislative Service .....71 (2nd), 72 (1st), 72X, 72XX

FORREST V. SCHWENGELS

Address .....Fairfield  
Age .....72  
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, 72 (1st), 72X, 72XX

KENNETH D. SCOTT

Address .....Clear Lake  
Age .....57  
Occupation .....Realtor, Farmer, Auctioneer  
Senatorial District .....15—Cerro Gordo, Chickasaw, Floyd, Howard, Mitchell  
Former Legislative Service .....64, 65, 66, 72 (1st), 72X, 72XX

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1988 REGULAR SESSION—Continued

JOHN SOORHOLTZ

Address ..... Melbourne  
Age ..... 57  
Occupation ..... Farmer/Pork Producer  
Senatorial District ..... 36—Marshall, Jasper  
Former Legislative Service ..... 70 (2nd), 71, 72 (1st), 72X, 72XX

AL STURGEON

Address ..... Sioux City  
Age ..... 31  
Occupation ..... Legislator  
Senatorial District ..... 1—Woodbury  
Former Legislative Service ..... 69, 70, 71, 72 (1st), 72X, 72XX

RAY TAYLOR

Address ..... Steamboat Rock  
Age ..... 64  
Occupation ..... Farmer, Business  
Senatorial District ..... 9—Hardin, Franklin, Hamilton, Hancock, Wright  
Former Legislative Service ..... 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

DALE L. TIEDEN

Address ..... Elkader  
Age ..... 65  
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, 72 (1st), 72X, 72XX

RICHARD VANDE HOEF

Address ..... Harris  
Age ..... 62  
Occupation ..... Farmer  
Senatorial District ..... 4—Osceola, Cherokee, Clay, Lyon, O'Brien, Sioux  
Former Legislative Service ..... 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

RICHARD VARN

Address ..... Solon  
Age ..... 29  
Occupation ..... Law-Teaching  
Senatorial District ..... 54—Johnson, Iowa, Poweshiek  
Former Legislative Service ..... 70, 71, 72 (1st), 72X, 72XX

JAMES D. WELLS

Address ..... Cedar Rapids  
Age ..... 59  
Occupation ..... Cereal Company Employee  
Senatorial District ..... 26—Linn  
Former Legislative Service ..... 63, 64, 65, 66, 67, 67X, 68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

MEMBERS OF THE SENATE—72nd GENERAL ASSEMBLY      xiii  
1988 REGULAR SESSION—Continued

JOE J. WELSH

Address .....Dubuque  
Age .....32  
Occupation .....Businessman—Private Investigator  
Senatorial District .....17—Dubuque, Jackson, Jones  
Former Legislative Service .....68, 69, 69X, 69XX, 70, 71, 72 (1st), 72X, 72XX

# JOURNAL OF THE SENATE

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## FIRST CALENDAR DAY FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, January 11, 1988

Pursuant to chapter two (2), sections two point one (2.1) and two point three (2.3), Code of Iowa, the 1988 Regular Session of the Seventy-second General Assembly convened at 10:00 a.m., and the Senate was called to order by Lieutenant Governor Jo Ann Zimmerman.

Prayer was offered by the Reverend Doctor Josephine Barnes, pastor of the Berwick United Church of Christ, Berwick, Iowa.

## OPENING REMARKS BY THE LIEUTENANT GOVERNOR

Lieutenant Governor Zimmerman addressed the Senate as follows:

Thank you Reverend Barnes. Good Morning Senators and guests. It is always a special day when we convene in this historic building. Some Iowans shudder when we convene, some rejoice in the hopes that wrongs will be made right. It is time to beat our swords into plowshares, to develop real leadership in bringing Iowa into the 21st Century. It is time to stabilize our rural population, time to stabilize our economy, time to use the resources - our land and our people - in developing new directions for Iowa. We need to work on making plastics and ethanol out of corn and spinning off technology into new jobs for Iowa. We can build from within - we have the strength and vitality to do it. The legislature is an extension of all Iowans and must work together as Iowans. Thank you.

## REMARKS BY THE MAJORITY LEADER

Senator Hutchins addressed the Senate as follows:

Madam President, Ladies and Gentleman of the Senate, Staff and Friends:

I'd like to take this opportunity to welcome you all back. We do have a few new faces on our Senate staff this year who I want to welcome today, and especially our new pages -- who often don't get the recognition they deserve when we get busy later in the session.

The difficult experiences we shared last year through the regular and special sessions should help remind us all this year to work a little harder at arriving at consensus whenever possible. I know we in leadership, House and Senate, Democrats and Republicans, and Executive branch, are going to keep trying to do just that.

Now, let me tell you how I see the session ahead. In 1988, we will meet for about 99 days after today. In that time, we must frankly acknowledge we will not solve every problem we confront, but we will and we should work hard on those issues where we already have a consensus forming. First, we must expand and refine our efforts to bring quality jobs and economic growth to Iowa. In my view, this should include: reviewing current programs and modifying those which have not met our expectations, trying new mechanisms to assist local rural redevelopment efforts, expand efforts such as small business incubators across Iowa, and provide a stable state tax environment -- with minimal changes this year to give us a chance to see what the real impact of 1987's changes will be. Second, I believe effort will be well spent this year in the area of self-sufficiency for those less fortunate Iowa families. It is time to begin serious examination of new human service program ideas that promote eventual self-sufficiency for clients. This is a complex issue, and will take time to implement, but now is the time to begin. Third, we must work with our colleagues across the hall and the Governor to assure another balanced budget with maximum efficiency in government. Of course, there will be literally hundreds of other issues raised this year, but I highlight these three to indicate my concern that we focus our efforts especially hard this year on those areas where we can build a broad consensus, not those that pull us, and our state, apart.

I know the conventional wisdom is that in an election year that we "don't do much", "are bitter and partisan", and "don't work quickly or effectively". While democracy isn't always neat and tidy, I think 1988 need not be a bad or ugly session. If we respect one another, our divergent needs and methods of doing things, and above all, respect our common goals of improving our state in the years ahead, this will be a good session. We all share the responsibility to make it so. I ask each of you today to join with me in the resolve to not only work hard, but to treat one another with respect and fairness this year. Good work, done in a professional atmosphere, will be a credit to us all. Let's approach the next 99 days with this spirit uppermost in our minds. There will be plenty of time for campaigning AFTER we adjourn in April.

Finally, let me conclude with a personal note. I think it's worth repeating, as we begin this session, that my door is always open to each of you. You may not always agree with me, or think I am the world's greatest diplomat, but I want to remind you today that I will always let you know my views honestly, and try to work WITH you whenever I can. Together, we can make these 100 days the starting point for some good ideas which will strengthen Iowa's future.

Thank you.

## REMARKS BY THE MINORITY LEADER

Senator Hultman addressed the Senate as follows:

I, also, would like to offer a welcome to the pages and the new staff people who are here today. As Senator Hutchins said, we will have some good days and some bad days. That's the democratic process - small "d".

We will be looking at the budget very strongly this year in a number of ways. I think if I could label this year, I would say we could have a boom in 1988. Land prices have stabilized and there are a lot of things that have come together. As past Chairman of the National Conference of State Legislatures Economic Development Committee, we have an opportunity to get into an Iowa Development Corporation where we can take a micro look to determine what we have and what we don't have, and then take a macro look at the United States and the international scene to see how we fit into the picture. I think this is what we need to do.

Another thing I have found over the interim — I'm not campaigning this year, but just going out and talking with people — the people themselves are pulling themselves up by the bootstraps. The people, not us, and I think what we have to do is make sure we don't stand in their way. We need to help them help themselves.

It's the most exciting thing I have seen in years. I attended meetings three days in a row where we brought in people from California, Tokyo and all over the world to work in my Senate district. That ought to tell us something right there. If we don't stand in their way and if we help them, the people are ready to help themselves. I think this is the key. So, let's not stand in the way and, Senator Hutchins, I look forward to working with you and putting together an appropriations plan so that we can live and work together without tax increases.

Thank you.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the day and the morning of January 12, 1988, and Senator Corning for the day on request of Senator Hultman.

## 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; Scott and Rife.

## 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 Hannon, Chair; Lloyd-Jones and Readinger.

## 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.

## SUPPLEMENTAL REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

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

MADAM PRESIDENT: Your committee on rules and administration begs leave to submit the names of the following personnel for permanent officers, employees and secretaries for the 1988 Session of the Seventy-second General Assembly:

### Administrative

Administrative Sec to the Secretary ..... Annette Nichols  
Recording Clerk ..... Cee Jay Stoneking

### Journal

Journal Recording Clerk ..... Pamela Rauch

### Legal Counsel

Assistant to Legal Counsel ..... Anne Quinlan

### Minority Caucus

Research Analyst ..... Carolann Jensen

Services

Bill Clerk ..... Janet Petersen  
 Postmaster ..... Eleanor Hesseling

Secretaries to Senators

Committee Secretary ..... Randy Bauer  
 Committee Secretary ..... Mark Carr  
 Secretary ..... Susan Cain  
 Committee Secretary ..... Connie Eichhorn  
 Committee Secretary ..... Faye Fraise  
 Secretary ..... Todd Griffith  
 Committee Secretary ..... Mary Kennedy  
 Committee Secretary ..... Frances Miller  
 Committee Secretary ..... Jeff Nielson  
 Committee Secretary ..... Martha Rueter  
 Secretary ..... Kay Santi  
 Committee Secretary ..... Susan Peterson  
 Secretary ..... Sue Feters

BILL HUTCHINS, Chair

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

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

## ANNOUNCEMENT BY THE PRESIDENT OF THE SENATE

President Zimmerman announced that Danita Edwards had been appointed Administrative Assistant to the Lieutenant Governor.

## APPOINTMENT OF PAGES

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

MADAM PRESIDENT: Your committee on Rules and Administration begs leave to submit the names of the following personnel as Pages for the Senate for the 1988 Session of the Seventy-second General Assembly:



Matthew Gibbs, Urbandale  
Anna Grandinetti, Burlington  
Katrina Hennies, Donnellson  
Kate HOFFEY, Cedar Falls  
Sheridee Jorgenson, Ledyard  
Katherine Kennedy, Lt. Governor's Page, Mitchellville  
Murray Leith, Manson  
Andrea Pedersen, Harlan  
Lloyd Quesenberry, Ames  
Lori Reeder, Oelwein  
Tracey Shell, Madrid  
Sara Timmerman, Tripoli  
Eric Tschetter, Oskaloosa  
Brenda Welte, Secretary of the Senate's Page, New Liberty  
Dean Wilson, Cherokee  
Kristin Winchell, Atlantic

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.

#### 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.

#### REPORT OF THE COMMITTEE TO NOTIFY THE HOUSE

Senator Hannon 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.

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

The Senate resumed session, President Zimmerman presiding.

## INTRODUCTION OF BILLS

**Senate File 2001**, by Grönstal, a bill for an act prohibiting certain public utilities from including in their charges or rates to customers the costs of wages and compensation of certain employees.

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

**Senate File 2002**, by Holden, a bill for an act relating to the payment of additional salary and expense allowances during a special session.

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

**Senate File 2003**, by Holden, a bill for an act setting the speed limit on fully controlled-access, divided, multilaned highways at sixty-five miles per hour with certain exceptions and with penalties applicable.

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

**Senate File 2004**, by Schwengels, a bill for an act to increase the fee for duplicate motor vehicle operator permits or licenses.

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

**Senate File 2005**, by Corning, Lloyd-Jones, Riordan, Gentleman, Hannon, and Readinger, a bill for an act to prohibit the use of corporal punishment in approved or accredited schools.

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

**Senate File 2006**, by Dieleman, a bill for an act relating to the requirements for accreditation of certain colleges in order to participate in the Iowa tuition grant program.

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

**Senate File 2007**, by Holden, a bill for an act relating to the registration of vessels documented by the United States bureau of customs.

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

**Senate File 2008**, by Boswell, a bill for an act relating to information required to be delivered to a warehouse operator upon the termination of a receivership over an agricultural products warehouse.

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

**Senate File 2009**, by Sturgeon, a bill for an act to provide for the use of lottery funds for the construction of a new medium or maximum security prison.

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

**Senate File 2010**, by Mann, a bill for an act relating to conduct which creates a substantial risk of bodily injury as a condition of association with a group or organization and providing penalties.

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

**Senate File 2011**, by Tieden, a bill for an act relating to meat and poultry regulation and inspection, providing penalties, and providing for injunctive relief.

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

**Senate File 2012**, by Gronstal and Hultman, a bill for an act relating to the use of moneys collected pursuant to the Iowa pari-mutual wagering Act.

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

**Senate File 2013**, by Holden, a bill for an act providing a preference for disabled veterans with regard to a reduction in force or reemployment in public employment, and providing for retraining of disabled veterans laid off as part of a reduction in force.

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

**Senate File 2014**, by Holden, a bill for an act relating to the credit for unexpired registration fees for vehicles sold, traded, or junked.

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

**Senate File 2015**, by Hutchins, a bill for an act permitting the use of a life jacket in a swimming pool for certain persons.

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

**Senate File 2016**, by Holden, a bill for an act authorizing the review of city audit workpapers by the auditor of state and providing for the reimbursement of the auditor's expenses in conducting the review.

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

**Senate File 2017**, by Holden, a bill for an act relating to handicapped parking and the use, issuance, and display of handicapped identification devices, stickers, signs, and plates, making penalties applicable; and providing an effective date.

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

**Senate File 2018**, by Holden, a bill for an act creating a family support subsidy program.

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

**Senate File 2019**, by Dieleman, a bill for an act relating to the credentialing and regulation of respiratory care practitioners.

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

**Senate File 2020**, by Horn, a bill for an act relating to the return of cash or other qualified security deposited with the clerk of the district court as bail.

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

**Senate File 2021**, by Hultman, a bill for an act repealing the statutory provision which prospectively abolishes the department of commerce.

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

**Senate File 2022**, by Lloyd-Jones, a bill for an act requiring railway corporations to offer abandoned rail lines to the state and its agencies prior to removal of the track materials.

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

**Senate File 2023**, by Wells, a bill for an act relating to the ownership, issuance of title, operation, and regulation of snowmobiles and all-terrain vehicles, subjecting violators to penalties, and providing effective dates.

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

### RECESS

On motion of Senator Hutchins, the Senate recessed at 11:12 a.m., until 4:30 p.m.

## 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	Peterson	Soorholtz
A. Miller*	Fuhrman	Rensink	Vande Hoef
Hester**	Hall	Riordan	
Boswell	Husak	Scott	

#### APPROPRIATIONS—18 Members

Welsh, Chair	Dieleman	Lind	Schwengels
Husak*	Fraise	Lloyd-Jones	Sturgeon
Tieden**	Gettings	Peterson	Varn
Boswell	Holt	Readinger	
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	Hall	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**	Horn		

NATURAL RESOURCES—12 Members

Scott, Chair	Doyle	Hester	Peterson
Priebe*	Goodwin	Husak	Rensink
Schwengels**	Hannon	A. Miller	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	Jensen	Nystrom
Scott*	Gettings	Lloyd-Jones	Priebe
Drake**	Goodwin		

WAYS AND MEANS—15 Members

Bruner, Chair	Dieleman	Holt	Readinger
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
Priebe*	Scott	

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  
Horn\*

Nystrom\*\*  
Murphy

Rensink

HEALTH AND HUMAN RIGHTS

Sturgeon, Chair  
A. Miller\*

Readeringer\*\*  
Gentleman

C. Miller

HUMAN SERVICES

Lloyd-Jones, Chair  
Bruner\*

Corning\*\*  
Deluhery

Fuhrman

JUSTICE SYSTEM

Fraise, Chair  
Doyle\*

Lind\*\*  
Mann

Vande Hoef

REGULATION

Peterson, Chair  
Wells\*

Goodwin\*\*  
Palmer

Schwengels

TRANSPORTATION AND SAFETY

Gettings, Chair  
Coleman\*

Holt\*\*  
Holden

Husak

**APPOINTMENTS TO SENATE ETHICS COMMITTEE**

Appointed by Senator Hutchins, Majority Leader

Mann, Chair

Gettings\*

Husak

Appointed by Senator Hultman, Minority Leader

Taylor\*\*

Drake

\*Vice Chair

\*\*Ranking Member

## REPORTS 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 which include restoration of steps lost in the process of implementing comp worth and merit increases:

Assistant Sec of the Senate	Cynthia Clingan	33-4 to 33-6	effective 6/26/87
Administrative Assistant III	Greg Nichols	33-4 to 33-6	effective 6/26/87
Administrative Assistant III	Judy Vinchattle	33-3 to 33-5	effective 6/26/87
Caucus Staff Director	Dennis Harbaugh	34-1 to 34-3	effective 6/26/87
Caucus Staff Director	Paula Dierenfeld	34-1 to 34-3	effective 6/26/87
Research Analyst II	Mary Gannon	30-1 to 30-3	effective 6/26/87
Research Analyst II	Jim Boose	30-1 to 30-3	effective 6/26/87
Research Analyst II	Debbie O'Leary	30-1 to 30-3	effective 6/26/87
Research Analyst I	Bill Haigh	27-1 to 27-3	effective 6/26/87
Research Analyst I	Suzanne Johnson	27-1 to 27-2	effective 6/26/87
Research Analyst I	David Hudson	27-1 to 27-2	effective 6/26/87
Research Analyst I	Steve Conway	27-1 to 27-2	effective 6/26/87
Research Analyst I	Theresa Kehoe	27-1 to 27-2	effective 6/26/87
Executive Sec to Leader	Kathy Hillman	23-3 to 23-5	effective 6/26/87
Caucus Staff Secretary	Mary Bustad	21-1 to 21-3	effective 6/26/87
Caucus Staff Secretary	Marcy Jolly	21-1 to 21-2	effective 6/26/87
Administrative Sec to Leader	Betty Wise	21-2 to 21-4	effective 6/26/87
Executive Sec to Secretary	Lori Bristol	23-1 to 23-2	effective 6/26/87
Assistant Journal Editor	Julie Elder	21-2 to 21-3	effective 6/26/87
Chief Indexer	Caryll Wilbur	21-5 to 21-6	effective 6/26/87
Assistant Indexer	Nancy Gibson	18-1 to 18-2	effective 6/26/87
Assistant to Finance Officer/ Asst. to Legal Counsel	Linda Laurenzo	18-1 PT	effective 6/02/87
		P-PT	effective 9/04/87
Journal Recording Clerk	Pam Rauch	20-1 P-F	effective 11/2/87

BILL HUTCHINS, Chair

ALSO:

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 6, the committee on rules and administration submits the following changes which represents the restoration of steps lost when implementing comp worth:

### Session Only Staff

Sergeant-at-arms	Alfred J. Klocke	16-3 to 16-4	effective 1-11-88
Chief Doorkeeper	Ray J. Properi	11-2 to 11-3	effective 1-11-88
Doorkeeper	Catherine DeHeck	10-2 to 10-3	effective 1-11-88
Doorkeeper	Robert Doyle	10-1 to 10-2	effective 1-11-88
Doorkeeper	Domenic P. Morrow	10-1 to 10-2	effective 1-11-88
Doorkeeper	Frank Murphy	10-1 to 10-2	effective 1-11-88
Doorkeeper	E.H. Samuelson	10-1 to 10-2	effective 1-11-88
Porter	James Sullivan	9-5 to 9-6	effective 1-11-88

Secretaries

Secretary	Joyce Anderson	16-1+2 to 16-2+2	effective 1-11-88
Secretary	Vicki Davis	17-1 to 17-2	effective 1-11-88
Secretary	Alyce Elmitt	16-5+2 to 16-6+2	effective 1-11-88
Committee Secretary	Steve Falck	17-1 to 17-2	effective 1-11-88
Committee Secretary	Beverley Gettings	18-1+2 to 18-2+2	effective 1-11-88
Secretary	Jo Ann Hanover	18-1+2 to 18-2+2	effective 1-11-88
Secretary	Barbara Harrison	18-3+2 to 18-4+2	effective 1-11-88
Secretary	Jeanne Heller	18-1+2 to 18-2+2	effective 1-11-88
Secretary	Dorothy Husak	18-1 to 18-2	effective 1-11-88
Committee Secretary	JoAnn Hutchins	17-1 to 17-2	effective 1-11-88
Secretary	Myrtle Jensen	18-1 to 18-2	effective 1-11-88
Secretary	Pat King	16-1+2 to 16-2+2	effective 1-11-88
Committee Secretary	Fran Kurtz	18-1+2 to 18-2+2	effective 1-11-88
Committee Secretary	Virginia Miller	17-2+2 to 17-3+2	effective 1-11-88
Secretary	Marcella Nelson	17-4+2 to 17-5+2	effective 1-11-88
Committee Secretary	Carole Peterson	18-1+2 to 18-2+2	effective 1-11-88
Secretary	Marilyn Rensink	15-1+2 to 15-2+2	effective 1-11-88
Committee Secretary	Gerry Rydell	18-4+2 to 18-5+2	effective 1-11-88
Secretary	Flo Saf	16-2+2 to 16-3+2	effective 1-11-88
Secretary	Beverly Samuelson	16-1+2 to 16-2+2	effective 1-11-88
Secretary	Hazel Schroedel	16-3+2 to 16-4+2	effective 1-11-88
Secretary	Harriet VandeHoef	16-1 to 16-2	effective 1-11-88
Secretary	Elizabeth Wasker	17-4+2 to 17-5+2	effective 1-11-88
Committee Secretary	Margaret Wimmer	18-1 to 18-2	effective 1-11-88

The Committee also submits the following names of officers and employees employed for the 1988 session:

Administrative Sec to the Secretary	Annette Nichols	21-1	S-0	effective 12-21-87
Recording Clerk	Cee Jay Stoneking	20-1	S-0	effective 1-4-88
Assistant to Legal Counsel	Anne Quinlan	16-1	S-0	effective 1-8-88
Bill Clerk	Janet Petersen	13-1	S-0	effective 1-8-88
Postmaster	Eleanor Hesseling	11-1	S-0	effective 1-8-88
Committee Secretary	Randy Bauer	17-1	S-0	effective 12-11-87
Committee Secretary	Mark Carr	18-1	S-0	effective 1-11-88
Secretary	Susan Cain	16-1	S-0	effective 1-11-88
Committee Secretary	Connie Eichhorn	17-5+2	S-0	effective 1-11-88
Secretary	Sue Fetters	15-1	S-0	effective 1-11-88
Secretary	Faye Fraise	17-1	S-0	effective 1-11-88
Secretary	Todd Griffith	16-1	S-0	effective 1-11-88
Committee Secretary	Mary Kennedy	18-2+2	S-0	effective 1-11-88
Committee Secretary	Frances Miller	18-1	S-0	effective 1-11-88
Committee Secretary	Jeff Nielson	17-1	S-0	effective 1-11-88
Committee Secretary	Susan Peterson	18-1+2	S-0	effective 1-11-88
Committee Secretary	Martha Rueter	18-1	S-0	effective 1-11-88
Secretary	Kay Santi	18-1	S-0	effective 1-11-88

BILL HUTCHINS, Chair

ALSO:

MADAM PRESIDENT: Pursuant to Senate Concurrent Resolution 6, the committee on Rules and Administration submits the following changes:

Assistant Sergeant-at-arms	Jack Levine	Step 2 to Step 3 Effective 1-22-88
Chief Doorkeeper	Ray J. Prosperi	Step 3 to Step 4 Effective 1-22-88
Doorkeeper	Catherine DeHeck	Step 3 to Step 4 Effective 2-5-88
Doorkeeper	Domenic P. Morrow	Step 2 to Step 3 Effective 3-18-88
Doorkeeper	Frank Murphy	Step 2 to Step 3 Effective 1-22-88
Secretary	Joyce Anderson	Step 2 to Step 3 Effective 1-22-88
Secretary	Beverley Gettings	Step 2 to Step 3 Effective 1-22-88
Secretary	Jo Ann Hanover	Step 2 to Step 3 Effective 1-22-88
Secretary	Barbara Harrison	Step 4 to Step 5 Effective 1-22-88
Secretary	JoAnn Hutchins	Step 2 to Step 3 Effective 1-22-88
Secretary	Pat King	Step 2 to Step 3 Effective 2-19-88
Secretary	Fran Kurtz	Step 2 to Step 3 Effective 3-18-88
Secretary	Virginia Miller	Step 3 to Step 4 Effective 1-22-88
Secretary	Carole Peterson	Step 2 to Step 3 Effective 1-22-88
Secretary	Marilyn Rensink	Step 2 to Step 3 Effective 1-22-88
Secretary	Flo Saf	Step 3 to Step 4 Effective 1-22-88
Secretary	Beverly Samuelson	Step 2 to Step 3 Effective 4-1-88
Secretary	Hazel Schroedel	Step 4 to Step 5 Effective 1-22-88
Secretary	Harriet Vande Hoef	Step 2 to Step 3 Effective 3-18-88
Secretary	Margaret Wimmer	Step 2 to Step 3 Effective 1-22-88

BILL HUTCHINS, Chair

## ANNOUNCEMENT BY THE MAJORITY LEADER OF NEW STATUTORY APPOINTMENT

Senator Alvin Miller is appointed, effective immediately, to the Iowa Commission on Interstate Cooperation, replacing Senator Hurley Hall, with a term to expire on February 1, 1989.

BILL HUTCHINS  
Majority Leader

## CERTIFICATES OF RECOGNITION

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

Mr. and Mrs. Marvin Eberhard, Springville, Iowa — Celebrating their 40th wedding anniversary. Senator Hannon (November 2, 1987).

John Flannery, Jr., Grinnell, Iowa — For winning the Gold Medal and holding the world record in the High Jump Event at the 1987 International Special Olympics in South Bend, Indiana. Senator Husak (November 20, 1987).

Jason Waddingham, Sheldon, Iowa — For receiving the Eagle Scout Rank Award. Senator Vande Hoef (November 21, 1987).

## COMMITTEE REPORT

### RULES AND ADMINISTRATION

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 101, a resolution relating to a joint convention of the two houses of the 1988 session of the Seventy-second General Assembly on January 12, 1988, at 10:00 a.m.

**Recommendation:** DO PASS.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## PETITION

The following petition was presented and placed on file by:

Senator Hutchins from 631 residents of Lee and Des Moines Counties opposing legislation on an open fireworks law.

## AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the day, January 12 and January 13, 1988, on request of Senator Hutchins.

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 101**, by Hutchins and Hultman, a concurrent resolution providing a joint convention of the two houses of the 1988 session of the Seventy-second General Assembly be held on Tuesday, January 12, 1988, at 10:00 a.m.

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

## 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 January 11, 1988, adopted the following concurrent resolutions in which the concurrence of the Senate is asked:

**House Concurrent Resolution 101**, a concurrent resolution providing a joint convention of the two houses of the 1988 session of the Seventy-second General Assembly be held on Tuesday, January 12, 1988, at 10:00 a.m.

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

**House Concurrent Resolution 102**, a concurrent resolution providing a joint convention of the two houses of the 1988 session of the Seventy-second General Assembly be held on Monday, January 18, 1988, at 6:30 p.m.

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

**House Concurrent Resolution 103**, a concurrent resolution providing a joint convention of the two houses of the 1988 session of the Seventy-second General Assembly be held on Tuesday, January 19, 1988, at 10:00 a.m.

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

### BILLS WITHDRAWN

The following senators asked and received unanimous consent to withdraw the following bills from further consideration of the Senate:

Senator Holden — Senate File 211.

Senator Jensen — Senate Files 249, 254, 255 and 279.

Senator Doyle — Senate File 330.

Senator Hester — Senate File 252.

Senator Vande Hoef — Senate Files 251 and 386.

Senator Rensink — Senate Files 277 and 278.

Senator Goodwin — Senate Files 262, 281, 296, 328 and 339.

Senator Holt — Senate File 245.

### ADOPTION OF RESOLUTION

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

#### **Senate Concurrent Resolution 101**

On motion of Senator Gronstal, Senate Concurrent Resolution 101, a resolution providing for a joint convention on January 12, 1988, at 10:00 a.m., for the condition of the state message, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that House Concurrent Resolution 101 be **substituted** for Senate Concurrent Resolution 101.

**House Concurrent Resolution 101**

On motion of Senator Gronstal, House Concurrent Resolution 101, a resolution providing for a joint convention on January 12, 1988, at 10:00 a.m., for the condition of the state message, was taken up for consideration.

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



## APPENDIX

### STUDY BILLS RECEIVED

#### **SSB 2001 Education**

Relating to the method of election of directors of certain school districts and providing an effective date.

#### **SSB 2002 Education**

Relating to the director of the department of education including the director's salary and appointment, and providing an effective date.

#### **SSB 2003 State Government**

Relating to the membership of the commission on the status of women.

### BILLS ASSIGNED TO COMMITTEE

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

S.F.	2001	Environment & Energy Utilities
S.F.	2002	Rules and Administration
S.F.	2003	Transportation
S.F.	2004	Transportation
S.F.	2005	Education
S.F.	2006	Education
S.F.	2007	Natural Resources
S.F.	2008	Agriculture
S.F.	2009	Appropriations
S.F.	2010	Judiciary
S.F.	2011	Agriculture
S.F.	2012	Appropriations
S.F.	2013	State Government
S.F.	2014	Transportation
S.F.	2015	Human Resources
S.F.	2016	State Government
S.F.	2017	Transportation
S.F.	2018	Human Resources

S.F.	2019	State Government
S.F.	2020	Judiciary
S.F.	2021	State Government
S.F.	2022	Transportation
S.F.	2023	Natural Resources
H.F.	438	Natural Resources
H.C.R.	102	Rules & Administration
H.C.R.	103	Rules & Administration

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Tuesday, January 12, 1988.

# JOURNAL OF THE SENATE

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## SECOND CALENDAR DAY SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, January 12, 1988

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

Prayer was offered by Monsignor Behrens of Our Lady of Mt. Carmel Church, Carroll, Iowa.

The Journal of Monday, January 11, 1988, was approved.

## INTRODUCTION OF BILLS

**Senate File 2024**, by Varn, a bill for an act relating to the membership of the college aid commission.

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

**Senate File 2025**, by Varn, Sturgeon, Lloyd-Jones, Lind and Horn, a bill for an act relating to student membership on the state board of regents.

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

**Senate File 2026**, by Sturgeon, a bill for an act requiring physicians to agree to treat beneficiaries of health insurance under Title XVIII of the Social Security Act and beneficiaries of medical assistance under Title XIX of the Social Security Act.

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

**Senate File 2027**, by Sturgeon, a bill for an act relating to possible revocation of a physician license based upon refusal of treatment.

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

## COMMITTEE FROM THE HOUSE

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

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

The Senate resumed session, President Zimmerman presiding.

In accordance with House Concurrent Resolution 101, 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 9:35 a.m., President Zimmerman 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 Zimmerman 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 Senators Priebe, Miller of Cerro Gordo and Fuhrman, on the part of the Senate, and Representatives Peters, Adams and Swearingen, on the part of the House.

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

The following guests were escorted into the House chamber:

Elaine Baxter, Secretary of State; Dale Cochran, Secretary of Agriculture; Richard Johnson, Auditor of State and Tom Miller, Attorney General.

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

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

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

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

A year ago, I stood before you in these chambers and said that the worst was behind us. I know some of you questioned that statement and I can certainly understand why. To say that Iowa has been battered in the last decade is an understatement. We are all still feeling the affects and believe me, I know there are Iowans still in the midst of struggle and none of us should lose sight of that.

But together, we've come a long way. Despite the stress and adversity of a time when farm land values dropped further and faster than during the Great Depression, we've accomplished a great deal in these past few years.

I am here today to tell you that I believe the best can be before us. Why do I say this? Because of the condition of the state.

1987 was the best year for this decade in Iowa's economy.

\* For the first time in seven years, the number of working Iowans topped 1.4 million.

\*We had a net gain of over 21,000 new jobs created in Iowa in the last year.

\*Farmland values actually rose 11.2 percent for the year, after dropping 65 percent during the previous five years.

\*Almost 6,400 new businesses were incorporated in Iowa in 1987, a number that nearly matches our peak years of 1979 and 80.

And these numbers do not tell the whole story.

1987 not only marked the turning point for the Iowa economy, but it was the year when the attitude turned for the better. The misty gloom of the past decade is clearing in Iowa. We are beginning to see the outline of a road to a brighter future.

Even though you and I have gained some notoriety over our disagreements, when you consider what we've been through, we've made real progress. Iowa is moving forward, and I want to commend all of you for your part in helping make it possible.

Just consider what we've done.

- \*We passed a major education program that will ensure Iowa's number one position in education in the nation for years to come.

- \*We began a concerted effort to protect our ground water.

- \*We eliminated penalties for expanding employers and cut their taxes by over 30 million dollars a year.

- \*We cut the individual income tax rates and the top rate by 25 percent.

- \*We enacted legislation to streamline state government, and make it more efficient and less costly.

- \*We made Iowa more competitive as a place to do business by eliminating the personal property tax and the sales and use taxes on machinery, equipment and computers.

- \*We established economic development incentives and a job training program to encourage business diversity.

Despite these accomplishments, we must recognize that there is a downside to this positive report. Over the past decade, we've lost people, particularly our young people. Businesses closed, especially in our small communities and perhaps most disturbing, many small communities have lost a whole generation of leaders. In fact, for some small towns, the crisis is not over.

These are the positives and negatives that establish where we are in Iowa today. And, in spite of the problems, with a vastly improved economy, there is a temptation is to sit back and say, "Well, we finally made it."

We have an important choice to make here today. We can stand still or move ahead.

Personally, I do not think there is a choice. We need to continue to move forward and if we do not, we will surely lose our way of life . . . our values, our work ethic, our safe and clean communities. This is our heritage in Iowa.

If we are to hold on to the best of our past, we must not be afraid of further change, lest we forfeit the very best in our future. Let us all make a commitment today to work together in this next year and the years ahead.

The heart of the new Iowa must be small businesses located in communities throughout the state. They already account for one-third of Iowa's labor force. Even in the worst of times, small businesses generate new jobs. They can provide new opportunities in our rural and in our urban Iowa and can, in general, help us weather cyclical downturns in agriculture.

We all want a diversified Iowa. If we make the right choices, we will have small towns that are healthy, cities that are thriving and a state where quality, productivity and a superior education are the way of life and where our young people will want to establish a home and a career.

Now the question becomes, how do we achieve this vision? How do we make it a reality? Well, I certainly don't think it's an impossible dream. And, I think we begin right where we are. We must recognize our strengths and use those as the foundation for our new Iowa.

Let's look at those strengths for a minute.

First, we have education. The nation looks to us for leadership in education, and rightly so. Nine out of ten Iowa schools rank above the national average on scholastic achievement and Iowa students are on the average a year and a half ahead of students in other states. And, let's not forget, we are one of only four states in this great country that has two world class research universities.

Iowans also work harder than most Americans. Just last week, Sandy Merkin, President of Integrated Resources Life Companies of New Jersey, announced his company had doubled their employment in Iowa over the last two years and they intend to double it again over the next two years. Why would he do that? Mr. Merkin said it best, and I quote, "Iowa is one of the few places left where you still get a full day's work for a day's pay."

Then there is our quality of life in Iowa. It is important to us to be able to walk our streets without worrying about crime. We are committed to preserving our land and water for future generations.

In Iowa, you know you can count on your neighbors; they are honest and caring people. And in Iowa, you know you can participate in the Democratic process. Just witness all the people in this state who are taking part in the presidential caucuses. And you cannot beat the quality of our recreation, sports, arts and cultural activities.

Finally, we must remember the strong industries we already have in Iowa. A combination of rich land, abundant water, emerging technology and hard work make our agriculture the most productive in the world. Insurance, biotechnology, telecommunications and manufacturing are all well established in Iowa.

So, how do we use these strengths to make our vision of the future a reality? We need to look around us . . . at the current trends, at the things in the world that will affect us and our future. Then I think you will see that we can match up our strengths with the trends and move forward.

The trends tell us that in order to succeed in the 21st Century, we will have to compete in a world market. Iowa already is a lap ahead in that race. We have competed in global markets for years. Nearly a third of the grain produced by Iowa farmers is sold in the international market place, and one out of seven Iowa factory workers already produces for the export market. With the decline in the value of the dollar, Iowa agriculture and manufacturing are poised to capitalize on great opportunities.

In order to succeed in the 21st Century, it is said that we will need to be part of a growing service economy. The greatest job growth in the next decade will be found in business and financial services, teaching, computers, human resources, and engineering. Where does that put Iowa? It puts us on a good course. We are already second in the insurance industry in the United States and by the end of the century, we intend to be number one. Six new biotech industries either located or announced new locations in the state last year and communications services have grown 245 percent over the last ten years.

To succeed in the 21st Century, we'll need highly skilled, educated workers. The U.S. Department of Labor estimates that by the year 2000, 12 million new jobs will be created in the United States. But 80 percent of these new jobs will require cognitive skills. With our commitment to quality education in Iowa, we have the education and the people to match that trend.

And, the coming years will likely bring a continued demand for quality. Not only do people want quality in the products and services they buy, but they also want quality in their lives. We know that Iowa is a place with high ethical standards, strong values and where trust is part of our way of life. And, the watchword for Iowa industry is quality. We are the home to some of the highest quality products in the world -- Maytag, Amana, Winnebago, John Deere, Pella Rolscreen -- to name just a few -- symbolize Iowa quality products.

For the first half of the decade, the trends ran against us. Interest rates, the value of the dollar, and a bi-coastal economy all worked against us. But now, the new trends are pointed in our direction.

So let me outline for you a program that uses our strengths and addresses the trends that will help us fulfill our vision. . . one of an Iowa that maintains its hometown way of life and, at the same time, is economically sound and diverse.

What is it going to take? It is going to require an aggressive program that I am laying out there today -- a five point program that will:

- \* Market

- \* Focus

- \* Build



- \* Diversify, and

- \* Strengthen

our state.

Market. . . we must market Iowa. People must know who we are and they must know what we have to offer. We've found that Iowa has a lot of the things people are looking for, but do not know we have. And it shows. We rank 37th among the states in industrial marketing and in Midwest tourism advertising there is no contest -- we are dead last.

You know, I'm getting tired of waking up to Missouri. I'm tired of people asking me how's the potato crop out there in Iowa. Iowa simply cannot afford to be the best kept secret in the nation.

So, that is why I recommend that we allocate an extra \$3 million for our marketing budget. Now you may think this sounds like a lot of money, but if we don't tell anybody about ourselves, we can rest assured that we won't reach our goals. The bottom line is: if we do tell people about Iowa, we can increase the number of business locations here by about 10 percent. And that means more jobs for Iowans.

Focus. . . our continued growth means that we must focus our limited resources on economic development. That is why we need programs like Iowa Transportation 2000, which I ask you adopt this year.

A diversified state will require ease in moving people, groups and goods and services and the Transportation 2000 does just that. It creates an improved network of highways, airports, railroads and even recreational trails to work for the economic development of our state. An important point is that 80 percent of Iowa's population will live within 10 miles of these vital arteries to the world's markets.

I believe we can do even better in targeting our lottery dollars. They can help small business and entrepreneurs to grow and that is why I am recommending:

- \* A \$2 million increase in available funds for the Community Economic Betterment Account, with the funds to be used for new opportunities and filling the gaps in financing.

- \* An increase in funding for the Iowa Product Development Corporation.

- \* A new \$7.5 million Small Business Loan program that will help attract private funds to Iowa's emerging businesses, and

- \* An increased commitment to retrain unemployed workers, to help them find new jobs.

Build. . . we need to build on our strengths. If we are to be the leading agricultural state in the nation and we are, we must strive to enhance the marketability of our commodities worldwide. We need to place more emphasis on research and

on biotechnology. We need to update the Swine Research Facilities at Iowa State University and equip the new Agronomy Building on that campus.

With construction starting on the laser center at the University of Iowa and biotech center at Iowa State University, we've taken a big step forward. Now we need to build linkages between the research effort and those Iowa companies and entrepreneurs that can turn research findings into marketable goods and services. I'm recommending that an Iowa patent library be established to assist our researchers and entrepreneurs.

We can also build on our agricultural strength by completely taking the sales and use tax off repair parts and by giving livestock producers sales tax exemptions, rather than refunds, on equipment they purchase.

Our educational system is among our greatest strengths and we must not let up. Our Educational Excellence program of last year is a shining example of Iowa's extraordinary commitment to quality education for our children. It is making our state a nationally recognized leader for education reform. There should be no retrenchment from this historic step for Iowa's future.

We need to continue our efforts to support our teachers and administrators, our schools and universities, colleges and technical institutions so that we can turn out the best educated people. We can do that by providing the regents institutions funds to attract and retain top quality faculty. We should fully fund the merged area school formula and tuition grants should be provided to 2,250 more Iowa students.

We can build on our three-phase educational excellence program by initiating pilot programs for effective schools and pre-kindergarten education. We need to adopt appropriate minimum standards for quality in our local school districts, but no state mandate for school district reorganization.

Our system of welfare must do more than help those people in need. It should help people break the cycle of poverty and dependency. As our economy strengthens, we should take the opportunity to use improved job opportunities to help people return to work. The effort begun last year to redesign the state's welfare system should be continued, to underscore Iowa's commitment to the work ethic.

Diversify. . . we must diversify Iowa's economy. That's what rural development is all about. Besides encouraging businesses to locate in our small towns, we need to create a Rural Development Fund that:

- \* gives technical and management assistance to rural communities and entrepreneurs,

- \* provides training for farmers to earn off farm income, and

- \* creates a professional economic Development Training Institute.

And strengthen. . . we need to strengthen Iowa's improving business climate. We must reduce excessive costs of liability insurance for our health care providers and small businesses. Today, in some parts of Iowa, you cannot find a doctor who will deliver babies because of skyrocketing malpractice insurance costs. So, I believe we should put a \$1 million dollar limit on medical liability and a cap on noneconomic losses.

Many of Iowa's small companies and new industries find it difficult to raise money through the sale of stock. This limits the growth of small companies in our state. We should amend Iowa's Securities Act to be consistent with federal law.

What I have just outlined represents the program that will:

- \* Market -----our assets,
- \* Focus -----our resources,
- \* Build -----on our strengths,
- \* Diversify -----our economy, and
- \* Strengthen -----our business climate

In the end, the building of a new Iowa will take more than the efforts of just us that are in this room. To be truly successful, we need to involve all of the people of the state in the process.

Now we all know that Iowans do not like to be told what to do. They are independent, they want to participate in the decisions that will shape their future. And they should, because we in government cannot do it all for them.

Our success will, in large part, depend on how well leaders in every community of this state respond to the need for a diversified economy. We at the state level should stand ready to support them with the tools, incentives, initiatives and resources that Iowans need to fashion their own future.

I can tell you that Iowans are hungry to participate in shaping the new Iowa. For the last six months, I have held seven town meetings. On each occasion, two or three hundred people spent the evening with me and we talked about their future and the future of their communities.

They told me they are eager to make a difference in their community and they come to these meetings because they want to learn how. They want to find a way to stop the population loss, create new jobs and preserve their way of life. At one town meeting recently, I visited with people from seven different communities who have joined together to promote economic development in their area.

What we need to do is find a way for all Iowans to participate in the development of their communities, and I think I know a way.

There is a proposal I call Iowa Tomorrow. It has been discussed with members of the business community and is sponsored by the Iowa Newspaper Association. It will encourage Iowans to come together this year in town meetings to express their vision for the state for the beginning of the next century. The goal is to develop a consensus for jobs in every community in Iowa.

Iowa Tomorrow can provide the framework for Iowans to decide:

- \* what they want their state to be,
- \* what kind of an environment they want to live in, and
- \* how each Iowan can make a difference.

Iowans helping Iowa. That is what it's all about.

We must work together to help our state grow and to prosper. I, for one, pledge to do everything I can to help achieve that goal.

I realize that we all have a great many responsibilities and demands on our time and it's easy to get distracted from our common goal. The fact that it's an election year does not change the reality that we have difficult choices to make. But I know we can do it. After all, it was an election year when you all approved the most massive restructuring and downsizing of state government in our history. I know we can work together again this year.

1988 is a pivotal year for Iowa.

\* It is a year when we can make our strengths work for us or let future trends control our destiny.

\* It is a year where we can risk some change or risk our way of life.

\* It is a year when we can move forward, or stand still.

Let us all resolve to be architects of change for the new Iowa. Separately we cannot succeed. Together we cannot fail.

Thank you.

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.

### 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 16, 1987, passed the following bill in which the concurrence of the Senate is asked:

**House File 471**, a bill for an act to require cities that have established pension systems for police and fire fighters to comply with the applicable provisions of the federal Fair Labor Standards Act as they apply to employees eligible for a pension.

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

### RECESS

On motion of Senator Husak, the Senate recessed at 10:42 a.m., until 4:30 p.m.

## APPENDIX

### ANNOUNCEMENT BY THE MAJORITY LEADER

Senator Hutchins announced the following statutory appointments made during the 1987 interim:

#### ADMINISTRATIVE RULES REVIEW COMMITTEE (May 10, 1987)

Berl Priebe, term expires April 30, 1991  
Donald Doyle, term expires April 30, 1991  
Dale Tieden, term expires April 30, 1991

#### COMMISSION ON ELDER AFFAIRS (June 26, 1987)

Emil Husak, term expires on June 30, 1991  
Norman Goodwin, term expires on June 30, 1991

#### AGRICULTURAL GRAIN MARKETING COMPACT (June 29, 1987)

Leonard Boswell, term expires June 30, 1989

#### CAPITOL PLANNING COMMISSION (May 10, 1987)

William Dieleman, term expires April 30, 1991  
David Readinger, term expires April 30, 1991

#### IOWA COLLEGE AID COMMISSION (June 26, 1987)

Ray Taylor, term expires June 30, 1991

#### COMMISSION ON COMPENSATION FOR ELECTED OFFICIALS (July 14, 1987)

Joe Dalhoff, Carroll, term expires June 30, 1992

#### EDUCATION COMMISSION OF THE STATES (June 26, 1987)

Larry Murphy, term expires June 30, 1991  
Joy Corning, term expires June 30, 1991

ENERGY FUND DISBURSEMENT COUNCIL  
(July 14, 1987)

Michael Gronstal, term expires with new G.A.  
Forrest Schwengels, term expires with new G.A.

HEALTH DATA COMMISSION  
(June 26, 1987)

Edgar Holden, term expires June 30, 1988

ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS  
(June 26, 1987)

James Wells, term expires June 30, 1989

IPERS ADVISORY COMMITTEE  
(June 26, 1987)

Charles Bruner, term expires June 30, 1989

MEDICAL ASSISTANCE ADVISORY COUNCIL  
(June 26, 1987)

Michael Gronstal, term expires June 30, 1989  
Linn Fuhrman, term expires June 30, 1989

IOWA PEACE INSTITUTE BOARD OF DIRECTORS  
(July 6, 1987)

Bob Carr, term expires on June 30, 1991  
Joy Corning, term expires on June 30, 1991

REPORTS OF COMMITTEE MEETINGS

COMMERCE

**Convened:** January 11, 1988, 2:30 p.m.

**Members Present:** Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Lind, Nystrom, Priebe, Rife, Tieden and Welsh.

**Members Absent:** Kinley, Mann and Sturgeon.

**Committee Business:** Organizational meeting.

**Adjourned:** 2:35 p.m.

## EDUCATION

**Convened:** January 11, 1988, 3:40 p.m.

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

**Members Absent:** Bruner, Corning and Riordan.

**Committee Business:** Assigned bills to subcommittees; assigned public hearings: P.E. 1-18-88, 7:00 p.m., Room 116, Capitol; Early Childhood 1-19-88, 7:00 p.m., Wallace Auditorium; Teacher preparation 1-22-88, 1:00 p.m., all AEA's across the state; Fine Arts 1-16-88, 7:00 p.m., Wallace Auditorium.

**Adjourned:** 3:52 p.m.

## ENVIRONMENT AND ENERGY UTILITIES

**Convened:** January 11, 1988, 11:20 a.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Hall, A. Miller, Sturgeon and Varn.

**Members Absent:** Soorholtz, Ranking Member, Murphy, Rife and Schwengels (excused).

**Committee Business:** Discussion of suggestions regarding groundwater, toxic smoke, shutoffs and recycling organic waste.

**Adjourned:** 11:25 a.m.

## LOCAL GOVERNMENT

**Convened:** January 11, 1988, 1:38 p.m.

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

**Members Absent:** Kinley.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 1:46 p.m.

## RULES AND ADMINISTRATION

**Convened:** January 11, 1988, 10:30 a.m.



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

**Members Absent:** Kinley.

**Committee Business:** Recommended passage of Senate Concurrent Resolution 101; reassigned bills and other miscellaneous items.

**Adjourned:** 11:00 a.m.

### SUBCOMMITTEE ASSIGNMENTS

#### **Senate Resolution 13**

**EDUCATION:** Lloyd-Jones, Chair; Hannon and Lind

#### **Senate Concurrent Resolution 7**

**AGRICULTURE:** Fraise, Chair; A. Miller and Fuhrman

#### **Senate File 4**

**JUDICIARY:** Mann, Chair; Horn and Gentleman

#### **Senate File 5**

**JUDICIARY:** Carr, Chair; Mann and Holt

#### **Senate File 6**

**COMMERCE:** Kinley, Chair; Carr and Holden

#### **Senate File 7**

**EDUCATION:** Lloyd-Jones, Chair; Dieleman and Holden

#### **Senate File 9**

**EDUCATION:** Varn, Chair; Murphy, Bruner, Lind and Corning

#### **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 15**

EDUCATION: Varn, Chair; Lloyd-Jones and Taylor

**Senate File 23**

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

**Senate File 27**

JUDICIARY: Deluhery, Chair; Varn and Fuhrman

**Senate File 34**

JUDICIARY: Fraise, Chair; Varn and Drake

**Senate File 43**

LOCAL GOVERNMENT: Taylor, Chair; C. Miller and Fraise

**Senate File 51**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Hester

**Senate File 52**

COMMERCE: Deluhery, Chair; Priebe and Rife

**Senate File 54**

LOCAL GOVERNMENT: Horn, Chair; Vande Hoef and C. Miller

**Senate File 60**

COMMERCE: Kinley, Chair; Sturgeon and Rife

**Senate File 61**

JUDICIARY: Coleman, Chair; Horn and Gentleman

**Senate File 64**

EDUCATION: Dieleman, Chair; Riordan and Rensink

**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

**Senate File 79**

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Horn

**Senate File 81**

JUDICIARY: Horn, Chair; Mann and Gentleman

**Senate File 82**

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Taylor

**Senate File 83**

COMMERCE: Lind, Chair; Carr and Priebe

**Senate File 86**

JUDICIARY: Mann, Chair; Doyle and Hester

**Senate File 87**

JUDICIARY: Mann, Chair; Doyle and Hester

**Senate File 88**

BUSINESS AND LABOR RELATIONS: Horn, Chair; Palmer and Holden

**Senate File 103**

LOCAL GOVERNMENT: Horn, Chair; Vande Hoef and C. Miller

**Senate File 109**

JUDICIARY: Mann, Chair; Horn and Drake

**Senate File 111**

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Horn and Hultman

**Senate File 113**

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Hall

**Senate File 117**

LOCAL GOVERNMENT: Goodwin, Chair; Kinley and Taylor

**Senate File 118**

COMMERCE: Kinley, Chair; Priebe and Rife

**Senate File 124**

EDUCATION: Varn, Chair; Horn and Corning

**Senate File 127**

COMMERCE: Kinley, Chair; Priebe and Rife

**Senate File 128**

JUDICIARY: Gentleman, Chair; Deluhery and Holt

**Senate File 135**

LOCAL GOVERNMENT: Vande Hoef, Chair; Wells and C. Miller

**Senate File 140**

BUSINESS AND LABOR RELATIONS: Horn, Chair; Gettings and Hultman

**Senate File 147**

AGRICULTURE: Hester, Chair; Fuhrman and Husak

**Senate File 150**

BUSINESS AND LABOR RELATIONS: Horn, Chair; Palmer and Hultman

**Senate File 151**

LOCAL GOVERNMENT: Kinley, Chair; Wells and Taylor

**Senate File 157**

JUDICIARY: Horn, Chair; Carr and Drake

**Senate File 163**

LOCAL GOVERNMENT: Fraise, Chair; A. Miller and Vande Hoef

**Senate File 164**

COMMERCE: Carr, Chair; Holden, Gronstal, Welsh and Rife

**Senate File 166**

JUDICIARY: Mann, Chair; Doyle and Fuhrman

**Senate File 167**

JUDICIARY: Doyle, Chair; Mann, Carr, Drake and Gentleman

**Senate File 168**

COMMERCE: Kinley, Chair; Priebe and Tieden

**Senate File 169**

JUDICIARY: Mann, Chair; Carr and Gentleman

**Senate File 175**

JUDICIARY: Mann, Chair; Carr and Taylor

**Senate File 184**

EDUCATION: Dieleman, Chair; Murphy, Varn, Taylor and Corning

**Senate File 188**

JUDICIARY: Deluhery, Chair; Mann, Doyle, Gentleman and Holt

**Senate File 189**

JUDICIARY: Deluhery, Chair; Mann and Holt

**Senate File 191**

EDUCATION: Wells, Chair; Varn and Corning

**Senate File 192**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

**Senate File 196**

EDUCATION: Horn, Chair; Bruner and Rensink

**Senate File 197**

JUDICIARY: Taylor, Chair; Mann and Carr

**Senate File 199**

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Wells and Fuhrman

**Senate File 202**

JUDICIARY: Fraise, Chair; Mann and Holt

**Senate File 204**

JUDICIARY: Fraise, Chair; Mann and Holt

**Senate File 213**

BUSINESS AND LABOR RELATIONS: Horn, Chair; Palmer and Holden

**Senate File 215**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

**Senate File 218**

BUSINESS AND LABOR RELATIONS: Mann, Chair; Welsh and Vande Hoef

**Senate File 224**

EDUCATION: Lloyd-Jones, Chair; Wells and Taylor

**Senate File 227**

EDUCATION: Dieleman, Chair; Murphy, Varn, Taylor and Corning

**Senate File 230**

COMMERCE: Holden, Chair; Welsh and Priebe

**Senate File 241**

EDUCATION: Murphy, Chair; Wells and Corning

**Senate File 242**

EDUCATION: Bruner, Chair; Murphy and Corning

**Senate File 247**

BUSINESS AND LABOR RELATIONS: Wells, Chair; Palmer and Holden

**Senate File 248**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

**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 259**

JUDICIARY: Varn, Chair; Mann and Drake

**Senate File 275**

EDUCATION: Horn, Chair; Bruner and Rensink

**Senate File 282**

JUDICIARY: Doyle, Chair; Coleman and Holt

**Senate File 285**

JUDICIARY: Varn, Chair; Fuhrman and Mann

**Senate File 289**

JUDICIARY: Varn, Chair; Mann and Holt

**Senate File 291**

AGRICULTURE: Vande Hoef, Chair; Soorholtz and Peterson

**Senate File 294**

JUDICIARY: Doyle, Chair; Varn, Mann, Drake and Gentleman

**Senate File 325**

JUDICIARY: Varn, Chair; Mann and Gentleman

**Senate File 329**

EDUCATION: Murphy, Chair; Horn, Dieleman, Taylor and Corning

**Senate File 334**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

**Senate File 344**

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Horn and Hultman

**Senate File 350**

EDUCATION: Murphy, Chair; Horn and Taylor

**Senate File 353**

JUDICIARY: Varn, Chair; Gentleman and Horn

**Senate File 357**

COMMERCE: Gronstal, Chair; Welsh, Kinley, Rife and Holden

**Senate File 360**

EDUCATION: Horn, Chair; Bruner and Corning

**Senate File 361**

COMMERCE: Gronstal, Chair; Welsh, Kinley, Rife and Holden

**Senate File 367**

EDUCATION: Wells, Chair; Murphy and Corning



**Senate File 372**

AGRICULTURE: A. Miller, Chair; Fraise and Hester

**Senate File 378**

LOCAL GOVERNMENT: Fraise, Chair; Horn and Taylor

**Senate File 379**

LOCAL GOVERNMENT: Kinley, Chair; Wells and Vande Hoef

**Senate File 383**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

**Senate File 390**

LOCAL GOVERNMENT: Horn, Chair; Wells and Vande Hoef

**Senate File 398**

JUDICIARY: Horn, Chair; Coleman and Gentleman

**Senate File 400**

COMMERCE: Priebe, Chair; Tieden and Kinley

**Senate File 402**

LOCAL GOVERNMENT: A. Miller, Chair; Goodwin and Horn

**Senate File 405**

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Welsh and Vande Hoef

**Senate File 406**

EDUCATION: Wells, Chair; Murphy and Corning

**Senate File 407**

JUDICIARY: Mann, Chair; Carr and Holt

**Senate File 415**

AGRICULTURE: Fraise, Chair; Boswell and Rensink

**Senate File 416**

JUDICIARY: Gentleman, Chair; Mann and Varn

**Senate File 417**

JUDICIARY: Gentleman, Chair; Coleman and Carr

**Senate File 418**

JUDICIARY: Horn, Chair; Varn and Gentleman

**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 429**

JUDICIARY: Doyle, Chair; Coleman, Mann, Gentleman and Drake

**Senate File 439**

JUDICIARY: Doyle, Chair; Mann, Varn, Drake and Gentleman

**Senate File 441**

EDUCATION: Varn, Chair; Murphy, Dieleman, Corning and Taylor

**Senate File 450**

BUSINESS AND LABOR RELATIONS: Wells, Chair; Gettings and Fuhrman

**Senate File 457**

JUDICIARY: Doyle, Chair; Mann and Taylor

**Senate File 472**

JUDICIARY: Horn, Chair; Hester and Varn

**Senate File 473**

EDUCATION: Horn, Chair; Bruner and Rensink

**Senate File 483**

COMMERCE: Palmer, Chair; Mann, Welsh, Lind and Holden

**Senate File 495**

EDUCATION: Wells, Chair; Murphy and Corning

**Senate File 506**

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Gettings and Hultman

**House Concurrent Resolution 10**

EDUCATION: Riordan, Chair; Bruner and Holden

**House Concurrent Resolution 21**

EDUCATION: Corning, Chair; Hannon and Lind

**House File 21**

LOCAL GOVERNMENT: Taylor, Chair; C. Miller and Fraise

**House File 105**

LOCAL GOVERNMENT: Wells, Chair; Vande Hoef and Horn

**House File 181**

JUDICIARY: Coleman, Chair; Drake and Carr

**House File 185**

JUDICIARY: Doyle, Chair; Mann and Holt

**House File 209**

JUDICIARY: Horn, Chair; Gentleman and Coleman

**House File 278**

LOCAL GOVERNMENT: Kinley, Chair; Wells and Vande Hoef

**House File 303**

LOCAL GOVERNMENT: Goodwin, Chair; Horn and Wells

**House File 304**

LOCAL GOVERNMENT: Vande Hoef, Chair; Wells and Horn

**House File 382**

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

**House File 433**

COMMERCE: Rife, Chair; Holden and Welsh

**House File 470**

EDUCATION: Horn, Chair; Varn and Rensink

**House File 491**

JUDICIARY: Mann, Chair; Doyle and Gentleman

**House File 498**

JUDICIARY: Doyle, Chair; Mann and Holt

**House File 514**

JUDICIARY: Horn, Chair; Gentleman and Varn

**House File 565**

EDUCATION: Varn, Chair; Dieleman, Murphy, Corning and Taylor

**House File 573**

EDUCATION: Horn, Chair; Bruner, Rensink, Hannon and Lind

**House File 613**

COMMERCE: Kinley, Chair; Priebe and Rife

**House File 624**

JUDICIARY: Horn, Chair; Coleman and Taylor

**House File 629**

JUDICIARY: Mann, Chair; Coleman and Fuhrman

**House File 645**

JUDICIARY: Mann, Chair; Doyle, Coleman, Holt and Hester

**House File 648**

JUDICIARY: Carr, Chair; Fraise and Fuhrman

**House File 651**

JUDICIARY: Gentleman, Chair; Varn and Mann

**House File 653**

COMMERCE: Lind, Chair; Welsh and Mann

**House File 656**

EDUCATION: Lloyd-Jones, Chair; Bruner and Holden

**SSB 2001**

EDUCATION: Murphy, Chair; Riordan and Holden

**SSB 2002**

EDUCATION: Horn, Chair; Wells and Corning

**SSB 2004**

EDUCATION: Varn, Chair; Horn and Rensink

**SSB 2005**

EDUCATION: Varn, Chair; Horn and Corning

**SSB 2007**

AGRICULTURE: Priebe, Chair; Scott, A. Miller, Hall and Soorholtz

**SSB 2008**

JUDICIARY: Varn, Chair; Mann and Gentleman

**SSB 2009**

JUDICIARY: Mann, Chair; Coleman and Fuhrman

**SSB 2010**

JUDICIARY: Varn, Chair; Horn and Taylor

**SSB 2011**

JUDICIARY: Varn, Chair; Horn and Taylor

**SSB 2012**

JUDICIARY: Mann, Chair; Doyle and Holt

**SSB 2013**

JUDICIARY: Mann, Chair; Doyle and Holt

**SSB 2014**

JUDICIARY: Fraise, Chair; Carr and Holt

**SSB 2015**

JUDICIARY: Doyle, Chair; Mann and Holt

**SSB 2016**

JUDICIARY: Doyle, Chair; Mann and Holt

**SSB 2017**

JUDICIARY: Fraise, Chair; Deluhery and Hester

**SSB 2018**

JUDICIARY: Varn, Chair; Mann and Gentleman

**SSB 2019**

AGRICULTURE: A. Miller, Chair; Fraise and Scott

**SSB 2020**

AGRICULTURE: Vande Hoef, Chair; Peterson and Husak

**STUDY BILLS RECEIVED****SSB 2004 Education**

Relating to moneys available to the first in the nation in education foundation.

**SSB 2005 Education**

Relating to certain scholarship and grant programs administered by the college aid commission, including the requirements for receipt of a state scholarship and the repeal of the supplemental grant program, and providing appropriations and an effective date for the repeal.

**SSB 2006 Agriculture**

Relating to the development of soil and water resource conservation plans by soil and water conservation districts and the division of soil conservation of the department of agriculture and land stewardship.

**SSB 2007 Agriculture**

Relating to the registration and use of certain pesticides.

**SSB 2008 Judiciary**

Relating to the share of an estate of a child born or adopted after execution of a testator's last will.

**SSB 2009 Judiciary**

Relating to the possession of alcoholic beverages by persons under legal age.

**SSB 2010 Judiciary**

Relating to the power of a surviving spouse's conservator to elect to take or refuse to take under a will or to elect to occupy the homestead.

**SSB 2011 Judiciary**

Relating to the time when the share of a surviving spouse may be set off by referees when the spouse elects to take against the will.

**SSB 2012 Judiciary**

Relating to the requirement that the chief justice of the Iowa supreme court be furnished a copy of proposed legislation amending court rules and providing an effective date.

**SSB 2013 Judiciary**

Relating to the inclusion of certain acts of sexual abuse within the definition of a child in need of assistance.

**SSB 2014 Judiciary**

Relating to civil and criminal immunity of civilian correctional officers and governmental subdivisions responsible for detaining persons taken into custody for an alleged violation of a court order or consent agreement.

**SSB 2015 Judiciary**

Relating to the residency of an agent for an authorized company engaged in the business of becoming surety upon bonds in criminal cases.

**SSB 2016 Judiciary**

Relating to the jurisdiction of magistrates.

**SSB 2017 Judiciary**

Relating to the appointment and compensation of acting county attorneys.

**SSB 2018 Judiciary**

Relating to a disclaimer of interest by a beneficiary also acting as a fiduciary.

**SSB 2019 Agriculture**

Relating to the registration date for agricultural drainage wells.



**SSB 2020 Agriculture**

Relating to financial responsibility requirements for the licensing of commercial applicators of pesticides.

**SSB 2021 State Government**

Relating to the reporting of results of the precinct caucuses, providing a penalty, and providing an effective date.

**BILLS ASSIGNED TO COMMITTEE**

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

S. F.	2024	Education
S. F.	2025	Education
S. F.	2026	Human Resources
S. F.	2027	Human Resources
S. F.	2028	Judiciary
S. F.	2029	Judiciary

**COMMITTEE REPORT****STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 2031, a bill for an act relating to the reporting of results of the precinct caucuses, providing a penalty, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Drake, Gentleman, Welsh, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Schwengels and Soorholtz. Nays, 1: Coleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**AMENDMENT FILED**

S—5001	S. F.	2023	Donald V. Doyle
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## AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

## INTRODUCTION OF BILLS

**Senate File 2028**, by Corning, a bill for an act relating to the maximum tort liability for noneconomic damages.

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

**Senate File 2029**, by Corning, a bill for an act relating to the time for bringing an action arising out of the performance or nonperformance of a professional service or arising from an alleged defect in a product.

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

**Senate File 2030**, by Wells, a bill for an act relating to exemptions from certification requirements for employees of food processing and distribution establishments.

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

**Senate File 2031**, by committee on State Government, a bill for an act relating to the reporting of results of the precinct caucuses, providing a penalty, and providing an effective date.

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

## BILLS WITHDRAWN

The following senators asked and received unanimous consent to withdraw the following bills from further consideration of the Senate:

Senator Gronstal — Senate Concurrent Resolution 101.

Senator Lloyd-Jones — Senate File 368.

Senator Corning — Senate Files 256 and 260.

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:33 p.m., until 9:00 a.m., Wednesday, January 13, 1988.

# JOURNAL OF THE SENATE

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THIRD CALENDAR DAY  
THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, January 13, 1988

The Senate met in regular session at 9:00 a.m., Senator Readinger presiding.

Prayer was offered by the Reverend M.C. Hagedorn, retired Lutheran minister, West Des Moines, Iowa.

President Zimmerman took the chair at 9:03 a.m.

The Journal of Tuesday, January 12, 1988, was approved.

## INTRODUCTION OF BILL

**Senate File 2032**, by Vande Hoef, a bill for an act relating to final stage manufacturing of vehicles, and making penalties applicable.

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

## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:05 a.m., until 4:30 p.m.

## APPENDIX

### BILL PLACED ON CALENDAR

**House File 164** was inadvertently referred to the committee on State Government on May 10, 1987. It will be placed on the Senate Calendar under House Amendment to Senate Amendment to House File 164 as of January 14, 1988.

### REPORTS OF COMMITTEE MEETINGS

#### AGRICULTURE

**Convened:** January 12, 1988, 8:07 a.m.

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

**Members Absent:** none.

**Committee Business:** Assigned bills to subcommittees; Wally Dick, Director of the Regulatory Division, Agriculture and Land Stewardship, appeared before the committee.

**Adjourned:** 8:47 a.m.

#### BUSINESS AND LABOR RELATIONS

**Convened:** January 12, 1988, 1:35 p.m.

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

**Members Absent:** Mann, Vice Chair (excused) and Gettings.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 1:50 p.m.

#### JUDICIARY

**Convened:** January 12, 1988, 3:30 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 and Drake (both excused).

**Committee Business:** Assigned bills to subcommittees; discussed interim committee work and possible session bills.

**Adjourned:** 3:50 p.m.

## STATE GOVERNMENT

**Convened:** January 12, 1988, 2:40 p.m.

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

**Members Absent:** none.

**Committee Business:** Assigned bills to subcommittees; approved SSB 2021 as a committee bill.

**Adjourned:** 2:55 p.m.

## TRANSPORTATION

**Convened:** January 12, 1988, 3:00 p.m.

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

**Members Absent:** Gettings and Goodwin (both excused).

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 3:05 p.m.

## WAYS AND MEANS

**Convened:** January 12, 1988, 2:11 p.m.

**Members Present:** Bruner, Chair; Husak, Vice Chair; Dieleman, Murphy, Palmer, Riordan, Holt, Drake, Hester, Readinger and Soorholtz.

**Members Absent:** Boswell, Ranking Member; Gronstal, Holden and Mann (excused).

**Committee Business:** Discussed upcoming committee business.

**Adjourned:** 2:16 p.m.

### SUBCOMMITTEE ASSIGNMENTS

#### **Senate Joint Resolution 3**

NATURAL RESOURCES: Priebe, Chair; Doyle and Hester

#### **Senate Joint Resolution 8**

TRANSPORTATION: Nystrom, Chair; Drake and Scott

#### **Senate Joint Resolution 10**

WAYS AND MEANS: Bruner, Chair; Hester and Mann

#### **Senate File 8**

NATURAL RESOURCES: Husak, Chair; Hannon and Hester

#### **Senate File 14**

WAYS AND MEANS: Mann, Chair; Drake and Murphy

#### **Senate File 20**

WAYS AND MEANS: Husak, Chair; Holt and Palmer

#### **Senate File 21**

NATURAL RESOURCES: Hannon, Chair; Peterson and Rensink

#### **Senate File 22**

NATURAL RESOURCES: Husak, Chair; Hannon and Hester

#### **Senate File 24**

WAYS AND MEANS: Murphy, Chair; Readinger and Riordan

#### **Senate File 31**

WAYS AND MEANS: Drake, Chair; Boswell and Gronstal

#### **Senate File 33**

WAYS AND MEANS: Holden, Chair; Mann and Dieleman

**Senate File 37**

WAYS AND MEANS: Murphy, Chair; Hester and Husak

**Senate File 42**

WAYS AND MEANS: Husak, Chair; Hester and Murphy

**Senate File 46**

NATURAL RESOURCES: Tieden, Chair; Peterson and Rensink

**Senate File 53**

TRANSPORTATION: Coleman, Chair; Doyle and Jensen

**Senate File 58**

WAYS AND MEANS: Gronstal, Chair; Holt and Palmer

**Senate File 59**

WAYS AND MEANS: Palmer, Chair; Soorholtz and Riordan

**Senate File 99**

WAYS AND MEANS: Boswell, Chair; Drake and Dieleman

**Senate File 102**

NATURAL RESOURCES: Husak, Chair; Hester and Hannon

**Senate File 107**

WAYS AND MEANS: Palmer, Chair; Holt and Boswell

**Senate File 125**

WAYS AND MEANS: Palmer, Chair; Soorholtz and Dieleman

**Senate File 131**

WAYS AND MEANS: Riordan, Chair; Drake and Palmer

**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 159**

WAYS AND MEANS: Gronstal, Chair; Readinger and Murphy

**Senate File 174**

NATURAL RESOURCES: Peterson, Chair; Scott and Rensink

**Senate File 183**

WAYS AND MEANS: Riordan, Chair; Boswell, Holden, Mann and Soorholtz

**Senate File 190**

TRANSPORTATION: Doyle, Chair; Jensen and Nystrom

**Senate File 203**

NATURAL RESOURCES: A. Miller, Chair; Priebe and Hester

**Senate File 206**

NATURAL RESOURCES: A. Miller, Chair; Priebe and Hester

**Senate File 220**

WAYS AND MEANS: Bruner, Chair; Holt and Mann

**Senate File 225**

TRANSPORTATION: Jensen, Chair; Priebe 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: Drake, Chair; Gettings and Goodwin

**Senate File 233**

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

**Senate File 235**

TRANSPORTATION: Coleman, Chair; Doyle and Jensen

**Senate File 239**

TRANSPORTATION: Scott, Chair; Jensen and Priebe

**Senate File 243**

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

**Senate File 246**

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

**Senate File 287**

WAYS AND MEANS: Riordan, Chair; Boswell, Holden, Mann and Soorholtz

**Senate File 306**

WAYS AND MEANS: Bruner, Chair; Drake, Readinger, Boswell and Murphy

**Senate File 309**

TRANSPORTATION: Coleman, Chair; Scott and Nystrom

**Senate File 314**

WAYS AND MEANS: Gronstal, Chair; Hester, Holt, Husak and Palmer

**Senate File 317**

WAYS AND MEANS: Gronstal, Chair; Hester, Holt, Husak and Palmer

**Senate File 326**

NATURAL RESOURCES: Tieden, Chair; A. Miller and Hester

**Senate File 331**

WAYS AND MEANS: Riordan, Chair; Holden, Mann, Soorholtz and Boswell

**Senate File 335**

NATURAL RESOURCES: Husak, Chair; Scott and Priebe

**Senate File 349**

WAYS AND MEANS: Bruner, Chair; Dieleman, Drake, Murphy and Readinger

**Senate File 354**

TRANSPORTATION: Jensen, Chair; Nystrom and Lloyd-Jones

**Senate File 362**

TRANSPORTATION: Coleman, Chair; Doyle and Nystrom

**Senate File 364**

WAYS AND MEANS: Riordan, Chair; Boswell, Holden, Mann and Soorholtz

**Senate File 365**

WAYS AND MEANS: Gronstal, Chair; Hester, Holt, Husak and Palmer

**Senate File 369**

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

**Senate File 377**

TRANSPORTATION: Drake, Chair; Nystrom and Coleman

**Senate File 380**

NATURAL RESOURCES: Schwengels, Chair; Peterson and Rensink

**Senate File 385**

WAYS AND MEANS: Riordan, Chair; Boswell, Holden, Mann and Soorholtz

**Senate File 393**

NATURAL RESOURCES: Hannon, Chair; Schwengels and Husak

**Senate File 395**

WAYS AND MEANS: Gronstal, Chair; Soorholtz and Murphy

**Senate File 403**

WAYS AND MEANS: Gronstal, Chair; Soorholtz and Murphy

**Senate File 435**

TRANSPORTATION: Doyle, Chair; Priebe and Goodwin

**Senate File 442**

TRANSPORTATION: Doyle, Chair; Scott and Drake

**Senate File 448**

TRANSPORTATION: Scott, Chair; Coleman and Drake

**Senate File 466**

TRANSPORTATION: Doyle, Chair; Coleman and Scott

**Senate File 475**

WAYS AND MEANS: Bruner, Chair; Holden and Mann

**Senate File 487**

WAYS AND MEANS: Gronstal, Chair; Holt and Mann

**Senate File 512**

WAYS AND MEANS: Bruner, Chair; Holden and Boswell

**Senate File 2001**

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Gronstal and Rife

**Senate File 2003**

TRANSPORTATION: Priebe, Chair; Scott and Nystrom

**Senate File 2004**

TRANSPORTATION: Coleman, Chair; Doyle and Goodwin

**Senate File 2007**

NATURAL RESOURCES: Goodwin, Chair; Priebe and Husak

**Senate File 2009**

APPROPRIATIONS: Boswell, Chair; Jensen and Sturgeon

**Senate File 2012**

APPROPRIATIONS: Varn, Chair; Holt and Welsh

**Senate File 2014**

TRANSPORTATION: Nystrom, Chair; Jensen and Lloyd-Jones

**Senate File 2017**

TRANSPORTATION: Lloyd-Jones, Chair; Jensen and Priebe

**Senate File 2022**

TRANSPORTATION: Lloyd-Jones, Chair; Coleman and Priebe

**Senate File 2023**

NATURAL RESOURCES: Doyle, Chair; Priebe and Tieden

**House Concurrent Resolution 26**

RULES AND ADMINISTRATION: Gronstal, Chair; Hultman and Gettings

**House File 133**

NATURAL RESOURCES: Tieden, Chair; Peterson and Hester

**House File 138**

NATURAL RESOURCES: Peterson, Chair; Schwengels and Rensink

**House File 188**

NATURAL RESOURCES: A. Miller, Chair; Priebe and Rensink

**House File 221**

NATURAL RESOURCES: Husak, Chair; Priebe and Scott

**House File 429**

TRANSPORTATION: Coleman, Chair; Priebe and Jensen

**House File 438**

NATURAL RESOURCES: Peterson, Chair; Goodwin and Doyle

**House File 578**

TRANSPORTATION: Lloyd-Jones, Chair; Gettings and Jensen

**House File 617**

COMMERCE: Holden, Chair; Welsh and Lind

**House File 680**

APPROPRIATIONS: Sturgeon, Chair; Tieden and Varn

**SSB 2021**

STATE GOVERNMENT: Drake, Chair; Carr and Gronstal

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2030	Environment & Energy Utilities
S.F.	2032	Transportation

**STUDY BILLS RECEIVED****SSB 2022 Small Business and Economic Development**

Establishing a community and rural development loan program to assist communities in financing traditional and new infrastructure and housing for needy and elderly and providing for a revolving fund to be used for the program.

**SSB 2023 Small Business and Economic Development**

Relating to the establishment of economic development finance corporations to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity

financing, underwriting for public offerings, and providing state matching funds.

### AFTERNOON SESSION

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

### INTRODUCTION OF BILLS

**Senate File 2033**, by Taylor, a bill for an act relating to the labeling of the dead body of a person who had or was suspected of having a communicable or infectious disease, and making penalties applicable.

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

**Senate File 2034**, by Jensen, a bill for an act relating to the testing of new incineration facilities installed by a public agency.

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

### BILLS WITHDRAWN

Senator Wells asked and received unanimous consent that **Senate File 67** be withdrawn from further consideration of the Senate.

Senator Hannon asked and received unanimous consent that **Senate File 244** be withdrawn from further consideration of the Senate.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day and January 14, 1988, on request of Senator Vande Hoef.

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:37 p.m., until 9:00 a.m., Thursday, January 14, 1988.

# JOURNAL OF THE SENATE

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## FOURTH CALENDAR DAY FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 14, 1988

The Senate met in regular session at 9:00 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, January 13, 1988, was approved.

## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:03 a.m., until 1:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** January 13, 1988, 9:40 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member and Welsh.

**Members Absent:** Soorholtz.

**Committee Business:** Reviewed expenditure and legislative oversight, performance measurements and status of intent language from 1987 appropriations bills.

**Adjourned:** 11:00 a.m.



**APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

**Convened:** January 13, 1988, 9:35 a.m.

**Members Present:** Riordan, Chair; Priebe, Vice Chair; Hester, Ranking Member, Tieden and Scott.

**Members Absent:** none.

**Committee Business:** Introductory meeting; John Hawley, LFB, presented synopsis of activities resulting from 1987 subcommittee action, legislative oversight and preliminary requests of departments.

**Adjourned:** 10:45 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** January 13, 1988, 9:35 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Organizational meeting; Dan David and Alice Wisner, LFB, discussed legislative oversight and intent analysis.

**Adjourned:** 10:22 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** January 13, 1988, 9:45 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** none.

**Committee Business:** Organizational meeting and discussion of legislative oversight.

**Adjourned:** 11:20 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** January 13, 1988, 9:40 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

**Members Absent:** Palmer.

**Committee Business:** Legislative fiscal year update on various agencies under the subcommittee.

**Adjourned:** 10:25 a.m.

## **APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY**

**Convened:** January 13, 1988, 9:35 a.m.

**Members Present:** Coleman, Vice Chair; Holt, Ranking Member; Husak and Holden.

**Members Absent:** Gettings, Chair (excused).

**Committee Business:** Reviewed 1987 legislative intent summary and approved tentative subcommittee schedule.

**Adjourned:** 10:00 a.m.

## **EDUCATION**

**Convened:** January 13, 1988, 3:45 p.m.

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

**Members Absent:** Lind and Riordan.

**Committee Business:** Assigned bill to subcommittee and approved SSBs 2002, 2004 and 2005 as committee bills.

**Adjourned:** 4:30 p.m.

## **ENVIRONMENT AND ENERGY UTILITIES**

**Convened:** January 13, 1988, 1:35 p.m.

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

**Members Absent:** none.

**Committee Business:** General discussion and review of groundwater clean-up by: Larry Wilson, Ruth Bender and Jim Combs, Department of Natural Resources; Jim Gulliford and Daryl Frey, Department of Agriculture and Land Stewardship; Mike Coverdale, Joan Muldon and Ken Choquette, Department of Public Health.

**Adjourned:** 3:00 p.m.

## **HUMAN RESOURCES**

**Convened:** January 13, 1988, 3:05 p.m.

**Members Present:** Hannon, Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, C. Miller, Murphy, Readinger, Sturgeon and Taylor.

**Members Absent:** Carr, Vice Chair and Lind.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 3:10 p.m.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** January 13, 1988, 8:05 a.m.

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

**Members Absent:** Hannon (excused).

**Committee Business:** Allan Thoms, Director of the Department of Economic Development, spoke before the committee.

**Adjourned:** 8:55 a.m.

## **COMMITTEE REPORTS**

### **EDUCATION**

**Final Bill Action:** Senate File 2035 (SSB 2002), a bill for an act relating to the director of the department of education, including the director's salary and appointment, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Murphy, Horn, Taylor, Corning, Rensink, Tieden, Varn and Wells. Nays, 4: Bruner, Dieleman, Holden and Lloyd-Jones. Voting present, 1: Hannon. Absent, 2: Riordan and Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2036 (SSB 2004), a bill for an act relating to moneys available to the first in the nation in education foundation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Rensink, Tieden, Varn and Wells. Nays, none. Absent or not voting, 2: Lind and Riordan.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2037 (SSB 2005), a bill for an act relating to certain scholarship and grant programs administered by the college aid commission, including the requirements for receipt of a state scholarship and the repeal of the supplemental grant program and providing appropriations and an effective date for the repeal.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Rensink, Tieden, Varn and Wells. Nays, none. Absent or not voting, 2: Lind and Riordan.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **RULES AND ADMINISTRATION**

**Final Bill Action:** HOUSE CONCURRENT RESOLUTION 102, a resolution providing a joint convention on Monday, January 18, 1988, at 6:30 p.m. for the Governor's budget message.

**Recommendation:** DO PASS.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE CONCURRENT RESOLUTION 103, a resolution providing a joint convention on Tuesday, January 19, 1988, at 10:00 a.m. for the condition of the judiciary message.

**Recommendation:** DO PASS.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## SUBCOMMITTEE ASSIGNMENTS

### Senate Resolution 6

RULES AND ADMINISTRATION: Gronstal, Chair; Jensen and Gettings

### Senate Concurrent Resolution 22

RULES AND ADMINISTRATION: Gettings, Chair; Hultman and Jensen

### Senate Concurrent Resolution 39

RULES AND ADMINISTRATION: Hutchins, Chair; Hultman and Gettings

### Senate File 80

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

### Senate File 221

HUMAN RESOURCES: Hannon, Chair; Carr and Lind

### Senate File 238

HUMAN RESOURCES: Taylor, Chair; Bruner and Gentleman

### Senate File 302

HUMAN RESOURCES: Hannon, Chair; Corning and Coleman

### Senate File 347

HUMAN RESOURCES: Sturgeon, Chair; Corning and Carr

### Senate File 372 (Reassigned)

AGRICULTURE: Husak, Chair; Fraise and Hester

**Senate File 404**

HUMAN RESOURCES: Taylor, Chair; Bruner and Gentleman

**Senate File 430**

HUMAN RESOURCES: Taylor, Chair; Bruner and Gentleman

**Senate File 440**

HUMAN RESOURCES: Hannon, Chair; Murphy and Corning

**Senate File 445**

HUMAN RESOURCES: Coleman, Chair; C. Miller and Gentleman

**Senate File 505**

WAYS AND MEANS: Bruner, Chair; Soorholtz and Mann

**Senate File 520**

WAYS AND MEANS: Gronstal, Chair; Readinger and Riordan

**Senate File 2002**

RULES AND ADMINISTRATION: Gettings, Chair; Gronstal and Jensen

**Senate File 2005**

EDUCATION: Bruner, Chair; Varn and Holden

**Senate File 2015**

HUMAN RESOURCES: Sturgeon, Chair; Coleman and Corning

**House File 327**

WAYS AND MEANS: Bruner, Chair; Drake and Dieleman

**House File 601**

HUMAN RESOURCES: Hannon, Chair; Carr, Gentleman, Readinger and Sturgeon

**House File 642**

HUMAN RESOURCES: Corning, Chair; Hannon and Murphy

**House File 665**

WAYS AND MEANS: Husak, Chair; Readinger and Palmer

**House File 678**

WAYS AND MEANS: Mann, Chair; Hester and Husak

**House File 683**

WAYS AND MEANS: Gronstal, Chair; Readinger and Murphy

**SSB 2024**

NATURAL RESOURCES: Doyle, Chair; Hannon and Goodwin

## AFTERNOON SESSION

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

### INTRODUCTION OF BILLS

**Senate File 2035**, by committee on Education, a bill for an act relating to the director of the department of education, including the director's salary and appointment, and providing an effective date.

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

**Senate File 2036**, by committee on Education, a bill for an act relating to moneys available to the first in the nation in education foundation.

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

**Senate File 2037**, by committee on Education, a bill for an act relating to certain scholarship and grant programs administered by the college aid commission, including the requirements for receipt of a state scholarship and the repeal of the supplemental grant program, and providing appropriations and an effective date for the repeal.

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

**Senate File 2038**, by Mann, a bill for an act making an individual not liable for the overpayment of unemployment benefits received under certain circumstances and providing for the applicability of the act.

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

**Senate File 2039**, by Dieleman, a bill for an act allowing personalized vehicle registration plates to contain up to seven characters.

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

**Senate File 2040**, by Priebe, a bill for an act to appropriate moneys to the state board of regents to be used by Iowa State University for the development of the technology necessary to



develop competitive plastics manufactured from corn-based products.

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

**Senate File 2041**, by Schwengels, a bill for an act relating to assessments based upon erroneous data and taxes due or paid as a result of the overvaluation of property based upon erroneous assessment data and making the act retroactive.

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

**Senate File 2042**, by Sturgeon, a bill for an act reducing the number of years of age required between certain persons before the older person is guilty of sexual abuse in the third degree.

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

### WITHDRAWN

Senator Scott asked and received unanimous consent that **Senate Files 85 and 401** be **withdrawn** from further consideration of the Senate.

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 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.

### ADOPTION OF RESOLUTIONS

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolutions 103 and 102.

#### **House Concurrent Resolution 103**

On motion of Senator Hutchins, House Concurrent Resolution 103, a resolution providing for a joint convention on January 19,

1988, for the condition of the judicial department's message, was taken up for consideration.

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

### **House Concurrent Resolution 102**

On motion of Senator Hutchins, House Concurrent Resolution 102, a resolution providing for a joint convention on January 18, 1988, for 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 102, which motion prevailed by a voice vote.

### **CONSIDERATION OF BILL (Regular Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2031.

### **Senate File 2031**

On motion of Senator Drake, Senate File 2031, a bill for an act relating to the reporting of results of the precinct caucuses, providing a penalty, and providing an effective date, was taken up for consideration.

Senator Doyle offered amendment S—5002 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5002 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. 2031) the vote was:

Ayes, 41:

Boswell  
Dieleman  
Fuhrman

Bruner  
Doyle  
Gentleman

Corning  
Drake  
Gettings

Deluhery  
Fraise  
Goodwin

Gronstal	Hall	Hannon	Hester
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 3:

Coleman	Mann	Peterson
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Absent or not voting, 6:

Carr	Holt	Lind	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.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolutions 102 and 103 and Senate File 2031** be immediately messaged to the House.

### INTRODUCTION OF BILL

**Senate File 2043**, by Taylor, a bill for an act relating to the reporting of persons testing positive for the human immunodeficiency virus to the acquired immune deficiency syndrome registry, establishing a contact tracing program, providing civil immunity for certain actions, and providing penalties.

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.	2033	Human Resources
S.F.	2034	Environment & Energy Utilities
S.F.	2038	Business & Labor Relations
S.F.	2039	Transportation
S.F.	2040	Agriculture
S.F.	2041	Local Government
S.F.	2042	Judiciary
S.F.	2043	Human Resources

### STUDY BILLS RECEIVED

#### SSB 2024 Natural Resources

Relating to the ownership of certain vessels by requiring the purchaser of a registered vessel to obtain a certificate of title, by providing for the perfection of a security interest, and by providing an effective date.

#### SSB 2025 Judiciary

Relating to the detention in an adult facility of a juvenile over whom the juvenile court has waived its jurisdiction.

### AMENDMENT FILED

S—5002	S.F.	2031	Donald V. Doyle
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### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:06 p.m., until 1:00 p.m., Monday, January 18, 1988.

## JOURNAL OF THE SENATE

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EIGHTH CALENDAR DAY  
FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, January 18, 1988

The Senate met in regular session at 1:03 p.m., President Zimmerman presiding.

Prayer was offered by the Reverend Fred Strickland, pastor of the Corinthian Baptist Church, Des Moines, Iowa.

The Journal of Thursday, January 14, 1988, was approved.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 1:31 p.m., until 6:00 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** January 14, 1988, 10:02 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Welsh and Soorholtz.

**Members Absent:** none.

**Committee Business:** Reviewed LFB's budget request analysis.

**Adjourned:** 10:50 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

**Convened:** January 14, 1987, 9:47 a.m.

**Members Present:** Riordan, Chair; Priebe, Vice Chair; Hester, Ranking Member; Tieden and Scott.

**Members Absent:** none.

**Committee Business:** Presentation by John Hawley, LFB and Heather Lampe, Department of Management.

**Adjourned:** 11:06 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** January 14, 1988, 10:05 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member and Taylor.

**Members Absent:** Carr (excused).

**Committee Business:** Overview of subcommittee calendar, Department of Economic Development FY 1989 general fund budget and lottery budget requests, Iowa Finance Authority FY 1989 requests, FY 1989 Iowa Plan Fund requests, 1987 intent language and spending oversight.

**Adjourned:** 11:00 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** January 14, 1988, 10:02 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair, Murphy and Rensink.

**Members Absent:** Nystrom, Ranking Member.

**Committee Business:** Dwayne Ferguson, LFB, presented information on legislative oversight.

**Adjourned:** 10:42 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

**Convened:** January 14, 1988, 10:00 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; Readinger, Ranking Member; C. Miller and Gentleman.

**Members Absent:** none.

**Committee Business:** Organizational meeting; Bob Snyder, LFB, distributed LFB materials, general information and four priority issues agreed by the subcommittee leadership; Inga Bumbary-Langston, executive director of the Iowa Civil Rights Commission, discussed the 1987 legislative oversight report and presented FY 1988 first quarter report; Representative Hermann requested from Director Bumbary-Langston the dollar amount of awards collected from successfully conciliated cases of the Civil Rights Commission.

**Adjourned:** 11:15 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** January 14, 1988, 10:02 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery (arrived 10:50 a.m.) and Fuhrman.

**Members Absent:** none.

**Committee Business:** Overview of the Department of Human Services by Commissioner Nancy Norman; progress report on Iowa's Collection Services Center by Chris Ill, Janet Phipps and Ray Camp.

**Adjourned:** 12:05 p.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** January 14, 1988, 10:05 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Mann and Vande Hoef.

**Members Absent:** Lind, Ranking Member (excused).

**Committee Business:** Beth Lenstra gave presentation on legislative oversight; Chuck Lee gave a presentation on the farm account oversight; Jeanette Buklew answered questions concerning jail inspections; Chuck Lee answered questions relating to the duties of the C.E.R.T. teams at the correctional facilities.

**Adjourned:** 11:15 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** January 14, 1988, 10:00 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

**Members Absent:** Palmer.

**Committee Business:** Legislative oversight.

**Adjourned:** 11:20 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY**

**Convened:** January 14, 1988, 10:00 a.m.

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

**Members Absent:** none.

**Committee Business:** Budget summary and departmental requests process for tracking legislative intent ILEA oversight - expenditure oversight suggestions for other programs and agencies.

**Adjourned:** 10:54 a.m.



## NATURAL RESOURCES

**Convened:** January 14, 1988, 8:00 a.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Doyle, Goodwin, Hannon, Hester, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Schwengels, Ranking Member and Husak.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 8:10 a.m.

## RULES AND ADMINISTRATION

**Convened:** January 14, 1988, 8:55 a.m.

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

**Members Absent:** Gettings and Kinley.

**Committee Business:** Recommended passage of House Concurrent Resolutions 102 and 103; assigned S.F. 2002 to a subcommittee.

**Adjourned:** 9:00 a.m.

## CERTIFICATES OF RECOGNITION

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

David and Genevieve Taylor, Springville - For Celebrating their Sixtieth Wedding Anniversary. Senator Hannon (9-7-87).

Adeline Hart, Springville - For celebrating her Ninetieth Birthday. Senator Hannon (10-11-87).

Coach Terry Bahlmann and the Schleswig Hawks - For being the state runner-up in Class A Division Football. Senator Hutchins (11-13-87).

Margaret Tonne, Anamosa — For twenty-two years of service to the community as librarian. Senator Hannon (12-16-87).

Certificates were issued to those celebrating their Golden Wedding Anniversary at the request of Senator Hannon as follows:

Alvin and Mildred Suhr, Durant (8-28-87); Johanna and Otto Koranda, Oxford Junction (9-11-87); Gerald and Tresa Rohr, Monticello (9-17-87); Leo and Grace Myers, Bennett (9-24-87); Carl and Esther Jaeger, Durant (9-25-87); Clarence and Mabel Rhatigan, Monticello (9-25-87); Henry and Luberna Hogan, Durant (9-29-87); Fred and Velda Luckstead, Wyoming (9-29-87); Reverend Arnold and Clare Kluge, Cedar Rapids (10-8-87); Dale and Doris Wink, Anamosa (10-8-87); Wilbert and Florence Glass, Ely (10-9-87); Murray and Bernadette Gibson, West Branch (10-28-87); and LaVerne and Wilma Sievers, Mt. Vernon (10-30-87).

Certificates were issued to those celebrating their Fortieth Wedding Anniversary at the request of Senator Hannon as follows:

George and Edith Rieken, Monticello (9-13-87); Erwin and Betty Lowe, Anamosa (9-20-87); Richard and Betty Lou Jedlicka, Tipton (9-23-87); Richard and Luella Eichhorn, Wyoming (10-12-87).

## PETITION

The following petition was presented and placed on file by:

Senator Fraise from eight hundred eleven residents of Des Moines, Lee, Henry and Polk Counties opposing an open fireworks law.

## STUDY BILLS RECEIVED

### **SSB 2026    Judiciary**

Relating to the civil rights of persons with a condition relating to acquired immune deficiency syndrome, by prohibiting the testing, with respect to the employment of persons, for a condition related to acquired immune deficiency syndrome, and by making remedial provisions of the civil rights law applicable.

### **SSB 2027    Judiciary**

Relating to the issuance of citations and the detention of juveniles, and providing penalties.

### **SSB 2028    Education**

Relating to payment of costs of asbestos identification and removal by boards of directors of school districts.

**SSB 2029 Education**

Relating to the organizational meeting of the state board of education.

**SSB 2030 Education**

Relating to requirements of human growth and development and health in grades kindergarten through twelve.

**SSB 2031 Education**

Requiring accredited elementary and secondary schools to provide, within the health education curricula, instruction concerning acquired immune deficiency syndrome.

**SSB 2032 Business & Labor Relations**

Relating to the benefit ration array system under the unemployment insurance law by making the benefit ratio array system permanent, by resolving potential federal conformity issues concerning new nonconstruction experience-based rates and access to job service information by business and labor organizations, by abolishing the special employer contribution rate for employers with certain negative balance account histories with retroactive applicability, and by providing an effective date.

**SSB 2033 Business & Labor Relations**

Relating to the jurisdiction of the employment appeal board.

**SSB 2034 Business & Labor Relations**

Relating to providing assistance to workers in existing businesses and providing an appropriation.

**SSB 2035 Ways & Means**

Relating to the extension of the applicability of House File 689, enacted during the Second Extraordinary Session of the Seventy-second General Assembly during 1987, updating references to the Internal Revenue Code, providing for retroactive applicability, and providing an effective date.

**SSB 2036 Business & Labor Relations**

Relating to financial arrangements in connection with the payment of workers' compensation claims of employees under the control of the state board of regents.

**SSB 2037 Agriculture**

Relating to the procurement of starch-based plastics and soybean-based inks by the department of general services, the state board of regents, the commission for the blind, and the state department of transportation.

**BILLS ASSIGNED TO COMMITTEE**

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

S. C. R.	102	Rules and Administration
S. J. R.	2001	Ways and Means
S. F.	2044	Appropriations
S. F.	2045	Human Resources
H. F.	471	Business & Labor Relations

**AMENDMENT FILED**

S—5003            S. F.            2037            Richard J. Varn

**COMMITTEE REPORT****LOCAL GOVERNMENT**

**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, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller and Wells. Nays, none. Absent or not voting, 2: Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## EVENING SESSION

The Senate reconvened at 6:00 p.m., President Zimmerman presiding.

## INTRODUCTION OF BILLS

**Senate Joint Resolution 2001**, by Priebe, a joint resolution nullifying a department of revenue and finance administrative rule which requires automatic withholding on payments made to nonresident landlords by agents, including elevator operators, upon sale of grain or other commodities received by the landlord for rent, and which recognizes taxable income to the landlord upon sale of the commodity, and providing an effective date.

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

**Senate File 2044**, by Holt, a bill for an act relating to the receipt and disbursement of support payments, providing for the act's applicability, and providing effective dates.

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

**Senate File 2045**, by Sturgeon, 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 2046**, by committee on Education, a bill for an act relating to the method of election of directors of certain school districts and providing an effective date.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 102**, by Hultman, a concurrent resolution urging the Congress to address the adverse effects of the federal Social Security program which discriminates against certain persons due to their birth dates.

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.

### COMMITTEE FROM THE HOUSE

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

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

### JOINT CONVENTION

The joint convention convened at 6:07 p.m., President Zimmerman 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 Zimmerman declared a quorum present and the joint convention duly organized.

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

The motion prevailed by a voice vote and the President appointed as such committee Senators Gronstal, Horn and Jensen, on the part of the Senate and Representatives Fuller, Teaford and Van Maanen, on the part of the House.

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

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

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

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

President 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.

It is a pleasure to be back in these beautiful chambers tonight especially on this important state holiday as we mark the birthday of Dr. Martin Luther King, Jr. During the day today I have attended a number of activities where we have recognized the important contributions that Dr. King has made here in the United States of America. It is appropriate here tonight to see how we can keep his dream alive here in the heartland of America.

Last Tuesday I stood before you in these chambers and outlined a vision for Iowa.

- \* An Iowa that is economically sound and diverse, yet preserves our hometown way of life.
- \* An Iowa where everyone in the state can have a say in shaping the future.
- \* An Iowa that can be called home by our sons and daughters and our grandchildren as they pursue careers and opportunities in the 21st century.

I believe we all share this vision of the new Iowa. Living, working and even struggling together over the past difficult years of this decade has helped us sharpen our direction, clear our focus and forge a common goal.

Now I know we have talked about goals in the past, but we have often hit an impasse when the talk turned to the methods to achieve these goals. Indeed, I believe we finally have a common destination for our state, but now we have got to choose a common road to get there. That is not going to be easy because we really do not have the resources to go off in a lot of different directions.

At the same time, I suspect some of you are saying "Well, we agree with the goals; we may even agree with many of his methods, but, seriously, given the budget constraints we have today, how can we ever accomplish them? How can we pay for the new Iowa when we could not afford the old one?"

Those are good questions and they deserve to be addressed in a straightforward manner and I plan to do that tonight.

The first question to be answered, then, is how can we reach agreement on the ends and the means in this budget? Now I know all of you will not agree with every choice I made in putting this budget together. The choices were tough and budgets with direction do not please all of the people all of the time. But I hope we can adopt a common set of principles, or guideposts to help us set out on the same path.

I would like to spell out for you the six principles I used in developing this budget. And, I would ask you to consider them, as well, as we move forward to establish the budget for our state for the next fiscal year.

First, this budget must be seen as an investment. The state must get something of value for the money that it spends. With economic development, the return is new jobs and capital formation. In education, we must require improved quality, accountability, and even higher standards of excellence. In human services, we must demand improved quality of care for the less fortunate, and jobs for those who are on welfare and able to work.

Second, we must recognize priorities in this budget. If we are to achieve our goals, we must recognize that some investments, like economic development and education, will have better payback than others. We should allocate our money accordingly. That is why I reject across-the-board cuts and across-the-board increases. Both ignore quality, merit and direction.

The third principle which should guide our budget making is efficiency. We can't afford to spend money wastefully. We must root out inefficiencies in government wherever and whenever possible, and eliminate them from our budget. When money is tight and priorities carefully determined, it is simply wrong to spend taxpayer dollars on appendages of the past and it is wrong to tax our people excessively.

Fourth, this budget should meet the state's essential commitments. When we make promises, particularly to property taxpayers, we should keep them. We should provide no excuse for property taxes to go up by renegeing on real commitments to property tax relief.

Fifth, the budget must be fair. It must recognize that government does have a role in taking care of those unable to take care of themselves or unable to receive help from any other source. But let us be fair with people. It would be a cruel hoax to make promises we know we cannot keep.

Finally, the budget must be honest and balanced. I reject the notion that this budget should somehow be balanced with smoke and mirrors. Iowans would see through that in a minute. Instead, the budget should include reasonable estimates of entitlement costs and no part year implementation schedules to understate the real cost of new programs.

It should reflect the basic recommendations of our Revenue Estimating Conference, with no fudging or finagling of those estimates. This budget should put in place generally accepted accounting principles on the schedule we have



set for ourselves. To do that, we should realistically assess what we will need to meet that timetable and put money away this year to get our accounting books in order.

Most important, although there is little room to spare, this budget must be balanced for both fiscal year 1988 and fiscal year 1989. And, it is.

Investment, priorities, efficiency, commitments, fairness, honest and balanced. These are the watchwords of this budget. They are the principles that drive the budget I am recommending to you tonight. I commend those principles to you, as well. If you, too, can adopt them as you own, we can take the same path and reach our common goals.

So, how did I provide funds for our priorities, adhere to these principles and make this budget balance? Given the existing obligations, it was not easy. Consider for a moment what greeted me as I began developing this budget:

- \* We were \$150 million short of meeting our obligations;
- \* Local governments were expecting \$83 million in additional state aid;
- \* Human services programs, particularly Medicaid and foster care, were already running a deficit of nearly \$20 million this year, with even more projected growth in expenditures next year.
- \* The salary bill, school aid, 27th pay period -- they all added up to this litany of last year's promises that are this year's obligations.

Those past obligations made this year's decision-making doubly difficult. Money was short and existing commitments were large. Frankly, we must do a better job of avoiding excessive future budget entanglements. The ability of future legislatures to choose a new course for our state will be hamstrung by the obligations we make today.

We ought to resolve here and now to change the law and return to two-year budgets. The political process reinforces short term gain over long term prudence. And our present one-year budgeting process makes it even worse.

We ought to say no to the federal government's approach to budget problems. You all know what happens when you fall prey to those who want to cut taxes and increase spending all at the same time. The result is a \$2.5 trillion federal debt -- that is like running up a \$3.5 million deficit for every day since the birth of Christ.

Thank goodness the founders of this state had the wisdom to put in our Constitution a requirement for a balanced budget. That makes the option selected by Congress simply not permissible here in Iowa.

Instead, this budget is balanced the old-fashioned way by cutting spending and, yes, where appropriate, raising revenues.

On the revenue side, I am recommending an increase in the cigarette and tobacco tax. Smoking has been identified as one of our nation's greatest health problems. Over 350,000 Americans died last year from smoking-related illnesses and it is costing Iowans a lot of money to take care of those problems. So, I think it is appropriate for us to raise additional revenue to help pay for those costs. We should raise the cigarette tax by 12 cents a pack and make it effective March 1. And at the same time, we also should start taxing wine coolers, like wine.

There should be no increase in the income or sales tax rates. We can and we should balance this budget without a general tax increase and without putting more burden on the property taxpayers.

That means we will need some substantial expenditure reductions. And I have done just that.

- \* I cut over \$270 million from departmental requests.

- \* Our restructured state government has already resulted in the elimination of 1200 positions from the state's payroll. New structure has helped us identify further savings and the size of government is pared back by an additional 431 positions in this budget. An early retirement program and an enhancement of IPERS should be adopted to ease the transition for many of these employees.

- \* Unnecessary administrative support items have been eliminated from the budget, and total administrative costs are actually below last year's levels. I salute many of our state managers for doing better with less.

- \* And, distortions in some state funding mechanisms are corrected in order to save critically needed state dollars.

The result is a budget that is tight, yet balanced, strict but fair, fiscally conservative yet recognizing our priorities. It is a budget that doesn't shy away from making the tough choices needed to reach our goals.

I have already discussed with you two of our priorities in the Condition of the State Address -- economic development and education.

Education, human services, property tax replacement and economic development are clearly given priority status. The school foundation aid formula for local schools is fully funded and our commitment to Educational Excellence is maintained. Education's share of our total state budget will be 59 percent. Surely no one can doubt this state's commitment to quality education for our children.

Human services are provided an additional \$27 million. The cost of entitlement programs are reasonably projected and funded. No new programs are started without paying the full year's bill.

We are keeping our commitments to replace property taxes at the local level. An extra \$83 million in state aid is provided for that purpose. This should give some local governments an opportunity to actually reduce property taxes.

I am recommending that lottery dollars be dedicated to this state's critical economic development and capital needs. This will allow us to continue important programs like the tourism and satellite centers, Main Street projects, business incubators and an expedited schedule to renovate the Capitol. Economic development's share of this year's general fund budget is also substantially increased.

I have sketched out for you with a broad brush an outline of this budget. Now I would like to discuss with you in more detail two of our other priorities -- meeting human needs and ensuring the public's safety.

We talk about holding down spending and, yet, we know the needs of some Iowans are great. I am well aware that there are some critical human needs that must be met by government. For example, we must make certain that our rural areas do not lose access to quality health care. We have already talked about putting a cap on medical liability insurance to make certain that our small communities do not lose doctors. Emergency medical services are also critical to rural health care. That is why I am recommending for the first time a state appropriation of \$1 million for this program.

Our young people are our future, yet the pressures and stresses of today's society make growing up terribly tough for some. Substance abuse, unwanted pregnancies and suicide plague some of our young people today. We need to help them say no to temptations that could jeopardize their futures. That is why funding is provided to implement a school curriculum with strong emphasis on building self-esteem and teaching decision-making skills. These skills should be offered to our young people at all grade levels.

The state must continue its commitment to assist our growing elderly population. We need to help more of our older people stay in their homes, and improve their health care. I am also asking your support to establish a task force to address the growing problem of Alzheimer's Disease.

This budget not only focuses on the needs of our young and our old, but it also addresses the problems faced by those who are less fortunate.

I am recommending major reforms in our welfare system and in our foster care program. We simply must make welfare work. During the past year, the Task Force on Welfare Reform has been reviewing current programs and developing new ways to help welfare recipients break the cycle of poverty. We have implemented job search requirements and existing resources are being targeted to help find jobs for those on welfare.

As a result of these actions already taken and an improving economy, we reduced the welfare rolls by over 6,200 people last year. Our goal in 1988 should be to double those results.

To accomplish this, I am willing to commit more resources to help remove the barriers to employment and to get rid of the practices that discourage people from taking jobs. We should:

- \* Provide child care assistance for welfare recipients who take jobs.
- \* Extend Medicaid services to 12 months for ADC recipients who do get jobs.
- \* And provide training and education to help welfare recipients prepare for jobs.

In fact, I believe we ought to establish a contract with those on ADC. In return for government assistance, we should require that they seek appropriate education, training and a job.

If we do this, we can truly make our welfare system more caring and responsive. Instead of perpetuating dependency, we can help people become independent and self-sufficient. We can help people contribute to the growth of their family, their community and the state. 1988 is the year to make a major step for welfare reform in Iowa.

It is also the year to reform our foster care program. This system provides care for children when they are the most vulnerable and needy. I believe we can do a better job of helping children in our foster care program by:

- \* Making certain that payments for foster services are based on the special needs of the child; and, by providing additional funds to help families with difficult foster children.
- \* Ensuring adequate supervision and treatment of problem children, and
- \* Caring for more of our children in Iowa rather than out of state. No child should be put in foster care more than 100 miles from their hometown.

We can increase the efficiency of our foster care system and save money this year and in the future. I encourage you to adopt the recommendations of the Foster Care Work Group which outlines this comprehensive program to reform our system.

And above all, we must make it clear that in Iowa, the first priority of our foster care system is to serve the needs of our children.

Our budget decisions this year are made more difficult because of skyrocketing health care costs. If we do not find a way to contain them, we will not be able to find the dollars to support those in need or to adequately pay providers. This budget does include an increase of almost 4 percent in provider reimbursements. But you must allow the Department of Human Services to adopt mandatory Health Maintenance Organizations to control the costs of our Medicaid program.

We must not only care for those in need. We must make certain that Iowa remains a place that is safe and secure for our citizens.

Frankly, I am concerned about recent trends in the area of public safety. Let me cite some startling statistics for you. Since 1980, prison overcrowding has forced the parole board to increase the number of people let out of prison by 250 percent. As a result, the median time actually served by inmates today is about one-half of what it was in 1980. Some of these parolees are dangerous. In case you have any doubts about the increased problem from parolees, just look at parole revocations. They are up an astounding 340 percent.

The facts speak for themselves. We need more medium security prison beds. If we do not provide this space, two things will happen.

- \* Our community based correction system which supervises over 80 percent of our prisoners will lose its effectiveness, and

- \* Public safety will be threatened.

That is why I am asking you to appropriate \$7 million in lottery funds over the next two years to pay the capital costs of adding 200 medium security beds to our corrections system. We should ask the State Board of Corrections to review proposals and to select the best site and design for that addition to our system. We ought to do it this year.

We must also eliminate the confusion in the law that prevents some juveniles from being detained. We should adopt the recommendations of the Iowa Commission on Judicial Compensation and Benefits so that judges are given appropriate salary increases.

The budget I have laid out for you tonight is a road map for Iowa's future. It is a book of choices, much like the choices we talked about a week ago. This budget is a set of priorities that establishes a direction for Iowa and helps us achieve our goals.

I know that many of you may not agree with all the choices that I have made and all the priorities I have established. In fact, our political process is one that encourages discussion, debate and consensus building to achieve a mutually agreeable set of priorities.

But I believe that debate can be without confrontation, that consensus building can be without bitterness, that the priority setting can be accomplished without name calling. It can be accomplished if we jointly agree on what needs to be done and commit to do it together.

Cooperation is always more difficult when money is scarce. I am reminded of Mark Twain's wry observation that "the root of all evil is the lack of money." That does often seem to be the case in the political process. But it also can be a blessing in disguise. Limited resources force us to set priorities, demand greater efficiencies and eliminate the unnecessary.

Let us resolve tonight to make Iowans proud of how we accomplish the difficult task before us -- to budget fairly, honestly and without unnecessary rancor.

We have already taken bold steps to do just that. The legislative leaders and I met before the session to sketch out the framework of this budget. We found out that tough budget decisions are made easier if they are made together.

This budget fits within the framework we set for ourselves.

- \* It is priority driven, yet is it fair and sets a clear direction for a brighter and more prosperous future.
- \* It is a budget without major tax increases, yet it is balanced.
- \* It is a budget that demands results.

Let us work together to make it a reality.

Thank you.

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.

## COMMITTEE REPORT

### EDUCATION

**Final Bill Action:** SENATE FILE 2046 (SSB 2001), a bill for an act relating to the method of election of directors of certain school districts and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Murphy, Bruner, Dieleman, Hannon, Lloyd-Jones, Riordan, Tieden, Varn and Wells. Nays, 5: Horn, Corning, Holden, Lind and Rensink. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## OBSERVANCE OF DR. MARTIN LUTHER KING'S BIRTHDAY

Senators Mann, Readinger, Riordan and Carr offered remarks in honor and memory of the birthday of Dr. Martin Luther King, Jr.

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:10 p.m., until 9:00 a.m., Tuesday, January 19, 1988.

# JOURNAL OF THE SENATE

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NINTH CALENDAR DAY  
SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, January 19, 1988

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, Des Moines, Iowa.

The Journal of Monday, January 18, 1988, was approved.

## INTRODUCTION OF BILL

**Senate File 2047**, by Bruner, a bill for an act relating to city civil service.

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

## WITHDRAWN

Senator Jensen asked and received unanimous consent that **Senate File 355** be **withdrawn** from further consideration of the Senate.

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 103, 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 103, duly adopted, the joint convention was called to order at 9:35 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 six, three members from the Senate and three members from the House, be appointed to notify the Honorable Arthur A. McGiverin, Chief Justice of the Iowa Supreme Court, that the joint convention was ready to receive him.

The motion prevailed by a voice vote and the Chair appointed as such committee Senators Doyle, Mann and Hester, on the part of the Senate, and Representatives Jay, McKinney and Halvorson of Clayton, on the part of the House.

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

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

The Chief Judge and Judges of the Appellate Court and the Chief Judges of the eight Iowa Judicial Districts were escorted into the House chamber.

Mrs. Joan McGiverin and son Tom, Paul McGiverin, Ms. Ruth Keneston and Mr. and Mrs. Ed McGiverin were escorted into the House chamber.

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

President Zimmerman then presented Chief Justice McGiverin who delivered the following State of the Judicial Department Message:

MADAM PRESIDENT, MR. SPEAKER, SENATORS, REPRESENTATIVES, STATE OFFICIALS, JUSTICES, JUDGES, MY FELLOW IOWANS:

Today's state of the judiciary message is my first as chief justice of the Iowa Supreme Court. I am pleased to continue the path of my predecessor Chief Justice Reynoldson with whom you probably are better acquainted. Thank you for the invitation to speak here today.

I would like to take a moment to acknowledge some of the people present. Three new appellate judges are with us -- two new Supreme Court Justices, Justice Bruce Snell and Justice James Andreasen, and the Court of Appeals Judge, Judge Albert Habhab. Also present is the Judicial Council composed of the Chief Judge of each judicial district, and officers of Iowa's attorney organizations.

In this message, I will address the condition of the judiciary, my concerns and goals for Iowa justice, and the means for achieving those goals.

Before discussing current concerns, two upcoming historic celebrations should be noted. 1988 marks the 200th anniversary of the ratification of the Constitution of the United States. On June 21, 1778, the Constitution became official when the ninth state, New Hampshire, ratified it. Because of its unique flexibility and adaptability, augmented by a constitutional structure that divided power between three separate branches of government, our federal Constitution has stood the test of time to become the oldest document of its kind in the world.

This year also marks 150 years of government in Iowa. On June 12, 1838, Congress passed a law establishing the territorial government of Iowa. In the fall of 1838, the first court was held in the Iowa Territory at what is now Guttenberg in Clayton County.

The first territorial Assembly, which consisted of 13 senators and 26 representatives, met in Burlington in 1838. At the urging of Governor Robert Lucas, and with the assistance of the Supreme Court, the assembly compiled the first laws of the territory. Iowa's fine tradition of good government began with cooperation between the three branches.

Of course, this is not to say that the first assembly passed laws without debate. Apparently, considerable debate centered around the matter of paying the three justices of the Supreme Court for their legislative services.

A much more recent example of cooperation and commitment between the branches of government is to be found in court reorganization. As you know, it involved phasing in state funding of the court system and the transfer of over 1400 support personnel to the state judicial system. The major task of court reorganization is now complete and many of the benefits are already evident.

By the close of this fiscal year, the reorganization of the Iowa court system will have saved Iowa property taxpayers more than 18 million dollars. Thanks to your vision, a heavy tax burden has been lifted from the backs of Iowa property owners.

Other benefits of reorganization include:

- unified budgeting for the courts;
- continuing education for court reporters, clerks of court, and juvenile court officers;
- uniform employee job descriptions and pay plans; and
- moving employees from county to county to assist where most needed.

Today, because of the commitment and cooperation of the people of Iowa, the Governor, the Legislature, and the Court, all Iowans receive better judicial services. Yet, these improvements in judicial services are only the beginning. Looking ahead, we have to do even better.

The duty of the third branch is to provide justice to all Iowans. I am proud to report, that despite our current budgetary constraints, Iowans are provided top quality judicial services. This can be attributed to our dedicated and hardworking judicial department staff and judges.

The quality of judicial decisions, however, hinges on the quality of Iowa judges. Statistics prove the dedication of every Iowa judge. The average number of cases disposed of per district court judge has jumped from 607 to 705 cases per year over the last decade.

But rather than dwell on hard numbers, it is important for Iowans to understand the crucial role and tremendous responsibilities of our judges, especially our trial court judges. Our judges preside over every kind of civil and criminal case imaginable, from small claims property disputes to multimillion dollar product liability actions and from simple misdemeanors to class "A" felonies. And although most cases do not make the evening news, each case is significant because it touches the life of an Iowan.

We have every reason to boast about the job our judges are doing. But Iowa is at the brink of a judicial crisis. Our judges are suffering from law morale and potential burnout. We are having difficulty attracting and keeping experienced people devoted to public service, particularly on the district court bench.

Why is Iowa facing this situation? A major reason is low judicial compensation.

During the last decade, judicial salaries in Iowa have not kept pace with inflation, with increases awarded to other state employees, or with judicial compensation in other states.

In the last 10 years, judicial salaries have increased less than half of the national inflation rate. Measured by the consumer price index, the purchasing power of Iowa district judges has plunged 72% since 1977. During the same period, the percentage of salary increases of Iowa judges also has fallen substantially behind that of other state employees.

In 1977, Iowa ranked 16th in the nation in judicial compensation for trial judges. Today, Iowa trial judge salaries place a lowly 37th. In states of comparable population, only one, Oklahoma, pays its judges less than Iowa.

Low judicial compensation is bound to have an adverse impact on the quality of justice in Iowa. To address this imminent problem, the judicial department is strongly supporting the salary recommendations of the Iowa Commission to Review Judicial Compensation and Benefits.

Last year the Commission proposed a salary schedule, slightly below the national average, which we feel will begin to raise the compensation of judges to a level commensurate with their important responsibilities. This is no "pie in the sky" request. This salary proposal is fair and reasonable and we respectfully ask your support so that the quality of Iowa justice will be maintained.

The clerks of district court also deserve special mention. The clerks perform many important functions, including over 160 statutory duties. In 1986, almost 900,000 new cases of all kinds were funneled through the offices of the clerks of court. Last year, the clerks handled over 65,000 uncontested small claims matters and more than 400,000 scheduled violations without judicial assistance.

In addition, the clerk's office is the first registration point for thousands of vital records, including marriages, births, deaths and related documents. Many clerks and their staff work extra hours without additional pay to keep up with the mountains of paperwork.

Despite these important responsibilities and sacrifices, the clerks and their deputies are not treated equally with other state employees when it comes to compensation.

When the legislature passed court reorganization, it also passed a law capping the clerk's salary at the highest salary received by the county auditor, treasurer, or recorder. Another provision of the reorganization bill required the State Court Administrator to implement comparable worth for our judicial department employees. Because of the cap, however, comparable worth cannot be fully implemented for the clerks and their deputies.

We believe that the clerks and their deputies should be given equal treatment under the law and the laudable objectives of comparable worth be made available to them.

Therefore, repeal of their ceiling is one of the Court's top priorities. We ask that you correct this inequity which unreasonably singles out the district court clerks and deputies from other state employees.

Our first-rate judicial services can also be attributed to people who volunteer their time, energy, and expertise to assist the third branch. We are guided by the advice of many committees, boards, and commissions composed of lay people, lawyers, judges, and staff.

One of these groups assist the Court with our interest on Lawyers Trust Account Program. This program is funded by interest generated from Lawyers Trust Accounts. From this fund grants are awarded to help provide legal services to low income Iowans in civil cases and to support special projects relating to the administration of justice in Iowa. The Supreme Court with the advice of the IOLTA Commission has awarded over 1 million dollars in public interest grants since the program began on July 1, 1985.

In two judicial districts, volunteers provide a special service to abused and neglected children, who are under the jurisdiction of the juvenile court. The Court Appointed Special Advocate program utilizes trained adults who volunteer to advocate for the best interests of these children. This program has received enthusiastic reviews and we are requesting additional funds to expand it.

We take pride in our judicial officers, referees, court attendants, court reporters, juvenile court officers, clerks of court, administrative staff, and volunteers for their part in providing top quality judicial services to the people.

Because the judicial system in Iowa has worked so well for so long, we tend to take it for granted. In these difficult economic times when the financial resources of the people of Iowa and of the State are stretched to the limit, we must try to improve the efficiency of judicial services without eroding the quality of justice.

Trial delays tend to clog the judicial system, increase the cost of litigation, and waste scarce judicial resources. We believe that the sooner a case is resolved, the less it will cost the parties. With the help of our judicial council, the Supreme Court has taken important steps to eliminate needless trial delays. Recently, the court implemented statewide procedures and time standards for case processing and movement.

Our time standard guidelines call for disposition of certain types of cases within fixed time frames. For example, civil jury trials must be disposed of within 18 months and civil nonjury cases must be disposed of within 12 months.

Other types of inefficiencies in our judicial system relate to information processing. Many of these problems could be reduced or eliminated with full utilization of modern technology, specifically -- computerization.

Chief Justice Reynoldson spoke to you last year about the Iowa Court Information System. The need for it is crucial and should be addressed again.

Among other things, an automated court information system will:

- improve the court's ability to retrieve information;
- allow the judicial department to provide better and more up-to-date data to the Legislature and state agencies from which to make policy decisions;

- increase revenue collections from court fines, fees and costs by monitoring cases more effectively;
- eliminate the use of disparate and incompatible computers that cost the State nearly two million dollars a year in rental and maintenance fees; and
- provide us with better statistics so that we will have the ability to use a weighted caseload to determine judgeship requirements and staffing levels.

Today, computerization is not a luxury, but a necessity. Long ago, the Legislature wisely provided computerization to the executive branch. More recently you computerized many of your operations.

Computerization is perhaps even more necessary for the management of a unified court system. Reorganization places heavy demands on the system for coordination among units, for sharing information between courts and administrative offices and for increased specialization in performing many of the administrative functions.

Our budget recommendation for fiscal year 1989 requests funds for further automation of the courts. We ask your support so that we may reach our goal of a statewide system.

Serving the needs of Iowans efficiently and effectively cannot be done without adequate resources. The 62.9 million dollar judicial branch budget for fiscal year 1989 is the amount necessary to assure that Iowans receive basic, yet good quality, judicial services.

This is a responsible budget. The Supreme Court carefully scrutinized the requests of the eight judicial districts and the other components of the judicial department, and carved out almost 6 million dollars in legitimate proposed expenditures.

It's most important to note that based on fiscal year 1988 figures, the cost of the judicial system in this state amounts to only 2.3% of the total state budget. Over one-half of the judicial department's operating budget for this fiscal year, is offset by court generated revenues in the projected amount of more than 31 million dollars.

Court reorganization was a statement by the leaders of Iowa that it is the responsibility of the state to support the judicial system. We ask that you, as lawmakers, not stop there. We ask that you build on that responsibility by appropriating sufficient funds so that the system you helped create will live up to your expectations. Let us never forget the basic obligation of our government to provide justice for all the people.

My concerns are somewhat summarized in a statement of former Chief Justice Burger of the United States Supreme Court.

He once said:

Ideas, ideals and great conceptions are vital to a system of justice, but it must have more than that -- there must be delivery and execution. Concepts of justice must have hands and feet or they remain sterile abstractions. The hands and feet we need are efficient means and methods to carry out justice in every case in the shortest possible time and at the lowest possible cost. This is the challenge to every lawyer and judge in America.

That also is the challenge to those of us in Iowa government.

In the spirit established 150 years ago, let us all continue to cooperate to meet that challenge.

Chief Justice McGiverin was escorted from the House Chamber by the committee previously appointed.

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

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

### WITHDRAWN

Senator Vande Hoef asked and received unanimous consent that **Senate File 45** be **withdrawn** from further consideration of the Senate.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 10:29 a.m., until 4:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** January 18, 1988, 3:50 p.m.

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

**Members Absent:** Taylor, Ranking Member (excused).

**Committee Business:** Assigned bills to subcommittees and approved SSB 2001 as a committee bill.

**Adjourned:** 4:25 p.m.

#### LOCAL GOVERNMENT

**Convened:** January 18, 1988, 1:45 p.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Horn, C. Miller and Wells.

**Members Absent:** Kinley and Taylor (both excused).

**Committee Business:** Recommended passage of House File 303; presentations by Paul Coates, Executive Director of the Iowa State Association of Counties and Peter King, Executive Director of the League of Iowa Municipalities.

**Adjourned:** 2:29 p.m.

#### WAYS AND MEANS

**Convened:** January 18, 1988, 1:42 p.m.

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

**Members Absent:** Murphy and Soorholtz.

**Committee Business:** Assigned SSB 2035 to a subcommittee; discussed pending committee business.

**Adjourned:** 1:47 p.m.



**STUDY BILLS RECEIVED****SSB 2038 Human Resources**

To change the composition of the state board of health.

**SSB 2039 Human Resources**

Relating to the eligibility policies established by the commission of elder affairs.

**SSB 2040 Human Resources**

Relating to substance abuse treatment and prevention programs for children.

**SSB 2041 Human Resources**

Relating to drugs, devices, and cosmetics.

**SSB 2042 Human Resources**

Relating to a comprehensive acquired immune deficiency syndrome (AIDS) prevention and intervention plan.

**SSB 2043 Human Resources**

Prohibiting the disclosure of acquired immune deficiency syndrome-related testing and test results by persons providing health and accident insurance or benefits coverages or life insurance coverages, and providing penalties.

**SSB 2044 Human Resources**

Relating to the certification of clinical laboratories and blood banks which perform human immunodeficiency virus screening or confirmatory testing.

**SSB 2045 Human Resources**

Relating to the adoption of rules by the Iowa department of public health concerning acquired immune deficiency syndrome-related training for certain care providers.

**SSB 2046 Human Resources**

Relating to confidentiality of human immunodeficiency virus-related matters and providing penalties.

**SSB 2047 Human Resources**

Requiring informed consent prior to the testing of a person for the presence of antibodies to the human immunodeficiency virus, and making penalties applicable.

**SSB 2048 Agriculture**

Appropriating funds to the office of the attorney general to fund the legal assistance for farmers program and providing an effective date.

**SSB 2049 Human Resources**

To allow the board of dental examiners to revoke or suspend a license of a licensee where the licensee has been disciplined in another state, territory, or country.

**SSB 2050 Commerce**

Relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable.

**SSB 2051 Transportation**

Relating to brake requirements for certain trucks and truck tractors.

**SSB 2052 Transportation**

To increase the allocation of moneys to the public transit assistance fund.

**SSB 2053 Transportation**

Relating to the application of certain transportation safety regulations.

**SSB 2054 Small Business & Economic Development**

Relating to motor fuel and special fuel marketing and distribution and security deposits required of dealers.

**SSB 2055 Judiciary**

Relating to the age of juveniles held in adult detention facilities.

**SSB 2056 Judiciary**

Relating to the establishment of a state board and district boards to administer the representation of indigent and incompetent persons by appointed attorneys, public defenders, and the appellate defender's office.

**SSB 2057 Judiciary**

Relating to the representation of indigent and incompetent persons by appointed attorneys, public defenders, and the appellate defender's office; the establishment of district legal defense boards; and the determination of indigency.

**SSB 2058 Agriculture**

Relating to organic food by establishing standards and enforcement measures and by providing penalties.

**SSB 2059 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 2060 Judiciary**

Making nonsubstantive, noncontroversial statutory corrections to comply with reorganization changes, improve clarity, remove conflicts and inconsistencies, correct references, and correct grammar and syntax.

**SUBCOMMITTEE ASSIGNMENTS**

**Senate Concurrent Resolution 36**

STATE GOVERNMENT: Welsh, Chair; Horn and Soorholtz

**Senate File 44**

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

**Senate File 234**

TRANSPORTATION: Gettings, Chair; Scott and Jensen

**Senate File 308**

TRANSPORTATION: Coleman, Chair; Scott and Drake

**Senate File 351**

COMMERCE: Palmer, Chair; Holden, Deluhery, Lind and Kinley

**Senate File 433**

STATE GOVERNMENT: Welsh, Chair; Drake and Horn

**Senate File 489**

STATE GOVERNMENT: Dieleman, Chair; Welsh and Rife

**Senate File 500**

STATE GOVERNMENT: Carr, Chair; Bruner, Nystrom, Schwengels and Horn

**Senate File 2006**

EDUCATION: Bruner, Chair; Wells and Rensink

**Senate File 2010**

JUDICIARY: Mann, Chair; Horn and Fuhrman

**Senate File 2018**

HUMAN RESOURCES: Carr, Chair; Hannon and Readinger

**Senate File 2019**

STATE GOVERNMENT: Horn, Chair; Dieleman and Gentleman

**Senate File 2020**

JUDICIARY: Horn, Chair; Coleman and Hester

**Senate File 2024**

EDUCATION: Horn, Chair; Varn and Rensink

**Senate File 2025**

EDUCATION: Horn, Chair; Corning and Bruner

**Senate File 2026**

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Taylor

**Senate File 2027**

HUMAN RESOURCES: Sturgeon, Chair; Bruner and Lind

**Senate File 2028**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

**Senate File 2029**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

**Senate File 2032**

TRANSPORTATION: Lloyd-Jones, Chair; Jensen and Priebe

**Senate File 2038**

BUSINESS AND LABOR RELATIONS: Mann, Chair; Welsh and Holden

**Senate File 2039**

TRANSPORTATION: Gettings, Chair; Lloyd-Jones and Goodwin

**Senate File 2042**

JUDICIARY: Varn, Chair; Gentleman and Carr

**Senate File 2043**

HUMAN RESOURCES: Taylor, Chair; Sturgeon and Bruner

**Senate File 2045**

HUMAN RESOURCES: Sturgeon, Chair; Carr and Lind

**House File 402**

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

**House File 468**

STATE GOVERNMENT: Carr, Chair; Horn, Welsh, Rife and Drake

**House File 471**

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Horn and Fuhrman

**House File 619**

COMMERCE: Palmer, Chair; Holden and Rife

**SSB 2025**

JUDICIARY: Mann, Chair; Horn and Gentleman

**SSB 2026**

JUDICIARY: Mann, Chair; Gentleman and Varn

**SSB 2027**

JUDICIARY: Mann, Chair; Gentleman and Varn

**SSB 2028**

EDUCATION: Riordan, Chair; Dieleman and Holden

**SSB 2029**

EDUCATION: Dieleman, Chair; Riordan and Tieden

**SSB 2030**

EDUCATION: Hannon, Chair; Dieleman and Lind

**SSB 2031**

EDUCATION: Hannon, Chair; Corning and Lloyd-Jones

**SSB 2032**

BUSINESS AND LABOR RELATIONS: Hultman, Chair; Wells and Palmer

**SSB 2033**

BUSINESS AND LABOR RELATIONS: Palmer, Chair; Wells and Vande Hoef

**SSB 2034**

BUSINESS AND LABOR RELATIONS: Gettings, Chair; Horn and Fuhrman

**SSB 2038**

HUMAN RESOURCES: Hannon, Chair; Murphy and Gentleman

**SSB 2039**

HUMAN RESOURCES: Coleman, Chair; Hannon and Corning

**SSB 2040**

HUMAN RESOURCES: Hannon, Chair; Gentleman and Murphy

**SSB 2041**

HUMAN RESOURCES: Hannon, Chair; Sturgeon and Lind

**SSB 2042**

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Readinger

**SSB 2043**

HUMAN RESOURCES: Sturgeon, Chair; Murphy and Corning

**SSB 2044**

HUMAN RESOURCES: Readinger, Chair; Carr and Bruner

**SSB 2045**

HUMAN RESOURCES: Readinger, Chair; Coleman and C. Miller

**SSB 2046**

HUMAN RESOURCES: Sturgeon, Chair; Carr and Corning

**SSB 2047**

HUMAN RESOURCES: Hannon, Chair; Sturgeon and Readinger

**SSB 2049**

HUMAN RESOURCES: Carr, Chair; Coleman and Taylor

**SSB 2051**

TRANSPORTATION: Coleman, Chair; Priebe and Drake

**SSB 2052**

TRANSPORTATION: Drake, Chair; Jensen and Scott

**SSB 2053**

TRANSPORTATION: Scott, Chair; Coleman and Nystrom

**SSB 2055**

JUDICIARY: Mann, Chair; Horn and Gentleman

**SSB 2056**

JUDICIARY: Doyle, Chair; Mann and Holt

**SSB 2057**

JUDICIARY: Doyle, Chair; Mann and Holt

**SSB 2059**

JUDICIARY: Doyle, Chair; Mann and Holt

**SSB 2060**

JUDICIARY: Doyle, Chair; Mann and Holt

**COMMITTEE REPORTS**

**AGRICULTURE**

**Final Bill Action:** SENATE FILE 2050 (SSB 2048), a bill for an act relating to appropriating funds to the Office of the Attorney General to fund the legal assistance for farmers program and provide an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.



**Final Vote:** Ayes, 11: Priebe, A. Miller, Hester, Boswell, Husak, Peterson, Riordan, Scott, Fuhrman, Rensink and Soorholtz. Nays, none. Absent or not voting, 3: Hall, Vande Hoef and Fraise.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2051 (SSB 2006), a bill for an act relating to the development of soil and water resource conservation plans by soil and water conservation districts and the division of soil conservation of the Department of Agriculture and Land Stewardship.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Hall, Boswell, Husak, Peterson, Riordan, Scott, Fuhrman, Rensink and Soorholtz. Nays, none. Absent or not voting, 2: Fraise and Vande Hoef.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENT FILED

S—5004

S.F.

2035

Wally Horn

## AFTERNOON SESSION

The Senate reconvened at 4:30 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 33 present, 17 absent and a quorum present.

## BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate File 2035** be referred from the Regular Calendar to the committee on **State Government**.

## WITHDRAWN

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

## INTRODUCTION OF BILLS

**Senate File 2048**, by Mann, a bill for an act relating to the release of information regarding an employee's physical or mental condition pursuant to a workers' compensation claim.

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

**Senate File 2049**, by Vande Hoef, a bill for an act relating to the procedures for the vacating and closing of all or part of a secondary road or crossing.

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

**Senate File 2050**, by committee on Agriculture, a bill for an act appropriating funds to the office of the attorney general to fund the legal assistance for farmers program and providing an effective date.

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

**Senate File 2051**, by committee on Agriculture, a bill for an act relating to the development of soil and water resource conservation plans by soil and water conservation districts and the division of soil conservation of the department of agriculture and land stewardship.

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

**Senate File 2052**, by Taylor, a bill for an act relating to testing for exposure to the human immunodeficiency virus or other causative agent of acquired immune deficiency syndrome prior to the issuance of a marriage license.

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

**Senate File 2053**, by Taylor, a bill for an act relating to directed donations of blood.

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

**Senate File 2054**, by Holden, a bill for an act relating to the definition of burglary in the first degree and attempted burglary in the first degree and establishing a penalty.

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

**Senate File 2055**, by committee on Agriculture, a bill for an act relating to the registration and use of certain pesticides.

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

# COMMITTEE REPORT

## AGRICULTURE

**Final Bill Action:** SENATE FILE 2055 (SSB 2007), a bill for an act relating to the registration and use of certain pesticides.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Priebe, A. Miller, Hester, Boswell, Fuhrman, Hall, Husak, Peterson, Scott, Rensink and Soorholtz. Nays, 1: Riordan. Absent or not voting, 2: Vande Hoef and Fraise.

**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.	2047	Local Government
S.F.	2048	Business and Labor Relations
S.F.	2049	Local Government
S.F.	2052	Human Resources
S.F.	2053	Human Resources
S.F.	2054	Judiciary

## ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:45 p.m., until 9:00 a.m., Wednesday, January 20, 1988.

# JOURNAL OF THE SENATE

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TENTH CALENDAR DAY  
SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, January 20, 1988

The Senate met in regular session at 9:02 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Stanley Jensen, Dean of students at Faith Baptist Bible College, Ankeny, Iowa.

The Journal of Tuesday, January 19, 1988, was approved.

## INTRODUCTION OF BILLS

**Senate File 2056**, by Kinley and Rife, a bill for an act relating to the state's conforming its individual income 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, changing the tax rates, striking obsolete and repealed items, and to increasing the state's sales, services, and use taxes, and providing retroactive and effective dates.

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

**Senate File 2057**, by Horn, a bill for an act to require that boards of directors of school districts place certain technological equipment in classrooms and make other technological equipment available to teachers and to provide a means of funding the costs of this equipment under the site levy.

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

**Senate File 2058**, by Scott and Boswell, a bill for an act exempting the withholding agent from the requirement to withhold state income taxes from payments made to a nonresident owner of agricultural land in the state, if the payments are from the sale of agricultural commodities and the withholding agent submits needed information.

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

**Senate File 2059**, by Horn, a bill for an act to require that boards of directors of school districts place certain technological equipment in classrooms and make other technological equipment available to teachers and to provide a means of funding the costs of this equipment through allowable growth under the state school foundation formula.

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

**Senate File 2060**, by committee on Business and Labor Relations, a bill for an act relating to the benefit ratio array system under the unemployment insurance law by making the benefit ratio array system permanent, by resolving potential federal conformity issues concerning new nonconstruction experience-based rates and access to job service information by business and labor organizations, by abolishing the special employer contribution rate for employers with certain negative balance account histories with retroactive applicability, and by providing an effective date.

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

#### BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2050** be referred from the Regular Calendar to the committee on **Appropriations.**

#### 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 ADMINISTRATION

**Convened:** January 19, 1988, 10:45 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Welsh and Soorholtz.

**Members Absent:** none.

**Committee Business:** Legislative oversight questions answered.

**Adjourned:** 11:10 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

**Convened:** January 19, 1988, 10:40 a.m.

**Members Present:** Riordan, Chair; Hester, Ranking Member; Scott and Tieden.

**Members Absent:** Priebe, Vice Chair.

**Committee Business:** Preparation for tours of Departments of Agriculture and Natural Resources; discussion of FTE positions funded, but vacant.

**Adjourned:** 11:10 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

**Convened:** January 19, 1988, 10:43 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member and Rensink.

**Members Absent:** Murphy (excused).

**Committee Business:** Dan Davis, LFB, reported on the disparity in actual number and funded number of FTEs.

**Adjourned:** 11:07 a.m.

## **APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

**Convened:** January 19, 1988, 10:45 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; Readinger, Ranking Member and C. Miller.

**Members Absent:** Gentleman (excused).

**Committee Business:** Assigned bills to subcommittees and discussed FY 88 budget.

**Adjourned:** 11:25 a.m.

## **APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** January 19, 1988, 10:45 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Fuhrman and Deluhery.

**Members Absent:** Corning, Ranking Member (excused).

**Committee Business:** Reports from the subcommittees on child care, foster care, indigent health and deinstitutionalization/bill of rights.

**Adjourned:** 11:30 a.m.

## **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** January 19, 1988, 10:40 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair and Vande Hoef.

**Members Absent:** Lind, Ranking Member and Mann.

**Committee Business:** Discussed Governor's Branstad's speech on prison space; Beth Lenstra gave presentation on expenditure oversight accounts, analysis of department requests and Governor's recommendations.

**Adjourned:** 11:25 a.m.

## **AGRICULTURE**

**Convened:** January 19, 1988, 8:35 a.m.



**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Husak, Peterson, Riordan, Scott, Fuhrman, Hall (arrived 8:48 a.m.), Rensink and Soorholtz.

**Members Absent:** Fraise and Vande Hoef (both excused).

**Committee Business:** Approved SSBs 2006, 2007 and 2048 as committee bills; Carl Castelda, Department of Revenue, gave a presentation on farm exemptions.

**Adjourned:** 9:07 a.m.

## **BUSINESS AND LABOR RELATIONS**

**Convened:** January 19, 1988, 1:40 p.m.

**Members Present:** Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman and Welsh (arrived 1:55 p.m.).

**Members Absent:** Palmer.

**Committee Business:** Assigned bills to subcommittees; Ralph Hoksbergen reported on unemployment trust fund; approved SSB 2032 as a committee bill.

**Adjourned:** 2:05 p.m.

## **JUDICIARY**

**Convened:** January 19, 1988, 3:15 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.

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2015, 2016 and 2017 as committee bills.

**Adjourned:** 3:40 p.m.

## **STATE GOVERNMENT**

**Convened:** January 19, 1988, 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; discussed the gender balance on state boards and commissions.

**Adjourned:** 2:45 p.m.

## COMMITTEE REPORTS

### BUSINESS AND LABOR RELATIONS

**Final Bill Action:** SENATE FILE 2060 (SSB 2032), a bill for an act relating to the benefit ratio array system under the unemployment insurance law by making the benefit ratio array system permanent, by resolving potential federal conformity issues concerning new nonconstruction experience-based rates and access to job service information by business and labor organizations, by abolishing the special employer contribution rate for employers with certain negative balance account histories with retroactive applicability and by providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Wells, Mann, Fuhrman, Gettings, Holden, Hultman, Horn and Vande Hoef. Nays, none. Absent or not voting, 2: Welsh and Palmer.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

### JUDICIARY

**Final Bill Action:** SENATE FILE 2062 (SSB 2017), a bill for an act relating to the appointment and compensation of acting county attorneys.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Mann and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2063 (SSB 2016), a bill for an act relating to the jurisdiction of magistrates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Mann and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** Senate File 2064 (SSB 2015), a bill for an act relating to the residency of an agent for an authorized company engaged in the business of becoming surety upon bonds in criminal cases.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Mann and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **NATURAL RESOURCES**

**Final Bill Action:** SENATE FILE 2067 (SSB 2024), a bill for an act relating to the ownership of certain vessels by requiring the purchaser of a registered vessel to obtain a certificate of title, by providing for the perfection of a security interest, and by providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Scott, Priebe, Doyle, Goodwin, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Hannon and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **COMMUNICATIONS**

The following communications were received in the office of the Secretary of the Senate:

January 12, 1988

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 80 claims of a general nature that have been denied by the State Appeal Board during May - December, 1987.

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

January 12, 1988

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 torts and highway) paid during 1987 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 Senate Appropriations Subcommittee on Claims.**

**SUBCOMMITTEE ASSIGNMENTS****Senate Joint Resolution 2001**

WAYS AND MEANS: Gronstal, Chair; Hester and Mann

**Senate File 16**

STATE GOVERNMENT: Welsh, Chair; Gronstal and Soorholtz

**Senate File 30**

STATE GOVERNMENT: Dieleman, Chair; Bruner and Drake

**Senate File 35**

STATE GOVERNMENT: Bruner, Chair; Lloyd-Jones and Schwengels

**Senate File 74**

STATE GOVERNMENT: Carr, Chair; C. Miller and Nystrom

**Senate File 75**

STATE GOVERNMENT: Carr, Chair; Drake and Bruner

**Senate File 78**

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones and Schwengels

**Senate File 84**

STATE GOVERNMENT: Rife, Chair; C. Miller and Nystrom

**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

**Senate File 100**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**Senate File 108**

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

**Senate File 115**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**Senate File 116**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**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 126**

STATE GOVERNMENT: Lloyd-Jones, Chair; Gentleman and Bruner

**Senate File 165**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**Senate File 170**

STATE GOVERNMENT: Dieleman, Chair; Drake and Carr

**Senate File 178**

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels

**Senate File 181**

STATE GOVERNMENT: Welsh, Chair; Rife and Horn

**Senate File 185**

STATE GOVERNMENT: Horn, Chair; Rife and Welsh

**Senate File 186**

STATE GOVERNMENT: Welsh, Chair; Bruner and Nystrom

**Senate File 193**

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

**Senate File 205**

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner and Horn

**Senate File 207**

STATE GOVERNMENT: Horn, Chair; Rife and Welsh

**Senate File 210**

STATE GOVERNMENT: Horn, Chair; Gentleman and Gronstal

**Senate File 212**

STATE GOVERNMENT: Dieleman, Chair; Carr and Schwengels

**Senate File 236**

STATE GOVERNMENT: Nystrom, Chair; Bruner, Horn, Carr and Schwengels

**Senate File 237**

STATE GOVERNMENT: Carr, Chair; Drake and Bruner

**Senate File 240**

STATE GOVERNMENT: Horn, Chair; Lloyd-Jones and Nystrom

**Senate File 261**

STATE GOVERNMENT: Nystrom, Chair; Bruner, Horn, Carr and Schwengels

**Senate File 286**

STATE GOVERNMENT: Horn, Chair; Rife and Coleman

**Senate File 293**

STATE GOVERNMENT: Bruner, Chair; Gentleman and Lloyd-Jones

**Senate File 315**

STATE GOVERNMENT: Dieleman, Chair; Gentleman and Bruner

**Senate File 320**

STATE GOVERNMENT: Dieleman, Chair; Nystrom and Coleman

**Senate File 336**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**Senate File 343**

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn and Bruner

**Senate File 345**

STATE GOVERNMENT: Dieleman, Chair; Nystrom and Carr

**Senate File 348**

STATE GOVERNMENT: Drake, Chair; Bruner and Dieleman

**Senate File 363**

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Bruner and Schwengels

**Senate File 375**

STATE GOVERNMENT: Dieleman, Chair; Gentleman and Bruner

**Senate File 391**

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Bruner 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 447**

STATE GOVERNMENT: Carr, Chair; Drake and Welsh

**Senate File 502**

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

**Senate File 2030**

ENVIRONMENT & ENERGY UTILITIES: A. Miller, Chair; Sturgeon and Soorholtz

**Senate File 2034**

ENVIRONMENT & ENERGY UTILITIES: Varn, Chair; Sturgeon and Schwengels

**Senate File 2052**

HUMAN RESOURCES: Bruner, Chair; Carr and Taylor

**House File 73**

STATE GOVERNMENT: Lloyd-Jones, Chair; Welsh and Schwengels

**House File 165**

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

**House File 277**

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

**House File 393**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**House File 399**

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

**House File 443**

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

**House File 586**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**House File 622**

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

**SSB 2003**

STATE GOVERNMENT: Gronstal, Chair; Lloyd-Jones and Gentleman

**SSB 2035**

WAYS AND MEANS: Bruner, Chair; Drake and Murphy

**SSB 2064**

JUDICIARY: Gentleman, Chair; Fuhrman and Horn

**STUDY BILLS RECEIVED****SSB 2061 Education**

To establish an education certification advisory committee and prescribe its duties.

**SSB 2062 Education**

A Senate Concurrent Resolution directing the Department of Education to develop criteria for enhancing the clinical experiences of prospective teachers.

**SSB 2063 Education**

A Senate Concurrent Resolution directing the Department of Education to develop criteria for the establishment of an internship program.

**SSB 2064 Judiciary**

To correct a statutory provision relating to the exclusive procedure for the involuntary hospitalization of minors.

**SSB 2065 Commerce**

Relating to uninsured and underinsured motor vehicle liability insurance.

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2056	Ways and Means
S.F.	2057	Education
S.F.	2058	Ways and Means
S.F.	2059	Education
S.F.	2061	Agriculture
S.F.	2065	Transportation
S.F.	2066	Judiciary

**AMENDMENTS FILED**

S—5005	S.F.	2035	Edgar Holden
S—5006	S.F.	2035	Edgar Holden
S—5007	S.F.	2037	Edgar Holden
S—5008	S.F.	2055	James Wells
			Kenneth Scott
			John Jensen
S—5009	S.F.	2037	Edgar Holden
			Richard Varn

## AFTERNOON SESSION

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

## INTRODUCTION OF BILLS

**Senate File 2061**, 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, and providing for the retroactive applicability of the Act and an effective date.

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

**Senate File 2062**, by committee on Judiciary, a bill for an act relating to the appointment and compensation of acting county attorneys.

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

**Senate File 2063**, by committee on Judiciary, a bill for an act relating to the jurisdiction of magistrates.

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

**Senate File 2064**, by committee on Judiciary, a bill for an act relating to the residency of an agent for an authorized company engaged in the business of becoming surety upon bonds in criminal cases.

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

**Senate File 2065**, by Hutchins, a bill for an act requiring the state department of transportation to establish criteria for directing traffic on primary highways to tourist attractions within thirty miles of the highway which receive fifteen thousand or more visitors annually.

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

**Senate File 2066**, by Tieden, a bill for an act relating to marriage and a name change for either party.

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

**Senate File 2067**, by committee on Natural Resources, a bill for an act relating to the ownership of certain vessels by requiring the purchaser of a registered vessel to obtain a certificate of title, by providing for the perfection of a security interest, and by providing an effective date.

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

#### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 103**, by Kinley, Mann, Readinger, Gentleman and Palmer, a concurrent resolution congratulating the Greater Des Moines Chamber of Commerce Federation upon its centennial.

Read first time under **Rule 28**.

#### ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:39 p.m., until 9:00 a.m., Thursday, January 21, 1988.

# JOURNAL OF THE SENATE

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ELEVENTH CALENDAR DAY  
SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 21, 1988

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

Prayer was offered by the Honorable Norman Goodwin, member of the Senate from Clinton County, De Witt, Iowa.

The Journal of Wednesday, January 20, 1988, was approved.

## INTRODUCTION OF BILL

**Senate File 2068**, by Peterson, a bill for an act to require a public hearing before the issuance of a permit to construct and operate a sanitary disposal project.

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

## RESOLUTION ASSIGNED TO COMMITTEE

President Zimmerman announced that **Senate Concurrent Resolution 103** was assigned to the committee on **Rules and Administration**.

## WITHDRAWN

Senator Priebe asked and received unanimous consent that **Senate File 295** be **withdrawn** from further consideration of the Senate.

## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:10 a.m., until 3:00 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** January 20, 1988, 9:45 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member and Welsh.

**Members Absent:** Soorholtz.

**Committee Business:** Discussed FTE vacancy analysis.

**Adjourned:** 11:28 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

**Convened:** January 20, 1988, 9:30 a.m.

**Members Present:** Riordan, Chair; Hester, Ranking Member; Tieden and Scott.

**Members Absent:** Priebe, Vice Chair (excused).

**Committee Business:** Tour, questions and answers in the Department of Agriculture and Land Stewardship.

**Adjourned:** 11:50 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** January 20, 1988, 9:50 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Discussed oversight projects schedule: CEBA; product development fund; research development grants and incubators; satellite centers; and tourism/promotion, national marketing, and ambassadors. Discussed legislative oversight agriculture marketing programs and CEBA; status of tentative goals and objectives for DED programs; and proposed Code notes to appropriation bills.

**Adjourned:** 11:03 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** January 20, 1988, 9:40 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Presentations and discussion by William Jackson, Director of Cultural Affairs and Margaret Borgen, Director of FINE.

**Adjourned:** 11:38 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** January 20, 1988, 9:45 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** none.

**Committee Business:** Presentations from Arlene Dayhoff, Chair, Council on Human Services and Jean Nesbitt, Department of Human Services on staffing levels.

**Adjourned:** 12:02 p.m.

### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** January 20, 1988, 9:40 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

**Members Absent:** Mann.

**Committee Business:** Presentations by Walt Saur and Rick George, Iowa Parole Board; discussed the possibility of the Interstate Compact being transferred from the Board of Corrections to the Board of Parole.

**Adjourned:** 10:43 a.m.



**APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** January 20, 1988, 9:45 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Schwengels (excused) and Palmer.

**Committee Business:** Discussed agency expenditures and full time employee (FTE) vacancies.

**Adjourned:** 11:25 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY**

**Convened:** January 20, 1988, 9:40 a.m.

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

**Members Absent:** none.

**Committee Business:** Dan Ritter and Doug Wulf, LFB, distributed materials explaining the different agencies FTEs, budget reversions, appropriations, transfers, salary adjustments and supplemental requests and an update on interim meetings; reviewed budget forms.

**Adjourned:** 10:55 a.m.

**EDUCATION**

**Convened:** January 20, 1988, 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:** Presentation by Dr. Michael Valiga, Dr. Richard Sawyer and Ms. Randy McCallahan on A.C.T. testing; assigned bills to subcommittees; approved SSB 2029 as a committee bill; discussed SSB 2030 - no final action taken.

**Adjourned:** 4:30 p.m.

## **ENVIRONMENT AND ENERGY UTILITIES**

**Convened:** January 20, 1988, 1:35 p.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Hall, A. Miller, Rife and Sturgeon.

**Members Absent:** Soorholtz, Ranking Member; Murphy, Schwengels and Varn.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 1:40 p.m.

## **HUMAN RESOURCES**

**Convened:** January 20, 1988, 2:35 p.m.

**Members Present:** Hannon, Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, Murphy, Readinger and Sturgeon.

**Members Absent:** Carr, Vice Chair; C. Miller and Taylor (excused).

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 2:45 p.m.

## **NATURAL RESOURCES**

**Convened:** January 20, 1988, 8:05 a.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Doyle, Goodwin, Hester, Husak, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Schwengels, Ranking Member and Hannon.

**Committee Business:** Approved SSB 2024 as a committee bill.

**Adjourned:** 8:10 a.m.

## **TRANSPORTATION**

**Convened:** January 20, 1988, 1:30 p.m.

**Members Present:** Coleman, Chair; Scott, Vice Chair; Doyle, Goodwin, Jensen, Lloyd-Jones, Nystrom and Priebe.

**Members Absent:** Drake, Ranking Member and Gettings.

**Committee Business:** Assigned bills to subcommittees; approved SSB 2053 as a committee bill; discussed and amended Senate File 2022 - no final action taken.

**Adjourned:** 1:47 p.m.

## STUDY BILLS RECEIVED

### SSB 2066 Natural Resources

Restricting the service area of sanitary landfills providing for the Act's retroactive applicability, and providing an effective date.

### SSB 2067 Judiciary

Relating to the sale, lease, exchange, or other disposition of corporate property and assets.

### SSB 2068 Judiciary

Relating to the site of a probable cause hearing involving an alleged parole violation.

### SSB 2069 State Government

Authorizing the provision of law enforcement administrative services by agreement between a county and a city and providing an effective date.

## COMMITTEE REPORTS

### EDUCATION

**Final Bill Action:** SENATE FILE 2069 (SSB 2029), a bill for an act relating to the organizational meeting of the state board of education.

**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.

### LOCAL GOVERNMENT

**Final Bill Action:** SENATE FILE 402, a bill for an act relating to the purposes for which community economic betterment funds may be expended.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5012.

**Final Vote:** Ayes, 7: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, C. Miller and Wells. Nays, none. Absent or not voting, 3: Horn, Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **RULES AND ADMINISTRATION**

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 103, a concurrent resolution congratulating the Greater Des Moines Chamber of Commerce Federation upon its centennial.

**Recommendation:** DO PASS.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Final Bill Action:** SENATE FILE 2071 (SSB 2023), a bill for an act relating to the establishment of economic development finance corporations to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and providing for and making an appropriation of state matching funds.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Boswell, Peterson, Deluhery, A. Miller, Scott, Fuhrman, Rensink and Vande Hoef. Nays, none. Absent or not voting, 4: Rife, Hannon, Holt and Riordan (all excused).

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **TRANSPORTATION**

**Final Bill Action:** SENATE FILE 2070 (SSB 2053), a bill for an act relating to the application of certain transportation safety regulations.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Coleman, Scott, Doyle, Goodwin, Jensen, Lloyd-Jones, Nystrom and Priebe. Nays, none. Absent or not voting, 2: Drake and Gettings.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **WAYS AND MEANS**

**Final Bill Action:** SENATE FILE 2074 (SSB 2035), a bill for an act relating to the extension of the applicability of House File 689, enacted during the Second Extraordinary Session of the Seventy-second General Assembly during 1987, updating references to the Internal Revenue Code, providing for retroactive applicability, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Bruner, Husak, Gronstal, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt and Readinger. Nays, none. Absent or not voting, 4: Soorholtz, Mann, Dieleman and Boswell.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## **SUBCOMMITTEE ASSIGNMENTS**

### **Senate Concurrent Resolution 102**

**RULES AND ADMINISTRATION:** Gronstal, Chair; Gettings and Hultman

#### **Senate File 47**

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT:** Riordan, Chair; A. Miller and Holt

#### **Senate File 171**

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT:** Peterson, Chair; Scott and Fuhrman

#### **Senate File 2008**

**AGRICULTURE:** Boswell, Chair; Rensink and Fraise

#### **Senate File 2011**

**AGRICULTURE:** Peterson, Chair; Soorholtz and Scott

#### **Senate File 2035**

**STATE GOVERNMENT:** Horn, Chair; Gronstal and Nystrom

**Senate File 2040**

AGRICULTURE: Boswell, Chair; Scott and Vande Hoef

**Senate File 2044**

APPROPRIATIONS: Varn, Chair; Jensen and Sturgeon

**Senate File 2050**

APPROPRIATIONS: Husak, Chair; Tieden and Boswell

**Senate File 2054**

JUDICIARY: Mann, Chair; Carr and Taylor

**Senate File 2056**

WAYS AND MEANS: Bruner, Chair; Murphy and Drake

**Senate File 2058**

WAYS AND MEANS: Gronstal, Chair; Hester and Mann

**Senate File 2066**

JUDICIARY: Taylor, Chair; Gentleman and Deluhery

**House File 529**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Riordan and Holt

**House File 644**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Riordan and Rensink

**SSB 2006**

AGRICULTURE: Riordan, Chair; Boswell, A. Miller, Hester and Fuhrman

**SSB 2022**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Riordan, Chair; Boswell and Rife

**SSB 2023**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair;  
Riordan and Rife

**SSB 2037**

AGRICULTURE: Peterson, Chair; Soorholtz and Fraise

**SSB 2048**

AGRICULTURE: Priebe, Chair; Husak and Hall

**SSB 2050**

COMMERCE: Palmer, Chair; Kinley, Holden, Gronstal and Lind

**SSB 2054**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Hannon, Chair;  
Boswell and Fuhrman

**SSB 2058**

AGRICULTURE: Riordan, Chair; Soorholtz and Scott

**SSB 2061**

EDUCATION: Varn, Chair; Murphy and Tieden

**SSB 2062**

EDUCATION: Varn, Chair; Murphy and Tieden

**SSB 2063**

EDUCATION: Horn, Chair; Murphy and Corning

**SSB 2065**

COMMERCE: Lind, Chair; Palmer and Deluhery

**SSB 2067**

JUDICIARY: Varn, Chair; Mann and Drake

**SSB 2068**

JUDICIARY: Fraise, Chair; Carr and Gentleman

**SSB 2069**

STATE GOVERNMENT: Drake, Chair; Rife and Welsh

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2068	Natural Resources
S.F.	2072	Local Government
S.F.	2073	Natural Resources

**AMENDMENTS FILED**

S—5010	S.F.	2037	Richard Varn
S—5011	S.F.	2035	Edgar Holden
S—5012	S.F.	402	Local Government
S—5013	S.F.	2035	Wally Horn



## AFTERNOON SESSION

The Senate reconvened at 3:05 p.m., President Zimmerman presiding.

## INTRODUCTION OF BILLS

**Senate File 2069**, by committee on Education, a bill for an act relating to the organizational meeting of the state board of education.

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

**Senate File 2070**, by committee on Transportation, a bill for an act relating to the application of certain transportation safety regulations.

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

**Senate File 2071**, by committee on Small Business and Economic Development, a bill for an act relating to the establishment of economic development finance corporations to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and providing for and making an appropriation of state matching funds.

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

**Senate File 2072**, by Miller of Cerro Gordo, Scott, Wells, Riordan, Vande Hoef and Jensen, a bill for an act providing for a percentage of lottery revenues collected in each city of the state and each area formed under a chapter 28E agreement with a population of five thousand or more to be returned to the city or area to be used for economic development initiatives.

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

**Senate File 2073**, by Hannon, a bill for an act to prohibit the taking of albino fur-bearing animals and protected game, and providing penalties.

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

**Senate File 2074**, by committee on Ways and Means, a bill for an act relating to the extension of the applicability of House File 689, enacted during the Second Extraordinary Session of the Seventy-second General Assembly during 1987, updating references to the Internal Revenue Code, providing for retroactive applicability, and providing an effective date.

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

### ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 3:07 p.m., until 10:00 a.m., Monday, January 25, 1988.

# JOURNAL OF THE SENATE

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FIFTEENTH CALENDAR DAY  
NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, January 25, 1988

The Senate met in regular session at 10:03 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 Thursday, January 21, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the morning on request of Senator Holden; Senator Holt for the day on request of Senator Vande Hoef; and Senator Mann for the morning on request of Senator Hutchins.

## INTRODUCTION OF BILL

**Senate File 2075**, by Bruner, a bill for an act relating to child abuse by expanding the definition of child in need of assistance, by requiring departmental coordination in cases of child abuse, and by expanding the definition of indecent contact with a child.

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.

## ADOPTION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 103.

### **Senate Concurrent Resolution 103**

On motion of Senator Kinley, Senate Concurrent Resolution 103, a resolution congratulating the Greater Des Moines Chamber of Commerce Federation upon its centennial, with report of committee recommending passage, was taken up for consideration.

Senator Kinley moved the adoption of Senate Concurrent Resolution 103, which motion prevailed by a voice vote and the resolution was adopted.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Murphy, Carr, Gettings and Deluhery for the morning on request of Senator Hutchins.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2036.

### **Senate File 2036**

On motion of Senator Varn, Senate File 2036, a bill for an act relating to moneys available to the first in the nation in education foundation, 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. 2036) the vote was:

Ayes, 41:

Boswell	Bruner	Coleman	Corning
Dieleman	Doyle	Drake	Fraise
Fuhrman	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Horn
Husak	Hutchins	Jensen	Kinley
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, 9:

Carr	Deluhery	Gentleman	Gettings
Holt	Hultman	Lind	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 2037.

### **Senate File 2037**

On motion of Senator Varn, Senate File 2037, a bill for an act relating to certain scholarship and grant programs administered by the college aid commission, including the requirements for receipt of a state scholarship and the repeal of the supplemental grant program, and providing appropriations and an effective date for the repeal, was taken up for consideration.

Senator Varn offered amendment S—5003 filed by him on January 18, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5003 was adopted by a voice vote.

Senator Holden offered amendment S—5007 filed by him on January 20, 1988, to page 1 of the bill.

Senator Varn raised the point of order that amendment S—5007 was not germane to the bill.

Senator Holden withdrew amendment S—5007.

Senator Holden offered amendment S—5009 filed by Senators Holden and Varn on January 20, 1988, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5009 was adopted by a voice vote.

Senator Varn offered amendment S—5010 filed by him on January 21, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5010 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. 2037) the vote was:

Ayes, 42:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Hutchins	Jensen
Kinley	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, 8:

Carr	Gentleman	Gettings	Holt
Hultman	Lind	Mann	Murphy

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

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 10:53 a.m., until 2:30 p.m.

## APPENDIX

### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** January 21, 1988, 9:42 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Soorholtz and Welsh.

**Members Absent:** none.

**Committee Business:** Reviewed FY '87 reversions; LFB summary of Governor's recommendations.

**Adjourned:** 11:13 a.m.

### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

**Convened:** January 21, 1987, 9:35 a.m.

**Members Present:** Riordan, Chair; Hester, Ranking Member and Scott.

**Members Absent:** Priebe, Vice Chair and Tieden.

**Committee Business:** Tour and briefing of Department of Natural Resources.

**Adjourned:** 11:35 a.m.

### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** January 21, 1988, 9:45 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Presentation by Neal Conover, Chairman of the First National Bank, Creston, regarding financial needs of small businesses; five oversight subcommittees met with staff from DED.

**Adjourned:** 10:38 a.m.



**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** January 21, 1988, 9:40 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Shirley George, State Librarian, presented report on new and existing programs.

**Adjourned:** 11:05 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

**Convened:** January 21, 1988, 9:45 a.m.

**Members Present:** Sturgeon, Chair; C. Miller, Vice Chair; Readinger, Ranking Member; A. Miller and Gentleman.

**Members Absent:** none.

**Committee Business:** Legislative oversight; discussed Certificate of Need Program in Department of Public Health.

**Adjourned:** 11:45 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** January 21, 1988, 9:48 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** none.

**Committee Business:** Presentation by Jean Nesbitt, Department of Human Services; overview of budget requests by LFB.

**Adjourned:** 11:20 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** January 21, 1988, 10:40 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member; Vande Hoef and Mann.

**Members Absent:** none.

**Committee Business:** David Boyd presented requests for the FY '89 judicial department budget on indigent defense, juvenile victim restitution and juvenile justice county base.

**Adjourned:** 10:40 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** January 21, 1988, 9:40 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

**Members Absent:** Palmer (excused).

**Committee Business:** Expenditures and FTE vacant position analysis.

**Adjourned:** 10:35 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY**

**Convened:** January 21, 1988, 9:40 a.m.

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

**Members Absent:** none.

**Committee Business:** Presentation of budget for Department of Transportation.

**Adjourned:** 11:40 a.m.

### **COMMERCE**

**Convened:** January 21, 1988, 9:15 a.m.

**Members Present:** Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Holden, Lind, Priebe, Rife and Tieden.

**Members Absent:** Carr, Kinley, Mann, Nystrom, Sturgeon and Welsh.

**Committee Business:** Assigned SSBs 2065 and 2050 to subcommittees.

**Adjourned:** 9:20 a.m.

## **LOCAL GOVERNMENT**

**Convened:** January 21, 1988, 1:37 p.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, C. Miller (arrived at 1:41 p.m.) and Wells.

**Members Absent:** Horn (excused), Kinley and Taylor.

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 402 as amended.

**Adjourned:** 1:46 p.m.

## **RULES AND ADMINISTRATION**

**Convened:** January 21, 1988, 9:30 a.m.

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

**Members Absent:** Kinley and Gettings.

**Committee Business:** Assigned Senate Concurrent Resolution 102 to a subcommittee; recommended passage of Senate Concurrent Resolution 103; approved policy for access to Senate chamber; rules of Senate decorum and standards for allowing use of Senate chamber and committee rooms.

**Adjourned:** 9:50 a.m.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** January 21, 1988, 8:07 a.m.

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

**Members Absent:** Holt.

**Committee Business:** Assigned bills to subcommittees; approved SSB 2023 and ordered redrafted for final approval as a committee bill.

**Adjourned:** 9:15 a.m.

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** January 21, 1988, 1:15 p.m.

**Members Present:** Boswell, Chair; Peterson, Vice Chair; Deluhery, A. Miller, Scott, Fuhrman, Rensink and Vande Hoef.

**Members Absent:** Rife, Ranking Member; Hannon, Riordan and Holt (all excused).

**Committee Business:** Approved SSB 2023 as a committee bill.

**Adjourned:** 1:30 p.m.

**WAYS AND MEANS**

**Convened:** January 21, 1988, 1:45 p.m.

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

**Members Absent:** Boswell, Dieleman, Mann and Soorholtz.

**Committee Business:** Assigned bills to subcommittees; approved SSB 2035 as a committee bill.

**Adjourned:** 1:50 p.m.

**COMMUNICATIONS**

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

**AUDITOR OF STATE**

The Audit Report of the Lottery Division (8760-0515-BQ03), Iowa Department of Revenue & Finance.

The Audit Report of the Lottery Division (8760-0515-BQ04), Iowa Department of Revenue & Finance.

**BOARD OF REGENTS**

The report for the Center for Health Effects of Environmental Contamination, pursuant to Section 263.17(4)(b), 1987 Code of Iowa Supplement.

The Board of Regents' 1988-98 Ten Year Building Program, pursuant to Section 262A.3 of the Code of Iowa.

**CITIZENS' AIDE/OMBUDSMAN**

The Annual Report for calendar year 1986.

**COMMERCE COMMISSION**

The Annual Report for 1986, pursuant to Chapter 17.10, Code of Iowa.

**DEPARTMENT OF COMMERCE**

State of Iowa's 91st Annual Report of the Condition of Savings and Loan Associations for year ending December 31, 1986.

**DEPARTMENT OF CULTURAL AFFAIRS**

1987 Annual Reports including Iowa Arts Council, State Library of Iowa, Iowa Public Television, State Historical Society of Iowa.

Iowa Public Television Progress Report on Educational Telecommunications Project, pursuant to Section 303.79, Subsection 5, Code Supplement 1987.

**DEPARTMENT OF ECONOMIC DEVELOPMENT**

The Annual Report of the Job Training Partnership Program for the fiscal year ending June 30, 1987.

A report on Long Range Plan for Iowa Welcome Centers in accordance with H.F. 540, 1987 Iowa Acts.

**DEPARTMENT OF EMPLOYMENT SERVICES**

A status report on the unemployment compensation trust fund, pursuant to Chapter 96.35, Code of Iowa.

**DEPARTMENT OF GENERAL SERVICES**

The Annual Report, pursuant to Chapter 7E.3, paragraph 4, Code of Iowa.

**DEPARTMENT OF HUMAN SERVICES**

The Annual Report, pursuant to Chapter 217.21, Code of Iowa.

A Pre-Expenditure Report, July 1, 1987 to June 30, 1988, pursuant to Chapters 17A, 217 and 234, Code of Iowa.

The Annual Report of the Long Term Care Coordinating Unit, pursuant to Section 249D.50 of the Code of Iowa.

## DEPARTMENT OF JUSTICE

The Biennial Report of the Attorney General for the period ending December 31, 1986.

## DEPARTMENT OF NATURAL RESOURCES

An Interim Annual Report covering 1987 fiscal year audit and first one-half of 1987 calendar year for the Midwest Interstate Low-Level Radioactive Waste Commission.

A preliminary report from Waste Management Authority Division, pursuant to S.F. 396, 1987 Iowa Acts.

PLAN of the Small Business Assistance Center for the Safe and Economic Management of Solid Waste and Hazardous Substances.

A report on Center for Health Effects of Environmental Contamination, pursuant to 455E.11 (1987 Code Supplement - the Iowa Groundwater Protection Act).

## DEPARTMENT OF PUBLIC HEALTH

The Annual Report January 1 through December 31, 1987 of Iowa's Certificate of Need Program (CON), pursuant to Section 135.77, Code of Iowa.

A report relating to Exclusion of Residential Care Facilities, pursuant to S.F. 2207, enacted by the 1986 Iowa General Assembly.

## DEPARTMENT OF PUBLIC SAFETY

The State Fire Marshal's Report, pursuant to SF 292, 72 G.A.

The Annual Report for Fiscal Year 1987, pursuant to Chapter 7E.3(4), Code of Iowa.

## DEPARTMENT OF REVENUE AND FINANCE

The Annual Report for the fiscal year ending June 30, 1987, pursuant to Chapter 421.17(13), Code of Iowa.

The Iowa Corporation Income and Franchise Tax Report.

The 1985 Iowa Individual Income Tax Annual Statistical Report.

## DEPARTMENT OF TRANSPORTATION

The 1987 Iowa Primary Road Sufficiency Log, pursuant to Chapter 307A.1(12), Code of Iowa.

The Iowa Transportation Policy for fiscal year 1988, pursuant to Chapter 307.10(1), Code of Iowa.

The 1987 Iowa Airport Sufficiency Ratings, pursuant to Chapter 328.12, Code of Iowa.

The 1988-1992 Transportation Improvement Program, pursuant to Chapter 307A.2(12), Code of Iowa.

The Annual Report of Highway Research and Development in Iowa for the fiscal year ending June 30, 1987, pursuant to Chapter 310.36, Code of Iowa.

#### HEALTH DATA COMMISSION

A report of the Scope of Practice for Health Practitioners, pursuant to House File 671 of the Seventy-second General Assembly, 1987 Session.

The Annual Report of the Health Data Commission, pursuant to Section 145.6, Code of Iowa.

#### IOWA FINANCE AUTHORITY

Report of activities and financial statements ending June 30, 1987 and 1985.

#### IOWA RAILWAY FINANCE AUTHORITY

The 1987 annual report of the Iowa Railway Finance Authority, pursuant to Section 307B.8(6), Code of Iowa.

#### LAW ENFORCEMENT ACADEMY

A statistical report of the training conducted during the fiscal year ending June 30, 1987.

#### ORGAN AND TISSUE TRANSPLANT COMMISSION

State Plan adopted by the Iowa Organ and Tissue Transplant Commission, pursuant to Chapter 142B.1, paragraphs (2) and (3) of the Code of Iowa.

#### RECREATION, TOURISM AND LEISURE COMMITTEE

Final report of the RTL interim study committee.

#### PETITIONS

The following petitions were presented and placed on file by:

Senator Drake from twenty-one residents of Des Moines County favoring legislation that under certain circumstances the owner of a vehicle which fails to obey the warning lamps or stop arm of a school bus shall be deemed to be the driver and liable for the violation.

Senator Gettings from thirty-four residents of Appanoose County favoring legislation to abolish the County Compensation Boards.

### PRESENTATION OF VISITOR

President Zimmerman welcomed Andrew Mooney, Executive Director of the Des Moines Chamber of Commerce, who was present in the Senate gallery.



## AFTERNOON SESSION

The Senate reconvened at 2:35 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 January 21, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2082**, a bill for an act relating to and making appropriations to the department of human services and to the Iowa finance authority for the remainder of the fiscal year ending June 30, 1988, allowing carryover of certain funds to the next fiscal year, and providing an effective date.

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

## INTRODUCTION OF BILLS

**Senate File 2076**, by Taylor, a bill for an act relating to the sale or donation of blood by a person who is diagnosed as having acquired immune deficiency syndrome or has tested positive to the human immunodeficiency virus and providing penalties.

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

**Senate File 2077**, by Taylor, a bill for an act relating to the testing of convicted sex offenders for certain diseases.

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

**Senate File 2078**, by Boswell, a bill for an act relating to the issuance of fuel exemption certificates for purposes of the state sales, services, and use tax, providing for retroactive applicability, and providing an effective date.

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

**Senate File 2079**, by Scott, a bill for an act relating to the distribution of shares and expenses from the production of oil or gas from lands underlaid by a pool.

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

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hultman for the afternoon on request of Senator Jensen.

### 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.

### WITHDRAWN

Senator Murphy asked and received unanimous consent that **Senate File 346** be **withdrawn** from further consideration of the Senate.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2074.

### **Senate File 2074**

On motion of Senator Bruner, Senate File 2074, a bill for an act relating to the extension of the applicability of House File 689, enacted during the Second Extraordinary Session of the Seventy-second General Assembly during 1987, updating references to the Internal Revenue Code, providing for retroactive applicability, and providing an effective date, was taken up for consideration.

Senator Coleman took the chair at 2:45 p.m.

Senator Kinley offered amendment S—5015 filed by Senators Kinley and Rife from the floor to strike everything after the enacting clause and to the title page of the bill.

Senator Kinley called for a division of amendment S—5015 as follows:

Division S—5015A: Page 1, lines 3 through 50; pages 2 through 16; page 17, lines 1 through 14; page 19, lines 2 through 14; page 20, lines 13 through 15 and lines 18 through 25.

Division S—5015B: page 17, lines 15 through 50; page 18; page 19, line 1 and lines 15 through 50; page 20, lines 1 through 12, lines 16 and 17 and lines 26 through 29.

The Chair advised that amendment S—5015 was not divisible because it strikes everything after the enacting clause of the bill.

Senator Kinley moved the adoption of amendment S—5015 and requested a record roll call.

On the question “Shall amendment S—5015 be adopted?” (S.F. 2074) the vote was:

Ayes, 9:

Fuhrman	Jensen	Kinley	Lind
Priebe	Readerger	Rife	Soorholtz
Tieden			

Nays, 33:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Horn
Husak	Hutchins	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Peterson	Rensink
Riordan	Schwengels	Scott	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Absent or not voting, 8:

Boswell	Gentleman	Gettings	Holt
Hultman	Mann	Miller, C.P.	Palmer

Amendment S—5015 lost.

Senator Bruner offered amendment S—5016 filed by Senators Bruner, Drake and Gronstal from the floor to page 1 of the bill.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Boswell and Gettings for the afternoon on request of Senator Hutchins.

### BUSINESS PENDING

#### Senate File 2074

The Senate resumed consideration of Senate File 2074 and amendment S—5016.

Senator Drake offered amendment S—5018 filed by Senators Drake and Gronstal from the floor to amendment S—5016 and moved its adoption.

Amendment S—5018 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5016 as amended, which motion prevailed by a voice vote.

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

On the question “Shall the bill pass?” (S.F. 2074) the vote was:

Ayes, 40:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Lind	Peterson
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Absent or not voting, 8:

Boswell  
Hultman

Gentleman  
Mann

Gettings  
Palmer

Holt  
Schwengels

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

Senator Hutchins asked and received unanimous consent that **Senate File 2074** be **immediately messaged** to the House.

### INTRODUCTION OF BILLS

**Senate File 2080**, by Welsh, a bill for an act relating to individual and group accident and sickness insurance nonprofit health service plans and health maintenance organizations by mandating inclusion of in vitro fertilization coverage under certain conditions.

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

**Senate File 2081**, by Priebe, a bill for an act relating to administrative rules by providing authority for the commission on substance abuse to adopt rules under the substance abuse laws and by authorizing the state transportation commission to approve rules before adoption by the state department of transportation.

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

## **APPENDIX**

### **STUDY BILLS RECEIVED**

#### **SSB 2070 Judiciary**

Relating to the offense of disorderly conduct and making a penalty applicable.

#### **SSB 2071 Judiciary**

Relating to the requirement that a person operating a motor vehicle maintain control of the motor vehicle.

#### **SSB 2072 Judiciary**

Relating to the removal of the criminal penalty of the authorizing of, or carrying upon a tax list, an amount of tax in excess of the amount certified or authorized by law.

#### **SSB 2073 Human Resources**

Requiring the department of human services to initiate the waiver process to provide alternative services for persons with acquired immune deficiency syndrome or a related condition.

#### **SSB 2074 Judiciary**

Relating to state department of transportation abstracts of certain motor vehicle operating records for licensed drivers and providing an effective date.

#### **SSB 2075 Human Resources**

Relating to the admission to or retention in a health care facility of a patient with positive test results for the human immunodeficiency virus, or a diagnosis of acquired immune deficiency syndrome or a related condition.

#### **SSB 2076 Business & Labor Relations**

Relating to the Iowa employment security law by providing that job service determinations are not binding in separate actions, by reducing extended benefit amounts by certain federal reductions, and by allowing moneys to accumulate in the administrative contribution surcharge fund.

**SSB 2077 Education**

Establishing a child development coordinating council for the promotion of child development services to at-risk children and to prescribe its duties.

**SSB 2078 Human Resources**

A concurrent resolution relating to the assessment of nursing personnel needs in the state.

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2075	Judiciary
S.F.	2076	Human Resources
S.F.	2077	Human Resources
S.F.	2078	Ways and Means
S.F.	2079	Natural Resources
S.F.	2080	Commerce
S.F.	2081	State Government
H.F.	2082	Appropriations

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2033**

HUMAN RESOURCES: Sturgeon, Chair; Carr and Taylor

**Senate File 2041**

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and A. Miller

**Senate File 2047**

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

**Senate File 2049**

LOCAL GOVERNMENT: Vande Hoef, Chair; Fraise and C. Miller

**Senate File 2053**

HUMAN RESOURCES: Bruner, Chair; Carr and Taylor

**SSB 2070**

JUDICIARY: Doyle, Chair; Mann and Holt

**SSB 2071**

JUDICIARY: Doyle, Chair; Mann and Holt

**SSB 2072**

JUDICIARY: Fraise, Chair; Doyle and Hester

**SSB 2073**

JUDICIARY: Coleman, Chair; Drake and Carr

**AMENDMENTS FILED**

S—5014	S. F.	2055	Berl E. Priebe
S—5015	S. F.	2074	George Kinley
			Jack Rife
S—5016	S. F.	2074	Charles Bruner
			Richard F. Drake
			Edgar H. Holden
S—5017	S. F.	2055	James D. Wells
S—5018	S. F.	2074	Richard F. Drake
			Michael E. Gronstal

**ADJOURNMENT**

On motion of Senator Hutchins, the Senate adjourned at 4:39 p.m., until 9:00 a.m., Tuesday, January 26, 1988.



# JOURNAL OF THE SENATE

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## SIXTEENTH CALENDAR DAY TENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, January 26, 1988

The Senate met in regular session at 9:02 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 Monday, January 25, 1988, was approved.

## INTRODUCTION OF BILL

**Senate File 2082**, by Sturgeon, a bill for an act establishing a preadmission screening program for admission to an intermediate care facility.

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

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** January 25, 1988, 4:45 p.m.

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

**Members Absent:** Bruner (excused).

**Committee Business:** Assigned bills to subcommittees; amended and approved SSB 2030 as a committee bill.

**Adjourned:** 5:26 p.m.

#### LOCAL GOVERNMENT

**Convened:** January 25, 1988, 1:40 p.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin (arrived 1:59 p.m.), Hall (arrived 1:42 p.m.), Horn, C. Miller, Taylor and Wells.

**Members Absent:** Kinley.

**Committee Business:** Assigned Senate File 2072 to a subcommittee; presentation by John White, Neighborhood Housing Service, regarding the costs of demolition and removal of burned vacant buildings.

**Adjourned:** 2:30 p.m.

### REPORT OF THE SECRETARY OF THE SENATE

**MADAM PRESIDENT:** Pursuant to Senate Rule 21, I report that in engrossing Senate File 2074, the following corrections were made:

1. Page 2, line 41, the words "Sections 1, 2, 21, 22, 23, and 25" were changed to "Sections 1, 3, 4, 5, 7, and 8".

2. Page 2, line 44, the words "Section 20" were changed to the words "Section 2".

3. Page 2, line 47, the words "Section 24" were changed to the words "Section 6".

JOHN F. DWYER  
Secretary of the Senate

## STUDY BILLS RECEIVED

### **SSB 2079 State Government**

Relating to physician assistants, establishing a joint board of physician assistant examiners, providing for the registration and licensure of physician assistants, making penalties applicable, providing properly related matters, and providing an effective date.

### **SSB 2080 State Government**

Relating to the credentialing of mental health counselors, changing the name and composition of the board of social work examiners and adding powers and duties of the board with respect to mental health counselors, making penalties applicable, and providing other properly related matters.

### **SSB 2081 Judiciary**

Repealing a requirement that the department of corrections prepare a biennial report relating to the management of the community-based corrections programs.

### **SSB 2082 Natural Resources**

Authorizing the natural resource commission to establish a schedule of fees for permit and conditional permit applications and for costs of administering permits and conditional permits.

### **SSB 2083 Judiciary**

Relating to the indemnification of a present or former director, officer, employee, member, or volunteer of a cooperative association for certain judgments and expenses.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2048**

**BUSINESS AND LABOR RELATIONS:** Palmer, Chair; Mann and Holden

**Senate File 2057**

**EDUCATION:** Wells, Chair; Riordan and Lind

**Senate File 2059**

**EDUCATION:** Wells, Chair; Riordan and Lind

**Senate File 2061**

**AGRICULTURE:** Husak, Chair; Soorholtz and A. Miller

**Senate File 2068**

**NATURAL RESOURCES:** Peterson, Chair; A. Miller and Rensink

**Senate File 2072**

**LOCAL GOVERNMENT:** A. Miller, Chair; Wells and Vande Hoef

**Senate File 2073**

**NATURAL RESOURCES:** Hannon, Chair; Scott and Hester

**Senate File 2075**

**JUDICIARY:** Mann, Chair; Gentleman and Carr

**Senate File 2076**

**HUMAN RESOURCES:** Bruner, Chair; Carr and Taylor

**Senate File 2077**

**HUMAN RESOURCES:** Bruner, Chair; Carr and Taylor

**Senate File 2079**

**NATURAL RESOURCES:** Priebe, Chair; Doyle and Hester

**Senate File 2081**

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

**House File 2082**

APPROPRIATIONS: Dieleman, Chair; Varn, Lloyd-Jones, Corning and Readinger

**SSB 2036**

BUSINESS AND LABOR RELATIONS: Wells, Chair; Horn and Hultman

**SSB 2066**

NATURAL RESOURCES: Peterson, Chair; A. Miller and Rensink

**SSB 2073**

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Readinger

**SSB 2074  
(Corrected)\***

JUDICIARY: Coleman, Chair; Drake and Carr

\*(SSB 2073 printed on page 173 of the 1-25-88 Journal should have been SSB 2074).

**SSB 2075**

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Readinger

**SSB 2076**

BUSINESS AND LABOR RELATIONS: Mann, Chair; Horn and Vande Hoef

**SSB 2077**

EDUCATION: Bruner, Chair; Lloyd-Jones, Hannon, Corning and Lind

**SSB 2078**

HUMAN RESOURCES: Hannon, Chair; Bruner and Corning

**SSB 2079**

STATE GOVERNMENT: Horn, Chair; Rife and C. Miller

**SSB 2080**

STATE GOVERNMENT: Dieleman, Chair; Carr and Soorholtz

**SSB 2081**

JUDICIARY: Fraise, Chair; Mann and Gentleman

**SSB 2082**

NATURAL RESOURCES: Husak, Chair; Hannon and Rensink

**SSB 2083**

JUDICIARY: Doyle, Chair; Mann and Drake

**COMMITTEE REPORTS****AGRICULTURE**

**Final Bill Action:** SENATE FILE 2061, 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, and providing for the retroactive applicability of the Act and an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5019.

**Final Vote:** Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2086 (SSB 2037), a bill for an act relating to the procurement of starch-based plastics and soybean-based inks by the Department of General Services, the State Board of Regents, the Commission for the Blind, and the State Department of Transportation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**AMENDMENT FILED**

S—5019

S.F.

2061

Agriculture

## AFTERNOON SESSION

The Senate reconvened at 4:30 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 January 25, 1988, adopted the following concurrent resolution in which the concurrence of the House was asked:

**Senate Concurrent Resolution 103**, a resolution congratulating the Greater Des Moines Chamber of Commerce Federation upon its centennial.

ALSO: That the House has on January 25, 1988, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was 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.

ALSO: That the House has on January 25, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2011**, a bill for an act relating to the ownership of certain vessels by requiring the purchaser of a registered vessel to obtain a certificate of title, by providing for the perfection of a security interest, and by providing an effective date.

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

### INTRODUCTION OF BILLS

**Senate File 2083**, by Rensink, a bill for an act prohibiting payment for certain health care to nonlicensed or nonauthorized providers of health care.

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

**Senate File 2084**, by Boswell, a bill for an act providing additional supplementary weighting for high school students enrolled in vocational or technical training classes provided in merged area schools and providing an effective date.

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

**Senate File 2085**, by Mann, a bill for an act relating to the effect of an agency decision pursuant to chapter 17A on a separate administrative or court action.

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

**Senate File 2086**, by committee on Agriculture, a bill for an act relating to the procurement of starch-based plastics and soybean-based inks by the department of general services, the state board of regents, the commission for the blind, and the state department of transportation.

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

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the day on request of Senator Holt; Senator Boswell for the afternoon on request of Senator Hutchins and Senator Hultman for the remainder of the afternoon on request of Senator Jensen.

### QUORUM CALL

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

The vote revealed 37 present, 13 absent and a quorum present.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2055.



**Senate File 2055**

On motion of Senator Priebe, Senate File 2055, a bill for an act relating to the registration and use of certain pesticides, was taken up for consideration.

Senator Riordan offered amendment S—5021 filed by Senators Riordan and Fuhrman from the floor to pages 1 and 2 of the bill and called for a division: lines 2 through 10 as division S—5021A and lines 11 through 29 as division S—5021B.

Senator Riordan moved the adoption of division S—5021A, which motion prevailed by a voice vote.

Senator Riordan asked and received unanimous consent to withdraw division S—5021B.

Senator Priebe offered amendment S—5014 filed by him on January 25, 1988, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5014 was adopted by a voice vote.

Senator Wells offered amendment S—5008 filed by Senators Wells, Scott and Jensen on January 20, 1988, to page 2 of the bill.

Senator Wells offered amendment S—5017 filed by him on January 25, 1988, to amendment S—5008 and moved its adoption.

Amendment S—5017 was adopted by a voice vote.

Senator Wells moved the adoption of amendment S—5008 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. 2055) the vote was:

Ayes, 42:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn

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

Nays, none.

Absent or not voting, 8:

Boswell	Hultman	Kinley	Lind
Miller, C.P.	Rife	Schwengels	Soorholtz

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:

S.F.	2082	Human Resources
S.F.	2083	Human Resources
S.F.	2084	Education
S.F.	2085	Judiciary

## SPECIAL VISITOR

Sari Paivacinta, foreign exchange student from Finland, attending Adel-De Soto schools, who was visiting the Senate as the guest of President Zimmerman.

## AMENDMENTS FILED

S—5020	S.F.	2035	John N. Nystrom
S—5021	S.F.	2055	James Riordan
			Linn Fuhrman
S—5022	S.F.	2070	Berl E. Priebe
			C. Joseph Coleman
			Kenneth D. Scott
			Emil J. Husak
			Jack W. Hester
			Richard Vande Hoef

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Wednesday, January 27, 1988.

# JOURNAL OF THE SENATE

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SEVENTEENTH CALENDAR DAY  
ELEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, January 27, 1988

The Senate met in regular session at 9:00 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 Tuesday, January 26, 1988, was approved.

## INTRODUCTION OF BILLS

**Senate File 2087**, by Bruner, a bill for an act relating to the liability of a volunteer guardian or conservator.

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

**Senate File 2088**, by Husak, Boswell, Fuhrman and Soorholtz, a bill for an act relating to the eligibility date of certain military veterans for membership on a county commission of veterans affairs and certain military veteran benefits.

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

**Senate File 2089**, by Husak, Boswell, Fuhrman and Soorholtz, a bill for an act establishing the eligibility of Iowans for inclusion of their names on the Iowa Vietnam veterans memorial.

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

**Senate File 2090**, by committee on State Government, a bill for an act authorizing the provision of law enforcement administrative services by agreement between a county and a city and providing an effective date.

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

## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:04 a.m. until 4:30 p.m.

## APPENDIX

### 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:

Legislative Secretary	Jeanne Heller	Longevity Step 2 to step 3 effective 1-22-88
Legislative Secretary	Lorraine Scott	17-1 to 18-1 effective 1-8-88
Legislative Committee Secretary	Faye Fraise	17-1 to 18-1 effective 1-22-88
Legislative Committee Secretary	Hazel Schroedel	16-4+2 to 18-4+2 effective 1-8-88
Legislative Committee Secretary	Susan Cain	16-1 to 17-1 effective 1-22-88

BILL HUTCHINS, Chair

### COMMITTEE REPORTS

#### JUDICIARY

**Final Bill Action:** SENATE FILE 2091 (SSB 2070), a bill for an act relating to the offense of disorderly conduct and making a penalty applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Doyle, Mann, Holt, Carr, Deluhery, Drake, Gentleman and Hester. Nays, 3: Coleman, Fuhrman and Varn. Absent or not voting, 3: Fraise, Horn and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Final Bill Action:** SENATE FILE 2092 (SSB 2022), a bill for an act establishing a community and rural development loan program to assist communities in financing traditional and new infrastructure and housing for needy and elderly and providing for a revolving fund to be used for the program.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Boswell, Peterson, Deluhery, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 1: Hannon.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 348, a bill for an act authorizing a state agency or a political subdivision of the state to contract to provide medical services.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Schwengels and Welsh. Nays, none. Absent or not voting, 2: Rife and Soorholtz.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2090 (SSB 2069), a bill for an act authorizing the provision of law enforcement administrative services by agreement between a county and a city and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Drake, Horn, Welsh, Lloyd-Jones, Gentleman, Gronstal, Schwengels, Coleman and C. Miller. Nays, none. Absent or not voting, 2: Rife and Soorholtz.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**TRANSPORTATION**

**Final Bill Action:** SENATE FILE 354, 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.

**Recommendation:** DO PASS.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## REPORTS OF COMMITTEE MEETINGS

### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** January 26, 1988, 9:45 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Soorholtz and Welsh

**Members Absent:** Jensen, Ranking Member (excused).

**Committee Business:** Presentation by Tom Donahue, Department of Personnel.

**Adjourned:** 10:55 a.m.

### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

**Convened:** January 26, 1988, 9:35 a.m.

**Members Present:** Riordan, Chair; Priebe, Vice Chair; Hester, Ranking Member; Tieden and Scott.

**Members Absent:** none.

**Committee Business:** Legislative oversight: Department of Natural Resources, Division of Fish and Wildlife and Bureau of Law Enforcement.

**Adjourned:** 11:10 a.m.

### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT

**Convened:** January 26, 1988, 9:57 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Presentation by Allan Thoms, Director, Department of Economic Development; subcommittees evaluated oversight projects.

**Adjourned:** 11:22 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** January 26, 1988, 9:51 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Murphy and Rensink.

**Members Absent:** Nystrom, Ranking Member (excused).

**Committee Business:** Discussed reports on pre-kindergarten education; reviewed summer institute program; and discussed oversight program of Iowa's medical school graduates.

**Adjourned:** 11:17 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** January 26, 1988, 9:48 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** none.

**Committee Business:** Presentation by the Department of Human Services regarding foster care.

**Adjourned:** 11:50 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** January 26, 1988, 9:50 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Mann and Vande Hoef.

**Members Absent:** Lind, Ranking Member (excused).

**Committee Business:** Presentation by Tom Miller, Attorney General, regarding Department of Justice budget requests.

**Adjourned:** 11:00 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** January 26, 1988, 9:50 a.m.



**Members Present:** Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

**Members Absent:** Palmer.

**Committee Business:** Department of Commerce budget hearing.

**Adjourned:** 11:45 a.m.

## **APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY**

**Convened:** January 26, 1988, 9:40 a.m.

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

**Members Absent:** Husak (excused).

**Committee Business:** Presentations of budget requests by: Gene Shephard, Department of Public Safety and Adjutant General Warren Lawson, Department of Public Defense.

**Adjourned:** 11:35 a.m.

## **AGRICULTURE**

**Convened:** January 26, 1988, 8:07 a.m.

**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef (arrived 8:09 a.m.).

**Members Absent:** none.

**Committee Business:** Recommended passage of Senate File 2061 as amended; approved SSB 2037 as a committee bill; discussed and deferred action on SSB 2058; presentations by Dale Martin and Evan Stadlman, Iowa Corn Growers Association and William Griener, Iowa Agricultural Development Authority.

**Adjourned:** 9:04 a.m.

## **APPROPRIATIONS**

**Convened:** January 26, 1988, 9:22 a.m.

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

**Members Absent:** Boswell, Lind (excused), Peterson, Schwengels and Sturgeon.

**Committee Business:** Assigned House File 2082 to a subcommittee.

**Adjourned:** 9:25 a.m.

## **BUSINESS AND LABOR RELATIONS**

**Convened:** January 26, 1988, 1:35 p.m.

**Members Present:** Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn and Vande Hoef.

**Members Absent:** Hultman, Palmer and Welsh.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 1:37 p.m.

## **JUDICIARY**

**Convened:** January 26, 1988, 3:40 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Deluhery, Drake, Fuhrman, Gentleman, Varn, Carr, Coleman, Hester and Horn.

**Members Absent:** Fraise and Taylor (excused).

**Committee Business:** Assigned bills to subcommittees; approved SSB 2070 as a committee bill.

**Adjourned:** 3:50 p.m.

## **STATE GOVERNMENT**

**Convened:** January 26, 1988, 2:30 p.m.

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

**Members Absent:** Rife and Soorholtz (both excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 348; approved SSB 2069 as a committee bill; Senate File 2035 failed recommendation for passage; presentations by Dick Morrell, Administrator of the Alcoholic Beverages Division and Jack Ketterer, State Racing Commission.

**Adjourned:** 3:35 p.m.

## STUDY BILLS RECIEVED

### **SSB 2003A State Government**

Relating to the membership of the commission on the status of women.

### **SSB 2084 Environment & Energy Utilities**

Relating to the groundwater protection Act.

### **SSB 2085 Environment & Energy Utilities**

Relating to the interest or earnings of moneys within the groundwater protection fund and the accounts within the fund.

### **SSB 2086 Environment & Energy Utilities**

Relating to the inspection fee for certain specialty fertilizers.

### **SSB 2087 Transportation**

Relating to certain speeding violations of ten miles per hour or less over the legal speed limit and providing an effective date.

### **SSB 2088 Judiciary**

Relating to compensation of persons suffering loss as a result of medical malpractice, providing for peer review by health maintenance organizations, establishing attorney fee standards, modifying the basic requirements for malicious prosecution actions, eliminating certain exemplary or punitive damages, providing a remedy for certain false statements, establishing a required form for verdicts, establishing expert witness standards and requiring expert certification of claims by affidavit, providing for preliminary dismissal in certain circumstances, establishing limitations on damages, providing for payment of judgments in malpractice actions, and providing for the applicability of certain portions of the Act.

**SUBCOMMITTEE ASSIGNMENTS**

**Senate File 2065**

TRANSPORTATION: Priebe, Chair; Lloyd-Jones and Nystrom

**Senate File 2078**

WAYS AND MEANS: Murphy, Chair; Boswell and Holt

**Senate File 2082**

HUMAN RESOURCES: Sturgeon, Chair; Carr and Corning

**Senate File 2083**

HUMAN RESOURCES: Bruner, Chair; Murphy and Lind

**Senate File 2085**

JUDICIARY: Mann, Chair; Carr and Hester

**SSB 2084**

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; A. Miller and Schwengels

**SSB 2085**

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Murphy and Schwengels

**SSB 2086**

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; A. Miller and Soorholtz

**SSB 2087**

TRANSPORTATION: Coleman, Chair; Priebe and Jensen

**SSB 2088**

JUDICIARY: Doyle, Chair; Mann, Coleman, Drake and Gentleman

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2087	Human Resources
S.F.	2088	Local Government
S.F.	2089	State Government

**AMENDMENTS FILED**

S—5023	S.F.	2031	House amendment
S—5024	S.F.	2046	Wally Horn
S—5025	S.F.	2046	Wally Horn

## AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., Senator Priebe 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 27, 1988, amended and passed the following bill in which the concurrence of the House was asked:

**Senate File 2031**, a bill for an act relating to the reporting of results of the precinct caucuses, providing a penalty, and providing an effective date (S—5023).

## INTRODUCTION OF BILLS

**Senate File 2091**, by committee on Judiciary, a bill for an act relating to the offense of disorderly conduct and making a penalty applicable.

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

**Senate File 2092**, by committee on Small Business and Economic Development, a bill for an act establishing a community and rural development loan program to assist communities in financing traditional and new infrastructure and housing for needy and elderly and providing for a revolving fund to be used for the program.

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

**Senate File 2093**, by committee on Transportation, a bill for an act requiring railway corporations to offer abandoned rail lines to regional railroad authorities, counties, the state and its agencies prior to removal of the track materials and providing an effective date and a civil penalty, and making a property tax exemption applicable.

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

**Senate File 2094**, by committee on Education, a bill for an act relating to instructional requirements for human growth and development in grades kindergarten through twelve and providing an effective date.

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

**Senate File 2095**, by committee on Human Resources, a bill for an act relating to drugs, devices, and cosmetics.

Read first time and **placed on calendar under Rule 28**.

#### COMMITTEE REPORTS

##### EDUCATION

**Final Bill Action:** SENATE FILE 2094 (SSB 2030), a bill for an act relating to instructional requirements for human growth and development in grades kindergarten through twelve and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Varn and Wells. Nays, 1: Tieden.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

##### HUMAN RESOURCES

**Final Bill Action:** SENATE FILE 2095 (SSB 2041), a bill for an act relating to drugs, devices, and cosmetics.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Hannon, Carr, Gentleman, Bruner, Corning, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 4: Coleman, Lind, C. Miller and Murphy.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

##### TRANSPORTATION

**Final Bill Action:** SENATE FILE 2093, a bill for an act requiring railway corporations to offer abandoned rail lines to regional railroad authorities, counties, the state and its agencies prior to removal of the track materials and providing an effective date and a civil penalty, and making a property tax exemption applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:33 p.m., until 9:00 a.m., Thursday, January 28, 1988.



## JOURNAL OF THE SENATE

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EIGHTEENTH CALENDAR DAY  
TWELFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, January 28, 1988

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

Prayer was offered by Bill Yanney, pastor of the First Presbyterian Church, Grand Junction, Iowa.

The Journal of Wednesday, January 27, 1988, 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 House has on January 27, 1988, 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 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.

### INTRODUCTION OF BILL

**Senate File 2096**, by Corning, a bill for an act relating to exemptions from tort liability for political subdivisions by adding an exemption for damages resulting from the use of certain recreational property, and providing for the applicability of the act.

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

## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:06 a.m., until 2:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** January 27, 1988, 9:45 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member and Welsh.

**Members Absent:** Soorholtz.

**Committee Business:** Distributed budget forms; presentation by the Secretary of State.

**Adjourned:** 10:58 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

**Convened:** January 27, 1988, 9:40 a.m.

**Members Present:** Riordan, Chair; Priebe, Vice Chair; Hester, Ranking Member; Tieden and Scott.

**Members Absent:** none.

**Committee Business:** Discussed oversight process in Administrative Division of the Department of Agriculture and Land Stewardship.

**Adjourned:** 10:36 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** January 27, 1988, 9:50 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Presentation by Carey Novak, LFB, regarding the Department of Economic Development FY '89 budget requests and FY '89 Governor's requests for general fund and lottery funded programs.

**Adjourned:** 11:35 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** January 27, 1988, 9:42 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Representatives from regional library groups discussed proposed library programs; discussed proposed new power plant at UNI.

**Adjourned:** 11:35 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

**Convened:** January 27, 1988, 9:45 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; Readinger, Ranking Member; C. Miller and Gentleman.

**Members Absent:** none.

**Committee Business:** Budget overview: Department of Elder Affairs, Department of Human Rights and Iowa Civil Rights Commission.

**Adjourned:** 11:34 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES**

**Convened:** January 27, 1988, 9:45 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** none.

**Committee Business:** Presentations concerning the Foster Care Review Board.

**Adjourned:** 11:50 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** January 27, 1988, 9:40 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Mann and Vande Hoef

**Members Absent:** Lind, Ranking Member.

**Committee Business:** Presentation by Ms. Bucklew, Department of Corrections.

**Adjourned:** 11:45 a.m.

### **APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** January 27, 1988, 9:45 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Palmer and Schwengels.

**Committee Business:** Budget hearings on the Savings and Loan and Alcoholic Beverages Divisions within the Department of Commerce.

**Adjourned:** 10:45 a.m.

### **EDUCATION**

**Convened:** January 27, 1988, 3:45 p.m.

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

**Members Absent:** none.

**Committee Business:** Approved SSBs 2030 and 2028 as committee bills.

**Adjourned:** 4:08 p.m.

### **ENVIRONMENT AND ENERGY UTILITIES**

**Convened:** January 27, 1988, 1:40 p.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Hall, A. Miller, Schwengels, Sturgeon and Varn.

**Members Absent:** Soorholtz, Ranking Member, Murphy and Rife.

**Committee Business:** Assigned bills to subcommittees; presentation by John Eure, Department of Public Health regarding RADON.

**Adjourned:** 2:25 p.m.

## **HUMAN RESOURCES**

**Convened:** January 27, 1988, 2:30 p.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind (arrived 2:55 p.m.), C. Miller (arrived 3:07 p.m.), Readinger, Sturgeon and Taylor.

**Members Absent:** Murphy.

**Committee Business:** Assigned bills to subcommittees; Senators Sturgeon and Readinger reported on the AIDS interim study; approved SSB 2041 as a committee bill; amended and approved SSB 2078 and ordered redrafted for final approval as a committee resolution; discussed Senate File 2018.

**Adjourned:** 3:25 p.m.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** January 27, 1988, 8:05 a.m.

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

**Members Absent:** Hannon (excused).

**Committee Business:** Approved SSB 2022 as a committee bill.

**Adjourned:** 8:55 a.m.

## **TRANSPORTATION**

**Convened:** January 27, 1988, 1:35 p.m.

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

**Members Absent:** none.

**Committee Business:** Assigned bills to subcommittees; amended Senate File 2022 and substituted and approved LSB 8090SC as a committee bill; recommended passage of Senate File 354; discussed and deferred action on Senate File 2065.

**Adjourned:** 1:57 p.m.

## REPORT OF THE SECRETARY OF THE SENATE

**MADAM PRESIDENT:** Pursuant to Senate Rule 21, I report that in enrolling Senate File 2055, the following corrections were made to Senate amendment S—5021:

1. Page 1, line 3, the word "~~reexamination~~" was changed to the word "~~re~~-examination".
2. Page 1, line 4, the word "reexamination" was changed to the word "re-examination".

JOHN F. DWYER  
Secretary of the Senate

## COMMITTEE REPORTS

### AGRICULTURE

**Final Bill Action:** SENATE FILE 2008, a bill for an act relating to information required to be delivered to a warehouse operator upon the termination of a receivership over an agricultural products warehouse.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott and Soorholtz. Nays, none. Absent or not voting, 2: Hester and Vande Hoef.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2040, a bill for an act to appropriate moneys to the state board of regents to be used by Iowa State University for the development of the technology necessary to develop competitive plastics manufactured from corn-based products.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Hester.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## EDUCATION

**Final Bill Action:** SENATE FILE 2098 (SSB 2028), a bill for an act relating to payment of costs of asbestos identification, encapsulation, and removal by boards of directors of school districts.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Murphy, Horn, Taylor, Bruner, Dieleman, Hannon, Lloyd-Jones, Riordan, Varn, Wells, Corning, Holden, Lind, Rensink and Tieden. Nays, none.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## AMENDMENT FILED

S—5026

H.F.

2011

Donald V. Doyle

## AFTERNOON SESSION

The Senate reconvened at 2:32 p.m., President Zimmerman presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hultman for the afternoon on request of Senator Jensen.

## 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.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2031

Senator Drake called up for consideration Senate File 2031, a bill for an act relating to the reporting of results of the precinct caucuses, providing a penalty, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5023 filed January 27, 1988.

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

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

On the question "Shall the bill pass?" (S.F. 2031) the vote was:

Ayes, 46:

Boswell  
Corning  
Drake  
Gettings  
Hannon

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden

Coleman  
Doyle  
Gentleman  
Hall  
Holt



Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Miller, A.V.	Readinger	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2046.

#### Senate File 2046

On motion of Senator Murphy, Senate File 2046, a bill for an act relating to the method of election of directors of certain school districts and providing an effective date, was taken up for consideration.

Senator Horn offered amendment S—5024 filed by him on January 27, 1988, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 39, nays 7.

Amendment S—5024 was adopted.

With the adoption of amendment S—5024, the Chair ruled amendment S—5025 filed by Senator Horn on January 27, 1988, to page 1 of the bill, out of order.

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

On the question "Shall the bill pass?" (S.F. 2046) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hall
Hannon	Holden	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Riordan	Scott
Soorholtz	Taylor	Tieden	Varn
Welsh			

Nays, 10:

Corning	Fuhrman	Gentleman	Goodwin
Hester	Holt	Rensink	Rife
Sturgeon	Vande Hoef		

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2062.

### Senate File 2062

On motion of Senator Fraise, Senate File 2062, a bill for an act relating to the appointment and compensation of acting county attorney, 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. 2062) 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	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Hultman                      Schwengels

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

### BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 686** be referred from the Regular Calendar to the committee on **Judiciary** and that **Senate File 402** be referred from the Regular Calendar to the committee on **Small Business and Economic Development**.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2060.

#### **Senate File 2060**

On motion of Senator Wells, Senate File 2060, a bill for an act relating to the benefit ratio array system under the unemployment insurance law by making the benefit ratio array system permanent, by resolving potential federal conformity issues concerning new nonconstruction experience-based rates and access to job service information by business and labor organizations, by abolishing the special employer contribution rate for employers with certain negative balance account histories with retroactive applicability, and by providing an effective date, 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. 2060) 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.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2063.

### **Senate File 2063**

On motion of Senator Doyle, Senate File 2063, a bill for an act relating to the jurisdiction of magistrates, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2063) 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	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	Wells		

Nays, 2:

Varn                      Welsh

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.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2064.

#### Senate File 2064

On motion of Senator Doyle, Senate File 2064, a bill for an act relating to the residency of an agent for an authorized company engaged in the business of becoming surety upon bonds in criminal cases, 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. 2064) 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	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:

Hultman                      Jensen

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

### **Senate File 2067**

On motion of Senator Doyle, Senate File 2067, a bill for an act relating to the ownership of certain vessels by requiring the purchaser of a registered vessel to obtain a certificate of title, by providing for the perfection of a security interest, and by providing an effective date, was taken up for consideration.

Senator Doyle asked and received unanimous consent that **House File 2011** be substituted for **Senate File 2067**.

### **House File 2011**

On motion of Senator Doyle, House File 2011, a bill for an act relating to the ownership of certain vessels by requiring the purchaser of a registered vessel to obtain a certificate of title, by providing for the perfection of a security interest, and by providing an effective date, was taken up for consideration.

Senator Doyle offered amendment S—5026 filed by him from the floor to page 1 and the title page of the bill.

Senator Gentleman raised the point of order that amendment S—5026 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5026 in order.

Senator Doyle moved the adoption of amendment S—5026, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (H.F. 2011) 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
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	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, 1:

Gentleman

Absent or not voting, 3:

Hultman	Jensen	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.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2046, 2060, 2062, 2063, 2064** and **House File 2011** be **immediately messaged** to the House.

## 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 27, 1988, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

**House Concurrent Resolution 104**, a concurrent resolution relating to the establishment of a "sister state" relationship with the Republic of China (Taiwan) and a trade and investment office in Taiwan.

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

## INTRODUCTION OF BILLS

**Senate File 2097**, by Bruner, a bill for an act relating to the use of steel jaw traps and providing a penalty for violations.

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

**Senate File 2098**, by committee on Education, a bill for an act relating to payment of costs of asbestos identification, encapsulation, and removal by boards of directors of school districts.

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

**Senate File 2099**, by Boswell, a bill for an act relating to insurance for county governments by permitting a county to contract indebtedness and issue general obligation bonds to procure or provide for a policy of insurance, a self-insurance program, or a local government risk pool.

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

**Senate File 2100**, by committee on Agriculture, a bill for an act relating to the exemption from the state sales, services, and use taxes of the sale and rental of certain replacement parts, implements, and farm machinery or equipment, and the furnishing of certain services.

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



**Senate File 2101**, by Sturgeon, a bill for an act relating to intermediate care facility personnel and personnel hours.

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

**Senate File 2102**, by Miller of Cerro Gordo, a bill for an act relating to payment for supplies of uniform citations.

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

## APPENDIX

### STUDY BILLS RECEIVED

#### **SSB 2089 Local Government**

Relating to zoning and standards for temporary cottage housing units to allow elder and physically handicapped persons to reside on property with a primary dwelling and to require the state building code commissioner to adopt rules.

#### **SSB 2090 Human Resources**

Relating to child day care for sick children.

#### **SSB 2091 Education**

To create an advancement and recruitment program to encourage administrative advancement of women and minorities and recruitment of minorities by school corporations.

#### **SSB 2092 Commerce**

Relating to the pledge of United States government obligations or their functional equivalents as security for the deposit of public funds.

#### **SSB 2093 Commerce**

Permitting agreements providing for the payment of attorney's fees by a consumer in event of default in certain consumer credit transactions and authorizing the imposition of additional costs or fees by the court.

#### **SSB 2094 Commerce**

Providing coverage under the Iowa life and health guaranty association to the holders of unallocated annuity contracts.

### COMMITTEE REPORTS

#### **\*AGRICULTURE**

**Final Bill Action:** SENATE FILE 2100, a bill for an act relating to the exemption from the state sales, services, and use taxes of the sale and rental of certain

replacement parts, implements, and farm machinery or equipment, and the furnishing of certain services.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott and Soorholtz. Nays, none. Absent or not voting, 2: Hester and Vande Hoef.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Agriculture Committee on Senate File 2100 and they were attached to the committee report.

## COMMERCE

**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, 14: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, 1: Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## SUBCOMMITTEE ASSIGNMENTS

### Senate File 2080

COMMERCE: Gronstal, Chair; Kinley and Jensen.

### SSB 2090

HUMAN RESOURCES: Bruner, Chair; Murphy and Corning

### SSB 2092

COMMERCE: Lind, Chair; Sturgeon and Welsh

### SSB 2093

COMMERCE: Nystrom, Chair; Priebe and Deluhery

**SSB 2094**

COMMERCE: Sturgeon, Chair; Carr and Lind

**LSB 7822**

AGRICULTURE: Priebe, Chair; Soorholtz and Husak

**BILLS ASSIGNED TO COMMITTEE**

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

S. F.	2096	Judiciary
S. F.	2097	Natural Resources
S. F.	2099	Local Government
S. F.	2101	Human Resources
S. F.	2102	Local Government

**PRESENTATION OF VISITORS**

President Zimmerman welcomed the following visitors from Canada who were present in the Senate chamber as her guests:

Sherwin Petersen, member of the Legislative Assembly and Legislative Secretary to the Minister of Agriculture, from the Province of Saskatchewan; Ken Ritter, Advisor to the Minister of Justice and Doug Moon, Lawyer for the Department of Justice.

**ADJOURNMENT**

On motion of Senator Hutchins, the Senate adjourned at 3:45 p.m., until 10:00 a.m., Monday, February 1, 1988.

## JOURNAL OF THE SENATE

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TWENTY-SECOND CALENDAR DAY  
THIRTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 1, 1988

The Senate met in regular session at 10:05 a.m., President Zimmerman presiding.

Prayer was offered by Father Gerald Ryan, pastor of the St. Anthony's Catholic Church, Des Moines, Iowa.

The Journal of Thursday, January 28, 1988, was approved.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hester for the day and February 2 and Senator Schwengels for the morning on request of Senator Jensen; Senator Lind for the day on request of Senator Holt; Senators Husak and Fraise for the day and February 2 on request of Senator Hutchins.

### INTRODUCTION OF BILL

**Senate File 2103**, by Jensen, a bill for an act relating to the use of certain revenues obtained from the sale or other use of property or taxes imposed in urban renewal areas for economic development purposes.

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

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2031** 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 2069.

### Senate File 2069

On motion of Senator Dieleman, Senate File 2069, a bill for an act relating to the organizational meeting of the state board of education, 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. 2069) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hutchins
Jensen	Kinley	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Rensink	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Wells		

Nays, none.

Absent or not voting, 12:

Fraise	Hester	Hultman	Husak
Lind	Mann	Readinger	Rife
Riordan	Schwengels	Varn	Welsh

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

### Senate File 2070

On motion of Senator Scott, Senate File 2070, a bill for an act relating to the application of certain transportation safety regulations, was taken up for consideration.

Senator Priebe offered amendment S—5022 filed by Senators Priebe, et al., on January 26, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5022 was adopted by a voice vote.

Senator Tieden offered amendment S—5027 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5027 was adopted 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. 2070) the vote was:

Ayes, 36:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hutchins	Jensen	Kinley	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, 6:

Bruner	Carr	Gettings	Lloyd-Jones
Palmer	Welsh		

Absent or not voting, 8:

Fraise	Hester	Hultman	Husak
Lind	Mann	Riordan	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 2061.

**Senate File 2061**

On motion of Senator Priebe, Senate File 2061, 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, and providing for the retroactive applicability of the Act and an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe offered amendment S—5019 filed by the committee on Agriculture on January 26, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5019 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. 2061) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holt	Horn	Hutchins	Jensen
Kinley	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, 1:

Holden

Absent or not voting, 7:

Fraise	Hester	Hultman	Husak
Lind	Mann	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 Hultman for the morning on request of Senator Jensen.

## CONSIDERATION OF BILLS (Regular Calendar)

### Senate File 2086

On motion of Senator Peterson, Senate File 2086, a bill for an act relating to the procurement of starch-based plastics and soybean-based inks by the department of general services, the state board of regents, the commission for the blind, and the state department of transportation, was taken up for consideration.

Senator Coleman took the chair at 10:46 a.m.

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. 2086) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, 1:

Welsh

Absent or not voting, 6:

Fraise	Hester	Hultman	Husak
Lind	Schwengels		

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

### Senate File 348

On motion of Senator Drake, Senate File 348, a bill for an act authorizing a state agency or a political subdivision of the state to contract to provide medical services, 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. 348) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
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, 6:

Fraise	Hester	Hultman	Husak
Lind	Schwengels		

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

### Senate File 354

On motion of Senator Rensink, Senate File 354, 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, with report of committee recommending passage, was taken up for consideration.

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?" (S.F. 354) the vote was:

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

Ayes, 25:

Boswell	Coleman	Doyle	Fuhrman
Goodwin	Gronstal	Hannon	Holden
Holt	Horn	Hutchins	Jensen
Miller, A.V.	Miller, C.P.	Nystrom	Peterson
Priebe	Rensink	Rife	Scott
Taylor	Tieden	Vande Hoef	Varn
Wells			

Nays, 19:

Bruner	Carr	Corning	Deluhery
Dieleman	Drake	Gentleman	Gettings
Hall	Kinley	Lloyd-Jones	Mann
Murphy	Palmer	Readinger	Riordan
Soorholtz	Sturgeon	Welsh	

Absent or not voting, 6:

Fraise	Hester	Hultman	Husak
Lind	Schwengels		

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

#### MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 354 failed to pass the Senate on February 1, 1988.

LARRY MURPHY

#### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2090.

**Senate File 2090**

On motion of Senator Drake, Senate File 2090, a bill for an act authorizing the provision of law enforcement administrative services by agreement between a county and a city and providing an effective date, was taken up for consideration.

Senator Gronstal took the chair at 11:30 a.m.

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

On the question "Shall the bill pass?" (S.F. 2090) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Fraise	Hester	Hultman	Husak
Lind	Rife	Schwengels	

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2091.

**Senate File 2091**

On motion of Senator Doyle, Senate File 2091, a bill for an act relating to the offense of disorderly conduct and making a penalty applicable, 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. 2091) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Hutchins	Jensen	Kinley	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, 6:

Fuhrman	Gentleman	Murphy	Peterson
Rensink	Varn		

Absent or not voting, 8:

Coleman	Fraise	Hester	Hultman
Husak	Lind	Mann	Schwengels

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 2071, 2040 and 2092** be referred from the Regular Calendar to the committee on **Appropriations** and **Senate File 2100** be referred from the Regular Calendar to the committee on **Ways and Means**.

## INTRODUCTION OF BILLS

**Senate File 2104**, by Vande Hoef, Corning, Dieleman, Soorholtz and Riordan, a bill for an act relating to foster care review, providing for the continued existence of the state and local foster care review boards, providing for the establishment of local foster care review boards throughout the state, providing for review in

cases of children involuntarily hospitalized for mental illness, revising provisions relating to confidentiality and access to certain information, providing other procedural revisions, and providing properly related matters.

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

**Senate File 2105**, by Gronstal, a bill for an act to allow border cities the option of reducing the hours for sale of alcoholic beverages under certain circumstances.

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

**Senate File 2106**, by Varn, a bill for an act relating to the prohibition of the sale, offering for sale, purchase, application, or use of chlordane in this state, and making a penalty applicable.

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

**Senate File 2107**, by Vande Hoef and Bruner, a bill for an act relating to the creation of a foster home insurance fund.

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

**Senate File 2108**, by committee on Commerce, a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable.

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

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** January 28, 1988, 9:55 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Soorholtz and Welsh.

**Members Absent:** none.

**Committee Business:** Subcommittee approved budget requests for the Office of the Lieutenant Governor and the general office of the Executive Council and submitted to the full Appropriations Committee; subcommittee failed to pass the Department of Management's budget request for a state-federal office in Washington, D.C.

**Adjourned:** 11:15 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** January 28, 1988, 9:58 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Presentation and discussion of findings of oversight projects on CEBA, product development, satellite centers, economic research development grants and incubators; and tourism/promotion, national marketing, and ambassadors; presentation by Bob Kellor, President of International Corporation, New York City, regarding data bases for Satellite Center Network.

**Adjourned:** 11:43 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

**Convened:** January 28, 1988, 9:46 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Presentations by Iowa Public Television and Department of Education.

**Adjourned:** 10:39 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

**Convened:** January 28, 1988, 9:50 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; Readinger, Ranking Member; C. Miller and Gentleman.

**Members Absent:** none.

**Committee Business;** Budget presentation by the Department of Health.

**Adjourned:** 11:35 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** January 28, 1988, 9:50 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman (excused first half hour).

**Members Absent:** none.

**Committee Business:** Teresa Hindly, Judge John Nahra, Dave Schneider and Judy Ellison appeared before the committee.

**Adjourned:** 11:55 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** January 28, 1988, 10:00 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

**Members Absent:** Mann.

**Committee Business:** Presentation by Dean Wright, Criminal and Juvenile Justice Advisory Council; discussed privatization of prisons, crime rate, cost of prisons, risk assessment and community based corrections.

**Adjourned:** 10:50 a.m.



**APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** January 28, 1988, 9:35 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair; Goodwin, Ranking Member and Schwengels.

**Members Absent:** Palmer.

**Committee Business:** Budget hearing for the Insurance Division of the Department of Commerce.

**Adjourned:** 10:35 a.m.

**AGRICULTURE**

**Convened:** January 28, 1988, 8:35 a.m.

**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Scott, Soorholtz, Riordan, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Rensink and Vande Hoef (arrived 8:46 a.m.).

**Members Absent:** Hester, Ranking Member.

**Committee Business:** Approved LSB 7822 as a committee bill; recommended passage of Senate Files 2008 and 2040.

**Adjourned:** 8:50 a.m.

**COMMERCE**

**Convened:** January 28, 1988, 1:35 p.m.

**Members Present:** Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Rife, Sturgeon, Lind, Nystrom, Carr, Mann, Priebe, Tieden, Kinley, Holden and Welsh.

**Members Absent:** none.

**Committee Business:** Assigned a bill to subcommittee; recommended passage of House File 433; approved SSB 2050 as a committee bill.

**Adjourned:** 2:20 p.m.

**NATURAL RESOURCES**

**Convened:** January 28, 1988, 8:00 a.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Schwengels, Ranking Member; Doyle, Goodwin, Hannon, Husak, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Hester.

**Committee Business;** Assigned bills to subcommittees; presentation by Larry Wilson, Director of Natural Resources.

**Adjourned:** 8:35 a.m.

## PETITION

The following petition was presented and placed on file by:

Senator Hutchins from thirty residents of Guthrie, Dallas and Adair Counties favoring legislation supporting funding for local Emergency Medical Services.

## STUDY BILLS RECEIVED

### **SSB 2095 State Government**

Relating to the licensing of private investigators and private security officers, providing for the issuance of temporary permits to certain persons pursuant to reciprocal agreement, making penalties applicable, and providing other properly related matters.

### **SSB 2096 Transportation**

Relating to the condemnation payment process.

### **SSB 2097 Transportation**

Relating to right-of-way and relocation assistance provided to persons displaced by highway projects.

### **SSB 2098 Transportation**

Relating to entering private land for highway construction purposes.

### **SSB 2099 Transportation**

Relating to the making or altering of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms and providing a penalty.

**SSB 2100 Ways & Means**

Relating to the administration of the state's income, franchise, sales, services, use, fuel, and death taxes, providing penalties, and providing retroactive and effective dates.

**SSB 2101 Judiciary**

Providing that the records of the purchase of alcoholic liquor from the alcoholic beverages division of the department of commerce by individual class "E" liquor control licensees are confidential and providing an effective date.

**SSB 2102 Judiciary**

Relating to recording, without fee, an acknowledgement of a mortgage foreclosure decree.

**SSB 2103 Judiciary**

Relating to the procedure under which the board of parole determines whether an alleged parole violation has occurred.

**SSB 2104 Judiciary**

Relating to expenses and compensation for the state judicial nominating commission.

**SSB 2105 Judiciary**

Relating to the deduction and disbursement of certain moneys from an allowance paid to an inmate.

**SSB 2106 Local Government**

Relating to the suspension of the collection of taxes, special assessments, and other assessments by the county board of supervisors.

**SSB 2107 Agriculture**

Relating to the fee and reporting requirements for certain animal health pesticides.

**SSB 2108 Agriculture**

Relating to fees for the inspection of certain temporarily stored grain and making an appropriation.

**SSB 2109 Natural Resources**

Relating to the issuance of titles for vessels.

**SSB 2110 Natural Resources**

Relating to regulation of the extraction of coal for commercial purposes from a site of one-half acre or less, and making penalties applicable.

**SSB 2111 Natural Resources**

Relating to commercial concessions operated on certain state-owned lands.

**SSB 2112 Transportation**

Relating to the financing of primary road projects by permitting the temporary transfer of moneys from the RISE fund and providing an effective date.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2088**

LOCAL GOVERNMENT: Wells, Chair; Fraise and Goodwin

**Senate File 2096**

JUDICIARY: Mann, Chair; Doyle and Drake

**Senate File 2099**

LOCAL GOVERNMENT: Fraise, Chair; A. Miller and Vande Hoef

**Senate File 2102**

LOCAL GOVERNMENT: Horn, Chair; Fraise and Goodwin

**SSB 2089**

LOCAL GOVERNMENT: Horn, Chair; Vande Hoef and C. Miller

**SSB 2095**

STATE GOVERNMENT: Welsh, Chair; Schwengels and Coleman

**SSB 2096**

TRANSPORTATION: Priebe, Chair; Gettings and Doyle

**SSB 2097**

TRANSPORTATION: Nystrom, Chair; Lloyd-Jones and Drake

**SSB 2098**

TRANSPORTATION: Jensen, Chair; Priebe and Goodwin

**SSB 2099**

TRANSPORTATION: Doyle, Chair; Scott and Nystrom

**SSB 2100**

WAYS AND MEANS: Gronstal, Chair; Holden and Riordan

**SSB 2101**

JUDICIARY: Carr, Chair; Horn and Drake

**SSB 2102**

JUDICIARY: Varn, Chair; Deluhery and Fuhrman

**SSB 2103**

JUDICIARY: Fraise, Chair; Doyle and Gentleman

**SSB 2104**

JUDICIARY: Carr, Chair; Varn and Fuhrman

**SSB 2105**

JUDICIARY: Fraise, Chair; Doyle and Gentleman

**SSB 2106**

LOCAL GOVERNMENT: Fraise, Chair; Wells and Goodwin

## EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 1, 1988, when the final vote was taken on Senate File 2069.

Had I been present, I would have voted "aye".

DAVID M. READINGER

## BILLS ASSIGNED TO COMMITTEE

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

S.F.	2103	Local Government
S.F.	2104	Human Resources
S.F.	2105	State Government
S.F.	2106	Environment and Energy Utilities
S.F.	2107	Human Resources
S.F.	2109	Environment and Energy Utilities
S.F.	2110	Education
H.C.R.	104	Rules and Administration

## COMMITTEE REPORTS

## COMMERCE

**Final Bill Action:** SENATE FILE 2108 (SSB 2050), a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out of state regional bank holding company, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Palmer, Deluhery, Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom and Sturgeon. Nays, 5: Jensen, Priebe, Rife, Tieden and Welsh.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## WAYS AND MEANS

**Final Bill Action:** 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.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5030.

**Final Vote:** Ayes, 9: Bruner, Dieleman, Gronstal, Mann, Murphy, Riordan, Holden, Holt and Readinger. Nays, 3: Palmer, Drake, Soorholtz. Absent or not voting, 3: Husak, Boswell and Hester.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## INTRODUCTION OF BILLS

**Senate File 2109**, by Rensink, a bill for an act relating to the striking of prohibitions restricting certain cities from joining a chapter 28F entity for the purpose of financing electric power facilities, preventing a municipal power agency from furnishing power to a municipal utility not existing as of July 1, 1984, and preventing a city from joining a certain entity for financing electric power facilities without submission of the proposal to the voters.

Read first time under **Rule 28** and **passed on file**.

**Senate File 2110**, by Taylor, a bill for an act to allow telecommunications to be used by school districts to meet minimum educational standards.

Read first time under **Rule 28** and **passed on file**.

## AMENDMENTS FILED

S—5027	S.F.	2070	Dale L. Tieden
S—5028	S.F.	2023	Donald V. Doyle
S—5029	S.F.	2007	Norman J. Goodwin
S—5030	H.F.	327	Ways and Means

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:50 a.m., until 9:00 a.m., Tuesday, February 2, 1988.

# JOURNAL OF THE SENATE

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TWENTY-THIRD SESSION DAY  
FOURTEENTH CALENDAR DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 2, 1988

The Senate met in regular session at 9:21 a.m., President Zimmerman presiding.

Prayer was offered by Father Phillip E. Schmitt, pastor of the Immaculate Conception Parish Church, Cedar Rapids, Iowa.

The Journal of Monday, February 1, 1988 was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the day on request of Senator Hultman.

## INTRODUCTION OF BILLS

**Senate File 2111**, by Lloyd-Jones, a bill for an act relating to the creation of regional railroad authorities by two or more political subdivisions, authorizing the imposition of a tax levy and the issuance of bonds and notes, and providing certain tax exemptions.

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

**Senate File 2112**, by Tieden, a bill for an act to provide for whole grade sharing between a school district located in this state and a contiguous school district located in a contiguous state.

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

## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2061** be immediately messaged to the House.



### SPECIAL GUEST

Senator Murphy presented Heidi Kriener, 10, from Waucoma, 1988 Iowa Easter Seal Ambassador. She was accompanied by her parents, Marvin and Connie Kriener and brother, Chris.

Heidi, who has been afflicted with Spina Bifida since birth attends Turkey Valley School in Jackson Junction and enjoys riding horses on the family's farm and attending summers of recreational camping at Camp Sunnyside.

### WITHDRAWN

Senator Doyle asked and received unanimous consent that Senate File 2067 be withdrawn from further consideration of the Senate.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** February 1, 1988, 3:40 p.m.

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

**Members Absent:** Bruner and Lind (excused).

**Committee Business:** Assigned bills to subcommittees; reviewed information from public hearings - teacher preparation and early childhood education.

**Adjourned:** 4:15 p.m.

#### LOCAL GOVERNMENT

**Convened:** February 1, 1988, 1:38 p.m.

**Members Present:** A. Miller, Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Horn, C. Miller, Taylor and Wells.

**Members Absent:** Fraise, Vice Chair and Kinley (both excused).

**Committee Business:** Assigned bills to subcommittees and Chris Nannenga, Thornton, Iowa, gave remarks regarding Senate File 2072.

**Adjourned:** 2:20 p.m.

#### WAYS AND MEANS

**Convened:** February 1, 1988, 1:41 p.m.

**Members Present:** Bruner, Chair; Holden, Ranking Member; Dieleman, Drake, Holt, Gronstal, Mann, Murphy, Palmer, Riordan, Readinger and Soorholtz.

**Members Absent:** Husak, Vice Chair, Boswell and Hester.

**Committee Business:** Assigned a bill to subcommittee; recommended passage of House File 327.

**Adjourned:** 2:07 p.m.

## STUDY BILLS RECEIVED

### **SSB 2113 State Government**

Providing that the records of the purchase of alcoholic liquor from the alcoholic beverages division by individual class "E" liquor control licensees are confidential.

### **SSB 2114 State Government**

To provide that investigators and certain other representatives of the board of nursing have the powers and status of peace officers.

### **SSB 2115 State Government**

Relating to the licensing of marital and family therapists; establishing the board of marital and family therapy examiners; prohibiting the practice of marital and family therapy without a license; providing exemptions; redefining "mental health professional" for purposes of confidential communications; making penalties applicable; providing for a temporary waiver of examination requirements; and providing other properly related matters.

### **SSB 2116 Local Government**

Relating to the establishment of a drainage subdistrict.

### **SSB 2117 Human Resources**

Relating to training for mandatory reporters of dependent adult abuse and child abuse.

### **SSB 2118 Human Resources**

Relating to the regulation of sources of nonionizing radiation and the registration of tanning facilities and providing penalties.

### **SSB 2119 Human Resources**

Relating to the confidentiality of chronic renal disease program records, and establishing a penalty.

**SSB 2120 Human Resources**

Allowing the Iowa department of public health to establish standards and inspection fees for swimming pools, spas, and bathing beaches, to enter into agreement with local boards of health for inspection, enforcement, and fee collection, and establishing a penalty.

**SSB 2121 Judiciary**

Relating to indemnification and the limitation of liability of directors and officers.

**SSB 2122 Natural Resources**

Relating to the operation of a watercraft by a person who is intoxicated and providing penalties.

**SSB 2123 Local Government**

Relating to the publication of notice of a drainage district hearing.

**SSB 2124 Local Government**

To provide for the payment of costs of improvements in drainage districts by special assessment.

**SSB 2125 Local Government**

Relating to the issuance of warrants for drainage improvements.

**SSB 2126 Local Government**

Relating to surety bonds for county officers and employees.

**SSB 2127 Local Government**

Relating to the review and appeal of variances granted or denied by the board of adjustment of a city.

**SSB 2128 Judiciary**

Relating to the issuance of citations and the detention of juveniles, and providing penalties.

## SUBCOMMITTEE ASSIGNMENTS

**Senate File 2084**

EDUCATION: Horn, Chair; Varn and Rensink

**Senate File 2097**

NATURAL RESOURCES: Priebe, Chair; Tieden and Peterson

**SSB 2091**

EDUCATION: Corning, Chair; Bruner and Lloyd-Jones

**SSB 2109**

NATURAL RESOURCES: A. Miller, Chair; Doyle and Schwengels

**SSB 2110**

NATURAL RESOURCES: Peterson, Chair; Husak and Schwengels

**SSB 2111**

NATURAL RESOURCES: Tieden, Chair; Doyle and Hannon

**SSB 2112**

TRANSPORTATION: Priebe, Chair; Coleman and Jensen

**SSB 2113**

STATE GOVERNMENT: Coleman, Chair; Welsh and Rife

**SSB 2114**

STATE GOVERNMENT: Lloyd-Jones, Chair; Welsh and Rife

**SSB 2115**

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

**SSB 2121**

JUDICIARY: Doyle, Chair; Mann and Drake

## REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 455, the following correction was made to House amendment S—3962:

1. Page 1, line 19, the number "148A.6" was changed to the number "148A.5".

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 2nd day of February, 1988:

Senate Files 455 and 2031.

JOHN F. DWYER  
Secretary of the Senate

## BILLS ASSIGNED TO COMMITTEE

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

S.F.	2111	Transportation
S.F.	2112	Education
S.F.	2113	Education

## COMMITTEE REPORT

## AGRICULTURE

**Final Bill Action:** SENATE FILE 2114 (SSB 2107), a bill for an act relating to the fee and reporting requirements for certain animal health pesticides.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Priebe, A. Miller, Boswell, Furhman, Hall, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Fraise, Hester and Husak.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### INTRODUCTION OF BILLS

**Senate File 2113**, by Hultman, a bill for an act to establish a tuition assistance program for members of the Iowa national guard to be administered by the military division of the department of public defense.

Read first time under **Rule 28** and **passed on file**.

**Senate File 2114**, by committee on Agriculture, a bill for an act relating to the fee and reporting requirements for certain animal health pesticides.

Read first time under **Rule 28** and **placed on calendar**.

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 9:30 a.m., until 9:00 a.m., Wednesday, February 3, 1988.

# JOURNAL OF THE SENATE

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TWENTY-FOURTH CALENDAR DAY  
FIFTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, February 3, 1988

The Senate met in regular session at 9:12 a.m., President pro tempore Kinley presiding.

Prayer was offered by the Reverend Vern Anderson, pastor of the Staves Memorial United Methodist Church, Des Moines, Iowa.

The Journal of Tuesday, February 2, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the remainder of the week on request of Senator Hultman and Senator Peterson for the day on request of Senator Hutchins.

## INTRODUCTION OF BILLS

**Senate File 2115**, by Taylor, a bill for an act relating to the time period during which certain resources are included in an eligibility determination for medical assistance.

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

**Senate File 2116**, by Jensen, Gentleman and Corning, a bill for an act relating to a state employee child day care pilot project.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 104**, by committee on Agriculture, a concurrent resolution relating to the federal conservation reserve program.

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



## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:23 a.m., until 4:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 2, 1988, 9:50 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member and Welsh.

**Members Absent:** Soorholtz.

**Committee Business:** Tentative votes on budgets for Office of Treasurer, NCSL, Pioneer Lawmakers, Uniform State Laws Commission, Secretary of State and Governor's Office; and separate budget items.

**Adjourned:** 11:42 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

**Convened:** February 2, 1988, 9:40 a.m.

**Members Present:** Riordan, Chair; Priebe, Vice Chair; Tieden and Scott.

**Members Absent:** Hester, Ranking Member (excused).

**Committee Business:** Presentation by Larry Wilson, Director of the Department of Natural Resources.

**Adjourned:** 11:10 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** February 2, 1988, 9:55 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Budget presentation by the Department of Economic Development for tourism, national and competitive marketing; presentation by Robert Burnett, Iowa Business Council.

**Adjourned:** 11:55 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** February 2, 1988, 9:44 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Discussion on overview of the education budget analysis and merged area schools.

**Adjourned:** 11:37 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON HUMAN RESOURCES**

**Convened:** February 2, 1988, 9:45 a.m.

**Members Present:** Lloyd-Jones, Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** Bruner, Vice Chair (excused).

**Committee Business:** Presentation by representatives of the juvenile institutions at Eldora and Toledo; recommendations by James Bell, Youth Law Center, San Francisco, California.

**Adjourned:** 12:00 noon.

#### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** February 2, 1988, 9:50 a.m.

**Members Present:** Doyle, Vice Chair and Vande Hoef.

**Members Absent:** Fraise, Chair (excused); Lind, Ranking Member and Mann.

**Committee Business:** Presentation by David Boyd, Deputy State Court Administrator, regarding the general operating budget for the Judicial Department.

**Adjourned:** 11:35 a.m.

## **APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** February 2, 1988, 9:45 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Palmer and Schwengels.

**Committee Business:** Budget hearing for the Department of Employment Services including the Job Services and Industrial Services Divisions.

**Adjourned:** 11:30 a.m.

## **AGRICULTURE**

**Convened:** February 2, 1988, 8:05 a.m.

**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Boswell, Fuhrman, Hall, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef.

**Members Absent:** Hester, Ranking Member; Fraise and Husak (all excused).

**Committee Business:** Approved SSB 2107 as a committee bill and LSB 8150 as a committee resolution; presentations by Riley Gillette, Spencer, sheep producer, Iowa Soybean Promotion Board and Iowa Corn Promotion Board.

**Adjourned:** 9:14 a.m.

## **ENVIRONMENT AND ENERGY UTILITIES**

**Convened:** February 2, 1988, 1:15 p.m.

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

**Members Absent:** Murphy and Schwengels (excused).

**Committee Business:** Presentations by: Jim Maret, Consumer Advocate, regarding energy conservation and economic development; Jim Larew, Chair of Advisory Committee to the Consumer Advocate; Wes Birdsall, General Manager of Osage Municipal Utilities, Inc; and Tom Miller, Iowa Attorney General.

**Adjourned:** 2:15 p.m.

## JUDICIARY

**Convened:** February 2, 1988, 3:45 p.m.

**Members Present:** Doyle, Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fuhrman, Gentleman, Horn, Taylor and Varn.

**Members Absent:** Mann, Vice Chair (excused).

**Committee Business:** Recommended passage of Senate File 2066 as amended; presentation by Joan Brown, Code Editor's office, regarding SSB 2060.

**Adjourned:** 4:37 p.m.

## STATE GOVERNMENT

**Convened:** February 2, 1988, 2:30 p.m.

**Members Present:** Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, C. Miller, Rife, Soorholtz and Welsh.

**Members Absent:** Nystrom, Ranking Member; Lloyd-Jones and Schwengels (all excused).

**Committee Business:** Assigned bills to subcommittees; presentation by Elaine Baxter, Secretary of State.

**Adjourned:** 3:10 p.m.

## TRANSPORTATION

**Convened:** February 2, 1988, 1:35 p.m.

**Members Present:** Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Gettings, Goodwin, Jensen, Nystrom and Priebe.

**Members Absent:** Doyle and Lloyd-Jones (excused).

**Committee Business:** Assigned bills to subcommittees; approved SSB 2087 as a committee bill; presentation by Mary Jensen, Department of Transportation, regarding '88 legislative proposals.

**Adjourned:** 2:10 p.m.

## STUDY BILLS RECEIVED

### **SSB 2129 Local Government**

Providing minimum qualifications for the office of county sheriff.

### **SSB 2130 Human Resources**

Relating to the provision of hospice care within health care facilities by Medicare certified hospice programs.

### **SSB 2131 Human Resources**

Relating to vital statistics by providing for extension of the filing periods for death certificates and medical certifications, shortening the period for notifications of death; and deleting the penalty for transporting or accepting for disposition a dead body without a permit.

### **SSB 2132 Human Resources**

Relating to vital statistics by eliminating local registrars and amending requirements for certain certificates and services provided by and certain fees and data collected and compiled by the Iowa department of public health.

### **SSB 2133 Human Resources**

Relating to the determination of eligibility for institutionalized spouses under the medical assistance program.

### **SSB 2134 Small Business & Economic Development**

Relating to an exemption from the state sales, services, and use taxes of the gross receipts from the sales of replacement parts for certain vehicles used substantially in interstate commerce.

### **SSB 2135 Human Resources**

Relating to parental liability for costs of a child in foster care.

**SSB 2136 Judiciary**

Relating to the custody, care, and supervision of a person released on probation.

**SSB 2137 Natural Resources**

Restricting the time period for the initiating of administrative or judicial actions to remove or eliminate certain structures, dams, obstructions, deposits, excavations, or stream straightenings to a floodway.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2087**

HUMAN RESOURCES: Bruner, Chair; Murphy and Taylor

**Senate File 2089**

STATE GOVERNMENT: Nystrom, Chair; Bruner and Soorholtz

**Senate File 2101**

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Lind

**Senate File 2104**

HUMAN RESOURCES: Corning, Chair; Bruner and Carr

**Senate File 2105**

STATE GOVERNMENT: Horn, Chair; Gronstal and Schwengels

**Senate File 2106**

ENVIRONMENT AND ENERGY UTILITIES: Murphy, Chair; Varn and Hall

**Senate File 2107**

HUMAN RESOURCES: Bruner, Chair; Hannon and Readinger

**Senate File 2109**

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Schwengels

**SSB 2107**

AGRICULTURE: Peterson, Chair; Boswell and Rensink

**SSB 2108**

AGRICULTURE: Riordan, Chair; Rensink and Fuhrman

**SSB 2114**

(Corrected)

STATE GOVERNMENT: Lloyd-Jones, Chair; Soorholtz and C. Miller

**SSB 2117**

HUMAN RESOURCES: Bruner, Chair; Carr and Lind

**SSB 2118**

HUMAN RESOURCES: Carr, Chair; Readinger and Sturgeon

**SSB 2119**

HUMAN RESOURCES: Gentleman, Chair; Murphy and Coleman

**SSB 2120**

HUMAN RESOURCES: Lind, Chair; Murphy and Carr

**SSB 2122**

NATURAL RESOURCES: Doyle, Chair; Peterson and Tieden

**SSB 2128**

JUDICIARY: Gentleman, Chair; Mann and Horn

**SSB 2130**

HUMAN RESOURCES: Hannon, Chair; Sturgeon and Readinger

**SSB 2131**

HUMAN RESOURCES: Hannon, Chair; Bruner and Gentleman

**SSB 2132**

HUMAN RESOURCES: Hannon, Chair; Bruner and Gentleman

**SSB 2133**

HUMAN RESOURCES: Gentleman, Chair; Hannon and Coleman

**SSB 2136**

JUDICIARY: Fraise, Chair; Doyle and Gentleman

**SSB 2135**

HUMAN RESOURCES: Hannon, Chair; Bruner and Corning

**SSB 2137**

NATURAL RESOURCES: Scott, Chair; Priebe and Tieden

**LSB 7971**

TRANSPORTATION: Nystrom, Chair; Scott and Goodwin

**LSB 8150**

AGRICULTURE: Scott, Chair; Priebe and Fuhrman

**COMMITTEE REPORTS****AGRICULTURE**

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 104, a concurrent resolution relating to the federal conservation reserve program.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 11: Priebe, A. Miller, Boswell, Fuhrman, Hall, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Fraise, Hester and Husak.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**RULES AND ADMINISTRATION**

**Final Bill Action:** SENATE FILE 2002, a bill for an act relating to the payment of additional salary and expense allowances during a special session.

**Recommendation:** DO PASS.

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



**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE CONCURRENT RESOLUTION 104, a concurrent resolution relating to the establishment of a "sister state" relationship with the Republic of China (Taiwan) and a trade and investment office in Taiwan.

**Recommendation:** DO PASS.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### TRANSPORTATION

**Final Bill Action:** SENATE FILE 2117 (SSB 2087), a bill for an act relating to certain speeding violations of ten miles per hour or less over the legal speed limit and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Coleman, Scott, Drake, Gettings, Goodwin, Jensen, Nystrom and Priebe. Nays, none. Absent or not voting, 2: Doyle and 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.	2115	Human Resources
S.F.	2116	State Government
S.F.	2118	Environment & Energy Utilities
S.F.	2119	Education
S.F.	2120	Education

## AFTERNOON SESSION

The Senate reconvened at 4:37 p.m., President Zimmerman presiding.

## INTRODUCTION OF BILLS

**Senate File 2117**, by committee on Transportation, a bill for an act relating to certain speeding violations of ten miles per hour or less over the legal speed limit and providing an effective date.

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

**Senate File 2118**, by Gronstal, a bill for an act relating to interstate natural gas pipelines by establishing a new chapter to define jurisdiction over interstate natural gas pipelines, removing references to interstate natural gas pipelines from the current chapter relating to pipelines and natural gas storage, and adjusting fees.

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

**Senate File 2119**, by Mann and Murphy, a bill for an act relating to the role of the department of education in requiring specific steps by school districts, area education agencies, and merged area schools to accomplish the goals of equal opportunity and affirmative action in personnel policies.

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

**Senate File 2120**, by Rensink, a bill for an act to prohibit the expansion of the liberal arts curricula at the merged area schools.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 105**, by committee on Human Resources, a concurrent resolution relating to the assessment of nursing personnel needs in the state.

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

## APPENDIX

### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 3, 1988, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2031 - Relating to the reporting of results of the precinct caucuses, providing a penalty, and providing an effective date.

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS

**Convened:** February 2, 1988, 4:40 p.m.

**Members Present:** Welsh, Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Riordan and Varn.

**Members Absent:** Husak, Vice Chair; Fraise, Gettings, Schwengels (all excused), Readinger and Sturgeon.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 4:47 p.m.

### CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

William McGowan, Dyersville, Iowa — For celebrating his 100th birthday. Senator Welsh (January 31, 1988).

### AMENDMENT FILED

S—5031

S.F.

2066

Judiciary

## COMMITTEE REPORTS

### HUMAN RESOURCES

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 105 (SSB 2078), a concurrent resolution relating to the assessment of nursing personnel needs in the state.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**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.

### JUDICIARY

**Final Bill Action:** SENATE FILE 2066, a bill for an act relating to marriage and a name change for either party.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5031.

**Final Vote:** Ayes, 11: Doyle, Holt, Carr, Coleman, Deluhery, Drake, Fuhrman, Gentleman, Horn, Taylor and Varn. Nays, none. Absent or not voting, 3: Fraise, Hester and Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:42 p.m., until 9:00 a.m., Thursday, February 4, 1988.

## JOURNAL OF THE SENATE

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TWENTY-FIFTH CALENDAR DAY  
SIXTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 4, 1988

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

Prayer was offered by Sister Carole Freking, Administrative Assistant, St. Paul's School of Religion, Manchester, Iowa.

The Journal of Wednesday, February 3, 1988, was approved.

### INTRODUCTION OF BILL

**Senate File 2121**, by Fraise, a bill for an act relating to the liability of a municipality for prejudgment interest.

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.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 9:26 a.m., until 3:00 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 3, 1988, 9:40 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Soorholtz and Welsh.

**Members Absent:** Jensen, Ranking Member (excused).

**Committee Business:** Reviewed personnel budget.

**Adjourned:** 10:45 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE/NATURAL RESOURCES

**Convened:** February 3, 1988, 9:40 a.m.

**Members Present:** Riordan, Chair; Priebe, Vice Chair; Hester, Ranking Member; Tieden and Scott.

**Members Absent:** none.

**Committee Business:** Department of Agriculture response to questions from the subcommittee's tour; FTE vacancy analysis; groundwater protection fund summary.

**Adjourned:** 11:14 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** February 3, 1988, 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, Director of the Department of Economic Development regarding '89 budget requests for Community Economic Betterment Account (CEBA).

**Adjourned:** 11:32 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** February 3, 1988, 9:42 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member and Rensink.

**Members Absent:** Murphy (excused).

**Committee Business:** Demonstration of University of Iowa OASIS computer system; discussion of student financial aid program.

**Adjourned:** 11:26 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS**

**Convened:** February 3, 1988, 9:45 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; Readinger, Ranking Member; C. Miller and Gentleman.

**Members Absent:** none.

**Committee Business:** Legislative oversight of the Certificate of Need Program, Department of Public Health.

**Adjourned:** 11:45 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** February 3, 1988, 9:42 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** none.

**Committee Business:** Presentation by foster care group providers: Earl Kelly, Orchard Place, Des Moines; Tom Wilson, Family Resources, Inc., Davenport; Rita Paxon, Gerard of Iowa, Mason City; and Jeff Hackett, Florence Crittenton Home, Sioux City.

**Adjourned:** 11:57 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** February 3, 1988, 9:50 a.m.

**Members Present:** Fraise, Chair; Lind, Ranking Member and Vande Hoef.

**Members Absent:** Doyle, Vice Chair and Mann.

**Committee Business:** Presentations by: Paul Grossheim, Acting Director of the Department of Corrections and John Baldwin, Administration Deputy Director.

**Adjourned:** 12:00 noon.

**APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** February 3, 1988, 9:45 a.m.

**Members Present:** Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Peterson, Chair; Schwengels (both excused) and Palmer.

**Committee Business:** Budget hearings with the Labor Services Division and State Auditor.

**Adjourned:** 11:50 a.m.

**HUMAN RESOURCES**

**Convened:** February 3, 1988, 2:40 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; presentation by Myron Albertson, Executive Director of Iowa Head Injury Association, regarding Senate File 302 and House File 30; approved SSB 2078 as a committee bill; discussed Senate File 2026.

**Adjourned:** 3:35 p.m.



**RULES AND ADMINISTRATION**

**Convened:** February 3, 1988, 9:05 a.m.

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

**Members Absent:** Hultman, Ranking Member and Gettings.

**Committee Business:** Recommended passage of Senate File 2002 and House Concurrent Resolution 104.

**Adjourned:** 9:10 a.m.

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** February 3, 1988, 8:10 a.m.

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

**Members Absent:** Peterson, Vice Chair (excused).

**Committee Business:** Presentations by Department of Economic Development: Nancy Landess, Manager of Marketing and Tourism and Tom Dunbar of DeBord-Dunbar partnership, on Iowa Welcome Centers; presentations by Lowell Norland, Neil Wilson and Paul Winter, UNI.

**Adjourned:** 9:06 a.m.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2110**

**EDUCATION:** Riordan, Chair; Murphy and Tieden.

**Senate File 2112**

**EDUCATION:** Tieden, Chair; Murphy and Rensink

**LSB 8137**

**AGRICULTURE:** Riordan, Chair; Hall and A. Miller

## COMMITTEE REPORTS

## APPROPRIATIONS

**Final Bill Action:** HOUSE FILE 2082, a bill for an act relating to and making appropriations to the department of human services and to the Iowa finance authority for the remainder of the fiscal year ending June 30, 1988, allowing carryover of certain funds to the next fiscal year, and providing an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5034.

**Final Vote:** Ayes, 10: Welsh, Husak, Boswell, Dieleman, Fraise, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, 5: Tieden, Holt, Jensen, Lind and Readinger. Absent or not voting, 3: Gettings, Schwengels and Corning.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## NATURAL RESOURCES

**Final Bill Action:** SENATE FILE 145, a bill for an act relating to severed mineral interests, by requiring registration and the payment of a registration fee, providing for renewals at five-year intervals, providing for forfeiture to the county upon failure to comply with registration requirements, providing for notice and opportunity for hearing, and providing for acquisition by the surface owner upon payment of certain costs and fees.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5036.

**Final Vote:** Ayes, 10: Scott, Priebe, Doyle, Goodwin, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Voting present, 1: Hannon. Absent, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2007, a bill for an act relating to the registration of vessels documented by the United States bureau of customs.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: Doyle, Goodwin, Hester, Husak, A. Miller, Rensink and Tieden. Nays, 4: Scott, Priebe, Hannon and Peterson. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2023, a bill for an act relating to the ownership, issuance of title, operation, and regulation of snowmobiles and all-terrain vehicles, subjecting violators to penalties, and providing effective dates.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: Scott, Priebe, Doyle, A. Miller, Peterson, Rensink and Tieden. Nays, 4: Goodwin, Hannon, Hester, and Husak. Absent or not voting, 1: Schwengels.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2068, a bill for an act to require a public hearing before the issuance of a permit to construct and operate a sanitary disposal project.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5035.

**Final Vote:** Ayes, 11: Scott, Priebe, Doyle, Goodwin, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2079, a bill for an act relating to the distribution of shares and expenses from the production of oil or gas from lands underlaid by a pool.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Scott, Priebe, Doyle, Goodwin, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5032	S. F.	2094	Ray Taylor
S—5033	S. F.	2037	House amendment
S—5034	H. F.	2082	Appropriations
S—5035	S. F.	2068	Natural Resources
S—5036	S. F.	145	Natural Resources

## AFTERNOON SESSION

The Senate reconvened at 3:42 p.m., President Zimmerman presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hultman for the day on request of Senator Jensen.

## 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.

## ADOPTION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House Concurrent Resolution 104 and Senate Concurrent Resolution 104.

### **House Concurrent Resolution 104**

On motion of Senator Kinley, House Concurrent Resolution 104, a concurrent resolution relating to the establishment of a "sister state" relationship with the Republic of China (Taiwan) and a trade and investment office in Taiwan, with report of committee recommending passage, was taken up for consideration.

Senator Kinley moved the adoption of House Concurrent Resolution 104, which motion prevailed by a voice vote.

### **Senate Concurrent Resolution 104**

On motion of Senator Scott, Senate Concurrent Resolution 104, a concurrent resolution relating to the federal conservation reserve program, was taken up for consideration.

Senator Scott moved the adoption of Senate Concurrent Resolution 104, which motion prevailed by a voice vote.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Concurrent Resolution 104** and **Senate Concurrent Resolution 104** 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 2108.

#### **Senate File 2108**

On motion of Senator Palmer, Senate File 2108, a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable, was taken up for consideration.

Senator Holt offered amendment S—5037 filed by him from the floor to page 4 of the bill and moved its adoption.

Amendment S—5037 was adopted by a voice vote.

Senator Holden offered amendment S—5038 filed by him from the floor to pages 6, 7 and 8 of the bill and moved its adoption.

Amendment S—5038 was adopted by a voice vote.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Husak and Gettings for the day on request of Senator Hutchins.

### BUSINESS PENDING

#### **Senate File 2108**

The Senate resumed consideration of Senate File 2108.

Senator Bruner offered amendment S—5039 filed by Senators Bruner and Mann from the floor to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5039 be adopted?” (S.F. 2108) 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	Hannon
Hutchins	Jensen	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Priebe
Rife	Riordan	Scott	Sturgeon
Varn	Wells	Welsh	

Nays, 23:

Coleman	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Holt	Horn
Kinley	Lind	Nystrom	Palmer
Peterson	Readinger	Rensink	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 4:

Gettings	Hultman	Husak	Schwengels
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The Chair voted “aye” to break the tie and amendment S—5039 was adopted.

Senator Palmer asked and received unanimous consent that action on **Senate File 2108** be **deferred**.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order **Senate File 2094**.

### **Senate File 2094**

On motion of Senator Hannon, Senate File 2094, a bill for an act relating to instructional requirements for human growth and development in grades kindergarten through twelve and providing an effective date, was taken up for consideration.

Senator Taylor offered amendment S—5032 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5032 was adopted by a voice vote.

Senator Hannon offered amendment S—5041 filed by her from the floor to pages 3, 4 and 5 of the bill and moved its adoption.

Amendment S—5041 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2094** be **deferred**.

### **HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED**

### **House File 164**

Senator Gronstal called up for consideration House File 164, a bill for an act relating to the discretion of a notary public in performing notarial services, and limiting that discretion, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—4097 to Senate amendment H—4244 filed May 10, 1987.

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

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

On the question "Shall the bill pass?" (H.F. 164) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Goodwin	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hutchins	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Varn	Wells
Welsh			

Nays, 9:

Fuhrman	Gentleman	Hester	Jensen
Kinley	Nystrom	Readinger	Rensink
Vande Hoef			

Absent or not voting, 4:

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

## BUSINESS PENDING

### Senate File 2094

The Senate resumed consideration of Senate File 2094, previously deferred.

Senator Taylor offered amendment S—5045 filed by Senators Taylor and Dieleman from the floor to pages 1, 2 and 4 of the bill.

Senator Hannon raised the point of order that amendment S—5045 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5045 out of order.

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



On the question "Shall the bill pass?" (S.F. 2094) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gentleman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Hutchins	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Readinger
Rife	Riordan	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 11:

Dieleman	Fuhrman	Jensen	Kinley
Peterson	Priebe	Rensink	Scott
Taylor	Tieden	Vande Hoef	

Absent or not voting, 4:

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

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2008.

#### **Senate File 2008**

On motion of Senator Boswell, Senate File 2008, a bill for an act relating to information required to be delivered to a warehouse operator upon the termination of a receivership over an agricultural products warehouse, 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. 2008) 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
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	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, 4:

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

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2114.

### Senate File 2114

On motion of Senator Boswell, Senate File 2114, a bill for an act relating to the fee and reporting requirements for certain animal health pesticides, 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. 2114) 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
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson

Priebe  
Riordan  
Taylor  
Wells

Readeringer  
Scott  
Tieden  
Welsh

Rensink  
Soorholtz  
Vande Hoef

Rife  
Sturgeon  
Varn

Nays, none.

Absent or not voting, 4:

Gettings

Hultman

Husak

Schwengels

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

### HOUSE MESSAGE RECEIVED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on February 4, 1988, amended and passed the following bill in which the concurrence of the House was asked:

**Senate File 2037**, a bill for an act relating to certain scholarship and grant programs administered by the college aid commission, including the requirements for receipt of a state scholarship and the repeal of the supplemental grant program, and providing appropriations and an effective date for the repeal (S—5033).

### INTRODUCTION OF BILLS

**Senate File 2122**, by Mann, a bill for an act relating to trade or direct or indirect investments in South Africa by removing the exception made for companies adopting, or companies which are signatories of, the Sullivan principles.

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

**Senate File 2123**, by Hall, a bill for an act to prohibit the willful obstruction or interference with a person who is lawfully hunting, fishing, trapping, or shooting, and providing a penalty.

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

## APPENDIX

### COMMITTEE REPORTS

#### LOCAL GOVERNMENT

**Final Bill Action:** SENATE FILE 2088, a bill for an act relating to the eligibility date of certain military veterans for membership on a county commission of veterans affairs and certain military veteran benefits.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Kinley, C. Miller, Taylor and Wells. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** 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.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5049.

**Final Vote:** Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Kinley, C. Miller, Taylor and Wells. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### STUDY BILLS RECEIVED

#### SSB 2138 State Government

Relating to the registration of voters in state offices.

#### SSB 2139 State Government

Relating to the membership of the board of nursing examiners, increasing the number of registered nurse members who must be actively engaged in practice and decreasing the number who must be nurse educators, and providing an effective date.

## SUBCOMMITTEE ASSIGNMENTS

## Senate File 2116

STATE GOVERNMENT: Bruner, Chair; Lloyd-Jones and Nystrom

## Senate File 2118

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Gronstal and Soorholtz

## SSB 2138

STATE GOVERNMENT: Gronstal, Chair; Gentleman and Bruner

## SSB 2139

STATE GOVERNMENT: Bruner, Chair; Carr and Drake

## BILLS ASSIGNED TO COMMITTEE

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

S. F.	2121	Local Government
S. F.	2122	State Government

## AMENDMENTS FILED

S-5037	S. F.	2108	Lee Holt
S-5038	S. F.	2108	Edgar H. Holden
S-5039	S. F.	2108	Charles Bruner
			Tom Mann, Jr.
S-5040	H. F.	2082	Edgar H. Holden
			Dale L. Tieden
			John W. Jensen
S-5041	S. F.	2094	Beverly Hannon
S-5042	H. F.	2082	Jean Lloyd-Jones
S-5043	H. F.	2082	Edgar H. Holden
S-5044	S. F.	2108	John A. Peterson
S-5045	S. F.	2094	Ray Taylor
			William W. Dieleman
S-5046	S. F.	2108	John A. Peterson

S—5047	H.F.	327	Charles Bruner
S—5048	H.F.	2082	Edgar H. Holden
S—5049	H.F.	278	Local Government

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:25 p.m., until 9:00 a.m., Friday, February 5, 1987.

# JOURNAL OF THE SENATE

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TWENTY-SIXTH CALENDAR DAY  
SEVENTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, February 5, 1988

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 Thursday, February 4, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the day on request of Senator Jensen and Senator Gettings for the day on request of Senator Hutchins.

## INTRODUCTION OF BILLS

**Senate File 2124**, by committee on State Government, a bill for an act relating to the membership of the board of nursing examiners, increasing the number of registered nurse members who must be actively engaged in practice and decreasing the number who must be nurse educators, and providing an effective date.

Read first time and placed on calendar.

**Senate File 2125**, by committee on Natural Resources, a bill for an act restricting the service area of sanitary landfills, providing for the Act's retroactive applicability, and providing an effective date.

Read first time and placed on calendar.

**Senate File 2126**, by committee on Natural Resources, a bill for an act restricting the time period for the initiating of administrative or judicial actions to remove or eliminate certain structures, dams, obstructions, deposits, excavations, or stream straightenings to a floodway.

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 47 present, 3 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.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2082.

#### House File 2082

On motion of Senator Welsh, House File 2082, a bill for an act relating to and making appropriations to the department of human services and to the Iowa finance authority for the remainder of the fiscal year ending June 30, 1988, allowing carryover of certain funds to the next fiscal year, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Welsh offered amendment S—5034 filed by the committee on Appropriations on February 4, 1988, to pages 1, 8 and the title page of the bill.

Senator Lind offered amendment S—5051 filed by him from the floor to amendment S—5034 and moved its adoption.

A record roll call was requested.



On the question "Shall amendment S—5051 to amendment S—5034 be adopted?" (H.F. 2082) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Jensen	Lind	Nystrom
Readinger	Rensink	Rife	Soorholtz
Taylor	Tieden	Vande Hoef	

Nays, 27:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gronstal	Hannon	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Palmer	Peterson
Priebe	Riordan	Scott	Sturgeon
Varn	Wells	Welsh	

Absent or not voting, 4:

Gettings	Hultman	Murphy	Schwengels
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Amendment S—5051 lost.

Senator Holden withdrew amendment S—5048 filed by him on February 4, 1988, to amendment S—5034.

Senator Welsh asked and received unanimous consent that amendment S—5034 be withdrawn.

Senator Holden offered amendment S—5043 filed by him on February 4, 1988, to pages 1 through 3 and 5 through 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5043 be adopted?" (H.F. 2082) the vote was:

Ayes, 19:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Jensen	Lind	Nystrom
Readinger	Rensink	Rife	Soorholtz
Taylor	Tieden	Vande Hoef	

Nays, 28:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gronstal	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, 3:

Gettings	Hultman	Schwengels
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Amendment S—5043 lost.

Senator Holden asked and received unanimous consent to withdraw amendment S—5040 filed by Senators Holden, Tieden and Jensen on February 4, 1988, to page 4 of the bill.

Senator Lloyd-Jones withdrew amendment S—5042 filed by her on February 4, 1988, to page 7 of the bill.

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

On the question "Shall the bill pass?" (H.F. 2082) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gronstal	Hannon	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Jensen	Lind	Nystrom
Readinger	Rife	Taylor	Tieden
Vande Hoef			

Absent or not voting, 3:

Gettings

Hultman

Schwengels

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

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson for the remainder of the day on request of Senator Hutchins.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2094** and **House File 2082** 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 433**.

#### **House File 433**

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

Senator Hutchins asked and received unanimous consent that action on **House File 433** be **deferred**.

### HOUSE AMENDMENT CONSIDERED

#### **Senate File 2037**

Senator Varn called up for consideration **Senate File 2037**, a bill for an act relating to certain scholarship and grant programs administered by the college aid commission, including the

requirements for receipt of a state scholarship and the repeal of the supplemental grant program, and providing appropriations and an effective date for the repeal, amended by the House, and moved that the Senate concur in House amendment S—5033 filed February 4, 1988.

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

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

On the question "Shall the bill pass?" (S.F. 2037) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, none.

Absent or not voting, 10:

Coleman	Drake	Gettings	Horn
Hultman	Nystrom	Peterson	Schwengels
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 that an immediate message on Senate File 2037 be sent to the House.

## INTRODUCTION OF BILLS

Senate File 2127, by Murphy, a bill for an act requiring relating to the licensing of administrators of health care facilities by

renaming and modifying the membership of the state board of examiners for nursing home administrators and by redesignating licensees as health care facility administrators.

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

**Senate File 2128**, by Sturgeon a bill for an act relating to state purchasing by providing for the inclusion of a bidder's safety record in defining bidder competence.

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

**Senate File 2129**, by committee on Local Government, a bill for an act relating to the issuance of warrants for drainage improvements.

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

**Senate File 2130**, by Rife, a bill for an act repealing the prohibition against selling or offering for sale decorative gas lamps.

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

## **APPENDIX**

### **REPORTS OF COMMITTEE MEETINGS**

#### **APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION**

**Convened:** February 4, 1988, 10:25 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Soorholtz and Welsh.

**Members Absent:** Jensen, Ranking Member.

**Committee Business:** Discussed Department of General Services budget with Jack Walters.

**Adjourned:** 11:40 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES**

**Convened:** February 4, 1988, 10:15 a.m.

**Members Present:** Riordan, Chair; Priebe, Vice Chair; Hester, Ranking Member; Scott and Tieden.

**Members Absent:** None.

**Committee Business:** Presentation by Dale Cochran, Secretary of Agriculture, and staff.

**Adjourned:** 11:30 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT**

**Convened:** February 4, 1988, 10:30 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Presentation of budget requests for FY '89 by Department of Economic Development for Education and Research Development Account (EARDA), Iowa Product Development Corporation fund (IPDC) and Incubators project.

**Adjourned:** 12:05 p.m.

**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** February 4, 1988, 10:25 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Discussed minority enrollment in Board of Regents institutions and present recruitment programs.

**Adjourned:** 11:57 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** February 4, 1988, 10:25 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair (arrived 10:45 a.m.); Corning, Ranking Member and Deluhery.

**Members Absent:** Fuhrman (excused).

**Committee Business:** Presentation by Paul Pietzsch, HPCI, regarding health care for the indigent.

**Adjourned:** 11:45 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** February 4, 1988, 10:15 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member; Mann and Vande Hoef.

**Members Absent:** none.

**Committee Business:** Presentation by representatives of the Rockwell City institution; John Baldwin presented the budget for Central Office Corrections.

**Adjourned:** 11:55 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** February 4, 1988, 10:20 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Palmer and Schwengels (excused).

**Committee Business:** Budget hearings on the Department of Inspection and Appeals, including inspection and appeals operations; Foster Care Review Board and the State Racing Commission.

**Adjourned:** 11:55 a.m.

## APPROPRIATIONS

**Convened:** February 3, 1988, 4:52 p.m.

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

**Members Absent:** Gettings, Peterson (excused) and Schwengels (excused).

**Committee Business:** Discussed House File 2082.

**Recessed:** 5:44 p.m.

**Reconvened:** February 4, 1988, 9:35 a.m.

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

**Members Absent:** Getting and Schwengels (excused).

**Committee Business:** Recommended passage of House File 2082 as amended.

**Adjourned:** 10:25 a.m.

## LOCAL GOVERNMENT

**Convened:** February 4, 1988, 1:35 p.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Horn, Kinley, C. Miller (arrived 1:45 p.m.), Taylor and Wells.

**Members Absent:** none.



**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 2088 and House File 278 (as amended); approved SSB 2125 and ordered redrafted for final approval as a committee bill.

**Adjourned:** 2:20 p.m.

## **NATURAL RESOURCES**

**Convened:** February 4, 1988, 8:00 a.m.

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

**Members Absent:** Schwengels, Ranking Member (excused).

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2066 and 2137 as committee bills; recommended passage of Senate Files 2079, 2007 and 2023; amended and recommended passage of Senate Files 145 and 2068.

**Adjourned:** 9:00 a.m.

## **STATE GOVERNMENT**

**Convened:** February 4, 1988, 2:40 p.m.

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

**Members Absent:** Schwengels (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of House File 468 as amended; approved SSB 2139 as a committee bill.

**Adjourned:** 3:40 p.m.

## **COMMITTEE REPORTS**

### **LOCAL GOVERNMENT**

**Final Bill Action:** SENATE FILE 2129 (SSB 2125), a bill for an act relating to the issuance of warrants for drainage improvements.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Kinley, C. Miller, Taylor and Wells. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **NATURAL RESOURCES**

**Final Bill Action:** SENATE FILE 2125 (SSB 2066), a bill for an act relating to restricting the service area of sanitary landfills, providing for the Act's retroactive applicability, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Scott, Priebe, Doyle, Goodwin, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2126 (SSB 2137), a bill for an act relating to the time period for the initiating of administrative or judicial actions to remove or eliminate certain structures, dams, obstructions, deposits, excavations, or stream straightenings to a floodway.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Scott, Priebe, Doyle, Goodwin, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 2124 (SSB 2139), a bill for an act relating to the membership of the board of nursing examiners, increasing the number of registered nurse members who must be actively engaged in practice and decreasing the number who must be nurse educators, and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Welsh, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife and Soorholtz. Nays, none. Absent, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 468, a bill for an act authorizing limited gambling on excursion gambling boats, by specifying additional powers and duties of the state racing commission, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing taxes on admissions, by requiring licenses and imposing fees, by allocating revenue received, by making corresponding amendments to the Code, and by providing penalties for violations.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5053.

**Final Vote:** Ayes, 8: Carr, Nystrom, Coleman, Horn, Lloyd-Jones, C. Miller, Soorholtz and Welsh. Nays, 4: Dieleman, Bruner, Gentleman and Rife. Absent or not voting, 3: Schwengels, Drake and Gronstal.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## STUDY BILLS RECEIVED

### SSB 2140 Human Resources

Relating to adult foster homes.

### SSB 2141 Human Resources

Relating to the definition of serious mental impairment.

## SUBCOMMITTEE ASSIGNMENTS

### Senate File 2040

APPROPRIATIONS: Boswell, Chair; Husak and Jensen

### Senate File 2071

APPROPRIATIONS: Boswell, Chair; Welsh, Sturgeon, Tieden and Lind

### Senate File 2092

APPROPRIATIONS: Riordan, Chair; Welsh, Sturgeon, Tieden and Lind

### Senate File 2100

WAYS AND MEANS: Gronstal, Chair; Drake and Bruner

### Senate File 2103

LOCAL GOVERNMENT: Horn, Chair; Kinley and Vande Hoef

**Senate File 2115**

HUMAN RESOURCES: Murphy, Chair; Bruner and Readinger

**SSB 2116**

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

**SSB 2123**

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

**SSB 2124**

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

**SSB 2125**

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

**SSB 2126**

LOCAL GOVERNMENT: Kinley, Chair; Horn and Hall

**SSB 2127**

LOCAL GOVERNMENT: Wells, Chair; Vande Hoef and Hall

**SSB 2129**

LOCAL GOVERNMENT: Vande Hoef, Chair; A. Miller and Fraise

**SSB 2140**

HUMAN RESOURCES: Carr, Chair; Bruner and Readinger

**SSB 2141**

HUMAN RESOURCES: Gentleman, Chair; Hannon and Murphy

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2123	Natural Resources
S.F.	2127	State Government

S. F.	2128	State Government
S. F.	2130	Environment & Energy Utilities

## AMENDMENTS FILED

S—5050	S. F.	2108	Berl E. Priebe
S—5051	H. F.	2082	Jim Lind
S—5052	S. F.	2095	Beverly Hannon
S—5053	H. F.	468	State Government
S—5054	H. F.	433	Tom Mann, Jr.

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:30 a.m., until 1:00 p.m., Tuesday, February 9, 1988.

# JOURNAL OF THE SENATE

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THIRTIETH CALENDAR DAY  
EIGHTEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 9, 1988

The Senate met in regular session at 1:10 p.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, February 5, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the week on request of Senator Hultman; Senator Mann for today and February 10, 1988, and Senator Gettings for the week 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 February 4, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2123**, a bill for an act relating to the inheritance laws by providing for the power of a surviving spouse's conservator to elect to take or refuse to take under a will or to elect to occupy the homestead, eliminating the time requirement when the share of a surviving spouse may be set off by referees when the spouse elects to take against the will, and providing for a share of an estate of a child born or adopted after execution of a testator's last will.

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

## INTRODUCTION OF BILL

**Senate File 2131**, by Kinley, a bill for an act permitting and regulating teletheaters for pari-mutuel wagering.

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

The Audit Report of the Lottery Division, Iowa Department of Revenue and Finance, pursuant to Chapter 99E.20(3), Code of Iowa.

#### CITIZENS' AIDE/OMBUDSMAN

Legislative Recommendations to the 1988 Session of the Seventy-second General Assembly, State of Iowa, pursuant to Chapter 601G.18, Code of Iowa.

#### COMMISSION ON THE STATUS OF WOMEN

The Annual Report, pursuant to Chapter 601K.60, Code of Iowa.

#### DEPARTMENT OF COMMERCE

##### Professional Licensing and Regulation Division

The annual reports for the five licensing boards encompassed within the division, pursuant to Sec. 258A.4(2), Code of Iowa.

#### DEPARTMENT OF MANAGEMENT

The 1988 Iowa Criminal and Juvenile Justice Plan as required by Chapter 80C, Code of Iowa.

#### DEPARTMENT OF PERSONNEL

A report summarizing the IPERS South Africa involvement as of December 31, 1987, pursuant to Chapter 12A.4(2.a), of the Code of Iowa.

## DEPARTMENT OF PUBLIC HEALTH

A report regarding state funding for homemaker-home health aide and chore services, pursuant to Chapter 234.105(111)(d), Iowa Acts of the Seventy-second General Assembly, 1987 Session.

A report regarding public health nursing services for fiscal year 1987.

## IOWA CONSERVATION CORPS

The FY '87 Annual Report, pursuant to Chapter 15.222, Code of Iowa.

## LEGISLATIVE FISCAL BUREAU

A progress report monitoring the dependent adult abuse reporting system in Iowa, pursuant to Chapter 182.11, Acts of the Seventy-second General Assembly, 1987 Session.

## BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on February 5, 1988, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 455, an act relating to physical therapy by providing that physical therapy evaluation and treatment may be rendered without a prescription or referral and specifying limitations on the practice of physical therapy.

## REPORT OF COMMITTEE MEETING

## AGRICULTURE

**Convened:** February 5, 1988, 8:06 a.m.

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

**Members Absent:** Husak and Peterson.

**Committee Business:** Approved LSBs 8137 and 8188 and SSBs 2020 and 2019 as committee bills.

**Adjourned:** 8:48 a.m.



## PETITIONS

The following petitions were received and placed on file by:

Senator C. Miller from eight hundred eleven residents of Des Moines, Lee, Henry and Polk Counties opposing an open fireworks law.

Senator Dieleman from three hundred twenty-two residents of Marion County opposing legislation increasing any and all gasoline taxes.

## COMMITTEE REPORTS

### AGRICULTURE

**Final Bill Action:** SENATE FILE 2133 (SSB 2019), a bill for an act relating to the registration date for agricultural drainage wells and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Hall, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Husak and Peterson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2134, a bill for an act relating to the expenditure of certain moneys by the soybean and corn promotion boards.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Hall, Riordan, Rensink, Scott and Vande Hoef. Nays, 2: Hester and Soorholtz. Absent or not voting, 2: Husak and Peterson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2135, a bill for an act relating to limiting the assets of the grain depositors and sellers indemnity fund, and providing for an early effective date.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Hall, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Husak and Peterson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2137 (SSB 2020), a bill for an act relating to financial responsibility requirements for the licensing of commercial applicators of pesticides.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Hall, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Husak and Peterson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## INTRODUCTION OF BILLS

**Senate File 2132**, by Vande Hoef, a bill for an act relating to public records.

Read first time under **Rule 28** and **passed on file**.

**Senate File 2133**, by committee on Agriculture, a bill for an act relating to the registration date for agricultural drainage wells and providing an effective date.

Read first time under **Rule 28** and **placed on calendar**.

**Senate File 2134**, by committee on Agriculture, a bill for an act relating to the expenditure of certain moneys by the soybean and corn promotion boards.

Read first time under **Rule 28** and **placed on calendar**.

**Senate File 2135**, by committee on Agriculture, a bill for an act relating to limiting the assets of the grain depositors and sellers indemnity fund, and providing for an early effective date.

Read first time under **Rule 28** and **placed on calendar**.

**Senate File 2136**, by Priebe, a bill for an act relating to support of dependent children by requiring a parent who receives public assistance to participate in education, job training, and employment activities; by providing transitional child care assistance; by providing transitional medical assistance; by providing sanctions against persons who do not comply; by providing for certain supporting arrangements for a parent who is a minor; by requiring the state supreme court to prescribe rules regarding uniform child support standards; by providing for the recording of social security numbers; and by requiring the development of uniform child support guidelines.

Read first time under **Rule 28** and **passed on file**.

**Senate File 2137**, by committee on Agriculture, a bill for an act relating to financial responsibility requirements for the licensing of commercial applicators of pesticides.

Read first time under **Rule 28** and **placed on calendar**.

#### BILLS ASSIGNED TO COMMITTEE

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

S.F.	2131	State Government
S.F.	2132	State Government
S.F.	2136	Human Resources
H.F.	2123	Judiciary

#### STUDY BILLS RECEIVED

##### **SSB 2142 State Government**

Relating to incentives to encourage certain state and local government employees to retire from employment by providing for monetary or insurance payment incentives, and providing an effective date.

##### **SSB 2143 State Government**

Relating to the transfer of the criminal and juvenile justice planning agency from the department of management to the

division of children, youth, and families in the department of human rights.

#### **SSB 2144 State Government**

Providing that the records of the purchase of alcoholic liquor from the alcoholic beverages division of the department of commerce by individual class "E" liquor control licensees are confidential and providing an effective date.

#### **SSB 2145 State Government**

Relating to the establishment of a division on the status of blacks within the department of human rights.

#### **SSB 2146 State Government**

Relating to the authority of the treasurer of state to invest in United States government obligations.

#### **SSB 2147 Business and Labor Relations**

Relating to the registration of construction contractors; providing for administration of the system of registration by the secretary of state; requiring display of the registration number; requiring as a condition of registration that the contractor be insured for general liability, be in compliance with workers' compensation laws, and possess an account number for purposes of unemployment compensation; prohibiting the award of state contracts to nonregistered contractors; providing for investigations and enforcement by the labor commissioner; providing for administrative penalties; providing for the formation of a coordinating group; and providing other properly related matters.

#### **SSB 2148 Business and Labor Relations**

Making changes in the state's labor laws relating to occupational safety and health, safety inspection of amusement rides, and elevator safety, and providing injunctive relief under certain of those laws.

#### **SSB 2149 Judiciary**

Relating to the establishment of a state board to administer the legal representation of indigent persons in criminal cases by

appointed attorneys, indigent defenders, and the appellate defender's office.

**SSB 2150 Judiciary**

Increasing and establishing certain court filing fees.

**SSB 2151 Judiciary**

Relating to the penalties for possession and distribution of controlled substances.

**SSB 2152 Judiciary**

Relating to medical services provided to Iowans and establishing a patient compensation fund, providing for the qualification of health care providers, providing for a patient to elect not to be bound by the Act, establishing a limit on damages recoverable, establishing a premium surcharge and special premium surcharge to be levied on health care providers, providing for structured judgments for certain damage awards, providing for the administration and defense of the patient compensation fund, and providing an effective date.

**SSB 2153 Judiciary**

Relating to the duties of the board of parole.

**SSB 2154 Judiciary**

Relating to the application of time spent by a prisoner on parole or work release to the prisoner's sentence.

**SSB 2155 Judiciary**

Relating to the disposition of an alleged parole violator following a probable cause revocation hearing.

**SSB 2156 Judiciary**

Relating to the revocation of a limitation on the authority of the board of parole to grant parole to a felon with a prior forcible felony conviction.

**SSB 2157 Judiciary**

Relating to the termination of parental rights as a result of an act of child abuse.

**SSB 2158 Education**

A Concurrent Resolution calling upon the Congress of the United States to enact legislation to aid the parents of prospective college students in saving for future college costs.

**SSB 2159 Education**

Relating to human development including prescribing instruction in life skills and human growth and development in grades kindergarten through twelve in accredited schools and school districts and reporting of terminations of pregnancy.

**AMENDMENTS FILED**

S—5055	S.F.	2068	Jack Hester
S—5056	S.F.	2018	Edgar H. Holden

**ADJOURNMENT**

On motion of Senator Hutchins, the Senate adjourned at 1:16 p.m., until 9:00 a.m., Wednesday, February 10, 1988.

# JOURNAL OF THE SENATE

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THIRTY-FIRST CALENDAR DAY  
NINETEENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, February 10, 1988

The Senate met in regular session at 9:29 a.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 Tuesday, February 9, 1988, 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 5, 1988, passed the following bill in which the concurrence of the House was asked:

**Senate File 387**, a bill for an act directing certain political subdivisions of the state to consider joint purchases of equipment.

ALSO: That the House has on February 5, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2128**, a bill for an act relating to drugs, devices, and cosmetics.

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

**House File 2129**, a bill for an act relating to brake requirements for certain trucks and truck tractors.

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

## INTRODUCTION OF BILLS

**Senate File 2138**, by Murphy, a bill for an act relating to the

extraordinary property tax credit for special assessments and making the Act retroactive to January , 1988.

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

**Senate File 2139**, by Murphy, a bill for an act relating to persons with disabilities by requiring the state building code commissioner to adopt rules to ensure enforcement of accessibility provisions, include chapter 104A under the administration and enforcement section of chapter 03A, and adding a penalty.

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

**Senate File 2140**, by committee on State Government, a bill for and act providing that the records of the purchase of alcoholic liquor from the alcoholic beverages division by individual class "E" liquor control licensees are confidential.

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

#### BILL REFERRED TO COMMITTEE

Senator Hultman asked and received unanimous consent that **Senate File 145** be referred from the Regular Calendar to the committee on **Ways and Means**.

#### REQUEST TO REFER BILL TO COMMITTEE DEFERRED

Senator Holden asked unanimous consent that **House File 468** be referred from the Ways and Means Calendar to the committee on Ways and Means.

President Zimmerman announced that action on the request by Senator Holden would be temporarily deferred.

#### BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Files 2068** and **2125** be referred from the Regular Calendar to the committee on **Energy and Environment**.



## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:47 a.m., until 4:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### BUSINESS AND LABOR RELATIONS

**Convened:** February 9, 1988, 2:40 p.m.

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

**Members Absent:** Mann, Vice Chair and Gettings (both excused).

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 2:45 p.m.

#### JUDICIARY

**Convened:** February 9, 1988, 3:35 p.m.

**Members Present:** Doyle, Chair; Holt, Ranking Member; Carr, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor, Varn and Drake (arrived 3:43 p.m.).

**Members Absent:** Mann, Vice Chair and Coleman (excused).

**Committee Business:** Approved SSBs 2102 and 2071 as committee bills; discussed SSB 2059.

**Adjourned:** 4:55 p.m.

#### STATE GOVERNMENT

**Convened:** February 9, 1988, 2:45 p.m.

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

**Members Absent:** Soorholtz and Schwengels (both excused).

**Committee Business:** Assigned bills to subcommittees; approved SSB 2113 as a committee bill.

**Adjourned:** 3:05 p.m.

#### SUBCOMMITTEE ASSIGNMENTS

##### **Senate File 2068**

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Soorholtz

##### **Senate File 2111**

TRANSPORTATION: Lloyd-Jones, Chair; Coleman and Drake

##### **Senate File 2121**

LOCAL GOVERNMENT: Fraise, Chair; Goodwin and Wells

##### **Senate File 2122**

STATE GOVERNMENT: Lloyd-Jones, Chair; Schwengels and Bruner

##### **Senate File 2123**

NATURAL RESOURCES: Priebe, Chair; Goodwin and Peterson

##### **Senate File 2125**

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Soorholtz

##### **Senate File 2127**

STATE GOVERNMENT: Bruner, Chair; Gronstal and Gentleman

##### **Senate File 2128**

STATE GOVERNMENT: Coleman, Chair; C. Miller and Nystrom

##### **Senate File 2130**

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Deluhery and Rife

##### **Senate File 2136**

HUMAN RESOURCES: Bruner, Chair; Hannon and Corning

**SSB 2142**

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Horn and Schwengels

**SSB 2143**

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

**SSB 2144**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**SSB 2145**

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

**SSB 2147**

BUSINESS & LABOR RELATIONS: Wells, Chair; Horn and Hultman

**SSB 2148**

BUSINESS & LABOR RELATIONS: Palmer, Chair; Horn and Vande Hoef

**SSB 2149**

JUDICIARY: Doyle, Chair; Mann and Holt

**SSB 2150**

JUDICIARY: Mann, Chair; Doyle and Holt

**SSB 2151**

JUDICIARY: Horn, Chair; Carr and Drake

**SSB 2152**

JUDICIARY: Mann, Chair; Carr and Drake

**SSB 2153**

JUDICIARY: Carr, Chair; Fraise and Gentleman

**SSB 2154**

JUDICIARY: Fraise, Chair; Doyle and Gentleman

**SSB 2155**

JUDICIARY: Fraise, Chair; Doyle and Gentleman

**SSB 2156**

JUDICIARY: Fraise, Chair; Doyle and Gentleman

**SSB 2157**

JUDICIARY: Horn, Chair; Doyle and Gentleman

**COMMITTEE REPORTS****APPROPRIATIONS**

**Final Bill Action:** SENATE FILE 2050, a bill for an act appropriating funds to the office of the attorney general to fund the legal assistance for farmers program and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 3: Readinger, Gettings and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2141, a bill for an act relating to appropriations by adjusting certain appropriations for the fiscal year ending June 30, 1988, reducing certain appropriations for future fiscal years, providing for retroactive applicability, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Welsh, Husak, Boswell, Corning, Dieleman, Fraise, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, 1: Tieden. Absent or not voting, 3: Gettings, Readinger and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**JUDICIARY**

**Final Bill Action:** SENATE FILE 2142 (SSB 2102), a bill for an act relating to recording, without fee, an acknowledgment of a mortgage foreclosure decree.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 10: Doyle, Holt, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 4: Mann, Carr, Coleman and Drake.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** \*SENATE FILE 2144 (SSB 2071), a bill for an act relating to the requirement that a person operating a motor vehicle maintain control of the motor vehicle.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 12: Doyle, Holt, Carr, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Mann and Coleman

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Senate Rule 40, the Legislative Service Bureau reported nonsubstantive changes to the members of the Judiciary Committee on Senate File 2144 and they were attached to the committee report.

**STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 2140 (SSB 2113), a bill for an act providing that the records of the purchase of alcoholic liquor from the alcoholic beverages division by individual class "E" liquor control licenses are confidential.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 13: Carr, Nystrom, Dieleman, Bruner, Drake, Horn, C. Miller, Gentleman, Lloyd-Jones, Welsh, Coleman, Gronstal and Rife. Nays, none. Absent or not voting, 2: Soorholtz and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**AMENDMENTS FILED**

S—5057	S. F.	2124	Edgar H. Holden
S—5058	S. F.	2065	Larry Murphy
S—5059	S. F.	2125	Jack W. Hester
			John A. Peterson

S—5060

S.F.

2057

Wally Horn

S—5061

S.F.

2059

Wally Horn

## AFTERNOON SESSION

The Senate reconvened at 4:21 p.m., President Zimmerman presiding.

### RULING ON REQUEST FOR BILL TO BE SENT TO COMMITTEE

Pertaining to the request for unanimous consent by Senator Holden on February 10, 1988, Senate Journal page 301, that House File 468 should be referred from the Ways and Means Calendar to the committee on Ways and Means, the Chair stated that House File 468 had been reported to the Senate Calendar with amendment on May 7, 1987, by the Senate Ways and Means Committee and, therefore, did not require further action by that committee.

### INTRODUCTION OF BILLS

**Senate File 2141**, by committee on Appropriations, a bill for an act relating to appropriations by adjusting certain appropriations for the fiscal year ending June 30, 1988, reducing certain appropriations for future fiscal years, providing for retroactive applicability, and providing an effective date.

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

**Senate File 2142**, by committee on Judiciary, a bill for an act relating to recording, without fee, an acknowledgment of a mortgage foreclosure decree.

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

**Senate File 2143**, by Murphy, a bill for an act relating to the establishment of rules for conditional permits for disposal projects, including sewer systems.

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

**Senate File 2144**, by committee on Judiciary, a bill for an act relating to the requirement that a person operating a motor vehicle maintain control of the motor vehicle.

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

**Senate File 2145**, by Scott, a bill for an act relating to cooperative associations by providing for their purposes and powers.

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 37 present, 13 absent and a quorum present.

#### INTRODUCTION OF BILL

**Senate File 2146**, by committee on Transportation, a bill for an act relating to entering private land for highway construction purposes.

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



## APPENDIX

### STUDY BILLS RECEIVED

#### **SSB 2160 Small Business**

To require certain coal-fired electrical generating plants to burn a mixture of Iowa-mined coal with civil penalties applicable.

#### **SSB 2161 Commerce**

Relating to the regulation of the state's insurance industry and the administration of the insurance division of the department of commerce.

#### **SSB 2162 Commerce**

Relating to nontraditional insurance arrangements by prohibiting the incorporation or reincorporation of a benevolent association, providing for the regulation of risk retention groups and purchasing groups, increasing surplus requirements for reciprocal insurers and repealing an exemption to the applicability of state law to certain reciprocal insurance contracts, and providing penalties.

#### **SSB 2163 Commerce**

Relating to the construction of cable systems and telegraph and telephone lines in the state.

#### **SSB 2164 Human Resources**

Relating to schedule I and schedule III controlled substances.

#### **SSB 2165 Judiciary**

Relating to an appeal regarding the purchase of Iowa state industry products.

#### **SSB 2166 Small Business**

Relating to additional criteria, standards, guidelines, and requirements under state grant, loan, or other assistance programs.

## SUBCOMMITTEE ASSIGNMENT

## SSB 2164

HUMAN RESOURCES: Lind, Chair; Coleman and Carr

## BILLS ASSIGNED TO COMMITTEE

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

S.F.	2138	Ways and Means
S.F.	2139	State Government
S.F.	2143	Environment & Energy Utilities
S:F.	2145	Agriculture
H.F.	2129	Transportation

## COMMITTEE REPORTS

## ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2148 (SSB 2086), a bill for an act relating to the inspection fee for certain specialty fertilizers.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2149 (SSB 2085), a bill for an act relating to the interest or earnings of moneys within the groundwater protection fund and the accounts within the fund.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: Deluhery, Gronstal, Soorholtz, Hall, A. Miller and Sturgeon. Nays, none. Absent or not voting, 4: Murphy, Rife, Schwengels and Varn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**TRANSPORTATION**

**Final Bill Action:** SENATE FILE 2146 (SSB 2098), a bill for an act relating to entering private land for highway construction purposes.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Coleman, Drake, Doyle, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 3: Scott, Gettings and Priebe.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2147, a bill for an act to increase the time period for which in-transit stickers are valid.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: Coleman, Doyle, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 4: Drake, Scott, Gettings and Priebe.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**INTRODUCTION OF BILLS**

**Senate File 2147**, by committee on Transportation, a bill for an act to increase the time period for which in-transit stickers are valid.

Read first time under **Rule 28** and placed on calendar.

**Senate File 2148**, by committee on Environment and Energy Utilities, a bill for an act relating to the inspection fee for certain specialty fertilizers.

Read first time under **Rule 28** and placed on calendar.

**Senate File 2149**, by committee on Environment and Energy Utilities, a bill for an act relating to the interest or earnings of moneys within the groundwater protection fund and the accounts within the fund.

Read first time under **Rule 28** and placed on calendar.

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:57 p.m., until 9:00 a.m., Thursday, February 11, 1988.

# JOURNAL OF THE SENATE

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THIRTY-SECOND CALENDAR DAY  
TWENTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 11, 1988

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Tim Zimmerman, pastor of the Trinity Lutheran Church, Jefferson, Iowa.

The Journal of Wednesday, February 10, 1988, was approved.

## INTRODUCTION OF BILL

**Senate File 2150**, by Boswell, a bill for an act relating to nursing education programs by establishing qualifications for program heads and other faculty members.

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

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Riordan for the day on request of Senator Hutchins and Senator Lind for today and February 12, 1988, on request of Senator Jensen.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 10, 1988, 9:50 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Welsh and Soorholtz.

**Members Absent:** none.

**Committee Business:** Reviewed Department of Management budget request.

**Adjourned:** 11:25 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** February 10, 1988, 10:13 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** FY '89 budget request presentations by Ron Manning, State Director, Small Business Development Centers (SBDC) and Cynthia Lidgett, Division for Community Progress, Department of Economic Development.

**Adjourned:** 11:58 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

**Convened:** February 10, 1988, 9:54 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Representatives from the State Board of Regents and regents institutions discussed excellence in teaching in higher education, regents salaries, and regents capital requests.

**Adjourned:** 11:40 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** February 10, 1988, 9:50 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery (arrived 10:20 a.m.) and Fuhrman (arrived 10:00 a.m.).

**Members Absent:** none.

**Committee Business:** Child care issues from the perspective of both the providers and women whose children receive the care.

**Adjourned:** 11:47 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** February 10, 1988, 10:05 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

**Members Absent:** Mann (excused).

**Committee Business:** Proposed legislative oversight, priorities within the Department of Justice and the Governor's recommendations, presented by Beth Lenstra.

**Adjourned:** 11:35 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** February 10, 1988, 9:45 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Palmer and Schwengels (excused).

**Committee Business:** Budget hearing for the Utilities Division of the Department of Commerce.

**Adjourned:** 11:20 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY**

**Convened:** February 10, 1988, 10:05 a.m.

**Members Present:** Coleman, Vice Chair and Husak.

**Members Absent:** Gettings, Chair (excused), Holt, Ranking Member and Holden.

**Committee Business:** A letter from the subcommittee and staff will be sent to Senator Gettings expressing condolences in the death of his wife, Beverley; no legislative business was conducted out of respect for Senator Gettings.

**Adjourned:** 10:10 a.m.

## ENVIRONMENT AND ENERGY UTILITIES

**Convened:** February 10, 1988, 1:40 p.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hall, A. Miller, Murphy (arrived 1:50 p.m.), Rife (arrived 1:45 p.m.), Sturgeon and Varn (arrived 1:45 p.m.).

**Members Absent:** Schwengels (excused).

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2085 and 2086 as committee bills; discussed SSB 2084.

**Adjourned:** 1:52 p.m.

## HUMAN RESOURCES

**Convened:** February 10, 1988, 2:40 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; amended SSB 2042 and ordered redrafted as a committee bill.

**Adjourned:** 3:35 p.m.

## SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Convened:** February 10, 1988, 8:15 a.m.

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



**Members Absent:** Deluhery (excused).

**Committee Business:** Presentation by Steven Westvold, Beautification Administrator of the Department of Transportation, regarding highway and interstate signs promoting Iowa.

**Adjourned:** 9:15 a.m.

## **TRANSPORTATION**

**Convened:** February 10, 1988, 1:43 p.m.

**Members Present:** Coleman, Chair; Drake, Ranking Member (arrived 1:48 p.m.); Doyle, Goodwin, Lloyd-Jones, Nystrom and Jensen.

**Members Absent:** Scott, Vice Chair, Gettings and Priebe (all excused).

**Committee Business:** Assigned S.F. 2111 to a subcommittee; approved LSB 7971 and SSB 2098 as committee bills.

**Adjourned:** 1:50 p.m.

## **STUDY BILLS RECEIVED**

### **SSB 2167 Transportation**

To permit persons who rebuild motor vehicles into emergency vehicles to be licensed as wholesalers.

### **SSB 2168 Environment & Energy Utilities**

Relating to radon testing, mitigation, and safeguarding and providing a penalty.

### **SSB 2169 Environment & Energy Utilities**

Relating to the certification of laboratories which perform analyses of specimens for the department of natural resources.

### **SSB 2170 Local Government**

To allow the owner of a homestead to claim the homestead tax credit where the homestead is located on land owned by a partnership or corporation and the owner is a partner or shareholder.

**SSB 2171 Local Government**

Relating to the publication of proceedings of cities.

**SSB 2172 Local Government**

Relating to certain ambiguities and inconsistencies of the Code as they relate to city government.

**SSB 2173 Small Business & Economic Development**

Relating to the composition of the Iowa economic development board.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2113**

EDUCATION: Varn, Chair; Horn and Corning

**Senate File 2119**

EDUCATION: Lloyd-Jones, Chair; Bruner and Taylor

**Senate File 2120**

EDUCATION: Murphy, Chair; Dieleman and Rensink

**Senate File 2143**

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Murphy and Hall

**House File 2123**

JUDICIARY: Varn, Chair; Gentleman and Deluhery

**SSB 2134**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Holt, Chair; A. Miller and Vande Hoef

**SSB 2158**

EDUCATION: Varn, Chair; Horn and Rensink

**SSB 2159**

EDUCATION: Hannon, Chair; Dieleman and Lind

**SSB 2165**

JUDICIARY: Fraise, Chair; Doyle and Fuhrman

**SSB 2166**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: A. Miller, Chair; Hannon and Fuhrman

**SSB 2168**

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Sturgeon and Hall

**SSB 2169**

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; A. Miller and Rife

**COMMITTEE REPORT****NATURAL RESOURCES**

**Final Bill Action:** SENATE FILE 393, a bill for an act relating to fishing by persons in substance abuse centers.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Scott, Priebe, Doyle, Goodwin, Hannon, Hester, Husak, A. Miller, Rensink and Tieden. Nays, 1: Peterson. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**INTRODUCTION OF BILLS**

**Senate File 2151**, by Sturgeon, a bill for an act relating to certificates of need for certain health care facilities and establishing a moratorium on certain new and changed institutional health services and providing for the prospective repeal of the Act.

Read first time under **Rule 28** and **passed on file**.

**Senate File 2152**, by Varn, a bill for an act relating to the time within which an action for the termination of parental rights must be completed.

Read first time under **Rule 28** and **passed on file**.

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2150	Human Resources
S.F.	2151	Human Resources
S.F.	2152	Judiciary

**AMENDMENTS FILED**

S—5062	S.F.	2093	Berl E. Priebe
S—5063	S.F.	2141	Edgar H. Holden

**ADJOURNMENT**

On motion of Senator Hutchins, the Senate adjourned at 9:25 a.m., until 9:00 a.m., Friday, February 12, 1988.

# JOURNAL OF THE SENATE

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THIRTY-THIRD CALENDAR DAY  
TWENTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, February 12, 1988

The Senate met in regular session at 9:18 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 Thursday, February 11, 1988, 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 9, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2054**, a bill for an act relating to name changes upon marriage.

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

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

The Senate resumed session, Senator Coleman presiding.

## INTRODUCTION OF RESOLUTIONS

**Senate Resolution 101**, by Hutchins and Hultman, a resolution expressing sympathy from the members of the Senate to Senator Gettings and the Gettings' family in the loss of Beverley Gettings.

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

**Senate Resolution 102**, by committee on Rules and Administration, a resolution relating to gubernatorial appointments requiring senate confirmation.

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

### RECESS

On motion of Senator Horn, the Senate recessed at 10:25 a.m., until 11:30 a.m.

### RECONVENED

The Senate reconvened at 11:35 a.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 44 present, 6 absent and a quorum present.

### COMMITTEE REPORT

#### RULES AND ADMINISTRATION

**Final Bill Action:** SENATE RESOLUTION 101, a resolution expressing sympathy from the members of the Senate to Senator Gettings and the Gettings' family in the loss of Beverley Gettings.

**Recommendation:** DO PASS.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### ADOPTION OF RESOLUTION

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

## SENATE RESOLUTION 101

By: Hutchins and Hultman

1  
2  
3  
4 WHEREAS, the membership of the Senate of the  
5 Seventy-second General Assembly has learned with great  
6 sorrow of the passing of Beverley Gettings, wife of  
7 Senator Donald E. Gettings of Ottumwa, Iowa, and  
8 secretary to Senator Gettings, NOW THEREFORE,  
9 BE IT RESOLVED, That the members of the Senate  
10 hereby wish to express to Senator Gettings and the  
11 Gettings' family their personal sympathy in the loss  
12 of their beloved Beverley.  
13 BE IT FURTHER RESOLVED, That a copy of this  
14 Resolution be forwarded to Senator Gettings and  
15 members of the family.

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

## INTRODUCTION OF BILLS

**Senate File 2153**, by Scott, a bill for an act appropriating funds for the restoration and repair of a dam on the Cedar river in the city of Nashua.

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

**Senate File 2154**, by Welsh, a bill for an act relating to the establishment of an Iowa municipal cable television authority to provide a program of financial and technical assistance to municipalities which need municipal cable television systems; providing for the issuance of revenue bonds and other obligations to finance the granting of loans and other assistance to municipalities determined to be eligible for the program; providing for the allocation of moneys from the Iowa plan fund for economic development to be used for start-up of the program; and providing other properly related matters.

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

## APPENDIX

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

**Convened:** February 10, 1988, 9:58 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; Readinger, Ranking Member; C. Miller and Gentleman.

**Members Absent:** none.

**Committee Business:** Legislative oversight: Certificate of Need (CON), Iowa Blue Cross/Blue Shield, Iowa Hospital Association and Department of Public Health.

**Adjourned:** 11:55 a.m.

### 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 12th day of February, 1988:

Senate File 2037.

JOHN F. DWYER  
Secretary of the Senate

### COMMUNICATIONS

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

#### DEPARTMENT OF AGRICULTURE & LAND STEWARDSHIP

A report outlining a program for handling used pesticide containers, pursuant to Chapter 225, Section 227, Acts of the Seventy-second General Assembly, 1987 Session.



### DEPARTMENT OF HUMAN SERVICES

Final report of the Development and Implementation of a New Medicaid Long-term Care Reimbursement System, pursuant to House File 671 of the Seventy-second General Assembly.

### DEPARTMENT OF NATURAL RESOURCES

First biennial report regarding a plan for delineation of flood plain and floodway boundaries, pursuant to Section 455B.262 of the Iowa Code.

### DEPARTMENT OF PERSONNEL

The Annual Report for the Department of Personnel, pursuant to Chapter 7E.3(4), Code of Iowa.

### STATE FAIR BOARD

The Iowa State Fair Relocation Study, pursuant to Chapter 233, Section 235, Acts of the Seventy-second General Assembly, 1987 Session.

### REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2037, the following correction was made to House amendment S—5033:

1. Page 1, line 22, the words "section 100" was changed to the words "section 4".

JOHN F. DWYER  
Secretary of the Senate

### STUDY BILLS RECEIVED

#### **SSB 2174 Human Resources**

Relating to the dispensing of prescription drugs by certain practitioners and through pharmacy services covered under group health insurance policies and group health maintenance organization plans.

#### **SSB 2175 Human Resources**

Relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters.

**SSB 2176 Education**

Relating to the qualification for office by elected school board members and school officers.

**SSB 2177 Judiciary**

Relating to service of notice on a judgment debtor in garnishment proceedings.

**SSB 2178 Education**

Relating to student athletes, by regulating athletes and athletes' agents, requiring a compensation policy for collegiate athletes, and providing penalties.

**SSB 2179 Education**

To require that students in grades nine through twelve take history and government classes.

**SUBCOMMITTEE ASSIGNMENTS****Senate Resolution 101**

RULES AND ADMINISTRATION: Jensen, Chair; Gronstal and Hutchins

**Senate File 145**

WAYS AND MEANS: Mann, Chair; Riordan and Hester

**Senate File 2138**

WAYS AND MEANS: Riordan, Chair; Palmer and Holt

**Senate File 2150**

HUMAN RESOURCES: Carr, Chair; Hannon and Gentleman

**Senate File 2151**

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Corning

**Senate File 2152**

JUDICIARY: Varn, Chair; Deluhery and Gentleman

**SSB 2160**

**SMALL BUSINESS/ECONOMIC DEVELOPMENT:** Peterson, Chair; Boswell and Rife

**SSB 2170**

**LOCAL GOVERNMENT:** Fraise, Chair; Horn and Hall

**SSB 2171**

**LOCAL GOVERNMENT:** Horn, Chair; Kinley and Taylor

**SSB 2172**

**LOCAL GOVERNMENT:** A. Miller, Chair; Horn and Vande Hoef

**SSB 2174**

**HUMAN RESOURCES:** Murphy, Chair; Carr and Corning

**SSB 2175**

**HUMAN RESOURCES:** Sturgeon, Chair; Bruner and Lind

**SSB 2177**

**JUDICIARY:** Varn, Chair; Mann and Hester

**COMMITTEE REPORTS****LOCAL GOVERNMENT**

**Final Bill Action:** SENATE FILE 2072, a bill for an act providing for a percentage of lottery revenues collected in each city of the state and each area formed under a chapter 28E agreement with a population of five thousand or more to be returned to the city or area to be used for economic development initiatives.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5066.

**Final Vote:** Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller, Taylor and Wells. Nays, none. Absent or not voting, 1: Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**RULES AND ADMINISTRATION**

**Final Bill Action:** SENATE RESOLUTION 102, a resolution relating to gubernatorial appointments requiring senate confirmation.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

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

**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.	2153	Appropriations
S. F.	2154	State Government

**AMENDMENTS FILED**

S—5064	S. F.	2141	Edgar H. Holden
S—5065	S. F.	2108	William Palmer
S—5066	S. F.	2072	Local Government

**ADJOURNMENT**

On motion of Senator Hutchins, the Senate adjourned at 11:47 a.m., until 10:00 a.m., Monday, February 15, 1988.

# JOURNAL OF THE SENATE

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THIRTY-SIXTH CALENDAR DAY  
TWENTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 15, 1988

The Senate met in regular session at 10:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Russ L. Burnett, Chaplain of the Western Home and Reverend Jan R. Burnett, assistant pastor of the First United Methodist Church, Cedar Falls, Iowa.

The Journal of Friday, February 12, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the week on request of Senator Hultman and Senators Murphy and Deluhery 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 February 5, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2074**, a bill for an act relating to the extension of the applicability of House File 689, enacted during the Second Extraordinary Session of the Seventy-second General Assembly during 1987, updating references to the Internal Revenue Code, providing for retroactive applicability, and providing an effective date (S—5070).

## INTRODUCTION OF BILLS

**Senate File 2155**, by Murphy, a bill for an act relating to medical malpractice insurance by classifying physicians and surgeons, providing for insurance rates, and requiring certain reports to be made.

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

**Senate File 2156**, by Administrative Rules Review Committee, a bill for an act relating to the rulemaking authority of the department of inspections and appeals and the state board of health regarding health-related inspections and licensing.

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

**Senate File 2157**, by committee on Human Resources, a bill for an act relating to a comprehensive acquired immune deficiency syndrome (AIDS) prevention and intervention plan.

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

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Gettings for the day on request of Senator Hutchins.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate Concurrent Resolution 105.

### **Senate Concurrent Resolution 105**

On motion of Senator Hannon, Senate Concurrent Resolution 105, a concurrent resolution relating to the assessment of nursing personnel needs in the state, was taken up for consideration.

Senator Hannon moved the adoption of Senate Concurrent Resolution 105 which motion prevailed by a voice vote and the resolution was adopted.

## CONSIDERATION OF BILLS (Regular Calendar)

### Senate File 2002

On motion of Senator Holden, Senate File 2002, a bill for an act relating to the payment of additional salary and expense allowances during a special session, 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. 2002) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
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:

Deluhery	Gettings	Husak	Murphy
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 Senate File 2117.

**Senate File 2117**

On motion of Senator Coleman, Senate File 2117, a bill for an act relating to certain speeding violations of ten miles per hour or less over the legal speed limit and providing an effective date, 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. 2117) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	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.	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:

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

**Senate File 2007**

On motion of Senator Holden, Senate File 2007, a bill for an act relating to the registration of vessels documented by the United States bureau of customs, with report of committee recommending passage, was taken up for consideration.

Senator Goodwin offered amendment S—5029 filed by him on February 1, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5029 was adopted by a voice vote.



Senator Priebe asked and received unanimous consent that action on **Senate File 2007** be **deferred**.

### **Senate File 2023**

On motion of Senator Wells, Senate File 2023, a bill for an act relating to the ownership, issuance of title, operation, and regulation of snowmobiles and all-terrain vehicles, subjecting violators to penalties, and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Doyle offered amendment S—5028 filed by him on February 1, 1988, to pages 20 and 24 and the title page of the bill and moved its adoption.

Amendment S—5028 was adopted by a voice vote.

With the adoption of amendment S—5028, the Chair ruled amendment S—5001 filed by Senator Doyle on January 12, 1988, to pages 20 and 24 of the bill, out of order.

Senator Coleman took the chair at 11:28 a.m.

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

On the question “Shall the bill pass?” (S.F. 2023) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	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	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 3:

Drake	Gentleman	Goodwin
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Absent or not voting, 4:

Gettings

Hannon

Murphy

Schwengels

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 Senate File 2088.

### Senate File 2088

On motion of Senator Husak, Senate File 2088, a bill for an act relating to the eligibility date of certain military veterans for membership on a county commission of veterans affairs and certain military veteran benefits, 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. 2088) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Goodwin
Gronstal	Hall	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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Gettings

Hannon

Jensen

Murphy

Schwengels

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

UNFINISHED BUSINESS  
(Deferred February 5, 1988)

**House File 433**

The Senate resumed consideration of 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), deferred February 5, 1988.

Senator Mann offered amendment S—5054 filed by him on February 5, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5054 lost by a voice vote.

President pro tempore Kinley took the chair at 11:45 a.m.

Senator Fraise offered amendment S—5073 filed by him from the floor to page 1 of the bill and moved its adoption.

A non record roll call was requested.

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

The ayes were 23, nays 24.

Amendment S—5073 lost.

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. 433) 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	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Mann

Voting present, 1:

Miller, C.P.

Absent or not voting, 3:

Gettings                      Murphy                      Schwengels

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

### CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 2124.

#### Senate File 2124

On motion of Senator Bruner, Senate File 2124, a bill for an act relating to the membership of the board of nursing examiners, increasing the number of registered nurse members who must be actively engaged in practice and decreasing the number who must be nurse educators, and providing an effective date, was taken up for consideration.

Senator Holden offered amendment S—5057 filed by him on February 10, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5057 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?" (S.F. 2124) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	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
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Coleman	Gettings	Mann	Murphy
Readinger	Schwengels		

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

## RECESS

On motion of Senator Horn, the Senate recessed at 12:07 p.m., until 1:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 11, 1988, 10:07 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair and Jensen, Ranking Member.

**Members Absent:** Welsh and Soorholtz.

**Committee Business:** Discussed FY 1989 budget requests for the Lottery Division of the Department of Revenue.

**Adjourned:** 11:15 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 12, 1988, 10:37 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member and Welsh.

**Members Absent:** Soorholtz.

**Committee Business:** Reviewed budget requests for the Department of Revenue and Finance.

**Adjourned:** 11:30 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** February 11, 1988, 9:55 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member and Carr.

**Members Absent:** Taylor (excused).

**Committee Business:** Presentation by Department of Economic Development for fiscal year '89 budget requests for rural Development and community development block grant (CDBG) programs.

**Adjourned:** 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT  
AND IOWA PLAN**

**Convened:** February 12, 1988, 10:37 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** None.

**Committee Business:** Presentations by: Jack Walters, Director of General Services, regarding FY '88 and '89 lottery-funded Capitol complex renovation projects; Larry Wilson, Department of Natural Resources, on FY '87, '88 and '89 lottery-funded recreation and land acquisition grant programs; and Ed Stanek, Director of the Iowa Lottery, on FY '88 and '89 lottery revenue projections.

**Adjourned:** 11:35 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** February 11, 1988, 9:56 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair and Rensink.

**Members Absent:** Nystrom, Ranking Member and Murphy (both excused).

**Committee Business:** Discussed Iowa's speciality schools, the new laser center and molecular biology building, and the ISU veterinary medicine program.

**Adjourned:** 11:33 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN  
RIGHTS**

**Convened:** February 11, 1988, 9:55 a.m.

**Members Present:** Sturgeon, Chair; Readinger, Ranking Member and Gentleman.

**Members Absent:** A. Miller, Vice Chair and C. Miller.

**Committee Business:** Discussed block grant; legislative oversight - CON, and Department of Public Health.

**Adjourned:** 11:20 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** February 11, 1988, 9:50 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; and Fuhrman.

**Members Absent:** Deluhery.

**Committee Business:** Testimony on the mental health bill of rights was presented.

**Adjourned:** 11:47 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** February 12, 1988, 10:45 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member, Fuhrman and Deluhery (arrived 10:50 a.m.).

**Members Absent:** none.

**Committee Business:** Nancy Norman, Commissioner of the Department of Human Services was present for continuing work on legislative oversight and brief consideration of DHS budget.

**Adjourned:** 11:30 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** February 12, 1988, 10:35 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Mann and Vande Hoef.

**Members Absent:** Lind, Ranking Member.

**Committee Business:** Presentations by Mike Brockman, Fort Madison, and others supporting the proposed expansion of a correctional facility at Fort Madison; Richard Cannella, president of the Fort Madison Economic Development Corporation, spoke to the committee; Ron Welder, Fort Madison Penitentiary, gave a financial presentation.

**Adjourned:** 11:30 a.m.

**LOCAL GOVERNMENT**

**Convened:** February 12, 1988, 8:22 a.m.



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

**Members Absent:** Kinley.

**Committee Business:** Assigned bills to subcommittees and recommended passage of Senate File 2072 as amended.

**Adjourned:** 9:55 a.m.

## NATURAL RESOURCES

**Convened:** February 11, 1988, 8:00 a.m.

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

**Members Absent:** Schwengels, Ranking Member (excused).

**Committee Business:** Assigned bills to subcommittees and recommended passage of Senate File 393.

**Adjourned:** 8:15 a.m.

## RULES AND ADMINISTRATION

**Convened:** February 12, 1988, 11:00 a.m.

**Members Present:** Hutchins, Chair; Hultman, Ranking Member; Kinley and Jensen.

**Members Absent:** Gronstal, Vice Chair and Gettings.

**Committee Business:** Recommended passage of Senate Resolution 101 and approved a committee resolution relating to gubernatorial appointments requiring senate confirmation.

**Adjourned:** 11:05 a.m.

## COMMITTEE REPORTS

### HUMAN RESOURCES

**Final Bill Action:** SENATE FILE 2157 (SSB 2042), a bill for an act relating to a comprehensive acquired immune deficiency syndrome (AIDS) prevention and intervention plan.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 8: Hannon, Carr, Bruner, Coleman, Corning, C. Miller, Readinger and Sturgeon. Nays, none. Absent or not voting, 4: Lind, Gentleman, Murphy and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2159 (SSB 2130), a bill for an act relating to provision of hospice care within health care facilities by Medicare certified hospice programs.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 9: Hannon, Carr, Bruner, Coleman, Corning, Lind, C. Miller, Readinger and Sturgeon. Nays, none. Absent or not voting, 3: Gentleman, Murphy and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**AMENDMENTS FILED**

S—5067	S. F.	2141	Jean Lloyd-Jones
S—5068	S. F.	2108	John Jensen
S—5069	H. F.	278	Richard Vande Hoef
S—5070	S. F.	2074	House amendment
S—5071	S. F.	2140	C. Joseph Coleman
S—5072	S. F.	2133	Linn Fuhrman
			Jack Hester
			Alvin V. Miller
S—5073	H. F.	433	Eugene Fraise
S—5074	H. F.	278	Eugene Fraise

## AFTERNOON SESSION

The Senate reconvened at 1:34 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 12, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2061**, a bill for an act to require members of examining boards and board of review to be residents of the assessor jurisdiction.

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

**House File 2127**, a bill for an act relating to the acceptance of checks and share drafts by prohibiting certain forms of identification as a condition of acceptance of a check or share draft, and providing penalties.

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

**House File 2166**, a bill for an act relating to a disclaimer of interest by a beneficiary also acting as a fiduciary.

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

**House File 2192**, a bill for an act exempting certain vessels from registration.

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

**House File 2193**, a bill for an act to increase the time period for which in-transit stickers are valid.

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

## INTRODUCTION OF BILLS

**Senate File 2158**, by Holden, a bill for an act relating to the qualifications for the superintendent of the division of banking of the department of commerce.

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

**Senate File 2159**, by committee on Human Resources, a bill for an act relating to the provision of hospice care within health care facilities by Medicare certified hospice programs.

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:

June 30, 1987

Betty Grandquist, Des Moines, Polk County, Iowa, for appointment as Director of the Department of Elder Affairs pursuant to Section 249D.22, 1987 Code of Iowa, for a four-year term beginning June 12, 1987, and ending April 30, 1991.

Toni A. Lazar, Des Moines, Polk County, Iowa, for appointment to the Iowa Economic Development Board pursuant to Section 15.103, 1987 Code of Iowa, for a four-year term beginning July 1, 1987, and ending April 30, 1991.

July 15, 1987

Dale Lewis Renaud, Bondurant, Polk County, Iowa, for appointment as Administrator of the Veterans Affairs Division pursuant to Section 35A.8, 1987 Code of Iowa, beginning July 14, 1987, and serving at the pleasure of the Governor.

August 10, 1987

R. Creig Slayton, Des Moines, Polk County, Iowa, for appointment as Administrator of the Division for the Blind pursuant to Section 601K.2, 1987 Code of Iowa, to serve at the pleasure of the Governor, to be resubmitted on March 15, 1991, for reconfirmation.

August 14, 1987

L. Ted Sloane, Bettendorf, Scott County, Iowa, for appointment to the Council on Human Services pursuant to Section 217.2, 1987 Code of Iowa, for the period beginning August 14, 1987, and ending April 30, 1991.

August 20, 1987

David E. Linquist, Des Moines, Polk County, Iowa, for appointment as Industrial Commissioner pursuant to Section 86.1, 1987 Code of Iowa, to complete the remainder of a term ending April 30, 1991.

August 28, 1987

To the Iowa Economic Development Board pursuant to Section 15.103, 1987 Code of Iowa:

Julie J. Bulkeley, Red Oak, Montgomery County, Iowa, for the period beginning immediately and ending June 30, 1989.

Mary Garst, Coon Rapids, Carroll County, Iowa, for the period beginning immediately and ending June 30, 1988.

September 30, 1987

Jo Ann Merfeld, Charles City, Floyd County, Iowa, for appointment to the Agricultural Development Authority pursuant to Section 175.3, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1992.

Sally S. Naylor of Dubuque, Dubuque County, Iowa, for appointment to the Iowa Product Development Corporation pursuant to Section 28.83, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1991.

October 12, 1987

Myron L. Gookin, Fairfield, Jefferson County, Iowa, for appointment to the Mental Health and Mental Retardation Commission pursuant to Section 225C.5, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1988.

Michael S. Pomper, Adel, Dallas County, Iowa, for appointment to the Speech Pathology and Audiology Examining Board pursuant to Section 147.14(9), 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1988.

Joe S. Tursi, Des Moines, Polk County, Iowa, for appointment to the State Health Facilities Council pursuant to Section 135.62, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1993.

October 22, 1987

Lorraine Tate, Des Moines, Polk County, Iowa, for appointment to the Alcoholic Beverages Commission pursuant to Section 123.5, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1989.

November 5, 1987

Marguerite E. Stockstad, Dunlap, Harrison County, Iowa, for appointment to the Commission of Elder Affairs pursuant to Section 249D.11, 1987 Code of Iowa, for a term beginning immediately and ending June 30, 1988.

November 19, 1987

Barbara D. Elkin, Iowa Falls, Hardin County, Iowa, for appointment to the Job Service Advisory Council pursuant to Section 96.11(5), 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1993.

Jerry F. Duggan, Council Bluffs, Pottawattamie County, Iowa, for appointment to the Real Estate Examining Board pursuant to Section 117.8, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1989.

December 10, 1987

Mary L. Heistand-Bro, Woodbine, Harrison County, Iowa, for appointment to the Iowa Product Development Corporation pursuant to Section 28.83, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1989.

Marda M. Howard, New Virginia, Warren County, Iowa, for appointment to the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1988.

Very truly yours,  
TERRY E. BRANSTAD  
Governor

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

### 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.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2126.

### Senate File 2126

On motion of Senator Scott, Senate File 2126, a bill for an act restricting the time period for the initiating of administrative or judicial actions to remove or eliminate certain structures, dams, obstructions, deposits, excavations, or stream straightenings to a floodway, 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. 2126) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

### Senate File 2129

On motion of Senator Taylor, Senate File 2129, a bill for an act relating to the issuance of warrants for 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. 2129) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
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:

Gettings	Hester	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.

### UNFINISHED BUSINESS (Deferred February 4, 1988)

### Senate File 2108

The Senate resumed consideration of Senate File 2108, a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company location in Iowa owning or



controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable, deferred February 4, 1988.

Senator Peterson offered amendment S—5046 filed by him on February 4, 1988, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5046 be adopted?" (S.F. 2108) the vote was:

Ayes, 19:

Dieleman	Doyle	Fraise	Fuhrman
Hannon	Husak	Hutchins	Jensen
Miller, A.V.	Miller, C.P.	Peterson	Priebe
Rensink	Rife	Scott	Soorholtz
Tieden	Wells	Welsh	

Nays, 25:

Bruner	Carr	Coleman	Corning
Deluhery	Drake	Gentleman	Goodwin
Gronstal	Hall	Holden	Holt
Horn	Hultman	Kinley	Lind
Mann	Murphy	Nystrom	Palmer
Readinger	Riordan	Taylor	Vande Hoef
Varn			

Absent or not voting, 6:

Boswell	Gettings	Hester	Lloyd-Jones
Schwengels	Sturgeon		

Amendment S—5046 lost.

Senator Palmer offered amendment S—5065 filed by him on February 12, 1988, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5065 was adopted by a voice vote.

Senator Priebe withdrew amendment S—5050 filed by him on February 5, 1988, to page 4 of the bill.

Senator Peterson offered amendment S—5044 filed by him on February 4, 1988, to page 7 of the bill and moved its adoption.

Amendment S—5044 lost by a voice vote.

Senator Jensen withdrew amendment S—5068 filed by him from the floor to page 7 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. 2108) the vote was:

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

Ayes, 23:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Holden
Holt	Horn	Hultman	Kinley
Lind	Lloyd-Jones	Mann	Nystrom
Readinger	Sturgeon	Wells	

Nays, 25:

Boswell	Doyle	Drake	Fraise
Hannon	Hester	Husak	Hutchins
Jensen	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Absent or not voting, 2:

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 106**, by Corning, a concurrent resolution relating to the board of regents' ten-year building program.

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

## INTRODUCTION OF BILLS

**Senate Joint Resolution 2002**, by Priebe, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the Lieutenant Governor and the Secretary of State.

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

**Senate File 2160**, by Miller of Des Moines, a bill for an act relating to the practice of chiropractic and providing for rules to implement the right of an applicant to choose whether to utilize certain procedures related to differential diagnosis.

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

## APPENDIX

### MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 433 passed the Senate on February 15, 1988.

EMIL J. HUSAK

### PETITION

The following petition was presented and placed on file by:

Senator Holt from one thousand thirty-one residents of Des Moines, Louisa, Johnson, Linn, Story, Washington and Polk Counties opposing an open fireworks law.

### 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 15th day of February, 1988:

Senate File 387.

JOHN F. DWYER  
Secretary of the Senate

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 15, 1988, when the final vote was taken on Senate File 2124.

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

DAVID M. READINGER

## STUDY BILLS RECEIVED

### **SSB 2180 Small Business & Economic Development**

Relating to claims against public corporations for nonpayment of moneys due on public improvements.

### **SSB 2181 Small Business & Economic Development**

Relating to economic development plans and the providing of financial and technical assistance by the department of economic development and the state transportation commission.

### **SSB 2182 Agriculture**

Relating to warehouses for agricultural products by providing for the denial of certain applications for licensing by the department of agriculture and land stewardship.

### **SSB 2183 Agriculture**

Relating to the licensing of grain producers as bonded grain sellers by the department of agriculture and land stewardship.

### **SSB 2184 Agriculture**

Relating to acknowledgment of delivery of copies of certain debt documents.

### **SSB 2185 Business & Labor Relations**

To establish the employee and community assistance bureau within the division of job service and an advisory council, requiring prior notice to affected employees and communities of business closings, relocations, and reductions of operations, requiring businesses to make severance payments to employees who lose their jobs and to make payments to cities and counties affected by a closing, relocation, or reduction of operations, and providing for the coordination of retraining services to individuals displaced because of the closing, relocation, or reduction of business operations.

**SSB 2186 State Government**

To remove the bond required for class "A", "B", "C", and "D" liquor control licenses and retail wine and beer permits.

**MOTION TO RECONSIDER**

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2108 failed to pass the Senate on February 15, 1988.

WILLIAM D. PALMER

**BILLS ASSIGNED TO COMMITTEE**

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

S. J. R.	2002	State Government
S. C. R.	106	Appropriations
S. F.	2155	Commerce
S. F.	2158	Commerce
S. F.	2160	State Government
H. F.	2061	Local Government
H. F.	2127	Commerce
H. F.	2166	Judiciary
H. F.	2192	Natural Resources

**AMENDMENTS FILED**

S—5075	H.F.	468	Bob Carr
S—5076	H.F.	468	John W. Jensen
S—5077	H.F.	278	Richard Vande Hoef
S—5078	S.F.	2093	Jean Lloyd-Jones
S—5079	H.F.	278	Julia Gentleman
S—5080	H.F.	278	Julia Gentleman
S—5081	H.F.	278	Julia Gentleman
			David M. Readinger

**ADJOURNMENT**

On motion of Senator Hutchins, the Senate adjourned at 3:52 p.m., until 9:00 a.m., Tuesday, February 16, 1988.

# JOURNAL OF THE SENATE

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THIRTY-SEVENTH CALENDAR DAY  
TWENTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 16, 1988

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

Prayer was offered by the Reverend Gary Clark, pastor of the Olivet Baptist Church, Windsor Heights, Iowa.

The Journal of Monday, February 15, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Priebe for the day on request of Senator Hutchins and Senator Lind for the day on request of Senator Holt.

## INTRODUCTION OF BILL

**Senate File 2161**, by Gronstal, a bill for an act relating to fees for commercial fishing licenses and designated operators licenses.

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 36 present, 14 absent and a quorum present.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Resolution 102.

**Senate Resolution 102**

On motion of Senator Hultman, Senate Resolution 102, a resolution relating to gubernatorial appointments requiring senate confirmation, was taken up for consideration.

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

**RECESS**

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



## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

**Convened:** February 12, 1988, 10:37 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; Readinger, Ranking Member; Gentleman and C. Miller.

**Members Absent:** none.

**Committee Business:** Passed mission statements, goals and objectives for Case Management/Coordinator of Services for Elders, and Certificate of Need (CON).

**Adjourned:** 11:27 a.m.

#### EDUCATION

**Convened:** February 15, 1988, 4:03 p.m.

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

**Members Absent:** Holden (excused).

**Committee Business:** Assigned bills to subcommittees and recommended passage of Senate File 2119.

**Adjourned:** 4:30 p.m.

#### HUMAN RESOURCES

**Convened:** February 15, 1988, 9:45 a.m.

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

**Members Absent:** Gentleman, Ranking Member; Murphy and Taylor (both excused).

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2042 and 2130 as committee bills.

**Adjourned:** 9:52 a.m.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** February 16, 1988, 8:10 a.m.

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

**Members Absent:** Deluhery, Fuhrman (excused) and Hannon.

**Committee Business:** Assigned bills to subcommittee and approved SSB 2173 as a committee bill.

**Adjourned:** 8:30 a.m.

## **BILL SIGNED BY THE GOVERNOR**

A communication was received announcing that on February 15, 1988, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 2037 — Relating to certain scholarship and grant programs administered by the College Aid Commission, including the requirements for receipt of a state scholarship and the repeal of the supplemental grant program, and providing appropriations and an effective date for the repeal.

## **COMMUNICATION**

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

### **DEPARTMENT OF PUBLIC HEALTH**

The Annual Report, pursuant to Chapter 135.11(18), Code of Iowa.

## **STUDY BILLS RECEIVED**

### **SSB 2187 Education**

Relating to exemptions from the staff development programming requirement for renewal of administrative certification or endorsement and creating a panel.

**SSB 2188 Education**

Requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education.

**SSB 2189 State Government**

Relating to the composition of the engineering and land surveying examining board and providing an effective date.

**SSB 2190 Local Government**

Relating to the sale of part of a gravel pit owned by a county.

**SSB 2191 Judiciary**

Relating to the detention of juveniles.

**SSB 2192 Judiciary**

Relating to the disposal of abandoned personal property, including abandoned mobile homes.

**SSB 2193 Judiciary**

Requiring notification of persons reported as alleged child abusers.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 402**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: A. Miller, Chair; Rife and Scott

**Senate File 2153**

APPROPRIATIONS: Welsh, Chair; Tieden and Husak

**House File 529  
(Corrected)**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Peterson, Chair; Deluhery and Rife

**House File 2129**

TRANSPORTATION: Coleman, Chair; Priebe and Drake

**House File 2166**

JUDICIARY: Varn, Chair; Deluhery and Taylor

**House File 2192**

NATURAL RESOURCES: Hannon, Chair; A. Miller and Tieden

**SSB 2167**

TRANSPORTATION: Jensen, Chair; Scott and Priebe

**SSB 2173**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Scott and Fuhrman

**SSB 2176**

EDUCATION: Dieleman, Chair; Wells and Taylor

**SSB 2178**

EDUCATION: Varn, Chair; Murphy, Bruner, Corning and Lind

**SSB 2179**

EDUCATION: Dieleman, Chair; Wells and Corning

**SSB 2180**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: A. Miller, Chair; Scott and Vande Hoef

**SSB 2185**

BUSINESS AND LABOR RELATIONS: Mann, Chair; Horn and Hultman

**SSB 2186**

STATE GOVERNMENT: Welsh, Chair; Rife and Horn

**SSB 2187**

EDUCATION: Murphy, Chair; Horn and Taylor

**SSB 2188**

EDUCATION: Varn, Chair; Murphy, Bruner, Rensink and Corning

**SSB 2189**

STATE GOVERNMENT: Welsh, Chair; Bruner and Drake

**SSB 2191**

JUDICIARY: Gentleman, Chair; Mann and Varn

**SSB 2192**

JUDICIARY: Coleman, Chair; Varn and Drake

**SSB 2193**

JUDICIARY: Horn, Chair; Mann and Gentleman

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2156	State Government
S.F.	2161	Natural Resources
S.F.	2162	Transportation
S.F.	2163	Transportation
H.F.	2016	Natural Resources
H.F.	2175	Natural Resources

## AFTERNOON SESSION

The Senate reconvened at 4:50 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 35 present, 15 absent and a quorum present.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Hultman for the remainder of the day on request of Senator Jensen; Senator Holden for the remainder of the day on request of Senator Nystrom and Senator Miller of Des Moines 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 2133.

### Senate File 2133

On motion of Senator Miller of Cerro Gordo, Senate File 2133, a bill for an act relating to the registration date for agricultural drainage wells and providing an effective date, was taken up for consideration.

Senator Fuhrman offered amendment S—5072 filed by Senators Fuhrman, Hester and Miller of Cerro Gordo on February 15, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5072 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2133) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Jensen	Kinley	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, 6:

Dieleman	Holden	Hultman	Lind
Miller, C.P.	Schwengels		

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

### Senate File 2134

On motion of Senator Riordan, Senate File 2134, a bill for an act relating to the expenditure of certain moneys by the soybean and corn promotion boards, 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. 2134) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holt	Horn	Husak
Hutchins	Jensen	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rife	Riordan

Scott  
Vande Hoef

Sturgeon  
Wells

Taylor  
Welsh

Tieden

Nays, 5:

Hester  
Soorholtz

Kinley

Peterson

Rensink

Absent or not voting, 6:

Holden  
Schwengels

Hultman  
Varn

Lind

Miller, C.P.

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

### Senate File 2135

On motion of Senator Husak, Senate File 2135, a bill for an act relating to limiting the assets of the grain depositors and sellers indemnity fund, and providing for an early effective date, 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. 2135) 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

Husak

Hutchins

Jensen

Kinley

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, 5:

Holden  
Schwengels

Hultman

Lind

Miller, C.P.



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

### Senate File 2137

On motion of Senator Vande Hoef, Senate File 2137, a bill for an act relating to financial responsibility requirements for the licensing of commercial applicators of pesticides, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2137) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lloyd-Jones	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Yarn	Wells
Welsh			

Nays, 4:

Doyle	Gentleman	Mann	Murphy
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Absent or not voting, 5:

Holden	Hultman	Lind	Miller, C.P.
Schwengels			

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2095.

## Senate File 2095

On motion of Senator Hannon, Senate File 2095, a bill for an act relating to drugs, devices, and cosmetics, was taken up for consideration.

Senator Hannon offered amendment S—5052 filed by her on February 5, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5052 was adopted by a voice vote.

Senator Hannon asked and received unanimous consent that **House File 2128** be substituted for **Senate File 2095** as amended.

## House File 2128

On motion of Senator Hannon, House File 2128, a bill for an act relating to drugs, devices, and cosmetics, 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. 2128) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rife	Riordan	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, 7:

Gentleman	Holt	Jensen	Priebe
Rensink	Scott	Vande Hoef	

Absent or not voting, 5:

Holden	Hultman	Lind	Miller, C.P.
Schwengels			

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

### 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, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2016**, a bill for an act relating to county conservation boards by providing for the creation of a county conservation board in certain counties and by specifying the law enforcement authority of the director and other designated employees of a county conservation board, and by providing effective dates.

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

**House File 2102**, a bill for an act to prohibit the taking of a white deer and protected game, and providing penalties.

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

**House File 2175**, a bill for an act authorizing the natural resource commission to establish a schedule of fees for permit and conditional permit applications and for costs of administering permits and conditional permits.

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

### INTRODUCTION OF BILLS

**Senate File 2162**, by Wells, a bill for an act allowing the issuance of collegiate registration plates for certain vehicles and providing an effective date.

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

**Senate File 2163**, by Sturgeon, a bill for an act relating to economic development by authorizing the imposition of a local vehicle fuel tax by a city or county to be used for economic development purposes and to repeal the RISE program and

distribute remaining uncommitted moneys in the RISE fund to the road use tax fund.

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

**Senate File 2164**, by committee on Small Business and Economic Development, a bill for an act relating to the composition of the Iowa economic development board.

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

## 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 February 16, 1988:

#### AGRICULTURE

Jo Ann Merfeld — Agricultural Development Authority.

#### BUSINESS AND LABOR RELATIONS

David E. Linqvist — Industrial Commissioner.

Barbara D. Elkin — Job Service Advisory Council.

#### HUMAN RESOURCES

R. Creig Slayton — Administrator of the Division for the Blind.

Marguerite E. Stockstad — Commission of Elder Affairs.

L. Ted Sloane — Council on Human Services.

Betty Grandquist — Director of the Department of Elder Affairs.

Myron L. Gookin — Mental Health and Mental Retardation Commission.

Joe S. Tursi — State Health Facilities Council.

#### SMALL BUSINESS AND ECONOMIC DEVELOPMENT

Julie J. Bulkeley, Mary Garst and Toni A. Lazar — Iowa Economic Development Board.

Mary L. Heistand-Bro and Sally S. Naylor — Iowa Product Development Corporation.

#### STATE GOVERNMENT

Dale Lewis Renaud — Administrator of the Veterans Affairs Division.

Lorraine Tate — Alcoholic Beverages Commission.

Jerry F. Duggan — Real Estate Examining Board.

Michael S. Pomper — Speech Pathology and Audiology Examining Board.

### **TRANSPORTATION**

Marda M. Howard — Iowa Law Enforcement Academy Council.

BILL HUTCHINS, Chair

## **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 February 16, 1988:

### **BUSINESS AND LABOR RELATIONS**

As Industrial Commissioner:

DAVID E. LINQUIST: Mann, Chair; Palmer and Hultman

As a member of the Job Service Advisory Council:

BARBARA D. ELKIN: Horn, Chair; Wells and Holden

### **STATE GOVERNMENT**

As a member of the Alcoholic Beverages Commission:

LORRAINE TATE: Rife, Chair; Soorholtz and Horn

As Administrator of the Veterans Affairs Division:

DALE LEWIS RENAUD: Nystrom, Chair; Schwengels and Dieleman

As a member of the Real Estate Examining Board:

JERRY F. DUGGAN: Lloyd-Jones, Chair; C. Miller and Soorholtz

As a member of the Speech Pathology and Audiology Examining Board:

MICHAEL S. POMPER: Gentleman, Chair; Coleman and C. Miller

### **TRANSPORTATION**

As a member of the Iowa Law Enforcement Academy Council:

MARDA M. HOWARD: Lloyd-Jones, Chair; Goodwin and Scott.

## CERTIFICATE OF RECOGNITION

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

The Brotherhood of Maintenance of Way Employees — For significant accomplishments during the past century in building America's railroad tracks, bridges, and structures; for their contributions to the progress of this great nation; and for extending congratulations on the 100th Anniversary of their organization. Senators Lloyd-Jones, Doyle, Drake, Coleman, Goodwin, Hannon, Jensen, Nystrom, Priebe and Scott (February 16, 1988).

## MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5073 to House File 433 failed to be adopted by the Senate on February 15, 1988.

BERL E. PRIEBE

## COMMITTEE REPORTS

### EDUCATION

**Final Bill Action:** SENATE FILE 2119, a bill for an act relating to the role of the department of education in requiring specific steps by school districts, area education agencies, and merged area schools to accomplish the goals of equal opportunity and affirmative action in personnel policies.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Bruner, Hannon, Lind, Lloyd-Jones, Murphy, Riordan, Varn and Wells. Nays, 4: Corning, Dieleman, Rensink and Taylor. Absent or not voting, 3: Holden, Horn and Tieden.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Final Bill Action:** SENATE FILE 2164 (SSB 2173), a bill for an act relating to the composition of the Iowa economic development board.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Boswell, Peterson, A. Miller, Riordan, Scott, Rife, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 3: Hannon, Fuhrman and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5082	H.F.	278	Eugene Fraise
S—5083	H.F.	468	Jack Rife
S—5084	H.F.	468	William W. Dieleman
S—5085	H.F.	468	William W. Dieleman
S—5086	H.F.	468	William W. Dieleman
S—5087	H.F.	278	William D. Palmer

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:29 p.m., until 9:00 a.m., Wednesday, February 17, 1988.



# JOURNAL OF THE SENATE

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THIRTY-EIGHTH CALENDAR DAY  
TWENTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, February 17, 1988

The Senate met in regular session at 9:12 a.m., President Zimmerman presiding.

Prayer was offered by Bishop William Bullock of the Catholic Diocese of Des Moines, Des Moines, Iowa.

The Journal of Tuesday, February 16, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Holt and Lind for the day on request of Senator Hultman.

## INTRODUCTION OF BILLS

**Senate Joint Resolution 2003**, by Taylor, a joint resolution to nullify an administrative rule of the state board of education relating to foreign language requirements for the high school program and to provide an effective date.

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

**Senate Joint Resolution 2004**, by Taylor, a joint resolution to nullify subrules of an administrative rule of the state board of education relating to school personnel of school districts, and to provide an effective date.

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

**Senate File 2165**, by Gronstal, a bill for an act relating to the adoption of flexible tariffs for gas utilities and providing an effective date.

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

**Senate File 2166**, by Murphy, a bill for an act relating to handicapped fishing facilities at the Volga lake recreational area in Fayette county.

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

**Senate File 2167**, by Tieden, a bill for an act relating to definition and regulation of tip-up fishing devices, and providing a penalty.

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

**Senate File 2168**, by committee on State Government, a bill for an act relating to the authority of the treasurer of state to invest in United States government obligations.

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

## INTRODUCTION OF RESOLUTIONS

**Senate Concurrent Resolution 107**, by Welsh, a concurrent resolution directing the department of general services to allow the use of certain parking spaces without charge.

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

**Senate Concurrent Resolution 108**, by Hannon, Carr, Boswell, Lloyd-Jones, Gentleman, Welsh, Corning, Coleman, Deluhery, Hutchins, Doyle, Wells, Riordan, Miller of Cerro Gordo, Priebe, Horn, Mann, Murphy, Sturgeon, Lind, Readinger, Scott, Hall, Vande Hoef, Varn, Gronstal, Rensink, Holden, Miller of Des Moines, Palmer, Tieden, Jensen, Taylor, Dieleman, Husak, Holt, Drake, Goodwin, Fraise, Peterson, Rife, Hester, Bruner, Hultman, Nystrom, Soorholtz and Kinley, a concurrent resolution relating to the Iowa Hawkeyes Women's Basketball Team.

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

## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:20 a.m., until 1:15 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 16, 1988, 7:40 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Welsh and Soorholtz.

**Members Absent:** Jensen, Ranking Member.

**Committee Business:** Reviewed budget for the Department of Revenue and Finance.

**Adjourned:** 8:20 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

**Convened:** February 16, 1988, 10:40 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; C. Miller and Gentleman.

**Members Absent:** Readinger, Ranking Member.

**Committee Business:** Legislative oversight; approved Department of Human Rights mission statement, goals and objective.

**Adjourned:** 10:50 a.m.

#### BUSINESS AND LABOR RELATIONS

**Convened:** February 16, 1988, 1:35 p.m.

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

**Members Absent:** none.

**Committee Business:** Assigned Governor's appointees to subcommittees; assigned SSB 2185 to a subcommittee; amended and approved SSBs 2033 and 2148 as committee bills; recommended passage of Senate File 450 as amended; deferred action on SSB 2147.

**Adjourned:** 2:05 p.m.

**JUDICIARY**

**Convened:** February 16, 1988, 3:35 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:** Discussed SSB 2059; approved SSBs 98, 2060 and 2165 as committee bills; recommended passage of House File 624.

**Adjourned:** 4:50 p.m.

**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 February 16, 1988:

**HUMAN RESOURCES**

As Administrator of the Division for the Blind:

R. CREIG SLAYTON: Readinger, Chair; Murphy and C. Miller.

As a member of the Commission of Elder Affairs:

MARGUERITE E. STOCKSTAD: Corning, Chair; Bruner and Hannon.

As a member of the Council on Human Services:

L. TED SLOANE: Bruner, Chair; Coleman and Corning.

As Director of the Department of Elder Affairs:

BETTY GRANDQUIST: Hannon, Chair; Carr and Lind.

As a member of the Mental Health and Mental Retardation Commission:

MYRON L. GOOKIN: Carr, Chair; Coleman and Readinger.

As a member of the State Health Facilities Council:

JOE S. TURSI: Gentleman, Chair; Carr and Murphy.

## COMMITTEE REPORTS

## JUDICIARY

**Final Bill Action:** SENATE FILE 2171 (SSB 2060), a bill for an act making nonsubstantive, noncontroversial statutory corrections to comply with reorganization changes, improve clarity, remove conflicts and inconsistencies, correct references, and correct grammar and syntax.

**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.

## STATE GOVERNMENT

**Final Bill Action:** SENATE FILE 2089, a bill for an act establishing the eligibility of Iowans for inclusion of their names on the Iowa Vietnam veterans memorial.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Welsh, Drake, Gentleman, Gronstal, Horn, C. Miller, Lloyd-Jones, Rife and Soorholtz. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2168 (SSB 2146), a bill for an act relating to the authority of the treasurer of state to invest in U.S. Government bonds.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, C. Miller, Lloyd-Jones, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2169 (SSB 2079), a bill for an act relating to physician assistants, establishing a joint board of physician assistant examiners, providing for the registration and licensure of physician assistants, making

penalties applicable, providing properly related matters, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Soorholtz, Gronstal, Horn, Rife, Welsh, C. Miller and Lloyd-Jones. Nays, 1: Gentleman. Absent or not voting, 2: Schwengels and Drake.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2170 (SSB 2003A), a bill for an act relating to the membership of the commission on the status of women.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Coleman, Drake, Horn, Gentleman, Gronstal, Lloyd-Jones, C. Miller, Rife, Welsh, Soorholtz and Bruher. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## SUBCOMMITTEE ASSIGNMENTS

### Senate Joint Resolution 2002

STATE GOVERNMENT: Welsh, Chair; Dieleman and Rife

#### Senate File 2131

STATE GOVERNMENT: Gronstal, Chair; Drake and Dieleman

#### Senate File 2132

STATE GOVERNMENT: Carr, Chair; Dieleman and Nystrom

#### Senate File 2139

STATE GOVERNMENT: Lloyd-Jones, Chair; Bruner and Soorholtz

#### Senate File 2154

STATE GOVERNMENT: Carr, Chair; Welsh and Drake

#### Senate File 2160

STATE GOVERNMENT: Horn, Chair; Drake and C. Miller

**Senate File 2162**

**TRANSPORTATION:** Nystrom, Chair; Lloyd-Jones and Drake

**Senate File 2163**

**TRANSPORTATION:** Priebe, Chair; Coleman and Nystrom

### AFTERNOON SESSION

The Senate reconvened at 1:17 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 45 present, 5 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.

### QUORUM CALL

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

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

### CONSIDERATION OF BILL (Ways and Means Calendar)

#### House File 327

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

Senator Bruner asked and received unanimous consent that action on amendment S—5030 filed by the committee on Ways and Means on February 1, 1988, to pages 1, 3 and the title page of the bill be deferred for consideration of amendment S—5088.

Senator Bruner offered amendment S—5088 filed by him from the floor to pages 1, 2, 3 and the title page of the bill and moved its adoption.



Amendment S—5088 was adopted by a voice vote.

With the adoption of amendment S—5088, the Chair ruled the following amendments out of order:

S—5030 by the committee on Ways and Means, previously deferred.

S—5047 filed by Senator Bruner on February 4, 1988, to page 1 of the bill.

Senator Hutchins offered amendment S—5089 filed by Senators Hutchins, et al., from the floor to page 3 and the title page of the bill and moved its adoption.

Amendment S—5089 was adopted by a voice vote.

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

On the question “Shall the bill pass?” (H.F. 327) the vote was:

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

Ayes, 24:

Bruner	Corning	Deluhery	Dieleman
Fraise	Gronstal	Hannon	Hester
Hutchins	Jensen	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Rensink	Riordan	Scott
Sturgeon	Taylor	Varn	Wells

Nays, 23:

Boswell	Carr	Coleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Hall	Holden	Horn
Hultman	Husak	Kinley	Palmer
Priebe	Readinger	Rife	Soorholtz
Tieden	Vande Hoef	Welsh	

Absent or not voting, 3:

Holt	Lind	Schwengels
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The bill not having received a constitutional majority was declared to have **failed to pass** 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 February 3, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 102**, a bill for an act relating to the prohibition of polygraph examinations as a condition of employment, and providing a penalty.

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

ALSO: That the House has on February 15, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2153**, a bill for an act expanding the time in which the utilities board may grant or refuse an application for rehearing in a contested case.

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

**House File 2156**, a bill for an act relating to the registration of aircraft, and making penalties applicable.

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

## INTRODUCTION OF BILLS

**Senate File 2169**, by committee on State Government, a bill for an act relating to physician assistants, establishing a joint board of physician assistant examiners, providing for the registration and licensure of physician assistants, making penalties applicable, providing properly related matters, and providing an effective date.

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

**Senate File 2170**, by committee on State Government, a bill for an act relating to the membership of the commission on the status of women.

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

**Senate File 2171**, by committee on Judiciary, a bill for an act making nonsubstantive, noncontroversial statutory corrections to comply with reorganization changes, improve clarity, remove conflicts and inconsistencies, correct references, and correct grammar and syntax.

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

**Senate File 2172**, by committee on Judiciary, a bill for an act relating to an appeal regarding the purchase of Iowa state industry products.

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

**Senate File 2173**, by committee on Business and Labor Relations, a bill for an act relating to the jurisdiction of the employment appeal board.

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

**Senate File 2174**, by committee on Business and Labor Relations, a bill for an act making changes in the state's labor laws relating to occupational safety and health, safety inspection of amusement rides, and elevator safety, and providing injunctive relief under certain of those laws.

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

**Senate File 2175**, by committee on Judiciary, a bill for an act relating to the enforcement of child custody and visitation orders.

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

**Senate File 2176**, by committee on Agriculture, a bill for an act establishing pilot lamb and wool management education projects and providing an appropriation.

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

**Senate File 2177**, by Taylor, a bill for an act prohibiting the treasurer of state from purchasing a security issued by or depositing money in a financial institution participating in loans to the Soviet Union, prohibiting funds of the Iowa public employee's retirement system or institutions controlled by the state board of regents from being invested or deposited in financial institutions or companies which invest in or do business with or in the Soviet Union, providing for divestiture of the investments, and providing for civil penalties.

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

**Senate File 2178**, by Mann, Sturgeon, Palmer, Horn, Gronstal, Coleman, Scott, Readinger, Riordan, Doyle, Fraise, Hannon, Varn, Carr and Deluhery, a bill for an act relating to the right of privacy of an individual, or a group, association, or class of individuals, and the collection, storage, disclosure, verification, and matching of certain information, and providing penalties.

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

## APPENDIX

### SUBCOMMITTEE ASSIGNMENT FOR GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee:

#### AGRICULTURE

As a member of the Agricultural Development Authority:

JO ANN MERFELD: Scott, Chair; A. Miller and Fuhrman

#### COMMITTEE REPORTS

##### AGRICULTURE

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 7, a concurrent resolution to urge and request that the Congress immediately pass the "Save the Family Farm Act".

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Priebe, A. Miller, Boswell, Fraise, Hall, Riordan, Scott and Fuhrman. Nays, 4: Vande Hoef, Hester, Rensink and Soorholtz. Absent or not voting, 2: Husak and Peterson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2011, a bill for an act relating to meat and poultry regulation and inspection, providing penalties, and providing for injunctive relief.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Hester, Hall, Rensink, Riordan, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Husak and Peterson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2176, a bill for an act establishing pilot lamb and wool management education projects and providing an appropriation.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fuhrman, Fraise, Hall, Rensink, Riordan, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Husak and Peterson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**BUSINESS AND LABOR RELATIONS**

**Final Bill Action:** SENATE FILE 450, a bill for an act relating to the safety of transportation of railroad company workers and providing a penalty and effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5090.

**Final Vote:** Ayes, 7: Wells, Mann, Gettings, Palmer, Horn, Welsh and Vande Hoef. Nays, 3: Hultman, Fuhrman and Holden.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2173 (SSB 2033), a bill for an act relating to the jurisdiction of the employment appeal board.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Wells, Mann, Fuhrman, Gettings, Horn, Hultman, Holden, Palmer, Vande Hoef and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2174 (SSB 2148), a bill for an act making changes in the state's labor laws relating to occupational safety and health, safety inspection of amusement rides, and elevator safety, and providing injunctive relief under certain of those laws.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Wells, Mann, Fuhrman, Gettings, Horn, Holden, Hultman, Palmer, Vande Hoef and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**JUDICIARY**

**Final Bill Action:** SENATE FILE 2172 (SSB 2165), a bill for an act relating to an appeal regarding the purchase of Iowa state industry products.

**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 2175 (SSB 98), a bill for an act relating to the enforcement of child custody and visitation orders.

**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 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:** DO PASS.

**Final Vote:** Ayes, 8: Doyle, Mann, Carr, Coleman, Hester, Horn, Taylor and Varn. Nays, 6: Holt, Deluhery, Drake, Fraise, Fuhrman and Gentleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**STUDY BILLS RECEIVED****SSB 2077A Education**

To establish a child development coordinating council for the promotion of child development services to certain at-risk children and to prescribe its duties.

**SSB 2194 Environment & Energy Utilities**

Relating to the forecasting and reporting of motor fuel prices.

**SSB 2195 Environment & Energy Utilities**

Relating to the penalties for water pollution and hazardous waste disposal.

**SSB 2196 Transportation**

A concurrent resolution relating to the spending limitations placed on the highway program and the release of user fees for urgently needed highway improvements.

**SUBCOMMITTEE ASSIGNMENTS****Senate Concurrent Resolution 106**

APPROPRIATIONS: Husak, Chair; Corning and Sturgeon

**House File 2016**

NATURAL RESOURCES: Priebe, Chair; Doyle and Hester

**House File 2175**

NATURAL RESOURCES: Husak, Chair; Hannon and Rensink

**SSB 2194**

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; A. Miller and Hall

**SSB 2195**

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Deluhery and Rife

**SSB 2196**

TRANSPORATION: Gettings, Chair; Priebe and Jensen



## MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 327 failed to pass the Senate on February 17, 1988.

JOE J. WELSH

## BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	107	Rules and Administration
S. C. R.	108	Rules and Administration
S. J. R.	2003	Education
S. J. R.	2004	Education
S. F.	2165	Environment & Energy Utilities
S. F.	2166	Natural Resources
S. F.	2167	Natural Resources
H. F.	102	Business & Labor Relations
H. F.	2102	Natural Resources
H. F.	2153	Environment & Energy Utilities
H. F.	2156	Transportation

## COMMITTEE REPORTS

## ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2106, a bill for an act relating to the prohibition of the sale, offering for sale, purchase, application, or use of chlordane in this state, and making a penalty applicable.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## HUMAN RESOURCES

**Final Bill Actin:** SENATE FILE 456, a bill for an act relating to support or service dogs for disabled or handicapped persons.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, C. Miller, Murphy, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### TRANSPORTATION

**Final Bill Action:** SENATE FILE 2003, a bill for an act setting the speed limit on fully controlled-access, divided, multilaned highways at sixty-five miles per hour with certain exceptions and with penalties applicable.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Priebe. Nays, none. Absent or not voting, 1: Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5088	H.F.	327	Charles Bruner
S—5089	H.F.	327	Bill Hutchins
			Joe Welsh
			Bob Carr
			C. Joseph Coleman
S—5090	S.F.	450	Business & Labor Relations
S—5091	H.F.	278	Michael Gronstal

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 3:56 p.m., until 9:00 a.m., Thursday, February 18, 1988.

# JOURNAL OF THE SENATE

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THIRTY-NINTH CALENDAR DAY  
TWENTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 18, 1988

The Senate met in regular session at 9:12 a.m., President Zimmerman presiding.

Prayer was offered by Ken Harden, pastor of the Presbyterian Church, Farmington, Iowa.

The Journal of Wednesday, February 17, 1988, was approved.

## INTRODUCTION OF BILL

**Senate File 2179**, by Varn and Lloyd-Jones, a bill for an act relating to regulating food establishments and food service establishments, by exempting certain premises used to create prepared food for sale at farmers markets.

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

## QUORUM CALL

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

The vote revealed 45 present, 5 absent and a quorum present.

## BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2079** be referred from the Regular Calendar to the committee on **Natural Resources**.

## MOTION TO RECONSIDER ADOPTED

Senator Husak called up the motion to reconsider House File 433

filed by him on February 15, 1988, found on page 353 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 433) the vote was:

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

Ayes, 27:

Boswell	Carr	Deluhery	Dieleman
Fraise	Gettings	Gronstal	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Riordan	Scott	Sturgeon
Taylor	Varn	Wells	

Nays, 19:

Bruner	Coleman	Corning	Doyle
Drake	Fuhrman	Gentleman	Goodwin
Hall	Hester	Jensen	Lind
Readinger	Rensink	Rife	Soorholtz
Tieden	Vande Hoef	Welsh	

Absent or not voting, 4:

Kinley	Lloyd-Jones	Palmer	Schwengels
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The motion prevailed.

Senator Husak moved to reconsider the vote by which House File 433 went to its last reading, which motion prevailed by a voice vote.

### House File 433

On motion of Senator Rife, 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), was taken up for reconsideration.

Senator Priebe called up the motion to reconsider the vote by which amendment S—5073 to House File 433 failed to be adopted on February 15, 1988, filed by him on February 16, 1988, found on page 372 of the Senate Journal, and moved its adoption.

A non record roll call was requested.

The ayes were 24, nays 23, voting present, 1.

The motion prevailed and amendment S—5073 by Senator Fraise to page 1 of the bill was taken up for reconsideration.

Senator Fraise moved the adoption of amendment S—5073.

A non record roll call was requested.

The ayes were 27, nays 19.

Amendment S—5073 was adopted.

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. 433) 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
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 2:

Mann                      Riordan

Absent or not voting, 1:

Schwengels

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

### MOTION TO RECONSIDER ADOPTED

Senator Welsh called up the motion to reconsider House File 327 filed by him on February 17, 1988, found on page 390 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 327) the vote was:

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

Ayes, 27:

Bruner	Corning	Deluhery	Dieleman
Fraise	Fuhrman	Gronstal	Hannon
Hester	Holt	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Rensink
Riordan	Scott	Sturgeon	Taylor
Varn	Wells	Welsh	

Nays, 22:

Boswell	Carr	Coleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Hall	Holden	Horn	Hultman
Husak	Kinley	Palmer	Peterson
Priebe	Readinger	Rife	Soorholtz
Tieden	Vande Hoef		

Absent or not voting, 1:

Schwengels

The motion prevailed.

Senator Welsh moved to reconsider the vote by which House File 327 went to its last reading, which motion prevailed by a voice vote.

## House File 327

On motion of Senator Bruner, 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, 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. 327) the vote was:

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

Ayes, 26:

Bruner	Corning	Deluhery	Dieleman
Fraise	Fuhrman	Gronstal	Hannon
Hester	Holt	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Rensink
Riordan	Scott	Sturgeon	Taylor
Varn	Wells		

Nays, 22:

Boswell	Carr	Coleman	Doyle
Drake	Gentleman	Gettings	Goodwin
Hall	Holden	Hultman	Husak
Kinley	Palmer	Peterson	Priebe
Readinger	Rife	Soorholtz	Tieden
Vande Hoef	Welsh		

Absent or not voting, 2:

Horn	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.

**IMMEDIATELY MESSAGED**

Senator Hutchins asked and received unanimous consent that **House Files 327 and 433** be immediately messaged to the House.

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 10:20 a.m., until 4:30 p.m.



## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 17, 1988, 9:43 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member and Soorholtz.

**Members Absent:** Welsh.

**Committee Business:** Reviewed Department of Management budget.

**Adjourned:** 11:00 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** February 17, 1988, 9:50 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Carr and Taylor.

**Members Absent:** Rife, Ranking Member (excused).

**Committee Business:** Preliminary budget decisions on general fund appropriations bill, lottery appropriations bill and federal block grant bill.

**Adjourned:** 12:07 p.m.

#### APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

**Convened:** February 17, 1988, 9:43 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Discussed Iowa College Aid Commission programs.

**Adjourned:** 12:03 p.m.

#### APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

**Convened:** February 17, 1988, 7:59 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** none.

**Committee Business:** Proposed Department of Human Services budget cuts.

**Adjourned:** 11:27 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** February 17, 1988, 10:50 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Mann and Vande Hoef.

**Members Absent:** Lind, Ranking Member (excused).

**Committee Business:** Continuation of budget decisions.

**Adjourned:** 11:10 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** February 17, 1988, 9:45 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Palmer and Schwengels (excused).

**Committee Business:** Budget decisions.

**Adjourned:** 11:05 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY**

**Convened:** February 17, 1988, 9:40 a.m.

**Members Present:** Gettings, Chair; Coleman, Vice Chair; Holden and Husak.

**Members Absent:** Holt, Ranking Member (excused).

**Committee Business:** Discussed partial appropriations bill.

**Adjourned:** 11:19 a.m.

## AGRICULTURE

**Convened:** February 17, 1988, 8:08 a.m.

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

**Members Absent:** Husak and Peterson (excused).

**Committee Business:** Recommended passage of Senate Concurrent Resolution 7 and Senate File 2011; approved LSB 8246 as a committee bill; presentation by Robert Furleigh, Office of Agriculture Stabilization and Conservation Service, regarding new regulations.

**Adjourned:** 9:11 a.m.

## ENVIRONMENT AND ENERGY UTILITIES

**Convened:** February 17, 1988, 4:05 p.m.

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

**Members Absent:** Schwengels (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 2106; recommended passage of Senate Files 2068 and 2118 as amended; amended and approved SSB 2084 as a committee bill.

**Adjourned:** 4:30 p.m.

## HUMAN RESOURCES

**Convened:** February 17, 1988, 4:40 p.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, C. Miller, Murphy, Readinger, Sturgeon and Taylor.

**Members Absent:** Lind (excused).

**Committee Business:** Assigned Governor's appointees to subcommittees; recommended passage of Senate File 302 as amended; recommended passage of Senate File 456; approved SSB 2039 as a committee bill; motion failed to redraft Senate File 2101 as amended as a committee bill.

**Adjourned:** 5:15 p.m.

## **STATE GOVERNMENT**

**Convened:** February 16, 1988, 2:35 p.m.

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

**Members Absent:** Schwengels.

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 2089; approved SSBs 2003A, 2079 and 2146 as committee bills; SSB 2080 failed committee approval; assigned Governor's appointees to subcommittees.

**Adjourned:** 3:20 p.m.

## **TRANSPORTATION**

**Convened:** February 17, 1988, 4:00 p.m.

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

**Members Absent:** Nystrom.

**Committee Business:** Assigned bills and Governor's appointee to subcommittees; recommended passage of Senate File 2003; approved SSB 2196 as a committee concurrent resolution; recommended passage of Senate File 2039 as amended; discussed SSB 2167 as amended - no final action taken; discussed amendment to Senate File 2093.

**Adjourned:** 4:35 p.m.

## **STUDY BILLS RECEIVED**

### **SSB 2115A State Government**

Relating to the licensing of marital and family therapists; establishing the board of marital and family therapy examiners; prohibiting the practice of marital and family therapy without a license; providing exemptions; redefining "mental health professional" for purposes of confidential communications; making penalties applicable; providing for a temporary waiver of

examination requirements; and providing other properly related matters.

### **SSB 2197 Education**

Relating to requirements for approved teacher education programs.

### **SSB 2198 Ways & Means**

Relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates.

### **SSB 2199 Agriculture**

Relating to horse and dog racing.

### **SSB 2200 Agriculture**

To grant the department of agriculture and land stewardship the authority to administer oaths and subpoenas and issue injunctions in the course of administering the law regarding bovine brucellosis.

### **SSB 2201 Local Government**

Relating to the survey of land including the practice of land surveying and the preparation, recording, and vacation of plats, and subjecting violators to civil penalties.

### **SSB 2202 Commerce**

Relating to the enforcement of laws concerning motor vehicle fraud and salvage, rebuilt, or junking designations on motor vehicle titles, and making penalties applicable.

### **SSB 2203 Judiciary**

Relating to the notice to be given to a judgment debtor when the debtor's property is levied upon.

## COMMITTEE REPORTS

### ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2068, a bill for an act to require a public hearing before the issuance of a permit to construct and operate a sanitary disposal project.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5092.

**Final Vote:** Ayes, 9: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

**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—5096.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, C. Miller, Murphy, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2180 (SSB 2039), a bill for an act relating to the eligibility policies established by the commission of elder affairs.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, C. Miller, Murphy, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**TRANSPORTATION**

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 109 (SSB 2196), a concurrent resolution relating to the spending limitations placed on the highway program and the release of user fees for urgently needed highway improvements.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Priebe. Nays, none. Absent or not voting, 1: Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2039, a bill for an act allowing personalized vehicle registration plates to contain up to seven characters.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5093.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Priebe. Nays, none. Absent or not voting, 1: Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**WAYS AND MEANS**

**Final Bill Action:** SENATE FILE 2058, a bill for an act exempting the withholding agent from the requirement to withhold state income taxes from payments made to a nonresident owner of agricultural land in the state, if the payments are from the sale of agricultural commodities and the withholding agent submits needed information.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5099.

**Final Vote:** Ayes, 13: Bruner, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt and Readinger. Nays, none. Absent or not voting, 2: Soorholtz and Husak.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**BILL SIGNED BY THE GOVERNOR**

A communication was received announcing that on February 18, 1988, the Governor approved and transmitted to the Secretary of State the following bill:

Senate File 387 — Directing certain political subdivisions of the state to consider joint purchases of equipment.

## **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 February 17, 1988:

### **SMALL BUSINESS & ECONOMIC DEVELOPMENT**

As members of the Iowa Economic Development Board:

JULIE J. BULKELEY: Rife, Chair; Fuhrman and Hannon

MARY GARST: Boswell, Chair; Riordan and Vande Hoef

TONI A. LAZAR: Peterson, Chair; Rife and Deluhery

As members of the Iowa Product Development Corporation:

MARY L. HEISTAND-BRO: Scott, Chair; Holt and A. Miller

SALLY S. NAYLOR: Riordan, Chair; Rensink and Scott

### **SUBCOMMITTEE ASSIGNMENTS**

#### **Senate File 2145**

AGRICULTURE: Boswell, Chair; A. Miller and Fuhrman

#### **Senate File 2155**

COMMERCE: Carr, Chair; Mann and Jensen

#### **Senate File 2158**

COMMERCE: Palmer, Chair; Holden and Gronstal

#### **Senate File 2161**

NATURAL RESOURCES: Husak, Chair; Hannon and Goodwin

#### **House File 2061**

LOCAL GOVERNMENT: Goodwin, Chair; Fraise and Wells



**House File 2127**

COMMERCE: Rife, Chair; Gronstal and Carr

**SSB 2161**

COMMERCE: Gronstal, Chair; Mann and Tieden

**SSB 2162**

COMMERCE: Sturgeon, Chair; Carr and Nystrom

**SSB 2163**

COMMERCE: Deluhery, Chair; Kinley and Nystrom

**SSB 2182**

AGRICULTURE: Husak, Chair; Fraise and Hester

**SSB 2183**

AGRICULTURE: Husak, Chair; Fraise and Hester

**SSB 2184**

AGRICULTURE: Priebe, Chair; Soorholtz and A. Miller

**SSB 2190**

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

**SSB 2198**

WAYS AND MEANS: Drake, Chair; Bruner and Gronstal

**SSB 2201**

LOCAL GOVERNMENT: Vande Hoef, Chair; A. Miller and Goodwin

**SSB 2203**

JUDICIARY: Varn, Chair; Drake and Mann

**LSB 8246**

AGRICULTURE: Boswell, Chair; Hall and Vande Hoef.

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2177	State Government
S.F.	2178	Judiciary
S.F.	2179	Agriculture
H.F.	2194	State Government

**AMENDMENTS FILED**

S—5092	S.F.	2068	Environment & Energy Utilities
S—5093	S.F.	2039	Transportation
S—5094	S.F.	2003	C. Joseph Coleman
S—5095	S.F.	450	Joe Welsh
S—5096	S.F.	302	Human Resources
S—5097	H.F.	468	Tom Mann, Jr.
S—5098	H.F.	468	Ray Taylor
S—5099	S.F.	2058	Ways and Means

## AFTERNOON SESSION

The Senate reconvened at 4:37 p.m., President Zimmerman presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Vande Hoef for the afternoon on request of Senator Jensen.

## QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

## MOTION TO RECONSIDER ADOPTED

Senator Palmer called up the motion to reconsider Senate File 2108 filed by him on February 15, 1988, found on page 355 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2108) 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
Corning	Deluhery	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
Kinley	Lind	Lloyd-Jones	Mann
Nystrom	Palmer	Readinger	Riordan
Sturgeon	Wells		

Nays, 21:

Dieleman	Doyle	Drake	Fuhrman
Hannon	Husak	Hutchins	Jensen
Miller, A.V.	Miller, C.P.	Murphy	Peterson

Priebe  
Soorholtz  
Welsh

Rensink  
Taylor

Rife  
Tieden

Scott  
Varn

Absent or not voting, 3:

Fraise

Schwengels

Vande Hoef

The motion prevailed.

Senator Palmer moved to reconsider the vote by which Senate File 2108 went to its last reading, which motion prevailed by a voice vote.

### Senate File 2108

On motion of Senator Palmer, Senate File 2108, a bill for an act relating to the acquisition of an interest in a bank located in Iowa or a bank holding company located in Iowa owning or controlling one or more banks in Iowa by an out-of-state regional bank holding company, and making penalties applicable, was taken up for reconsideration.

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. 2108) the vote was:

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

Ayes, 26:

Bruner  
Deluhery  
Goodwin  
Holt  
Lind  
Palmer  
Wells

Carr  
Dieleman  
Gronstal  
Horn  
Lloyd-Jones  
Readinger  
Welsh

Coleman  
Gentleman  
Hall  
Hultman  
Mann  
Riordan

Corning  
Gettings  
Holden  
Kinley  
Nystrom  
Sturgeon

Nays, 22:

Boswell  
Fuhrman  
Hutchins  
Murphy

Doyle  
Hannon  
Jensen  
Peterson

Drake  
Hester  
Miller, A.V.  
Priebe

Fraise  
Husak  
Miller, C.P.  
Rensink

Rife  
Tieden

Scott  
Varn

Soorholtz

Taylor

Absent or not voting, 2:

Schwengels

Vande Hoef

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

### CONSIDERATION OF BILL (Ways and Means Calendar)

#### House File 468

On motion of Senator Horn, House File 468, a bill for an act authorizing limited gambling on excursion gambling boats, by specifying additional powers and duties of the state racing and gaming commission, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing taxes on admissions, by requiring licenses and imposing fees, by allocating revenue received, by making corresponding amendments to the Code, and by providing penalties for violations, with report of committee on State Government recommending amendment and passage on February 5, 1988, and the committee on Ways and Means with amendment and without recommendation for passage on May 7, 1987, was taken up for consideration.

Senator Mann offered amendment S—4046 filed by the committee on Ways and Means on May 7, 1987, to pages 5 and 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 32, nays 11.

Amendment S—4046 was adopted.

Senator Horn offered amendment S—5053 filed by the committee on State Government on February 5, 1988, to pages 1, 2, 4 through 6, 8, 10 through 12 and 16 of the bill.

Senator Kinley offered amendment S—5103 filed by him from the floor to amendment S—5053 and called for a division:

Division S—5103A: Page 2, lines 2 through 6.

Division S—5103B: Page 1, lines 4 through 50; page 2, line 1 and lines 7 through 50; page 3; page 4, line 1.

Senator Kinley withdrew division S—5103A to amendment S—5053.

Senator Kinley moved the adoption of division S—5103B to amendment S—5053.

A record roll call was requested.

On the question “Shall division S—5103B to amendment S—5053 be adopted?” (H.F. 468) the vote was:

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

Ayes, 16:

Coleman	Fuhrman	Gentleman	Goodwin
Gronstal	Holden	Jensen	Kinley
Lind	Palmer	Peterson	Priebe
Readinger	Soorholtz	Taylor	Wells

Nays, 29:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Hall	Hannon
Hester	Holt	Horn	Husak
Hutchins	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Rensink	Riordan
Scott	Sturgeon	Tieden	Varn
Welsh			

Absent or not voting, 5:

Hultman	Nystrom	Rife	Schwengels
Vande Hoef			

Division S—5103B lost.

(House File 468 and amendment S—5053 pending on adjournment.)

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2108** be immediately messaged to the House.

### 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 15, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2194**, a bill for an act relating to the lottery by striking the date for appointing the original commissioner of the lottery, removing the requirement for serial numbering of pull-tab tickets, exempting pull-tab tickets from the stamping required by retailers, extending the time for submitting the annual report of the lottery, lowering the limit of the conflict of interest provisions to thirty-five dollars and incorporating the prohibitions of the gift law, authorizing the licensing of certain nonprofit organizations, modifying the hearing procedures for revocation and suspension of lottery licenses, permitting sales of tickets by members of certain nonprofit organizations, making penalties applicable, and providing an effective date.

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

### INTRODUCTION OF BILL

**Senate File 2180**, by committee on Human Resources, a bill for an act relating to the eligibility policies established by the commission of elder affairs.

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

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 109**, by committee on Transportation, a concurrent resolution relating to the spending limitations placed on the highway program and the release of user fees for urgently needed highway improvements.

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

## APPENDIX

### COMMITTEE REPORTS

#### LOCAL GOVERNMENT

**Final Bill Action:** SENATE FILE 2102, a bill for an act relating to payment for supplies of uniform citations.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Taylor and Wells. Nays, none. Absent or not voting, 2: C. Miller and Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2121, a bill for an act relating to the liability of a municipality for prejudgment interest.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Taylor and Wells. Nays, none. Absent or not voting, 2: C. Miller and Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 105, a bill for an act relating to the appointment of assessors.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Taylor and Wells. Nays, none. Absent or not voting, 2: C. Miller and Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2061, a bill for an act to require members of examining boards and board of review to be residents of the assessor jurisdiction.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Taylor and Wells. Nays, none. Absent or not voting, 2: C. Miller and Kinley.



**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:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5100.

**Final Vote:** Ayes, 10: Scott, Priebe, Doyle, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Schwengels and Goodwin.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S-4046 to House File 468 was adopted by the Senate on February 18, 1988.

WILLIAM W. DIELEMAN

## AMENDMENTS FILED

S—5100	H.F.	221	Natural Resources
S—5101	H.F.	468	Michael Gronstal
S—5102	H.F.	468	Joe J. Welsh
S—5103	H.F.	468	George R. Kinley
S—5104	H.F.	468	Lee W. Holt
S—5105	H.F.	468	Charles Bruner

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:03 p.m., until 9:00 a.m., Friday, February 19, 1988.

# JOURNAL OF THE SENATE

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## FORTIETH CALENDAR DAY TWENTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, February 19, 1988

The Senate met in regular session at 9:35 a.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, February 18, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Peterson for the day on request of Senator Hutchins and Senator Kinley for the day on request of Senator Horn.

## 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 18, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2094**, a bill for an act relating to instructional requirements for human growth and development in grades kindergarten through twelve and providing an effective date (S—5106).

## 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

(Pending February 18, 1988)

### House File 468

The Senate resumed consideration of House File 468, a bill for an act authorizing limited gambling on excursion gambling boats, by specifying additional powers and duties of the state racing and gaming commission, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing taxes on admissions, by requiring licenses and imposing fees, by allocating revenue received, by making corresponding amendments to the Code, and by providing penalties for violations, and amendment S—5053 by the committee on State Government to pages 1, 2, 4 through 6, 8, 10 through 12 and 16 of the bill pending on February 18, 1988.

Senator Dieleman offered amendment S—5084 filed by him on February 16, 1988, to amendment S—5053, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5084 to amendment S—5053 be adopted?” (H.F. 468) the vote was:

Ayes, 18:

Bruner	Coleman	Corning	Dieleman
Drake	Fuhrman	Goodwin	Gronstal
Hester	Holden	Jensen	Lind
Priebe	Rensink	Scott	Soorholtz
Taylor	Vande Hoef		

Nays, 25:

Boswell	Carr	Deluhery	Doyle
Fraise	Gettings	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Readinger	Rife
Riordan	Tieden	Varn	Wells
Welsh			

Absent or not voting, 7:

Gentleman	Holt	Kinley	Mann
Peterson	Schwengels	Sturgeon	

Amendment S—5084 lost.

Senator Gronstal offered amendment S—5101 filed by him on February 18, 1988, to amendment S—5053 and moved its adoption.

A non record roll call was requested.

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

The ayes were 22, nays 24.

Amendment S—5101 lost.

Senator Dieleman offered amendment S—5085 filed by him on February 16, 1988, to amendment S—5053 and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 21.

Amendment S—5085 lost.

Senator Jensen offered amendment S—5076 filed by him on February 15, 1988, to amendment S—5053, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5076 to amendment S—5053 be adopted?" (H.F 468) the vote was:

Ayes, 20:

Coleman	Corning	Dieleman	Fuhrman
Gentleman	Goodwin	Gronstal	Hester
Holden	Holt	Jensen	Lind
Miller, A.V.	Murphy	Nystrom	Rensink
Scott	Taylor	Vande Hoef	Varn

Nays, 24:

Boswell	Bruner	Carr	Deluhery
Doyle	Drake	Fraise	Gettings
Hall	Horn	Hultman	Husak
Hutchins	Lloyd-Jones	Miller, C.P.	Palmer
Readinger	Rife	Riordan	Soorholtz
Sturgeon	Tieden	Wells	Welsh

Absent or not voting, 6:

Hannon  
Priebe

Kinley  
Schwengels

Mann

Peterson

Amendment S—5076 lost.

Senator Horn moved the adoption of amendment S—5053, which motion prevailed by a voice vote.

With the adoption of amendment S—5053, the Chair ruled amendment S—4029 filed by Senator Dieleman on May 6, 1987, to pages 1, 2, 4 through 6 and 10 of the bill and amendment S—4084 filed by Senators Fraise, et al, on May 9, 1987 to amendment S—4029, out of order.

Senator Vande Hoef offered amendment S—4074 filed by Senators Vande Hoef, Jensen and Taylor on May 5, 1987, to pages 1, 2 and 18 of the bill, moved its adoption, and requested a non record roll call.

The ayes were 18, nays 24.

Amendment S—4074 lost.

The Chair ruled amendment S—4013 filed by Senator Dieleman on May 6, 1987, to page 1 of the bill, out of order because the same subject matter had previously been considered in amendment S—5084.

Senator Dieleman offered amendment S—4052 filed by him on May 7, 1987, to page 2 of the bill, moved its adoption and requested a non record roll call.

The ayes were 15, nays 27.

Amendment S—4052 lost.

Senator Dieleman offered amendment S—4053 filed by him on May 7, 1987, to page 2 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—4053 be adopted?" (H.F. 468) the vote was:

Ayes, 21:

Boswell	Bruner	Coleman	Corning
Dieleman	Fuhrman	Gentleman	Goodwin
Gronstal	Hester	Holden	Holt
Hultman	Jensen	Lind	Priebe
Rensink	Riordan	Scott	Taylor
Vande Hoef			

Nays, 23:

Carr	Deluhery	Doyle	Drake
Fraise	Hall	Hannon	Horn
Husak	Hutchins	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Palmer	Readinger
Rife	Soorholtz	Sturgeon	Tieden
Varn	Wells	Welsh	

Absent or not voting, 6:

Gettings	Kinley	Mann	Miller, C.P.
Peterson	Schwengels		

Amendment S—4053 lost.

Senator Jensen asked and received unanimous consent to withdraw amendment S—4073 filed by Senators Jensen, et al., on May 8, 1987, to page 2 of the bill.

Senator Gronstal withdrew amendment S—4070 filed by him on May 8, 1987, to pages 2 through 5, 8, 10 and 16 of the bill.

Senator Dieleman offered amendment S—4014 filed by him on May 6, 1987, to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 28.

Amendment S—4014 lost.

The Chair ruled amendment S—4024 filed by Senator Dieleman on May 6, 1987, to pages 3 and 9 of the bill, out of order because the same subject matter had previously been considered in amendment S—4014.

Senator Dieleman offered amendment S—4016 filed by him on May 6, 1987, to page 3 of the bill, moved its adoption and requested a non record roll call.

The ayes were 19, nays 22.

Amendment S—4016 lost.

Senator Dieleman offered amendment S—4015 filed by him on May 6, 1987, to page 3 of the bill and moved its adoption.

Amendment S—4015 lost by a voice vote.

Senator Dieleman offered amendment S—4023 filed by him on May 6, 1987, to pages 3 and 13 of the bill, moved its adoption and requested a non record roll call.

The ayes were 18, nays 22.

Amendment S—4023 lost.

Senator Carr offered amendment S—5075 filed by him on February 15, 1988, to pages 3, 4, 5, 8 and 15 of the bill and called for a division: lines 3 through 20 and 26 through 29 as division S—5075A; lines 21 through 25 as division S—5075B.

Senator Carr moved the adoption of division S—5075A, which motion prevailed by a voice vote.

Senator Carr withdrew division S—5075B.

Senator Hutchins asked and received unanimous consent that action on **House File 468** be **deferred**.

### CONSIDERATION OF BILL (Appropriations Calendar)

#### **Senate File 2050**

On motion of Senator Priebe, Senate File 2050, a bill for an act appropriating funds to the office of the attorney general to fund the legal assistance for farmers program and providing an effective date, with report of committee on Appropriations 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. 2050) 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	Hutchins	Lind
Lloyd-Jones	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, 7:

Hultman	Jensen	Kinley	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 that **Senate File 2050** 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 February 18, 1988, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was 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, granting a one-time credit purchase of cigarette stamps, and providing effective dates.

ALSO: That the House has on February 19, 1988, passed the following bill in which the concurrence of the Senate is asked:



**House File 2237**, a bill for an act providing that the records of the purchase of alcoholic liquor from the alcoholic beverages division by individual class "E" liquor control licensees are confidential and providing an effective date.

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

### INTRODUCTION OF BILLS

**Senate File 2181**, by committee on Local Government, a bill for an act providing minimum qualifications for the office of county sheriff.

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

**Senate File 2182**, by committee on Local Government, a bill for an act to provide for the payment of costs of improvements in drainage districts by special assessment.

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

**Senate File 2183**, by committee on Local Government, a bill for an act relating to the publication of notice of a drainage district hearing.

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

**Senate File 2184**, by committee on Natural Resources, a bill for an act relating to regulation of the extraction of coal for commercial purposes from a site of one-half acre or less, and making penalties applicable.

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

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 18, 1988, 10:45 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Welsh and Soorholtz.

**Members Absent:** none.

**Committee Business:** Reviewed bill draft.

**Adjourned:** 11:30 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** February 18, 1988, 10:50 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Approved appropriations general fund bill for the Department of Economic Development.

**Adjourned:** 11:55 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

**Convened:** February 18, 1988, 10:39 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Murphy and Rensink.

**Members Absent:** Nystrom, Ranking Member (excused).

**Committee Business:** Budget discussions; approved LSB 8256.

**Adjourned:** 11:41 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

**Convened:** February 18, 1988, 10:40 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member; Mann and Vande Hoef.

**Members Absent:** none.

**Committee Business:** Continuation of budget decisions.

**Adjourned:** 12:10 p.m.

## **APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** February 18, 1988, 10:50 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Palmer and Schwengels (excused).

**Committee Business:** Subcommittee decisions on final bill draft.

**Adjourned:** 12:00 noon.

## **COMMERCE**

**Convened:** February 18, 1988, 2:35 p.m.

**Members Present:** Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Kinley, Mann, Priebe, Rife and Tieden.

**Members Absent:** Lind, Nystrom, Sturgeon and Welsh.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 2:40 p.m.

## **EDUCATION**

**Convened:** February 18, 1988, 6:00 p.m.

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

**Members Absent:** none.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 6:05 p.m.

## **JUDICIARY**

**Convened:** February 18, 1988, 3:40 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman (arrived 4:00 p.m.), Deluhery, Drake (arrived 4:15 p.m.), Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

**Members Absent:** none.

**Committee Business:** Assigned bills to subcommittees; discussed possible interim study on pornography and approved a senate concurrent resolution; amended SSB 2067 and ordered redrafted; approved SSB 2081 as a committee bill; discussed SSB 2059 (code editor's bill).

**Adjourned:** 4:36 p.m.

## **LOCAL GOVERNMENT**

**Convened:** February 18, 1988, 1:42 p.m.

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

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

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate Files 2102 and 2121 and House Files 105 and 2061; approved SSBs 2123, 2124 and 2129 and ordered redrafted for final approval as committee bills.

**Adjourned:** 2:20 p.m.

## **NATURAL RESOURCES**

**Convened:** February 18, 1988, 8:10 a.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Doyle, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Schwengels, Ranking Member (excused) and Goodwin.

**Committee Business:** Assigned bills to subcommittees; recommended passage of House File 221; approved SSBs 2110 and 2111 as committee bills.

**Adjourned:** 8:45 a.m.

## WAYS AND MEANS

**Convened:** February 18, 1988, 1:35 p.m.

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

**Members Absent:** Husak, Vice Chair.

**Committee Business:** Assigned SSB 2198 to a subcommittee; recommended passage of Senate File 2058 as amended.

**Adjourned:** 2:08 p.m.

## COMMITTEE REPORTS

### JUDICIARY

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 110, a concurrent resolution relating to the establishment of an interim study committee to study the issue of pornography and compare other state laws with Iowa's 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.

ALSO:

**Final Bill Action:** SENATE FILE 2186 (SSB 108), a bill for an act relating to the modification of dissolution and parentage decrees.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Fraise, Fuhrman, Hester, Horn, Taylor and Varn. Nays, 1: Gentleman. Absent or not voting, 1: Drake.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2187 (SSB 2081), a bill for an act repealing a requirement that the department of corrections prepare a biennial report relating to the management of the community-based corrections programs.

**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 2181 (SSB 2129, a bill for an act providing minimum qualifications for the office of county sheriff.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Taylor and Wells. Nays, none. Absent or not voting, 2: C. Miller and Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2182 (SSB 2124), a bill for an act to provide for the payment of costs of improvements in drainage districts by special assessment.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Taylor and Wells. Nays, none. Absent or not voting, 2: C. Miller and Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2183 (SSB 2123), a bill for an act relating to the publication of notice of a drainage district hearing.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Taylor and Wells. Nays, none. Absent or not voting, 2: C. Miller and Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **NATURAL RESOURCES**

**Final Bill Action:** SENATE FILE 2184 (SSB 2110), a bill for an act relating to regulation of the extraction of coal for commercial purposes from a site of one-half acre or less, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Scott, Priebe, Doyle, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Schwengels and Goodwin.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **STUDY BILLS RECEIVED**

### **SSB 2204 Human Resources**

Relating to health care facilities, including personnel of intermediate care facilities, and penalties for violations of statutes or rules by health care facilities.

### **SSB 2205 Education**

Relating to the starting date for schools.

### **SSB 2206 Education**

Relating to student exercise of free expression in the public schools.

### **SSB 2207 Business & Labor Relations**

Relating to mandatory subjects of bargaining under the public employment relations Act.

### **SSB 2208 Transportation**

Relating to certificates of title and transfer of ownership of foreign, wrecked, and salvage vehicles and making penalties applicable and providing effective dates.

**SUBCOMMITTEE ASSIGNMENTS****Senate Concurrent Resolution 107**

RULES AND ADMINISTRATION: Gettings, Chair; Gronstal and Jensen

**Senate Concurrent Resolution 108**

RULES AND ADMINISTRATION: Gettings, Chair; Gronstal and Jensen

**Senate Joint Resolution 2003**

EDUCATION: Murphy, Chair; Horn, Varn, Taylor and Corning

**Senate Joint Resolution 2004**

EDUCATION: Murphy, Chair; Horn, Varn, Taylor and Corning

**Senate File 2165**

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Gronstal and Soorholtz

**SSB 2197**

EDUCATION: Varn, Chair; Murphy, Dieleman, Taylor and Corning

**House File 2153**

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Sturgeon and Rife

**SSB 2204**

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Lind

**SSB 2205**

EDUCATION: Tieden, Chair; Murphy and Wells

**INTRODUCTION OF BILLS**

**Senate File 2185**, by Fuhrman, a bill for an act to promote Iowa tourism.

Read first time under **Rule 28** and passed on file.

**Senate File 2186**, by committee on Judiciary, a bill for an act relating to the modification of dissolution and parentage decrees.



Read first time under **Rule 28** and **placed on calendar**.

**Senate File 2187**, by committee on Judiciary, a bill for an act repealing a requirement that the department of corrections prepare a biennial report relating to the management of the community-based corrections programs.

Read first time under **Rule 28** and **placed on calendar**.

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 110**, by committee on Judiciary, a concurrent resolution relating to the establishment of an interim study committee to study the issue of pornography and compare other state laws with Iowa's law.

Read first time under **Rule 28** and **placed on calendar**.

### BILL ASSIGNED TO COMMITTEE

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

S.F.        2185        Small Business & Economic Development

### PRESENTATION OF VISITORS

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

Eighty fifth grade students from Garton Elementary School, Des Moines, Iowa, accompanied by Tammy Renard. Senators Kinley and Palmer.

### AMENDMENTS FILED

S-5106	S.F.	2094	House
S-5107	H.F.	468	Jim Lind
S-5108	H.F.	468	Jim Lind
S-5109	H.F.	468	Jim Lind
S-5110	H.F.	468	Jim Lind
S-5111	H.F.	468	Jim Lind

S—5112	H.F.	468	Jim Lind
S—5113	H.F.	468	Jim Lind
S—5114	H.F.	468	Jim Lind
S—5115	H.F.	468	Jim Lind
S—5116	H.F.	468	Jim Lind
S—5117	H.F.	468	Jim Lind
S—5118	H.F.	468	Jim Lind

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:02 p.m., until 10:00 a.m., Monday, February 22, 1988.

# JOURNAL OF THE SENATE

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FORTY-THIRD CALENDAR DAY  
TWENTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 22, 1988

The Senate met in regular session at 10:02 a.m., President pro tempore Kinley presiding.

Prayer was offered by the Reverend Bob Holzhammer, pastor of the Trinity Episcopal Church, Iowa City, Iowa.

The Journal of Friday, February 19, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Miller of Cerro Gordo for the day and February 23, 1988 on request of Senator Hutchins and Senator Schwengels for the week on request of Senator Jensen.

## INTRODUCTION OF BILL

**Senate File 2188**, by Boswell, Hannon and Goodwin, a bill for an act relating to the property tax credit and rent reimbursement for elderly and disabled individuals by changing the formula used for determining the amount of credit and reimbursement and providing effective dates.

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.

## BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2176** be referred from the Regular Calendar to the committee on **Appropriations** and that **Senate Concurrent Resolution 110** be referred from the Regular Calendar to the committee on **Rules and Administration**.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2098.

### **Senate File 2098**

On motion of Senator Riordan, Senate File 2098, a bill for an act relating to payment of costs of asbestos identification, encapsulation, and removal by boards of directors of school districts, was taken up for consideration.

Senator Taylor asked and received unanimous consent that action on **Senate File 2098** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2140.

### **Senate File 2140**

On motion of Senator Coleman, Senate File 2140, a bill for an act providing that the records of the purchase of alcoholic liquor from the alcoholic beverages division by individual class "E" liquor control licensees are confidential, was taken up for consideration.

Senator Coleman offered amendment S—5071 filed by him on February 15, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5071 was adopted by a voice vote.

Senator Coleman asked and received unanimous consent that **House File 2237** be **substituted for Senate File 2140** as amended.

## House File 2237

On motion of Senator Coleman, House File 2237, a bill for an act a bill providing that the records of the purchase of alcoholic liquor from the alcoholic beverages division by individual class "E" liquor control licensees are confidential, 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. 2237) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
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, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, 2:

Deluhery	Peterson
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Absent or not voting, 3:

Miller, A.V.	Schwengels	Varn
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Varn for the morning on request of Senator Hutchins.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2144.

### Senate File 2144

On motion of Senator Doyle, Senate File 2144, a bill for an act relating to the requirement that a person operating a motor vehicle maintain control of the motor vehicle, 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. 2144) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Holden
Holt	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Taylor	Tieden	Varn
Wells	Welsh		

Nays, 10:

Drake	Fuhrman	Hester	Hultman
Jensen	Lind	Nystrom	Rife
Sturgeon	Vande Hoef		

Absent or not voting, 2:

Miller, A.V.      Schwengels

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

**Senate File 2146**

On motion of Senator Jensen, Senate File 2146, a bill for an act relating to entering private land for highway construction purposes, 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. 2146) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Hultman	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Rensink	Riordan	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 10:

Corning	Deluhery	Gentleman	Holden
Husak	Murphy	Peterson	Rife
Scott	Soorholtz		

Absent or not voting, 2:

Miller, A.V.	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**Senate File 2147**

On motion of Senator Nystrom, Senate File 2147, a bill for an act to increase the time period for which in-transit stickers are valid, was taken up for consideration.

Senator Nystrom asked and received unanimous consent that House File 2193 be substituted for Senate File 2147.

## House File 2193

On motion of Senator Nystrom, House File 2193, a bill for an act to increase the time period for which in-transit stickers are valid, was taken up for consideration.

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

On the question "Shall the bill pass?" (H.F. 2193) 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	Scott
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Miller, A.V.	Schwengels	Soorholtz
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## Senate File 2148

On motion of Senator Varn, Senate File 2148, a bill for an act relating to the inspection fee for certain specialty fertilizers, 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. 2148) 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	Scott
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Miller, A.V.                      Schwengels                      Soorholtz

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

### Senate File 2149

On motion of Senator Gronstal, Senate File 2149, a bill for an act relating to the interest or earnings of moneys within the groundwater protection fund and the accounts within the fund, was taken up for consideration.

Senator Welsh withdrew amendment S—5119 filed by him from the floor to page 1 and the title page of the bill.

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

On the question "Shall the bill pass?" (S.F. 2149) 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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, A.V.                      Schwengels

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

### Senate File 393

On motion of Senator Hannon, Senate File 393, a bill for an act relating to fishing by persons in substance abuse centers, 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. 393) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, 6:

Fuhrman	Holden	Holt	Lind
Peterson	Vande Hoef		

Absent or not voting, 2:

Miller, A.V.

Schwengels

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

### WITHDRAWN

Senator Coleman asked and received unanimous consent that **Senate File 2140** be **withdrawn** from further consideration of the Senate.

### Senate File 2142

On motion of Senator Varn, Senate File 2142, a bill for an act relating to recording, without fee, an acknowledgment of a mortgage foreclosure decree, 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. 2142) 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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, A.V.

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 2159.

### **Senate File 2159**

On motion of Senator Hannon, Senate File 2159, a bill for an act relating to the provision of hospice care within health care facilities by Medicare certified hospice programs, 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. 2159) 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	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Miller, A.V.	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.

### **LEAVE OF ABSENCE**

Leave of absence was granted as follows:

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

## CONSIDERATION OF BILL (Regular Calendar)

### Senate File 2119

On motion of Senator Mann, Senate File 2119, a bill for an act relating to the role of the department of education in requiring specific steps by school districts, area education agencies, and merged area schools to accomplish the goals of equal opportunity and affirmative action in personnel policies, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 11:22 a.m.

## 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

### Senate File 2119

The Senate resumed consideration of Senate File 2119.

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. 2119) the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gentleman	Gettings	Gronstal
Hall	Hannon	Holden	Holt
Horn	Husak	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan

Scott  
Wells

Soorholtz  
Welsh

Taylor

Varn

Nays, 8:

Dieleman  
Hultman

Fuhrman  
Rensink

Goodwin  
Tieden

Hester  
Vande Hoef

Absent or not voting, 4:

Hutchins

Miller, A.V.

Schwengels

Sturgeon

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

### CONSIDERATION OF BILLS (Regular Calendar)

#### Senate File 2164

On motion of Senator Boswell, Senate File 2164, a bill for an act relating to the composition of the Iowa economic development board, 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. 2164) the vote was:

Ayes, 45:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Kinley  
Miller, C.P.  
Peterson  
Rife  
Taylor  
Wells

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Hultman  
Lind  
Murphy  
Priebe  
Riordan  
Tieden

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Husak  
Lloyd-Jones  
Nystrom  
Readinger  
Scott  
Vande Hoef

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Jensen  
Mann  
Palmer  
Rensink  
Soorholtz  
Varn

Nays, 1:

Welsh

Absent or not voting, 4:

Hutchins

Miller, A.V.

Schwengels

Sturgeon

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

### Senate File 450

On motion of Senator Wells, Senate File 450, a bill for an act relating to the safety of transportation of railroad company workers and providing a penalty and effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Wells offered amendment S—5090 filed by the committee on Business and Labor Relations on February 17, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5090 was adopted by a voice vote.

Senator Welsh offered amendment S—5095 filed by him on February 18, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5095 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. 450) the vote was:

Ayes, 40:

Boswell  
Corning  
Fraise  
Hannon  
Hultman  
Lind  
Murphy  
Priebe  
Riordan  
Vande Hoef

Bruner  
Deluhery  
Gettings  
Hester  
Husak  
Lloyd-Jones  
Nystrom  
Readinger  
Scott  
Varn

Carr  
Dieleman  
Gronstal  
Holt  
Jensen  
Mann  
Palmer  
Rensink  
Soorholtz  
Wells

Coleman  
Doyle  
Hall  
Horn  
Kinley  
Miller, C.P.  
Peterson  
Rife  
Taylor  
Welsh

Nays, 6:

Drake  
Holden

Fuhrman  
Tieden

Gentleman

Goodwin

Absent or not voting, 4:

Hutchins

Miller, A.V.

Schwengels

Sturgeon

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 Husak asked and received unanimous consent that **Senate File 2164** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar)

#### **Senate File 456**

On motion of Senator Holden, Senate File 456, a bill for an act relating to support or service dogs for disabled or handicapped persons, 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. 456) the vote was:

Ayes, 46:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Kinley  
Miller, C.P.  
Peterson  
Rife

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Hultman  
Lind  
Murphy  
Priebe  
Riordan

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Husak  
Lloyd-Jones  
Nystrom  
Readinger  
Scott

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Jensen  
Mann  
Palmer  
Rensink  
Soorholtz



Taylor  
Wells

Tieden  
Welsh

Vande Hoef

Varn

Nays, none.

Absent or not voting, 4:

Hutchins

Miller, A.V.

Schwengels

Sturgeon

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 2089.

### Senate File 2089

On motion of Senator Nystrom, Senate File 2089, a bill for an act establishing the eligibility of Iowans for inclusion of their names on the Iowa Vietnam veterans memorial, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2089) the vote was:

Ayes, 45:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Kinley  
Murphy  
Priebe  
Riordan  
Tieden  
Welsh

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Hultman  
Lind  
Nystrom  
Readinger  
Scott  
Vande Hoef

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Husak  
Lloyd-Jones  
Palmer  
Rensink  
Soorholtz  
Varn

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Jensen  
Mann  
Peterson  
Rife  
Taylor  
Wells

Nays, none.

Absent or not voting, 5:

Hutchins  
Sturgeon

Miller, A.V.

Miller, C.P.

Schwengels

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

### INTRODUCTION OF BILLS

**Senate File 2189**, by committee on Natural Resources, a bill for an act relating to commercial concessions operated on certain state-owned lands and providing an effective date.

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

**Senate File 2190**, by committee on Education, a bill for an act to create an advancement and recruitment program to encourage administrative advancement of women and minorities and recruitment of minorities by school corporations.

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

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 111**, by committee on Education, a concurrent resolution directing the Department of Education to develop criteria for the establishment of an internship program.

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

### RECESS

On motion of Senator Husak, the Senate recessed at 11:55 a.m., until 4:30 p.m.

## APPENDIX

### PETITIONS

The following petitions opposing any increase in beer, wine or liquor taxes were presented and placed on file by:

Senator Gettings from fifty-five residents of Wapello County.

Senator Gronstal from fifty-five residents of Pottawattamie County.

Senator Holden from one hundred fourteen residents of Scott County.

Senator Husak from fifty-five residents of Benton County.

Senator Husak from fifty-five residents of Tama County.

Senator Hutchins from fifty-five residents of Audubon and Cass Counties.

Senator Hutchins from seventy-two residents of Audubon, Guthrie, Shelby and Carroll Counties.

Senator C. Miller from fifty-five residents of Des Moines County.

Senator Schwengels from fifty-five residents of Jefferson County.

Senator Vande Hoef from seventy-two residents of Cherokee County.

The following petition was presented and placed on file by:

Senator Hutchins from six Adair, Iowa residents supporting funding for local Emergency Medical Services (EMS) systems.

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate when the vote was taken on Senate File 2108.

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

RICHARD VANDE HOEF

## REPORTS OF COMMITTEE MEETINGS

## APPROPRIATIONS SUBCOMMITTEE ON ADMINISTRATION

**Convened:** February 19, 1988, 7:35 a.m.

**Members Present:** Dieleman, Chair; Hannon, Vice Chair; Jensen, Ranking Member; Soorholtz and Welsh.

**Members Absent:** none.

**Committee Business:** Approval by Senate members of appropriations bill.

**Adjourned:** 9:00 a.m.

## APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** February 19, 1988, 7:45 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Deferred final approval of general fund bill for the Department of Economic Development; approved appropriations bill for the Lottery Fund (Iowa Plan).

**Adjourned:** 8:50 a.m.

## APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM

**Convened:** February 19, 1988, 8:15 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

**Members Absent:** Mann.

**Committee Business:** Continuation of budget decisions.

**Adjourned:** 9:00 a.m.

## EDUCATION

**Convened:** February 19, 1988, 8:10 a.m.

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

**Members Absent:** none.

**Committee Business:** Approved SSBs 2077A, 2062, 2063, 2158, 2091, 2197 and 2178 as committee bills; recommended passage of Senate File 2025.

**Adjourned:** 9:33 a.m.

### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5053 to House File 468 was adopted by the Senate on February 19, 1988.

WILLIAM W. DIELEMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2159 passed the Senate on February 22, 1988.

JULIA GENTLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 450 passed the Senate on February 22, 1988.

CALVIN O. HULTMAN

### STUDY BILLS RECEIVED

#### **SSB 2209 Environment & Energy Utilities**

Relating to underground storage tanks, establishing certain fees, and providing penalties.

#### **SSB 2210 Education**

Relating to the development of programs for the identification, educational methods, and staff qualifications for at-risk children.

#### **SSB 2211 Commerce**

Relating to the sale of certificates of deposit, issued by foreign associations, within the state.

**SSB 2212 Education**

Relating to the payment of educational costs of nonresident children residing in child foster care facilities and homes.

**SSB 2213 Judiciary**

Relating to false representations concerning a candidate for public office and providing penalties.

**SSB 2214 Judiciary**

Relating to the destruction and retention of court reporters' notes and certified transcripts in civil and criminal proceedings.

**SSB 2215 Education**

Relating to school district dissolution, including taxable property in certain school districts involved in dissolutions in the foundation property tax levy reduction provided on taxable property in certain school districts affected by a reorganization and providing for the school district attendance for certain resident pupils.

**SSB 2216 Business & Labor Relations**

Relating to the test for determining whether an individual's employment is deemed to be employment for purposes of the Iowa employment security law, and providing for the applicability of the Act.

**SSB 2217 Agriculture**

Relating to organically produced food by providing for the establishment of standards, enforcement measures, penalties and an effective date.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2166**

NATURAL RESOURCES: A. Miller, Chair; Hester and Husak

**Senate File 2167**

NATURAL RESOURCES: Tieden, Chair; A. Miller and Peterson

**Senate File 2178**

JUDICIARY: Mann, Chair; Horn and Hester

**House File 2102**

NATURAL RESOURCES: Hannon, Chair; Hester and Scott

**House File 2156**

TRANSPORTATION: Drake, Chair; Priebe and Doyle

**SSB 2208**

TRANSPORTATION: Jensen, Chair; Scott and Doyle

**SSB 2211**

COMMERCE: Sturgeon, Chair; Rife and Deluhery

**SSB 2213**

JUDICIARY: Mann, Chair; Doyle and Taylor

**SSB 2214**

JUDICIARY: Varn, Chair; Doyle and Hester

**COMMITTEE REPORTS****EDUCATION**

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 111 (SSB 2063), a concurrent resolution directing the Department of Education to develop criteria for the establishment of an internship program.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**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.

**ALSO:**

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 112 (SSB 2062), a concurrent resolution directing the Department of Education to develop criteria for enhancing the clinical experiences of prospective teachers.

**Recommendation: APPROVED COMMITTEE RESOLUTION.**

**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.

ALSO:

**Final Bill Action:** SENATE FILE 2190 (SSB 2091), a bill for an act to create an advancement and recruitment program to encourage administrative advancement of women and minorities and recruitment of minorities by school corporations.

**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.

ALSO:

**Final Bill Action:** SENATE FILE 2191 (SSB 2178), a bill for an act relating to student athletes, by regulating athletes and athletes' agents, requiring a compensation policy for collegiate athletes, and providing penalties.

**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.

ALSO:

**Final Bill Action:** SENATE FILE 2192 (SSB 2077A), a bill for an act to establish a child development coordinating council for the promotion of child development services to certain at-risk children and to prescribe its duties.

**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.

ALSO:



**Final Bill Action:** SENATE FILE 2193 (SSB 2197), a bill for an act relating to requirements for approved teacher education programs.

**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.

## NATURAL RESOURCES

**Final Bill Action:** SENATE FILE 2189 (SSB 2111), a bill for an act relating to commercial concessions operated on certain state-owned lands.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Scott, Priebe, Doyle, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Schwengels and Goodwin.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

S—5119	S.F.	2149	Joe Welsh
S—5120	S.F.	2157	Ray Taylor
S—5121	S.F.	2192	Charles Bruner

## AFTERNOON SESSION

The Senate reconvened at 4:31 p.m., President pro tempore Kinley presiding.

### INTRODUCTION OF BILLS

**Senate File 2191**, by committee on Education, a bill for an act relating to student athletes, by regulating athletes and athletes' agents, requiring a compensation policy for collegiate athletes, and providing penalties.

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

**Senate File 2192**, by committee on Education, a bill for an act to establish a child development coordinating council for the promotion of child development services to certain at-risk children and to prescribe its duties.

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

**Senate File 2193**, by committee on Education, a bill for an act relating to requirements for approved teacher education programs.

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

**Senate File 2194**, by Wells, a bill for an act regulating control share acquisitions.

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

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 112**, by committee on Education, a concurrent resolution directing the Department of Education to develop criteria for enhancing the clinical experiences of prospective teachers.

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

### QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

### BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 7** be referred from the Regular Calendar to the committee on **Agriculture**.

## APPENDIX

### BILLS ASSIGNED TO COMMITTEE

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

S.F.	2188	Ways and Means
S.F.	2194	Commerce

### COMMITTEE REPORTS

#### APPROPRIATIONS

**Final Bill Action:** SENATE FILE 2071, a bill for an act relating to the establishment of economic development finance corporations to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and providing for and making an appropriation of state matching funds.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Husak, Boswell, Fraise, Gettings, Holt, Jensen, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, 3: Corning, Lind and Readinger. Voting present, 3: Welsh, Tieden and Dieleman. Absent, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2092, a bill for an act establishing a community and rural development loan program to assist communities in financing traditional and new infrastructure and housing for needy and elderly and providing for a revolving fund to be used for the program.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5123.

**Final Vote:** Ayes, 10: Welsh, Boswell, Dieleman, Fraise, Gettings, Lloyd-Jones, Readinger, Riordan, Sturgeon and Varn. Nays, 5: Husak, Corning, Holt, Jensen and Lind. Absent or not voting, 3: Tieden, Peterson and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

S—5122	S. F.	2074	Emil J. Husak Richard F. Drake Berl E. Priebe Calvin O. Hultman Jack Nystrom Leonard L. Boswell Eugene S. Fraise John E. Soorholtz
S—5123	S. F.	2092	Appropriations

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:42 p.m., until 9:00 a.m., Tuesday, February 23, 1988.

# JOURNAL OF THE SENATE

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FORTY-FOURTH CALENDAR DAY  
TWENTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 23, 1988

The Senate met in regular session at 9:15 a.m., President pro tempore Kinley presiding.

Prayer was offered by the Reverend Ken Pokrant, pastor of the Boone First Baptist Church, Boone, Iowa.

The Journal of Monday, February 22, 1988, was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wells 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 February 19, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2117**, a bill for an act allowing certain name changes in divorce and annulment decrees.

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

**House File 2158**, a bill for an act to limit operation of motor vehicles in streambeds and providing a penalty.

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

**House File 2164**, a bill for an act relating to the disposition of interest earned on moneys credited to the county conservation land acquisition and capital improvement reserve account.

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

**House File 2168**, a bill for an act relating to the recording of instruments by a county recorder.

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

**House File 2191**, a bill for an act relating to commercial concessions operated on certain state-owned lands.

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

**House File 2236**, a bill for an act relating to the issuance of grain bargaining permits to licensed grain dealers.

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

ALSO: That the House has on February 19, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 2036**, a bill for an act relating to moneys available to the first in the nation in education foundation.

**Senate File 2069**, a bill for an act relating to the organizational meeting of the state board of education.

ALSO: That the House has on February 19, 1988, amended and passed the following bill in which the concurrence of the House was asked:

**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 (S—5124).

## 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 AMENDMENT CONSIDERED

## Senate File 2074

Senator Bruner called up for consideration Senate File 2074, a bill for an act relating to the extension of the applicability of House File 689, enacted during the Second Extraordinary Session of the Seventy-second General Assembly during 1987, updating references to the Internal Revenue Code, providing for retroactive applicability, and providing an effective date, amended by the House in House amendment S—5070 filed February 15, 1988.

Senator Husak offered amendment S—5122 filed by Senators Husak, et al., on February 22, 1988, to pages 12, 21 and 22 of House amendment S—5070 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5122 to House amendment S—5070 be adopted?" (S.F. 2074) the vote was:

Ayes, 39:

Boswell	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, 7:

Bruner	Carr	Gentleman	Gronstal
Lloyd-Jones	Mann	Sturgeon	

Absent or not voting, 4:

Miller, A.V.	Palmer	Schwengels	Wells
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Amendment S—5122 was adopted.

Senator Bruner moved that the Senate concur in the House amendment as amended.



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

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

On the question "Shall the bill pass?" (S.F. 2074) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corníng	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
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Miller, A.V.	Palmer	Schwengels	Wells
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2074** be **immediately messaged** to the House.

## BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2072** be referred from the Regular Calendar to the committee on **Small Business and Economic Development**.

## 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 SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

**Convened:** February 22, 1988, 9:15 a.m.

**Members Present:** Sturgeon, Chair; Readinger, Ranking Member; C. Miller and Gentleman.

**Members Absent:** A. Miller, Vice Chair (excused).

**Committee Business:** Budget decisions; discussed LSB 8191.

**Adjourned:** 10:10 a.m.

#### APPROPRIATIONS

**Convened:** February 22, 1988, 1:37 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 (excused).

**Committee Business:** Recommended passage of Senate File 2092 as amended; recommended passage of Senate File 2071.

**Adjourned:** 3:26 p.m.

### COMMITTEE REPORTS

#### AGRICULTURE

**Final Bill Action:** SENATE FILE 2145, a bill for an act relating to cooperative associations by providing for their purposes and powers.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Priebe, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: A. Miller.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## EDUCATION

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 113 (SSB 2158), a concurrent resolution calling upon the Congress of the United States to enact legislation to aid the parents of prospective college students in saving for future college costs.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**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.

## COMMUNICATIONS

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

February 9, 1988

To the Senate:

Thank you all very much for the beautiful croton plant. It really brightens up Frosty's hospital room.

Maybe in another week or two we can thank you all in person.

Gratefully,  
BETTY AND FROSTY SCHWENGELS

## DEPARTMENT OF HUMAN SERVICES

The progress report on "Case Management and Enhanced Services for Medicaid Eligible Pregnant Women", pursuant to Chapter 234.203(2)(e) of the Acts of the Seventy-second General Assembly, 1987 Session.

The progress report on "Case Management for Early Periodic Screening Diagnosis and Treatment Clients", pursuant to Chapter 234, section 203(2)(e), Acts of the Seventy-second General Assembly, 1987 Session.

## STUDY BILLS RECEIVED

### **SSB 2205A Education**

Relating to the calendar and starting date for school district and area-wide calendars.

### **SSB 2218 Transportation**

Providing that the state fair board may make an agreement with the department of public safety to provide security during the annual fair and exposition and interim events.

### **SSB 2219 Natural Resources**

Relating to the hunting of pigeons, including wild pigeons.

### **SSB 2220 Ways & Means**

Relating to the imposition and collection of the state sales, services, and use taxes by out-of-state retailers.

### **SSB 2221 Ways & Means**

Relating to the effective date of the imposition of a hotel and motel tax, disallowing liability, penalty and interest for the failure to collect the tax, and providing an effective date.

### **SSB 2222 State Government**

To allow certain elections to be conducted by mail ballots, making penalties applicable, and providing for the prospective repeal of the Act.

### **SSB 2223 State Government**

Relating to the state registrar of voters.

### **SSB 2224 State Government**

Relating to elections and election procedures and providing an effective date.

**SSB 2225 Environment & Energy Utilities**

Relating to the regulation and reporting of certain pesticides.

**SSB 2226 Environment & Energy Utilities**

Establishing a sewage treatment works financing program including appropriation of moneys to be deposited in a revolving loan fund and an administration fund.

**SSB 2227 Judiciary**

Relating to the admission of a report or findings of the criminalistics laboratory as evidence in a civil proceeding.

**SSB 2228 Judiciary**

Relating to the rights and duties of the sheriff regarding service of legal process and levy of execution.

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2176**

APPROPRIATIONS: Sturgeon, Chair; Lind and Gettings

**Senate File 2177**

STATE GOVERNMENT: Lloyd-Jones, Chair; Bruner and Soorholtz

**Senate File 2188**

WAYS AND MEANS: Riordan, Chair; Boswell and Holt

**House File 102**

BUSINESS AND LABOR RELATIONS: Mann, Chair; Horn and Vande Hoef

**House File 2194**

STATE GOVERNMENT: Horn, Chair; Welsh and Rife

**SSB 2207**

BUSINESS AND LABOR RELATIONS: Wells, Chair; Horn and Fuhrman

**SSB 2209**

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Murphy and Soorholtz

**SSB 2210**

EDUCATION: Hannon, Chair; Bruner, Lloyd-Jones, Holden and Lind

**SSB 2212**

EDUCATION: Riordan, Chair; Bruner and Rensink

**SSB 2215**

EDUCATION: Wells, Chair; Murphy and Corning

**SSB 2216**

BUSINESS AND LABOR RELATIONS: Welsh, Chair; Gettings and Vande Hoef

**SSB 2218**

TRANSPORTATION: Gettings, Chair; Lloyd-Jones and Goodwin

**SSB 2219**

NATURAL RESOURCES: Priebe, Chair; Peterson and Tieden

**SSB 2220**

WAYS AND MEANS: Gronstal, Chair; Holden and Mann

**SSB 2221**

WAYS AND MEANS: Bruner, Chair; Murphy and Readinger

**SSB 2222**

STATE GOVERNMENT: Gronstal, Chair; Drake and Bruner

**SSB 2223**

STATE GOVERNMENT: Gronstal, Chair; Drake and Bruner

**SSB 2224**

STATE GOVERNMENT: Gronstal, Chair; Drake and Bruner

**SSB 2225**

ENVIRONMENT & ENERGY UTILITIES: A. Miller, Chair; Murphy and Rife

**SSB 2226**

ENVIRONMENT & ENERGY UTILITIES: Deluhery, Chair; Gronstal and Hall

**SSB 2227**

JUDICIARY: Varn, Chair; Doyle and Fuhrman

**AMENDMENTS FILED**

S—5124	S.F.	370	House amendment
S—5125	S.F.	370	Richard Vande Hoef
S—5126	S.F.	2094	Jim Lind
			Beverly A. Hannon
S—5127	S.F.	2173	Tom Mann, Jr.

## AFTERNOON SESSION

The Senate reconvened at 4:30 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 February 22, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2066**, a bill for an act relating to snare traps by establishing a minimum loop dimension for a snare trap, by prohibiting use or maintenance of a snare trap within the right-of-way of a public highway, and by providing scheduled fines for violations.

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

**House File 2228**, a bill for an act relating to vacancies in civil service promotional grades and providing an effective date.

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

**House File 2259**, a bill for an act to permit persons who rebuild motor vehicles into emergency vehicles to be licensed as wholesalers.

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

**House File 2269**, a bill for an act relating to funds in the special railroad facility fund and the rail assistance fund and providing an effective date.

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

## INTRODUCTION OF BILLS

**Senate File 2195**, by Miller of Des Moines, a bill for an act relating to the authority of the board of chiropractic examiners to issue licenses by reciprocity or endorsement.



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

**Senate File 2196**, by committee on Ways and Means, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates.

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

**Senate File 2197**, by committee on Human Resources, a bill for an act relating to schedule I and schedule III controlled substances.

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

#### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 113**, by committee on Education, a concurrent resolution calling upon the Congress of the United States to enact legislation to aid the parents of prospective college students in saving for future college costs.

**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.	2195	State Government
H. F.	2117	Judiciary
H. F.	2158	Natural Resources
H. F.	2164	Natural Resources
H. F.	2168	Local Government
H. F.	2236	Agriculture
H. F.	2259	Transportation
H. F.	2269	Transportation

### 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 following Governor's appointments, completed its investigations on February 23, 1988, and recommended the appointees be confirmed:

Marguerite E. Stockstad as a member of the Commission of Elder Affairs.

Betty Grandquist as Director of the Department of Elder Affairs.

#### COMMITTEE REPORTS

##### HUMAN RESOURCES

**Final Bill Action:** SENATE FILE 2018, a bill for an act creating a family support subsidy program.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5128.

**Final Vote:** Ayes, 11: Hannon, Carr, Bruner, Coleman, Corning, Lind, Murphy, C. Miller, Readinger, Sturgeon and Taylor. Nays, 1: Gentleman.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2197 (SSB 2164), a bill for an act relating to Schedule I and Schedule III controlled substances.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Hannon, Gentleman, Bruner, Coleman, Corning, Lind, Murphy, C. Miller, Readinger and Sturgeon. Nays, none. Absent or not voting, 2: Carr and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2198 (SSB 2133), a bill for an act relating to the determination of eligibility for institutionalized spouses under the medical assistance program.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger and Sturgeon. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## WAYS AND MEANS

**Final Bill Action:** SENATE FILE 2196, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Bruner, Gronstal, Murphy, Palmer, Riordan, Holden, Drake and Holt. Nays, 2: Dieleman and Hester. Absent or not voting, 5: Mann, Readinger, Husak, Boswell and Soorholtz.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

INTRODUCTION OF BILL

**Senate File 2198**, a bill for an act relating to the determination of eligibility for institutionalized spouses under the medical assistance program.

Read first time under Rule 28 and **placed on calendar**.

AMENDMENT FILED

S—5128

S.F.

2018

Human Resources

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Wednesday, February 24, 1988.

# JOURNAL OF THE SENATE

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FORTY-FIFTH CALENDAR DAY  
TWENTY-NINTH SESSION DAY

Senate Chamber

Des Moines, Iowa, Wednesday, February 24, 1988

The Senate met in regular session at 9:01 a.m., President pro tempore Kinley 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 Tuesday, February 23, 1988, was approved.

## INTRODUCTION OF BILLS

**Senate File 2199**, by committee on Agriculture, a bill for an act relating to acknowledgment of delivery of copies of certain debt documents.

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

**Senate File 2200**, by Boswell, a bill for an act relating to elder affairs by creating a pilot program of elder volunteers.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 114**, by committee on Agriculture, a concurrent resolution urging that the United States Department of Agriculture reconsider proposals relating to modifying the grain reserve and special producer storage loan programs.

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

**BILL REFERRED TO COMMITTEE**

Senator Hutchins asked and received unanimous consent that **Senate File 2121** be referred from the Regular Calendar to the committee on **Judiciary**.

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 9:24 a.m., until 4:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES

**Convened:** February 23, 1988, 3:46 p.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member, Fuhrman and Deluhery.

**Members Absent:** none.

**Committee Business:** Clarified intent of appropriations bill for the Department of Human Services.

**Adjourned:** 5:05 p.m.

#### AGRICULTURE

**Convened:** February 23, 1988, 8:04 a.m.

**Members Present:** Priebe, Chair; Hester, Ranking Member; Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef.

**Members Absent:** A. Miller, Vice Chair.

**Committee Business:** Presentation by Suzanne Hendrich, Home Economist, David Lendt, Director of Information, and Beverly J. Crabtree, Dean of the College of Family and Consumer Sciences, Iowa State University, regarding research on red meat consumption; approved SSB 2184 and LSB 8253 as committee bills; recommended passage of Senate File 2145.

**Adjourned:** 9:05 a.m.

#### BUSINESS AND LABOR RELATIONS

**Convened:** February 23, 1988, 1:35 p.m.

**Members Present:** Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman, Vande Hoef and Welsh.

**Members Absent:** Palmer.

**Committee Business:** Assigned bills to subcommittees; deferred action on SSB 2076.

**Adjourned:** 1:50 p.m.

## **HUMAN RESOURCES**

**Convened:** February 23, 1988, 10:05 a.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger, Sturgeon and Taylor (arrived 10:50 a.m.).

**Members Absent:** None.

**Committee Business:** Assigned bills to subcommittees; recommended confirmation of Governor's appointees; approved SSBs 2133 and 2164 and ordered redrafted as committee bills; amended SSB 2204 and ordered redrafted for final approval as a committee bill; recommended passage of Senate File 2018 as amended.

**Adjourned:** 11:35 a.m.

## **JUDICIARY**

**Convened:** February 23, 1988, 3:36 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; discussed and amended SSB 2059; approved SSBs 2009 and 2067 as committee bills; recommended passage of Senate File 416 and House File 2166.

**Adjourned:** 5:00 p.m.

## **STATE GOVERNMENT**

**Convened:** February 23, 1988, 2:40 p.m.

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

**Members Absent:** Schwengels (excused).

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2186, 2095 and 2189 as committee bills; recommended passage of Senate File 2154 as amended.



**Adjourned:** 3:30 p.m.

## **WAYS AND MEANS**

**Convened:** February 23, 1988, 11:40 a.m.

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

**Members Absent:** Soorholtz.

**Committee Business:** Assigned bills to subcommittees; approved SSB 2198 as a committee bill.

**Adjourned:** 12:12 p.m.

## **STUDY BILLS RECEIVED**

### **SSB 2229 Human Resources**

Relating to the establishment of a family development and self-sufficiency council and the council's duties.

### **SSB 2230 Human Resources**

A concurrent resolution relating to a midwest legislative conference on children.

### **SSB 2231 Education**

Eliminating the additional weighting for non-English speaking students and providing an effective date.

## **COMMITTEE REPORTS**

### **AGRICULTURE**

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 114 (LSB 8253), a concurrent resolution urging that the United States Department of Agriculture reconsider proposals relating to modifying the grain reserve and special producer storage loan programs.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 13: Priebe, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, 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 2199 (SSB 2184), a bill for an act relating to acknowledgment of delivery of copies of certain debt documents.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Priebe, Hester, Boswell, Fraise, Hall, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: A. Miller, Husak and Fuhrman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2130, a bill for an act repealing the prohibition against selling or offering for sale decorative gas lamps.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Voting present, 2: Deluhery and Gronstal. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2206 (SSB 2084), a bill for an act relating to the groundwater protection Act.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Murphy and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## STATE GOVERNMENT

**Final Bill Action:** SENATE FILE 2154, a bill for an act relating to the establishment of an Iowa municipal cable television authority to provide a program

of financial and technical assistance to municipalities which need municipal cable television systems; providing for the issuance of revenue bonds and other obligations to finance the granting of loans and other assistance to municipalities determined to be eligible for the program; providing for the allocation of moneys from the Iowa plan fund for economic development to be used for start-up of the program; and providing other properly related matters.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5129.

**Final Vote:** Ayes, 10: Carr, Bruner, Coleman, Drake, Gronstal, Horn, C. Miller, Rife, Soorholtz and Welsh. Nays, 3: Nystrom, Gentleman and Lloyd-Jones. Absent or not voting, 2: Schwengels and Dieleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2201 (SSB 2186), a bill for an act to remove the bond required for class "A", "B", "C", and "D" liquor control licenses and retail wine and beer permits.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Welsh and Soorholtz. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2202 (SSB 2095), a bill for an act relating to the licensing of private investigators and private security officers, providing for the issuance of temporary permits to certain persons pursuant to reciprocal agreement, making penalties applicable, and providing other properly related matters.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Welsh and Soorholtz. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2203 (SSB 2189), a bill for an act relating to the composition of the engineering and land surveying examining board and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gronstal, Horn, Gentleman, C. Miller, Welsh, Soorholtz and Rife. Nays, 1: Lloyd-Jones. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **TRANSPORTATION**

**Final Bill Action:** HOUSE FILE 2129, a bill for an act relating to brake requirements for certain trucks and truck tractors.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Nystrom and Priebe. Nays, none. Absent or not voting, 1: Lloyd-Jones.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2156, a bill for an act relating to the registration of aircraft, and making penalties applicable.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Nystrom and Priebe. Nays, none. Absent or not voting, 1: Lloyd-Jones.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **SUBCOMMITTEE ASSIGNMENTS**

### **Senate File 2072**

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT:** A. Miller, Chair; Scott and Vande Hoef

### **Senate File 2156**

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

**Senate File 2179**

AGRICULTURE: Priebe, Chair; Hester and Peterson

**Senate File 2185**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Fuhrman, Chair;  
Boswell and Rife

**House File 2158**

NATURAL RESOURCES: Peterson, Chair; Doyle and Rensink

**House File 2164**

NATURAL RESOURCES: A. Miller, Chair; Hannon and Hester

**House File 2259**

TRANSPORTATION: Jensen, Chair; Scott and Priebe

**House File 2269**

TRANSPORTATION: Lloyd-Jones, Chair; Coleman and Drake

**SSB 2115A**

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

**SSB 2181**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Deluhery, Chair;  
Riordan and Rensink

**SSB 2199**

AGRICULTURE: Priebe, Chair; Peterson and Vande Hoef

**SSB 2217**

AGRICULTURE: Riordan, Chair; Soorholtz and Scott

**SSB 2228**

JUDICIARY: Carr, Chair; Fraise and Hester

**SSB 2229**

HUMAN RESOURCES: Bruner, Chair; Hannon and Readinger

**SSB 2230**

HUMAN RESOURCES: Bruner, Chair; Hannon and Corning

**LSB 8152**

AGRICULTURE: Riordan, Chair; Husak and Vande Hoef

**LSB 8253**

AGRICULTURE: Scott, Chair; Fuhrman and Hall

**PRESENTATION OF VISITORS**

The following visitors were present in the Senate gallery as the guests of Senator Husak:

Thirteen special education students from South Tama County School District, Tama, Iowa, accompanied by Jim Tekippe.

**AMENDMENTS FILED**

S—5129	S. F.	2154	State Government
S—5130	S. F.	2098	Ray Taylor
S—5131	S. F.	2113	Calvin O. Hultman
S—5132	S. F.	354	Wilmer Rensink
			Larry Murphy
S—5133	S. F.	2193	Joy Corning
S—5134	S. F.	2169	Richard Varn
			Michael E. Gronstal
			Richard F. Drake
			John W. Jensen

## AFTERNOON SESSION

The Senate reconvened at 4:43 p.m., Senator Welsh 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 12, 1988, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

**House File 2011**, a bill for an act relating to the ownership of certain vessels by defining vessel, by requiring a certificate of origin for certain vessels, by requiring the purchaser of a registered vessel to obtain a certificate of title, by providing for the perfection of a security interest, and by providing an effective date.

ALSO: That the House has on February 23, 1988, passed the following bill in which the concurrence of the House was asked:

**Senate File 348**, a bill for an act authorizing a state agency or a political subdivision of the state to contract to provide medical services.

ALSO: That the House has on February 23, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 394**, a bill for an act relating to care of animals in commercial establishments (S—5138).

ALSO: That the House has on February 23, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2155**, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts.

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

**House File 2262**, a bill for an act relating to the deduction and disbursement of certain moneys from an allowance paid to an inmate.

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

**House File 2263**, a bill for an act relating to the use of the Iowa state industries revolving fund.

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

**House File 2264**, a bill for an act repealing a requirement that the department of corrections prepare a biennial report relating to the management of the community-based corrections programs.

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

**House File 2265**, a bill for an act relating to reports to be submitted by superintendents of correctional institutions to the director of the department of corrections.

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

**House File 2285**, a bill for an act relating to the administration of the state's income, franchise, sales, services, use, fuel, and death taxes, providing penalties, and providing retroactive and effective dates.

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

**House File 2287**, a bill for an act relating to the filing date of the elderly or disabled property tax credit, providing for the recovery of erroneous payments, and providing an effective date.

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

## INTRODUCTION OF BILLS

**Senate File 2201**, by committee on State Government, a bill for an act to remove the bond required for class "A", "B", "C", and "D" liquor control licenses and retail wine and beer permits.

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

**Senate File 2202**, by committee on State Government, a bill for an act relating to the licensing of private investigators and private security officers, providing for the issuance of temporary permits to certain persons pursuant to reciprocal agreement, making penalties applicable, and providing other properly related matters.



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

**Senate File 2203**, by committee on State Government, a bill for an act relating to the composition of the engineering and land surveying examining board and providing an effective date.

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

**Senate File 2204**, by Gronstal, a bill for an act relating to the liability of other employees for injuries suffered by an employee if the employee receives workers' compensation benefits.

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

**Senate File 2205**, by committee on Environment and Energy Utilities, a bill for an act relating to interstate natural gas pipelines by establishing a new chapter to define jurisdiction over interstate natural gas pipelines, removing references to interstate natural gas pipelines from the current chapter relating to pipelines and natural gas storage, and adjusting fees.

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

**Senate File 2206**, by committee on Environment and Energy Utilities, a bill for an act relating to the groundwater protection Act.

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

**Senate File 2207**, by Murphy, a bill for an act relating to victim restitution by granting an insurer a right of subrogation if an insurance claim has been paid on an act for which restitution is payable.

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

**Senate File 2208**, by committee on Judiciary, a bill for an act relating to the possession of alcoholic beverages by persons under legal age.

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

**Senate File 2209**, by committee on Judiciary, a bill for an act relating to the sale, lease, exchange, or other disposition of corporate property and assets.

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

**Senate File 2210**, by committee on State Government, a bill for an act relating to the licensing of marital and family therapists; establishing the board of marital and family therapy examiners; providing exemptions; redefining "mental health professional" for purposes of confidential communications; making penalties applicable; and providing other properly related matters.

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

**Senate File 2211**, by committee on Small Business and Economic Development, a bill for an act to require certain coal-fired electrical generating plants to burn a mixture of Iowa-mined coal with civil penalties applicable.

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

**Senate File 2212**, by committee on State Government, a bill for an act relating to the credentialing of mental health counselors, establishing a board of mental health counseling examiners, making penalties applicable, and providing other properly related matters.

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

**Senate File 2213**, by Fuhrman, a bill for an act permitting the use of fully interactive telecommunications systems as the exclusive means to provide required courses in certain school districts and permitting a teacher's aide to be the supervising teacher at the place where the telecommunications are being received.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 115**, by Readinger, a concurrent resolution relating to the certificate of need program.

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

## APPENDIX

### COMMITTEE REPORTS

#### ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2205, a bill for an act relating to interstate natural gas pipelines by establishing a new chapter to define jurisdiction over interstate natural gas pipelines, removing references to interstate natural gas pipelines from the current chapter relating to pipelines and natural gas storage, and adjusting fees.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: Deluhery, Gronstal, Soorholtz, Hall, A. Miller and Rife. Nays, none. Absent or not voting, 4: Murphy, Schwengels, Sturgeon and Varn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### JUDICIARY

**Final Bill Action:** SENATE FILE 416, a bill for an act to provide for the recognition of foreign money-judgments.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5135.

**Final Vote:** Ayes, 11: Doyle, Mann, Holt, Carr, Deluhery, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, 1: Coleman. Absent or not voting, 2: Fraise and Drake.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2208 (SSB 2009), a bill for an act relating to the possession of alcoholic beverages by persons under legal age.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Doyle, Mann, Holt, Carr, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Deluhery and Drake.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2209 (SSB 2067), a bill for an act relating to the sale, lease, exchange, or other disposition of corporate property and assets.

**Recommendation:** APPROVED COMMITTEE BILL.

**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:** HOUSE FILE 2166, a bill for an act relating to a disclaimer of interest by a beneficiary also acting as a fiduciary.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Doyle, Mann, Holt, Carr, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 3: Coleman, Deluhery and Drake.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Final Bill Action:** SENATE FILE 2211 (SSB 2160), a bill for an act to require certain coal-fired electrical generating plants to burn a mixture of Iowa-mined coal with civil penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott and Rife. Nays, 3: Fuhrman, Holt and Rensink. Absent or not voting, 1: Vande Hoef.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 2160, a bill for an act relating to the practice of chiropractic and providing for rules to implement the right of an applicant to choose whether to utilize certain procedures related to differential diagnosis.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2210 (SSB 2115A), a bill for an act relating to the licensing of marital and family therapists; establishing the board of marital and family therapy examiners; providing exemptions; redefining "mental health professional" for purposes of confidential communications; making penalties applicable; and providing other properly related matters.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Carr, Dieleman, Nystrom, Bruner, Coleman, Soorholtz, Gronstal, Rife, Lloyd-Jones, C. Miller, Horn and Welsh. Nays, 2: Gentleman and Drake. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2212 (SSB 2080), a bill for an act relating to the credentialing of mental health counselors, establishing a board of mental health counseling examiners, making penalties applicable, and providing other properly related matters.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Welsh, Rife, Soorholtz and Drake. Nays, 1: Gentleman. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## TRANSPORTATION

**Final Bill Action:** HOUSE FILE 429, a bill for an act providing that under certain circumstances the 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:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5137.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Nystrom and Priebe. Nays, none. Absent or not voting, 1: Lloyd-Jones.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2259, a bill for an act to permit persons who rebuild motor vehicles into emergency vehicles to be licensed as wholesalers.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5136.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Priebe. Nays, none. Absent or not voting, 1: Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**REPORT OF STANDING COMMITTEE**  
(Place nominee on En Bloc 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 Mary Garst as a member of the Iowa Economic Development Board, completed its investigation on February 24, 1988, and recommended the appointee be confirmed.

**BILLS ASSIGNED TO COMMITTEE**

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

S.C.R.	115	Human Resources
S.F.	2200	Human Resources
S.F.	2204	Business and Labor Relations
S.F.	2207	Judiciary
H.F.	2066	Natural Resources
H.F.	2228	Local Government
H.F.	2262	Judiciary
H.F.	2263	Judiciary
H.F.	2265	Judiciary
H.F.	2285	Ways and Means
H.F.	2287	Local Government

## AMENDMENTS FILED

S—5135	S.F.	416	Judiciary
S—5136	H.F.	2259	Transportation
S—5137	H.F.	429	Transportation
S—5138	S.F.	394	House amendment

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:50 p.m., until 9:00 a.m., Thursday, February 25, 1988.

# JOURNAL OF THE SENATE

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FORTY-SIXTH CALENDAR DAY  
THIRTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, February 25, 1988

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

Prayer was offered by the Honorable Edgar H. Holden, member of the Senate from Scott County, Davenport, Iowa.

The Journal of Wednesday, February 24, 1988, was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the morning on request of Senator Hutchins.

## INTRODUCTION OF BILL

**Senate File 2214**, by committee on Small Business and Economic Development, a bill for an act relating to an exemption from the state sales, services, and use taxes of the gross receipts from the sales of replacement parts for certain vehicles used substantially in interstate commerce.

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

## BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2206** be referred from the Regular Calendar to the committee on **Environment and Energy Utilities**.

## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:40 a.m., until 4:30 p.m.



## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON ECONOMIC DEVELOPMENT AND IOWA PLAN

**Convened:** February 24, 1988, 9:50 a.m.

**Members Present:** Boswell, Chair; Gronstal, Vice Chair; Rife, Ranking Member; Carr and Taylor.

**Members Absent:** none.

**Committee Business:** Approved Department of Economic Development general fund appropriations bill; approved lottery funded appropriations bill; approved federal block grant portion of appropriations bill; approved goals and objectives for programs under the Department of Economic Development.

**Adjourned:** 12:17 p.m.

#### APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

**Convened:** February 24, 1988, 10:05 a.m.

**Members Present:** Varn, Chair; Horn, Vice Chair; Nystrom, Ranking Member; Murphy and Rensink.

**Members Absent:** none.

**Committee Business:** Subcommittee approved and submitted LSB 8325 to the full Appropriations Committee.

**Adjourned:** 10:32 a.m.

#### APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN RIGHTS

**Convened:** February 24, 1988, 10:00 a.m.

**Members Present:** Sturgeon, Chair; A. Miller, Vice Chair; Readinger, Ranking Member; Gentleman and C. Miller.

**Members Absent:** none.

**Committee Business:** Subcommittee approved and submitted LSB 8191 to the full Appropriations Committee; approved report of the oversight on children, youth and families.

**Adjourned:** 11:45 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON HUMAN SERVICES**

**Convened:** February 24, 1988, 9:54 a.m.

**Members Present:** Lloyd-Jones, Chair; Bruner, Vice Chair; Corning, Ranking Member; Deluhery and Fuhrman.

**Members Absent:** none.

**Committee Business:** Final approval of appropriations bill.

**Adjourned:** 12:05 p.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON REGULATION**

**Convened:** February 24, 1988, 10:00 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Palmer and Schwengels (excused).

**Committee Business:** Final approval of appropriations bill.

**Adjourned:** 10:45 a.m.

#### **APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION AND SAFETY**

**Convened:** February 24, 1988, 9:50 a.m.

**Members Present:** Gettings, Chair; Coleman, Vice Chair; Holt, Ranking Member; Husak and Holden (arrived 10:15 a.m.).

**Members Absent:** none.

**Committee Business:** Amended and approved LSB 8249.

**Adjourned:** 11:40 a.m.

**EDUCATION**

**Convened:** February 24, 1988, 3:45 p.m.

**Members Present:** Murphy, Chair; Horn, Vice Chair; Bruner, Corning, Dieleman, Hannon, Holden, Lind, Rensink, Riordan, Tieden, Varn and Wells.

**Members Absent:** Taylor, Ranking Member and Lloyd-Jones.

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2206 and 2179 as committee bills.

**Adjourned:** 4:47 p.m.

**ENVIRONMENT AND ENERGY UTILITIES**

**Convened:** February 24, 1988, 1:35 p.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hall, A. Miller, Murphy (arrived 1:50 p.m.), Rife, Sturgeon (arrived 1:40 p.m.) and Varn (arrived 1:45 p.m.).

**Members Absent:** Schwengels (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate Files 2118 and 2130; approved SSB 2084 as amended as a committee bill.

**Adjourned:** 2:00 p.m.

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** February 24, 1988, 8:10 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:** Assigned bills to subcommittees; approved SSBs 2160 and 2134 as committee bills; recommended confirmation of Governor's appointee Mary Garst.

**Adjourned:** 8:40 a.m.

**STATE GOVERNMENT**

**Convened:** February 24, 1988, 2:35 p.m.

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

**Members Absent:** Schwengels (excused).

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2115A and 2080 as committee bills; recommended passage of Senate File 2160; recommended confirmation of Governor's appointee Michael S. Pomper.

**Adjourned:** 3:30 p.m.

**TRANSPORTATION**

**Convened:** February 24, 1988, 1:30 p.m.

**Members Present:** Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Nystrom and Priebe.

**Members Absent:** Lloyd-Jones (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of House File 2259 as amended and substituted for SSB 2167; recommended passage of House Files 2156 and 2129; deferred action on SSB 2208; approved SSBs 2218 and 2097 as committee bills; recommended passage of House File 429 as amended.

**Adjourned:** 2:05 p.m.

**STUDY BILLS RECEIVED****SSB 2168A Environment & Energy Utilities**

Relating to radon testing, report, and providing a penalty.

**SSB 2232 Education**

Relating to funding for special education services including the determination of enrollment for purposes of area education agency special education support services costs, eliminating the advance to school districts for increases in special education weighting, and providing an effective date.

**SSB 2233 Human Resources**

Regulating continuing-care facilities, and providing enforcement procedures.

**SSB 2234 Small Business & Economic Development**

Relating to motor fuel and special fuel franchisers and distributors, and providing for equitable relief and damages.

**SSB 2235 Judiciary**

Relating to evidence for identification of certain criminals and establishing certain requirements for their early release.

**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 following Governor's appointments, completed its investigations on February 25, 1988, and recommended the appointees be confirmed:

R. Creig Slayton as Administrator of the Division for the Blind.

L. Ted Sloane as a member of the Council on Human Services.

**STATE GOVERNMENT**

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the Governor's appointment of Michael S. Pomper as a member of the Speech Pathology and Audiology Examining Board, completed its investigation on February 24, 1988, and recommended the appointee be confirmed.

**COMMITTEE REPORTS**

**HUMAN RESOURCES**

**Final Bill Action:** SENATE FILE 2104, a bill for an act relating to foster care review, providing for the continued existence of the state and local foster care review boards, providing for the establishment of local foster care review boards throughout the state, providing for review in cases of children involuntarily hospitalized for mental illness, revising provisions relating to confidentiality and access to certain information, providing other procedural revisions, and providing properly related matters.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5144.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Corning, Lind, Murphy, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Coleman.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2107, a bill for an act relating to the creation of a foster home insurance fund.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5143.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Corning, Lind, Murphy, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Coleman.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2223 (SSB 2204), a bill for an act relating to health care facilities, including personnel of intermediate care facilities, and penalties for violations of statutes or rules by health care facilities.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Hannon, Carr, Bruner, Corning, Lind, Murphy, C. Miller and Sturgeon. Nays, 3: Gentleman, Readinger and Taylor. Absent or not voting, 1: Coleman.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## NATURAL RESOURCES

**Final Bill Action:** HOUSE FILE 2102, a bill for an act to prohibit the taking of a white deer and protected game, and providing penalties.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5141.

**Final Vote:** Ayes, 7: Scott, Doyle, Hannon, Hester, A. Miller, Rensink and Tieden. Nays, 3: Priebe, Goodwin and Peterson. Absent or not voting, 2: Husak and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Final Bill Action:** SENATE FILE 2214 (SSB 2134), a bill for an act relating to an exemption from the state sales, services, and use taxes of the gross receipts from the sales of replacement parts for certain vehicles used substantially in interstate commerce.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Boswell, Peterson, Deluhery, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 1: Hannon.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### **TRANSPORTATION**

**Final Bill Action:** SENATE FILE 2215 (SSB 2097), a bill for an act relating to right-of-way and relocation assistance provided to persons displaced by highway projects.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Nystrom and Priebe. Nays, none. Absent or not voting, 1: Lloyd-Jones.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2216 (SSB 2218), a bill for an act providing that the state fair board may make an agreement with the department of public safety to provide security during the annual fair and exposition and interim events.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Nystrom and Priebe. Nays, none. Absent or not voting, 1: Lloyd-Jones.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**SUBCOMMITTEE ASSIGNMENTS**

**Senate Concurrent Resolution 110**

**RULES AND ADMINISTRATION:** Gronstal, Chair; Gettings and Jensen

**Senate Concurrent Resolution 115**

**HUMAN RESOURCES:** Readinger, Chair; Sturgeon and Coleman

**Senate File 2195**

**STATE GOVERNMENT:** Horn, Chair; C. Miller and Soorholtz

**Senate File 2200**

**HUMAN RESOURCES:** Hannon, Chair; Sturgeon and Taylor

**Senate File 2204**

**BUSINESS AND LABOR RELATIONS:** Horn, Chair; Palmer and Holden

**House File 2168**

**LOCAL GOVERNMENT:** Fraise, Chair; Hall and C. Miller

**House File 2228**

**LOCAL GOVERNMENT:** Wells, Chair; Horn and Hall

**House File 2287**

**LOCAL GOVERNMENT:** A. Miller, Chair; Hall and Goodwin

**SSB 2168A**

**ENVIRONMENT AND ENERGY UTILITIES:** Varn, Chair; Sturgeon and Hall

**SSB 2231**

**EDUCATION:** Murphy, Chair; Taylor and Corning

**SSB 2232**

**EDUCATION:** Murphy, Chair; Horn, Varn, Rensink and Taylor

**SSB 2233**

**HUMAN RESOURCES:** Hannon, Chair; Bruner and Corning



## SSB 2234

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Hannon, Chair;  
Boswell and Fuhrman

## BILLS ASSIGNED TO COMMITTEE

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

S.F.	2213	Education
S.F.	2217	Ways and Means
S.F.	2218	Judiciary
S.F.	2219	State Government
S.F.	2220	State Government
S.F.	2221	Judiciary
S.F.	2222	Judiciary
S.F.	2224	Judiciary
H.F.	2162	State Government

## AMENDMENTS FILED

S—5139	S.F.	2051	James Riordan
S—5140	H.F.	2102	Berl E. Priebe
			John A. Peterson
			Kenneth Scott
S—5141	H.F.	2102	Natural Resources
S—5142	S.F.	2169	Richard F. Drake
S—5143	S.F.	2107	Human Resources
S—5144	S.F.	2104	Human Resources

## AFTERNOON SESSION

The Senate reconvened at 4:32 p.m., President pro tempore Kinley presiding.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Holt for the remainder of the day and February 26, 1988, 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 44 present, 6 absent and a quorum present.

## UNFINISHED BUSINESS (Deferred February 19, 1988)

### House File 468

The Senate resumed consideration of House File 468, a bill for an act authorizing limited gambling on excursion gambling boats, by specifying additional powers and duties of the state racing and gaming commission, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing taxes on admissions, by requiring licenses and imposing fees, by allocating revenue received, by making corresponding amendments to the Code, and by providing penalties for violations, deferred February 19, 1988.

Senator Dieleman offered amendment S—4022 filed by him on May 6, 1987, to pages 3 and 9 of the bill.

Senator Horn raised the point of order that amendment S—4022 was out of order because the same subject matter had previously been considered in amendment S—4016 on February 19, 1988.

The Chair ruled the point well taken and amendment S—4022 out of order.

With the adoption of amendment S—5053 on February 19, 1988, the Chair ruled amendment S—4051 filed by Senator Dieleman on May 7, 1987, to pages 4 and 5 of the bill, out of order.

Senator Mann withdrew amendment S—5097 filed by him on February 18, 1988, to pages 5, 14, 15 and 16 of the bill.

Senator Dieleman offered amendment S—4050 filed by him on May 7, 1987, to page 5 of the bill and moved its adoption.

Amendment S—4050 was adopted by a voice vote.

Senator Mann offered amendment S—4055 filed by him on May 7, 1987, to pages 5, 14, 15 and 16 of the bill and called for a division:

Division S—4055A: lines 10 and 11.

Division S—4055B: lines 3 through 6 and line 12.

Division S—4055C: lines 7 through 9.

Senator Mann withdrew division S—4055A.

Senator Dieleman called for a further division of amendment S—4055:

Division S—4055C: lines 7 and 8.

Division S—4055D: line 9.

Senator Mann moved the adoption of division S—4055C.

A record roll call was requested.

On the question "Shall division S—4055C be adopted?" (H.F. 468) the vote was:

Ayes, 33:

Boswell  
Corning  
Drake  
Gronstal  
Hutchins

Bruner  
Deluhery  
Fraise  
Hannon  
Kinley

Carr  
Dieleman  
Fuhrman  
Holden  
Lind

Coleman  
Doyle  
Gentleman  
Husak  
Lloyd-Jones

Mann	Miller, A.V.	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Welsh			

Nays, 11:

Gettings	Goodwin	Hall	Hester
Horn	Jensen	Taylor	Tieden
Vande Hoef	Varn	Wells	

Absent or not voting, 6:

Holt	Hultman	Miller, C.P.	Murphy
Nystrom	Schwengels		

Division S—4055C was adopted.

(House File 468 and divisions S—4055B and S—4055D pending on adjournment).

## 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 22, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2162**, a bill for an act relating to the conditions for the issuance of a class “E” liquor control license in counties with a population under nine thousand five hundred.

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

## INTRODUCTION OF BILLS

**Senate File 2215**, by committee on Transportation, a bill for an act relating to right-of-way and relocation assistance provided to persons displaced by highway projects.

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

**Senate File 2216**, by committee on Transportation, a bill for an act providing that the state fair board may make an agreement with the department of public safety to provide security during the annual fair and exposition and interim events.

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

**Senate File 2217**, by Jensen and Hester, a bill for an act relating to the imposition and collection of the state sales, services, and use taxes by out-of-state retailers.

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

**Senate File 2218**, by Jensen and Hester, a bill for an act increasing and establishing certain court filing fees.

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

**Senate File 2219**, by Lind, a bill for an act repealing the statutory provision which prospectively abolishes the department of commerce.

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

**Senate File 2220**, by Lind, a bill for an act relating to incentives to encourage certain state and local government employees to retire from employment by providing for monetary or insurance payment incentives, and providing an effective date.

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

**Senate File 2221**, by Lind and Vande Hoef, a bill for an act relating to the penalties for possession and distribution of controlled substances.

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

**Senate File 2222**, by Hester, a bill for an act relating to the issuance of citations and the detention of juveniles, and providing penalties.

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

**Senate File 2223**, by committee on Human Resources, a bill for an act relating to health care facilities, including personnel of intermediate care facilities, and penalties for violations of statutes or rules by health care facilities.

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

**Senate File 2224**, by Lind, a bill for an act relating to child endangerment not resulting in serious injury and providing a penalty.

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

**Senate File 2225**, by committee on Human Resources, a bill for an act relating to the establishment of a family development and self-sufficiency council and the council's duties.

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

**Senate File 2226**, by committee on Environment and Energy Utilities, a bill for an act relating to radon testing, reporting of radon levels, and providing a penalty.

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

**Senate File 2227**, by committee on Judiciary, a bill for an act relating to the location of a satellite terminal of a financial institution at a retail sales location.

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

## APPENDIX

### COMMITTEE REPORTS

#### ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2226 (SSB 2168A), a bill for an act relating to radon testing, reporting of radon levels, and providing a penalty.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Murphy and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### HUMAN RESOURCES

**Final Bill Action:** SENATE FILE 2225 (SSB 2229), a bill for an act relating to the establishment of a family development and self-sufficiency council and the council's duties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Corning, Lind, Murphy, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Coleman.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

#### JUDICIARY

**Final Bill Action:** SENATE FILE 2227, a bill for an act relating to the location of a satellite terminal of a financial institution at a retail sales location.

**Recommendation:** APPROVED COMMITTEE BILL.

**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.

## AMENDMENTS FILED

S—5145	S.F.	2193	Richard J. Varn
S—5146	S.F.	2093	Jean Lloyd-Jones
S—5147	S.F.	2157	Al Sturgeon
			David Readinger
			Charles Bruner
			Julia Gentleman
			Beverly A. Hannon

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Friday, February 26, 1988.



# JOURNAL OF THE SENATE

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FORTY-SEVENTH CALENDAR DAY  
THIRTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, February 26, 1988

The Senate met in regular session at 9:07 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, February 25, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Goodwin for the day on request of Senator Hultman and Senator Carr for the day on request of Senator Hutchins.

## INTRODUCTION OF BILLS

**Senate File 2228**, by Corning, a bill for an act relating to the language which terminates the existence of the division of children, youth, and families of the department of human rights.

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

**Senate File 2229**, by Corning, Vande Hoef and Hall, a bill for an act relating to the operation of a watercraft by a person who is intoxicated and providing penalties.

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

**Senate File 2230**, by committee on Local Government, a bill for an act relating to the sale of part of a gravel pit owned by a county.

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

**Senate File 2231**, by committee on State Government, a bill for an act to allow certain elections to be conducted by mail ballots, making penalties applicable, and providing for the prospective repeal of the Act.

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

### QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

### BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2214** be referred from the Regular Calendar to the committee on **Ways and Means** and that **Senate File 2227** be referred from the Regular Calendar to the committee on **Commerce**.

### UNFINISHED BUSINESS (Pending February 25, 1988)

#### House File 468

The Senate resumed consideration of House File 468, a bill for an act authorizing limited gambling on excursion gambling boats, by specifying additional powers and duties of the state racing and gaming commission, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing taxes on admissions, by requiring licenses and imposing fees, by allocating revenue received, by making corresponding amendments to the Code, and by providing penalties for violations, and divisions S—4055B and S—4055D of the bill, pending on February 25, 1988.

Senator Mann moved the adoption of division S—4055D to page 15 of the bill.

A non record roll call was requested.

The ayes were 19, nays 25.

Division S—4055D lost.

Senator Mann withdrew division S—4055B to pages 5 and 16 of the bill.

Senator Lind asked and received unanimous consent that action on amendment S—5109 filed by him on February 19, 1988, to page 5 of the bill be deferred.

Senator Dieleman withdrew amendment S—4049 filed by him on May 7, 1987, to page 6 of the bill.

Senator Rife offered amendment S—5083 filed by him on February 16, 1988, to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 19.

Amendment S—5083 was adopted.

Senator Dieleman offered amendment S—4027 filed by him on May 6, 1987, to page 6 of the bill.

Senator Dieleman asked and received unanimous consent that action on amendment S—4027 be deferred.

Senator Hutchins asked and received unanimous consent that action on **House File 468** be **deferred** (amendments S—5109 and S—4027 pending).

## HOUSE AMENDMENT CONSIDERED

### Senate File 2094

Senator Hannon called up for consideration Senate File 2094, a bill for an act relating to instructional requirements for human growth and development in grades kindergarten through twelve and providing an effective date, amended by the House in House amendment S—5106 filed February 19, 1988.

Senator Rife took the chair at 10:10 a.m.

Senator Hannon offered amendment S—5126 filed by Senators Lind and Hannon on February 23, 1988, to House amendment S—5106 and moved its adoption.

Amendment S—5126 was adopted by a voice vote.

Senator Hannon moved that the Senate concur in the House amendment as amended.

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

Senator Hannon 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. 2094) the vote was:

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

Ayes, 34:

Boswell	Bruner	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Gentleman	Gettings	Gronstal	Hall
Hannon	Hester	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Priebe	Readinger	Rife
Riordan	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 12:

Dieleman	Fuhrman	Holden	Hultman
Jensen	Nystrom	Peterson	Rensink
Scott	Taylor	Tieden	Vande Hoef

Absent or not voting, 4:

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

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2051.

### Senate File 2051

On motion of Senator Riordan, Senate File 2051, a bill for an act relating to the development of soil and water resource conservation plans by soil and water conservation districts and the division of soil conservation of the department of agriculture and land stewardship, was taken up for consideration.

Senator Riordan offered amendment S—5139 filed by him on February 25, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5139 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. 2051) the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	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
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Gentleman	Readinger
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Absent or not voting, 4:

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

Senator Hutchins asked and received unanimous consent to take up out of order House File 278.

### **House File 278**

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

Senator Kinley offered amendment S—5049 filed by the committee on Local Government on February 4, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Gentleman offered amendment S—5079 filed by her on February 15, 1988, to page 1 of amendment S—5049 and moved its adoption.

Amendment S—5079 lost by a voice vote.

Senator Fraise withdrew amendment S—5074 filed by him on February 15, 1988, to pages 2, 3 and 4 of amendment S—5049.

Senator Fraise offered amendment S—5082 filed by him on February 16, 1988, to pages 2, 3 and 4 of amendment S—5049.

Senator Kinley called for a division of amendment S—5082 to amendment S—5049: lines 4 through 8 as division S—5082A and lines 9 through 16 as division S—5082B.

Senator Fraise moved the adoption of division S—5082B to amendment S—5049.

Division S—5082B was adopted by a voice vote.

Senator Fraise moved the adoption of division S—5082A to amendment S—5049, which motion lost by a voice vote.

Senator Palmer offered amendment S—5087 filed by him on February 16, 1988, to pages 2 and 5 of amendment S—5049, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5087 to amendment S—5049 be adopted?" (H.F. 278) the vote was:

Ayes, 10:

Bruner	Dieleman	Doyle	Gentleman
Hutchins	Palmer	Priebe	Soorholtz
Varn	Welsh		

Nays, 32:

Boswell	Coleman	Corning	Deluhery
Drake	Fraise	Gronstal	Hall
Hannon	Hester	Holden	Horn
Hultman	Husak	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Peterson	Readinger	Rensink
Rife	Riordan	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Wells

Absent or not voting, 8:

Carr	Fuhrman	Gettings	Goodwin
Holt	Jensen	Murphy	Schwengels

Amendment S—5087 lost.

Senator Gronstal offered amendment S—5091 filed by him on February 17, 1988, to pages 4 and 5 of amendment S—5049.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the day on request of Senator Hutchins.

## BUSINESS PENDING

### House File 278

The Senate resumed consideration of House File 278.

Senator Gronstal moved the adoption of amendment S—5091 to amendment S—5049.

Amendment S—5091 was adopted by a voice vote.

Senator Gentleman offered amendment S—5080 filed by her on February 15, 1988, to page 5 of amendment S—5049 and moved its adoption.

Amendment S—5080 lost by a voice vote.

Senator Vande Hoef asked and received unanimous consent that action on amendment S—5069 filed by him on February 15, 1988, to pages 6 and 8 of amendment S—5049 be deferred for consideration of amendment S—5077.

Senator Vande Hoef offered amendment S—5077 filed by him on February 15, 1988, to pages 6 and 8 of amendment S—5049 and moved its adoption.

Amendment S—5077 was adopted by a voice vote.

Senator Vande Hoef withdrew amendment S—5069 to pages 6 and 8 of amendment S—5049, previously deferred.

Senator Gentleman offered amendment S—5081 filed by Senators Gentleman and Readinger on February 15, 1988, to pages 9 and 11 of amendment S—5049 and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 6.

Amendment S—5081 was adopted.

Senator Welsh offered amendment S—5156 filed by him from the floor to pages 1 and 12 of amendment S—5049 and moved its adoption.

Amendment S—5156 was adopted by a voice vote.

Senator Kinley moved the adoption of amendment S—5049 as amended, which motion prevailed by a voice vote.

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



On the question "Shall the bill pass?" (H.F. 278) the vote was:

Ayes, 32:

Bruner	Coleman	Corning	Deluhery
Dieleman	Doyle	Drake	Gentleman
Gronstal	Hall	Hannon	Holden
Horn	Lind	Lloyd-Jones	Miller, A. V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, 8:

Boswell	Fraise	Hester	Hultman
Husak	Peterson	Riordan	Welsh

Absent or not voting, 10:

Carr	Fuhrman	Gettings	Goodwin
Holt	Hutchins	Jensen	Kinley
Mann	Schwengels		

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 (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2196.

#### Senate File 2196

On motion of Senator Drake, Senate File 2196, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates, was taken up for consideration.

Senator Coleman took the chair at 11:45 a.m.

Senator Lind took the chair at 11:50 a.m.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2196** be **deferred**.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 278** and **Senate File 2094** be **immediately messaged** to the House.

### INTRODUCTION OF BILLS

**Senate File 2232**, by committee on State Government, a bill for an act relating to elections and election procedures and providing an effective date.

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

**Senate File 2233**, by committee on State Government, a bill for an act relating to the registration of voters in state offices.

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

**Senate File 2234**, by committee on Education, a bill for an act relating to the starting date for schools.

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

**Senate File 2235**, by committee on Education, a bill for an act relating to student exercise of free expression in the public schools.

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

**Senate File 2236**, by committee on Education, a bill for an act relating to the qualification for office by elected school board members and school officers.

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

## REPORTS OF COMMITTEE MEETINGS

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** February 24, 1988, 10:00 a.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

**Members Absent:** Mann.

**Committee Business:** Discussion of appropriations bill.

**Recessed:** 11:20 a.m.

**Reconvened:** February 24, 1988, 5:30 p.m.

**Members Present:** Fraise, Chair; Doyle, Vice Chair; Lind, Ranking Member and Vande Hoef.

**Members Absent:** Mann.

**Committee Business:** Appropriations bill failed joint recommendation for approval (failed by House members, approved by Senate members); committee was declared dissolved.

**Adjourned:** 5:40 p.m.

**BUSINESS AND LABOR RELATIONS**

**Convened:** February 25, 1988, 10:36 a.m.

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

**Members Absent:** none.

**Committee Business:** Assigned S.F. 2204 to a subcommittee; recommended confirmation of Governor's appointee David Linquist; amended and approved SSBs 2185, 2076 and 2147 as committee bills.

**Adjourned:** 11:35 a.m.

**ENVIRONMENT AND ENERGY UTILITIES**

**Convened:** February 25, 1988, 9:45 a.m.

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

**Members Absent:** Murphy and Schwengels (excused).

**Committee Business:** Assigned SSB 2168A to a subcommittee; approved SSB 2168A as a committee bill; amended and approved SSB 2169 as a committee bill; amended title of Senate File 2206.

**Adjourned:** 10:04 a.m.

## HUMAN RESOURCES

**Convened:** February 25, 1988, 10:38 a.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Corning, Lind, Murphy, C. Miller, Readinger, Sturgeon and Taylor.

**Members Absent:** Coleman (excused).

**Committee Business:** Assigned bills to subcommittees; recommended confirmation of Governor's appointees; approved SSBs 2204 and 2229 as committee bills; recommended passage of Senate Files 2104 and 2107 as amended.

**Adjourned:** 11:25 a.m.

## JUDICIARY

**Convened:** February 25, 1988, 3:45 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

**Members Absent:** Holt and Deluhery (both excused).

**Committee Business:** Assigned bills to subcommittees; approved SSB 2059 as a committee bill; recommended passage of Senate Files 2121 and 2178.

**Adjourned:** 4:40 p.m.

## LOCAL GOVERNMENT

**Convened:** February 25, 1988, 1:43 p.m.

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

**Members Absent:** Kinley (excused).

**Committee Business:** Assigned bills to subcommittees; approved SSB 2190 as a committee bill; amended SSB 2116 and ordered redrafted for final approval as a committee bill.

**Adjourned:** 1:55 p.m.

## **NATURAL RESOURCES**

**Convened:** February 25, 1988, 8:05 a.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Doyle, Goodwin, Hannon, Hester, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Schwengels, Ranking Member (excused) and Husak.

**Committee Business:** Assigned bills to subcommittees; recommended passage of House File 2102.

**Adjourned:** 8:20 a.m.

## **STATE GOVERNMENT**

**Convened:** February 25, 1988, 2:40 p.m.

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

**Members Absent:** Schwengels (excused).

**Committee Business:** Approved SSBs 2138, 2224 and 2222 as committee bills; recommended passage of Senate Files 2195 and 2139; recommended confirmation of Governor's appointee Jerry F. Duggan.

**Adjourned:** 3:25 p.m.

## **COMMITTEE REPORTS**

### **BUSINESS AND LABOR RELATIONS**

**Final Bill Action:** SENATE FILE 2239, a bill for an act relating to administrative agency and the Iowa employment security law by providing that administrative determinations are not binding in separate actions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: Mann, Wells, Gettings, Horn, Palmer and Welsh. Nays, 4: Holden, Hultman, Fuhrman and Vande Hoef.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2240, a bill for an act relating to the registration of construction contractors; providing for administration of the system of registration by the secretary of state; requiring display of the registration number; requiring as a condition of registration that the contractor be insured for general liability or be bonded, be in compliance with workers' compensation laws, and possess an account number for purposes of unemployment compensation; prohibiting the award of state contracts to nonregistered contractors; providing for investigations and enforcement by the labor commissioner; providing for administrative penalties; providing for the formation of a coordinating group; providing an effective date; and providing other properly related matters.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: Wells, Mann, Gettings, Palmer, Horn and Welsh. Nays, 4: Hultman, Holden, Fuhrman and Vande Hoef.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## EDUCATION

**Final Bill Action:** SENATE FILE 2025, a bill for an act relating to student membership on the state board of regents.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5153.

**Final Vote:** Ayes, 10: Murphy, Horn, Bruner, Dieleman, Hannon, Lloyd-Jones, Lind, Riordan, Varn and Wells. Nays, 4: Taylor, Holden, Rensink and Tieden. Absent or not voting, 1: Corning.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2234 (SSB 2205), a bill for an act relating to the starting date for schools.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Murphy, Horn, Taylor, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Varn, Tieden and Wells. Nays, none. Absent or not voting, 1: Bruner.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2235 (SSB 2206), a bill for an act relating to student exercise of free expression in the public schools.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Murphy, Horn, Bruner, Corning, Lind, Riordan, Varn and Wells. Nays, 3: Holden, Rensink and Tieden. Absent or not voting, 4: Hannon, Taylor, Lloyd-Jones and Dieleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2236 (SSB 2176), a bill for an act relating to the qualification for office by elected school board members and school officers.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Murphy, Horn, Bruner, Corning, Hannon, Holden, Lind, Rensink, Riordan, Tieden, Varn, Wells and Dieleman. Nays, none. Absent or not voting, 2: Taylor and Lloyd-Jones.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## JUDICIARY

**Final Bill Action:** SENATE FILE 2178, a bill for an act relating to the right of privacy of an individual, or a group, association, or class of individuals, and the collection, storage, disclosure, verification, and matching of certain information, and providing penalties.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Doyle, Mann, Carr, Coleman, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, 1: Drake. Absent or not voting, 2: Holt and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2237 (SSB 2105), a bill for an act relating to the deduction and disbursement of certain moneys from an allowance paid to an inmate.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 12: Doyle, Mann, Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Holt and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2238 (SSB 2059), 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.**

**Final Vote:** Ayes, 10: Doyle, Mann, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Taylor and Varn. Nays, none. Absent or not voting, 2: Holt and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**LOCAL GOVERNMENT**

**Final Bill Action:** SENATE FILE 2230 (SSB 2190), a bill for an act relating to the sale of part of a gravel pit owned by a county.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller, Taylor and Wells. Nays, none. Absent or not voting, 1: Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 2139, a bill for an act relating to persons with disabilities by requiring the state building code commissioner to adopt rules to ensure enforcement of accessibility provisions, include chapter 104A under the administration and enforcement section of chapter 103A, and adding a penalty.

**Recommendation: DO PASS.**

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gronstal, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, 1: Gentleman. Absent or not voting, 1: Schwengels.



**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2195, a bill for an act relating to the authority of the board of chiropractic examiners to issue licenses by reciprocity or endorsement.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2231 (SSB 2222), a bill for an act to allow certain elections to be conducted by mail ballots, making penalties applicable, and providing for the prospective repeal of the Act.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Carr, Dieleman, Bruner, Coleman, Gronstal, Horn, Lloyd-Jones, C. Miller and Welsh. Nays, 5: Nystrom, Drake, Gentleman, Rife and Soorholtz. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2232 (SSB 2224), a bill for an act relating to election procedures and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2233 (SSB 2138), a bill for an act relating to the registration of voters in state offices.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Carr, Dieleman, Bruner, Coleman, Gronstal, Horn, Lloyd-Jones, C. Miller and Welsh. Nays, 5: Nystrom, Drake, Gentleman, Rife and Soorholtz. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5083 to House File 468 was adopted by the Senate on February 26, 1988.

LARRY MURPHY

### STUDY BILLS RECEIVED

#### **SSB 2236 Environment & Energy Utilities**

Relating to environmental protection by correcting the reference to the membership of the advisory committee for the center for health effects of environmental contamination; by establishing requirements regarding sanitary disposal project inspections, the disposal of solid waste, and the solid waste tonnage fee; by making corrections relating to the collection and allocation of moneys within the solid waste account and the agriculture management account; by correcting a reference to the duties of the department of natural resources regarding household hazardous materials; and by specifying the content and liability for the content of statements submitted with a declaration of value regarding the existence and location of wells, disposal sites, underground storage tanks, and hazardous waste.

#### **SSB 2237 Education**

Relating to the establishment of programs for paying for college costs, including the establishment of a college aid trust fund, the provision for the state board of regents to issue revenue bonds that are payable at times determined by the board, the establishment of education savings accounts that are not taxable income for purposes of the state individual income tax, the preparation of informational materials by the college aid commission, and provisions relating to student aid programs.

## SUBCOMMITTEE ASSIGNMENTS

**Senate File 2121**

JUDICIARY: Varn, Chair; Mann and Drake

**Senate File 2207**

JUDICIARY: Carr, Chair; Horn and Taylor

**Senate File 2217**

WAYS AND MEANS: Gronstal, Chair; Holden and Mann

**House File 2117**

JUDICIARY: Horn, Chair; Varn and Gentleman

**House File 2262**

JUDICIARY: Fraise, Chair; Carr and Fuhrman

**House File 2263**

JUDICIARY: Fraise, Chair; Doyle and Hester

**House File 2265**

JUDICIARY: Fraise, Chair; Doyle and Holt

**House File 2285**

WAYS AND MEANS: Gronstal, Chair; Holden and Riordan

**SSB 2235**

JUDICIARY: Carr, Chair; Mann and Gentleman

**SSB 2236**

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; A. Miller and Schwengels

## INTRODUCTION OF BILLS

**Senate File 2237**, by committee on Judiciary, a bill for an act relating to the deduction and disbursement of certain moneys from an allowance paid to an inmate.

Read first time under **Rule 28** and **placed on calendar**.

**Senate File 2238**, 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 under **Rule 28** and **placed on calendar**.

**Senate File 2239**, by committee on Business and Labor Relations, a bill for an act relating to administrative agency and the Iowa employment security law by providing that administrative determinations are not binding in separate actions.

Read first time under **Rule 28** and **placed on calendar**.

**Senate File 2240**, by committee on Business and Labor Relations, a bill for an act relating to the registration of construction contractors; providing for administration of the system of registration by the secretary of state; requiring display of the registration number; requiring as a condition of registration that the contractor be insured for general liability or be bonded, be in compliance with workers' compensation laws, and possess an account number for purposes of unemployment compensation; prohibiting the award of state contracts to nonregistered contractors; providing for investigations and enforcement by the labor commissioner; providing for administrative penalties; providing for the formation of a coordinating group; providing an effective date; and providing other properly related matters.

Read first time under **Rule 28** and **placed on calendar**.

#### BILLS ASSIGNED TO COMMITTEE

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

S.F.	2228	State Government
S.F.	2229	Natural Resources

## AMENDMENTS FILED

S—5148	H.F.	105	Calvin O. Hultman
S—5149	S.F.	2169	David M. Readinger
S—5150	H.F.	2155	Edgar H. Holden
S—5151	S.F.	2178	Tom Mann, Jr.
S—5152	S.F.	2191	Richard Varn
S—5153	S.F.	2025	Education
S—5154	S.F.	2196	Leonard L. Boswell
			Ray Taylor
			Berl E. Priebe
			Emil J. Husak
			Jim Lind
			Richard Vande Hoef
S—5155	S.F.	2196	C. Joseph Coleman
			Bill Hutchins
			Donald Gettings
			Emil J. Husak
			Michael E. Gronstal
			James D. Wells
			Jim R. Riordan
			Tom Mann, Jr.
			William D. Palmer
			Alvin V. Miller
			Berl E. Priebe
			Hurley W. Hall
			Jack Rife
			Leonard L. Boswell
			Charles P. Miller
			Beverly A. Hannon
			Edgar H. Holden
			Dale L. Tieden
			Jack W. Hester
			Eugene Fraise
			John E. Soorholtz
			Richard Vande Hoef
			John W. Jensen
			Wilmer Rensink
			George R. Kinley
			Ray Taylor
			Wally E. Horn

S—5156	H.F.	278	Joe Welsh
S—5157	S.F.	2225	Joy Corning
			Charles Bruner
			Jim Lind

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:53 a.m., until 10:00 a.m., Monday, February 29, 1988.

# JOURNAL OF THE SENATE

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FIFTIETH CALENDAR DAY  
THIRTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, February 29, 1988

The Senate met in regular session at 10:12 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Lee Holt, member of the Senate from Clay County, Spencer, Iowa.

The Journal of Friday, February 26, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the week and Senator Fuhrman for the morning on request of Senator Hultman and Senator Deluhery 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 February 25, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2257**, a bill for an act relating to the use of vessels for hunting blinds on the public waters of this state and subjecting violators to an existing penalty.

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

**House File 2260**, a bill for an act to prohibit employer sanctions against employees who refuse to work in unsafe conditions.

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

**House File 2277**, a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including the frequency and manner of payments, eligibility for payments, deadlines for submission of plans and reports, and the issuance of supplemental contracts.

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

### BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 221** be referred from the Regular Calendar to the committee on **Ways and Means** and **Senate File 2104** be referred from the Regular Calendar to the committee on **State Government**.

### 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 a party caucus.

The Senate resumed session, President Zimmerman presiding.

### HOUSE AMENDMENT CONSIDERED

#### **Senate File 187**

Senator Nystrom called up for consideration Senate File 187, a bill for an act relating to the purchase of sacramental wine, amended by the House in House amendment S—4099 filed May 9, 1987.

Senator Carr offered amendment S—5158 filed by Senators Carr and Nystrom from the floor to page 2 of House amendment S—4099 and moved its adoption.

Amendment S—5158 was adopted by a voice vote.



Senator Nystrom moved that the Senate concur in the House amendment as amended.

A non record roll call was requested.

The ayes were 26, nays 21.

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

Senator Nystrom 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 187) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Drake	Fraise
Gentleman	Gettings	Gronstal	Hall
Hannon	Hester	Horn	Hultman
Husak	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Priebe	Readinger	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 10:

Dieleman	Goodwin	Holden	Holt
Jensen	Miller, C.P.	Rensink	Rife
Taylor	Vande Hoef		

Absent or not voting, 6:

Deluhery	Fuhrman	Hutchins	Peterson
Schwengels	Tieden		

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

UNFINISHED BUSINESS  
(Deferred February 26, 1988)

**Senate File 2196**

The Senate resumed consideration of Senate File 2196, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates, deferred February 26, 1988.

Senator Jensen offered amendment S—5163 filed by him from the floor to pages 1, 8 and the title page of the bill and moved its adoption.

Amendment S—5163 lost by a voice vote.

Senator Jensen offered amendment S—5164 filed by him from the floor to pages 1, 2, 8 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 22.

Amendment S—5164 was adopted.

(Senate File 2196 pending on recess).

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 12:06 p.m., until 1:00 p.m.

## APPENDIX

### PETITIONS

The following petitions supporting funding for local Emergency Medical Services (EMS) systems were presented and placed on file by:

Senator Fraise from sixty-five residents of Lee County.

Senator Jensen from two hundred ninety residents of Bremer, Butler and Black Hawk Counties.

The following petitions opposing any increase in beer, wine or liquor taxes were presented and placed on file by:

Senator Doyle from seventy-four residents of Ida and Woodbury Counties.

Senator Fraise from fifty-five residents of Lee County.

Senator Hall from seventy-eight residents of Linn County.

Senator Husak from one hundred twenty-nine residents of Benton and Linn Counties.

Senator Husak from fifty-five residents of Marshall and Tama Counties.

Senator Hutchins from one hundred ten residents of Crawford County.

Senator Scott from one hundred one residents of Howard and Winneshiek Counties.

Senator Scott from fifty-five residents of Mitchell and Howard Counties.

Senator Welsh from two hundred two residents of Dubuque County.

Senator Welsh from sixty-five residents of Dubuque, Jones and Scott Counties.

## MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 187 passed the Senate on February 29, 1988.

GEORGE R. KINLEY

## AMENDMENTS FILED

S—5158	S.F.	187	Bob Carr
			Jack Nystrom
S—5159	H.F.	221	Emil J. Husak
S—5160	S.F.	2196	James D. Wells
			Richard F. Drake
			Larry Murphy
S—5161	S.F.	2196	David M. Readinger
S—5162	S.F.	2196	David M. Readinger
S—5163	S.F.	2196	John W. Jensen
S—5164	S.F.	2196	John W. Jensen
S—5165	S.F.	2196	David M. Readinger
			Julia Gentleman
S—5166	S.F.	2196	Richard Varn
S—5167	S.F.	2196	Emil J. Husak
			Berl E. Priebe
			John A. Peterson
			Leonard L. Boswell
			C. Joseph Coleman
			John E. Soorholtz
			Jack Rife
S—5168	S.F.	2209	Tom Mann, Jr.
S—5169	S.F.	2196	Jean Lloyd-Jones
			Charles Bruner
S—5170	S.F.	2196	Larry Murphy
S—5171	S.F.	2196	Larry Murphy
S—5172	S.F.	2196	Ray Taylor

## AFTERNOON SESSION

The Senate reconvened at 1:13 p.m., Senator Husak presiding.

## QUORUM CALL

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

President Zimmerman took the chair at 1:20 p.m.

The vote revealed 42 present, 8 absent and a quorum present.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 114.

### **Senate Concurrent Resolution 114**

On motion of Senator Scott, Senate Concurrent Resolution 114, a concurrent resolution urging that the United States Department of Agriculture reconsider proposals relating to modifying the grain reserve and special producer storage loan programs, was taken up for consideration.

Senator Scott moved the adoption of Senate Concurrent Resolution 114, which motion prevailed by a voice vote.

## BUSINESS PENDING

### **Senate File 2196**

The Senate resumed consideration of Senate File 2196, pending on recess.

Senator Varn offered amendment S—5166 filed by him from the floor to page 2 of the bill.

Senator Welsh offered amendment S—5174 filed by him from the floor to amendment S—5166 and moved its adoption.

Amendment S—5174 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—5166 as amended which motion prevailed by a voice vote.

Senator Coleman offered amendment S—5155 filed by Senators Coleman, et al., on February 26, 1988, to pages 2 through 5 and 8 of the bill.

Senator Drake called for a division of amendment S—5155: lines 2, 3 and 17 through 20 as division S—5155A; lines 4 through 16 as division S—5155B.

Senator Taylor asked and received unanimous consent that action on division S—5155A be deferred.

Senator Coleman moved the adoption of division S—5155B.

A record roll call was requested.

On the question "Shall division S—5155B be adopted?" (S.F. 2196) the vote was:

Ayes, 27:

Boswell	Carr	Coleman	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Hester	Holden
Hultman	Husak	Hutchins	Kinley
Mann	Palmer	Priebe	Rife
Riordan	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, 19:

Bruner	Corning	Drake	Fuhrman
Gentleman	Goodwin	Holt	Horn
Jensen	Lind	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Peterson	Readinger
Scott	Sturgeon	Welsh	

Absent or not voting, 4:

Deluhery	Miller, C.P.	Rensink	Schwengels
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Division S—5155B was adopted.

Senator Boswell offered amendment S—5154 filed by Senators Boswell, et al., on February 26, 1988, to page 5 of the bill.

Senator Taylor offered amendment S—5172 filed by him from the floor to amendment S—5154, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5172 to amendment S—5154 be adopted?" (S.F. 2196) the vote was:

Ayes, 21:

Boswell	Coleman	Dieleman	Fraise
Fuhrman	Gettings	Hall	Hannon
Hester	Hultman	Husak	Hutchins
Jensen	Priebe	Rensink	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn			

Nays, 26:

Bruner	Carr	Corning	Doyle
Drake	Gentleman	Goodwin	Gronstal
Holden	Holt	Horn	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rife	Riordan	Scott
Wells	Welsh		

Absent or not voting, 3:

Deluhery	Miller, C.P.	Schwengels
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Amendment S—5172 lost.

Senator Boswell moved the adoption of amendment S—5154, which motion prevailed by a voice vote.

Senator Wells offered amendment S—5160 filed by Senators Wells, Drake and Murphy from the floor to page 6 of the bill and moved its adoption.

Amendment S—5160 was adopted by a voice vote.

The Senate resumed consideration of division S—5155A by Senators Coleman, et al., to pages 2 through 4 and 8 of the bill, previously deferred.

Senator Taylor offered amendment S—5180 filed by him from the floor to division S—5155A and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5180 to division S—5155A be adopted?" (S.F. 2196) the vote was:

Ayes, 7:

Coleman	Doyle	Gettings	Hannon
Priebe	Readinger	Taylor	

Nays, 38:

Boswell	Bruner	Carr	Corning
Dieleman	Drake	Fraise	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Absent or not voting, 5:

Deluhery	Gronstal	Schwengels	Tieden
Vande Hoef			

Amendment S—5180 lost.

Senator Coleman moved the adoption of division S—5155A.

A record roll call was requested.

On the question "Shall division S—5155A be adopted?" (S.F. 2196) the vote was:

Ayes, 17:

Boswell	Coleman	Doyle	Fraise
Hall	Hannon	Hultman	Husak
Hutchins	Mann	Miller, C.P.	Peterson
Priebe	Riordan	Taylor	Vande Hoef
Wells			

Nays, 31:

Bruner	Carr	Corning	Dieleman
Drake	Fuhrman	Gentleman	Gettings



Goodwin	Gronstal	Hester	Holden
Holt	Horn	Jensen	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Murphy
Nystrom	Palmer	Readinger	Rensink
Rife	Scott	Soorholtz	Sturgeon
Tieden	Varn	Welsh	

Absent or not voting, 2:

Deluhery                      Schwengels

Division S—5155A lost.

Senator Murphy offered amendment S—5171 filed by him from the floor to page 6 of the bill and moved its adoption.

Amendment S—5171 was adopted by a voice vote.

Senator Readinger withdrew amendment S—5162 filed by him from the floor to page 6 of the bill.

Senator Readinger offered amendment S—5165 filed by Senators Readinger and Gentleman from the floor to page 6 of the bill and moved its adoption.

Amendment S—5165 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—5169 filed by Senators Lloyd-Jones and Bruner from the floor to page 6 of the bill and moved its adoption.

Amendment S—5169 was adopted by a voice vote.

Senator Husak offered amendment S—5167 filed by Senators Husak, et al., from the floor to pages 6 through 8 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5167 be adopted?" (S.F. 2196) the vote was:

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

Ayes, 22:

Boswell	Coleman	Dieleman	Doyle
Fraise	Gettings	Hall	Hannon
Hester	Husak	Hutchins	Jensen

Miller, C.P.  
Scott  
Varn

Peterson  
Soorholtz  
Wells

Priebe  
Tieden

Rife  
Vande Hoef

Nays, 24:

Bruner  
Fuhrman  
Holden  
Kinley  
Miller, A.V.  
Riordan

Carr  
Gentleman  
Holt  
Lind  
Murphy  
Sturgeon

Corning  
Goodwin  
Horn  
Lloyd-Jones  
Nystrom  
Taylor

Drake  
Gronstal  
Hultman  
Mann  
Readinger  
Welsh

Absent or not voting, 4:

Deluhery

Palmer

Rensink

Schwengels

Amendment S—5167 lost.

Senator Coleman withdrew amendment S—5182 filed by him from the floor to pages 6 and 7 of the bill.

Senator Murphy offered amendment S—5170 filed by him from the floor to pages 7 and 8 of the bill and moved its adoption.

Amendment S—5170 lost by a voice vote.

Senator Readinger offered amendment S—5161 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5161 lost by a voice vote.

Senator Sturgeon asked and received unanimous consent that action on amendment S—5176 filed by him from the floor to page 1 of the bill be deferred for consideration of amendment S—5177.

Senator Sturgeon asked and received unanimous consent that action on amendment S—5175 filed by him from the floor to pages 1, 4, 5 and 8 of the bill be deferred for consideration of amendment S—5177.

Senator Welsh offered amendment S—5177 filed by him from the floor to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 16.

Amendment S—5177 was adopted.

The Senate resumed consideration of amendment S—5176 by Senator Sturgeon to page 1 of the bill, previously deferred.

Senator Drake raised the point of order that amendment S—5176 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5176 out of order.

The Senate resumed consideration of amendment S—5175 by Senator Sturgeon to pages 1, 4, 5 and 8 of the bill, previously deferred.

Senator Sturgeon called for a division of amendment S—5175: lines 2 through 6 and 15 through 29 as division S—5175A and lines 7 through 14 as division S—5175B.

Senator Sturgeon moved the adoption of division S—5175A, which motion lost by a voice vote.

Senator Sturgeon withdrew division S—5175B.

Senator Boswell offered amendment S—5184 filed by Senators Boswell, et al., from the floor to page 5 and 6 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5184 be adopted?” (S.F. 2196) the vote was:

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

Ayes, 23:

Boswell	Coleman	Dieleman	Doyle
Fraise	Gettings	Hall	Hannon
Hester	Husak	Jensen	Mann
Miller, A.V.	Miller, C.P.	Murphy	Peterson
Priebe	Rife	Riordan	Sturgeon
Tieden	Vande Hoef	Varn	

Nays, 23:

Bruner	Carr	Corning	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Holden	Holt	Horn	Hultman
Kinley	Lind	Lloyd-Jones	Nystrom
Readinger	Rensink	Scott	Soorholtz
Taylor	Wells	Welsh	

Absent or not voting, 4:

Deluhery	Hutchins	Palmer	Schwengels
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Amendment S—5184 lost.

Senator Coleman asked and received unanimous consent that action on amendment S—5192 filed by him from the floor to page 6 of the bill be deferred.

Senator Gronstal offered amendment S—5191 filed by Senators Gronstal, et al., from the floor to page 8 and the title page of the bill.

Senator Coleman raised the point of order that amendment S—5191 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5191 out of order.

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 amendment S—5164 by Senator Jensen to pages 1, 2, 8 and the title page of Senate File 2196 was adopted by the Senate on February 29, 1988.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F 2196) the vote was:

Ayes, 19:

Carr	Corning	Drake	Gronstal
Hannon	Holden	Horn	Hutchins
Lind	Lloyd-Jones	Mann	Murphy
Nystrom	Readinger	Rife	Riordan
Sturgeon	Varn	Wells	

Nays, 27:

Boswell	Bruner	Coleman	Dieleman
Doyle	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hester
Hultman	Husak	Jensen	Kinley
Miller, A.V.	Miller, C.P.	Peterson	Priebe
Rensink	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

Absent or not voting, 4:

Deluhery	Holt	Palmer	Schwengels
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The motion lost.

Senator Horn 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—5184 to Senate File 2196 failed to be adopted by the Senate on February 29, 1988.

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 amendment S—5184 by Senators Boswell, et al., to pages 5 and 6 of the bill was taken up for reconsideration.

Senator Boswell moved the adoption of amendment S—5184.

A record roll call was requested.

On the question "Shall amendment S—5184 be adopted?" (S.F. 2196) the vote was:

Ayes, 25:

Boswell	Coleman	Dieleman	Doyle
Fraise	Gettings	Hall	Hannon
Hester	Horn	Husak	Jensen
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Tieden	Varn
Wells			

Nays, 23:

Bruner	Carr	Corning	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Holden	Holt	Hultman	Hutchins
Kinley	Lind	Lloyd-Jones	Nystrom
Readinger	Rensink	Rife	Soorholtz
Taylor	Vande Hoef	Welsh	

Absent or not voting, 2:

Deluhery                      Schwengels

Amendment S—5184 was adopted.

Senator Sturgeon offered amendment S—5193 filed by him from the floor to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5193 be adopted?" (S.F. 2196) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Coleman
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Riordan	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Nays, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Jensen	Lind	Nystrom
Readinger	Rensink	Rife	Taylor
Tieden	Vande Hoef		

Absent or not voting, 4:

Deluhery                      Horn                      Hultman                      Schwengels

Amendment S—5193 was adopted.

Senator Coleman offered amendment S—5194 filed by him from the floor to page 8 of the bill.

Senator Coleman asked and received unanimous consent that action on amendment S—5194 be deferred.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2196** be temporarily **deferred**.

## SENATE INSISTS

### House File 666

Senator Dieleman called up for consideration 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, amended by the Senate, and moved that the Senate insist on its amendment.

President pro tempore Kinley took the chair at 5:30 p.m.

The motion prevailed and the Senate **insisted on** its amendment.

## CONSIDERATION OF RESOLUTIONS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolutions 109, 111, 112 and 113.

### Senate Concurrent Resolution 109

On motion of Senator Coleman, Senate Concurrent Resolution 109, a concurrent resolution relating to the spending limitations placed on the highway program and the release of user fees for urgently needed highway improvements, was taken up for consideration.

Senator Coleman moved the adoption of Senate Concurrent Resolution 109, which motion prevailed by a voice vote.

### Senate Concurrent Resolution 111

On motion of Senator Corning, Senate Concurrent Resolution 111, a concurrent resolution directing the Department of

Education to develop criteria for the establishment of an internship program, was taken up for consideration.

Senator Corning moved the adoption of Senate Concurrent Resolution 111, which motion prevailed by a voice vote.

### **Senate Concurrent Resolution 112**

On motion of Senator Varn, Senate Concurrent Resolution 112, a concurrent resolution directing the Department of Education to develop criteria for enhancing the clinical experiences of prospective teachers, was taken up for consideration.

Senator Varn moved the adoption of Senate Concurrent Resolution 112, which motion prevailed by a voice vote.

### **Senate Concurrent Resolution 113**

On motion of Senator Varn, Senate Concurrent Resolution 113, a concurrent resolution calling upon the Congress of the United States to enact legislation to aid the parents of prospective college students in saving for future college costs, was taken up for consideration.

Senator Varn moved the adoption of Senate Concurrent Resolution 113, which motion prevailed by a voice vote.

## **HOUSE AMENDMENT CONSIDERED**

### **Senate File 370**

Senator Vande Hoef called up for consideration 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, amended by the House in House amendment S—5124 filed February 23, 1988.

Senator Vande Hoef offered amendment S—5125 filed by him on February 23, 1988, to House amendment S—5124 and moved its adoption.



Amendment S—5125 was adopted by a voice vote.

Senator Vande Hoef moved that the Senate concur in the House amendment as amended.

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

Senator Vande Hoef 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. 370) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

## CONSIDERATION OF BILL (Ways and Means Calendar)

### Senate File 2058

On motion of Senator Scott, Senate File 2058, a bill for an act exempting the withholding agent from the requirement to withhold state income taxes from payments made to a nonresident

owner of agricultural land in the state, if the payments are from the sale of agricultural commodities and the withholding agent submits needed information, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5099 filed by the committee on Ways and Means on February 18, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5099 was adopted 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. 2058) 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
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, 4:

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

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2168.

### Senate File 2168

On motion of Senator Bruner, Senate File 2168, a bill for an act relating to the authority of the treasurer of state to invest in United States government obligations, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2168) 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
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Rife

Absent or not voting, 3:

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

President Zimmerman took the chair at 5:58 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2172.

### Senate File 2172

On motion of Senator Fraise, Senate File 2172, a bill for an act relating to an appeal regarding the purchase of Iowa state industry products, 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. 2172) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Fraise	Fuhrman
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
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 4:

Dieleman	Gentleman	Readinger	Rife
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Absent or not voting, 4:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2171.

### Senate File 2171

On motion of Senator Doyle, Senate File 2171, a bill for an act making nonsubstantive, noncontroversial statutory corrections to comply with reorganization changes, improve clarity, remove

conflicts and inconsistencies, correct references, and correct grammar and syntax, 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. 2171) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
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	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Corning	Deluhery	Drake	Hultman
Peterson	Schwengels		

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

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 666 and Senate Files 2168, 2171 and 2058** be **immediately messaged** to the House.

### BUSINESS PENDING

#### Senate File 2196

The Senate resumed consideration of Senate File 2196, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the

excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates, previously deferred.

With the defeat of the motion to reconsider amendment S—5164, the Chair ruled amendment S—5190 filed by Senators Lloyd-Jones and Lind from the floor to amendment S—5164, out of order.

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—5167 to Senate File 2196 failed to be adopted by the Senate on February 29, 1988.

The motion prevailed by a voice vote and amendment S—5167 by Senators Husak, et al., to pages 6 through 8 of the bill was taken up for reconsideration.

Senator Husak asked and received unanimous consent that action on amendment S—5167 be deferred.

Senator Welsh offered amendment S—5195 filed by him from the floor to pages 1, 6 through 8 and the title page of the bill and called up for a division: lines 2 through 7 as division S—5195A and lines 8 through 14 as division S—5195B.

Senator Welsh withdrew division S—5195A.

Senator Jensen raised the point of order that division S—5195B was out of order because the same subject matter had previously been considered in amendment S—5164.

The Chair ruled the point not well taken and division S—5195B in order.

Senator Welsh moved the adoption of division S—5195B.

A non record roll call was requested.

The ayes were 27, nays 17.

Division S—5195B was adopted.

With the adoption of division S—5195B, the Chair ruled the following amendments out of order:

S—5167 by Senators Husak, et al., to pages 6 through 8 of the bill, previously deferred.

S—5192 by Senator Coleman to page 6 of the bill, previously deferred.

Senator Coleman withdrew amendment S—5194 to page 8 of the bill, previously deferred.

Senator Jensen 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—5195B to Senate File 2196 was adopted by the Senate on February 29, 1988.

A non record roll call was requested.

The ayes were 32, nays 14.

The motion prevailed and division S—5195B by Senator Welsh to pages 6 through 8 and the title page of the bill was taken up for reconsideration.

The Chair ruled division S—5195B out of order.

The Chair announced that amendments S—5167 and S—5192 previously ruled out of order, were now in order.

Senator Husak asked and received unanimous consent to withdraw amendment S—5167 to pages 6 through 8 of the bill.

Senator Coleman withdrew amendment S—5192 to page 6 of the bill.

Senator Coleman offered amendment S—5196 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5196 was adopted by a voice vote.

Senator Welsh withdrew the following motions to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5160 to Senate File 2196 was adopted by the Senate on February 29, 1988.

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5171 to Senate File 2196 was adopted by the Senate on February 29, 1988.

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5169 to Senate File 2196 was adopted by the Senate on February 29, 1988.

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5165 to Senate File 2196 was adopted by the Senate on February 29, 1988.

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. 2196) 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	Corning	Drake
Fraise	Fuhrman	Goodwin	Gronstal
Holden	Holt	Horn	Hutchins
Jensen	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Readinger	Rensink	Riordan
Scott	Taylor	Wells	Welsh

Nays, 19:

Boswell	Coleman	Dieleman	Doyle
Gentleman	Gettings	Hall	Hannon
Hester	Husak	Kinley	Lind
Priebe	Rife	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent that **Senate File 2196** be **immediately messaged** to the House.



### INTRODUCTION OF BILL

**Senate File 2241**, by committee on Business and Labor Relations, a bill for an act providing benefits to employees and communities affected by the closing, relocation, or reduction of operations of a business, by requiring prior notice to affected employees and communities, severance payments to employees, and payments to affected cities and counties, continuation of medical coverage for employees, opportunity for employees to purchase the plant, and hiring preference for employees, and making civil enforcement action available.

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

## APPENDIX

### COMMUNICATIONS

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

#### DEPARTMENT OF HUMAN RIGHTS

The Division of Community Action Agencies 1987 Annual Report on Community Action Programs in Iowa, pursuant to Chapter 601K.100, Code of Iowa.

#### DEPARTMENT OF TRANSPORTATION

The 1987 report on the State Aircraft Pool, pursuant to Chapter 328.56(5), Code of Iowa.

#### TREASURER OF STATE

A report listing all South Africa related investments administered by the Treasurer and their value on December 31, 1987, pursuant to Chapter 12A.4(2)(a), Code of Iowa.

### STUDY BILLS RECEIVED

#### SSB 2238 Education

A concurrent resolution relating to the board of regents' ten-year building program.

#### SSB 2239 Judiciary

Relating to the time of filing a nonprofit corporation's annual report.

### COMMITTEE REPORT

#### BUSINESS AND LABOR RELATIONS

**Final Bill Action:** SENATE FILE 2241 (SSB 2185), a bill for an act providing benefits to employees and communities affected by the closing, relocation, or reduction of operations of a business, by requiring prior notice to affected employees and communities, severance payments to employees, and payments to affected cities and counties, continuation of medical coverage for employees, opportunity for employees to purchase the plant, and hiring preference for employees, and making civil enforcement action available.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes 6: Wells, Mann, Gettings, Horn, Palmer and Welsh. Nays, 4: Fuhrman, Holden, Hultman and Vande Hoef.

**Fiscal Note:** 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 David E. Linquist as Industrial Commissioner, completed its investigation on February 25, 1988, and recommended the appointee be confirmed.

Pursuant to Senate Rule 59, the committee on Business and Labor Relations assigned to investigate the Governor's appointment of Barbara D. Elkin as a member of the Job Service Advisory Council, completed its investigation on February 26, 1988, and recommended the appointee be confirmed.

**STATE GOVERNMENT**

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the appointment of Jerry F. Duggan as a member of the Real Estate Examining Board, completed its investigation on February 25, 1988, and recommended the appointee be confirmed.

**SUBCOMMITTEE ASSIGNMENTS**

**Senate File 2213**

**EDUCATION:** Riordan, Chair; Murphy and Tieden

**Senate File 2218**

**JUDICIARY:** Fraise, Chair; Doyle and Hester

**Senate File 2221**

**JUDICIARY:** Carr, Chair; Mann and Fuhrman

**Senate File 2222**

**JUDICIARY:** Hester, Chair; Gentleman, Mann, Varn and Carr

**Senate File 2224**

JUDICIARY: Mann, Chair; Doyle and Gentleman

**Senate File 2229**

NATURAL RESOURCES: Priebe, Chair; Doyle and Hester

**House File 2066**

NATURAL RESOURCES: Priebe, Chair; Hannon and Hester

**SSB 2237**

EDUCATION: Bruner, Chair; Horn, Varn, Corning and Rensink

**SSB 2238**

EDUCATION: Horn, Chair; Varn and Tieden

**SSB 2239**

JUDICIARY: Varn, Chair; Deluhery and Taylor

**BILLS ASSIGNED TO COMMITTEE**

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

H.F.	2257	Natural Resources
H.F.	2260	Business and Labor Relations
H.F.	2277	Education

**AMENDMENTS FILED**

S-5173	S.F.	2232	Michael E. Gronstal
S-5174	S.F.	2196	Joe J. Welsh
S-5175	S.F.	2196	Al Sturgeon
S-5176	S.F.	2196	Al Sturgeon
S-5177	S.F.	2196	Joe J. Welsh
S-5178	S.F.	2169	Wally Horn
S-5179	S.F.	2169	Wally Horn
S-5180	S.F.	2196	Ray Taylor
S-5181	S.F.	2169	Wally Horn

S—5182	S. F.	2196	C. Joseph Coleman
S—5183	S. F.	2025	Edgar H. Holden
S—5184	S. F.	2196	Leonard L. Boswell
			William W. Dieleman
			Tom Mann, Jr.
			Alvin V. Miller
			C. Joseph Coleman
			Kenneth Scott
			Eugene Fraise
			Donald V. Doyle
			Al Sturgeon
			Richard Vande Hoef
			Wally Horn
			James Wells
			John A. Peterson
			Berl Priebe
			Emil J. Husak
			Donald Gettings
			Jack Rife
			Jack Hester
			Beverly A. Hannon
			William D. Palmer
S—5185	S. F.	2157	Larry Murphy
S—5186	S. F.	2098	James R. Riordan
S—5187	S. F.	2157	David Readinger
S—5188	S. F.	2157	Larry Murphy
S—5189	S. F.	2169	Edgar H. Holden
			Julia Gentleman
			David Readinger
S—5190	S. F.	2196	Jean Lloyd-Jones
			Jim Lind
S—5191	S. F.	2196	Michael E. Gronstal
			Joe J. Welsh
			Jack Rife
			Jim Lind
			Ray Taylor
			George R. Kinley
			Al Sturgeon
			David Readinger
S—5192	S. F.	2196	C. Joseph Coleman
S—5193	S. F.	2196	Al Sturgeon
S—5194	S. F.	2196	C. Joseph Coleman

S—5195	S.F.	2196	Joe J. Welsh
S—5196	S.F.	2196	C. Joseph Coleman

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:30 p.m., until 9:00 a.m., Tuesday, March 1, 1988.

## JOURNAL OF THE SENATE

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FIFTY-FIRST CALENDAR DAY  
THIRTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 1, 1988

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Arthur Seaman, pastor of the First Presbyterian Church, Perry, Iowa, accompanied by his son, Andy.

The Journal of Monday, February 29, 1988, 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 26, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2283**, a bill for an act relating to agricultural property holdings by providing certain definitions; restricting processors; establishing family farm limited partnerships; restricting the number of acres of agricultural land that other limited partnerships may acquire or otherwise obtain or lease; restricting persons from becoming limited partners, stockholders, or beneficiaries in more than a number of certain limited partnerships, authorized farm corporations, or authorized trusts; providing certain restrictions of family trusts; and requiring reporting of certain agricultural related property and the confidentiality of certain information; and providing penalties.

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

### INTRODUCTION OF BILLS

**Senate File 2242**, by Corning, a bill for an act regulating the ownership of wild animals, providing for their seizure, impoundment, and disposition, and providing penalties.

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

**Senate File 2243**, by Corning, a bill for an act providing for the regulation of dangerous and potentially dangerous dogs, and providing penalties relating to all dogs.

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

### APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 666** on the part of the Senate: Senators Dieleman, Chair; Doyle, Gronstal, Holt and Readinger.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 9:18 a.m., until 4:30 p.m.



## APPENDIX

### CERTIFICATE OF RECOGNITION

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

Rose Birkicht, Cedar Rapids, Iowa — In honor of her 90th birthday. Senator Wells (March 1, 1988).

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON REGULATION

**Convened:** February 29, 1988, 9:40 a.m.

**Members Present:** Peterson, Chair; Wells, Vice Chair and Goodwin, Ranking Member.

**Members Absent:** Palmer and Schwengels (excused).

**Committee Business:** Final approval of Appropriations bill.

**Adjourned:** 10:20 a.m.

#### AGRICULTURE

**Convened:** March 1, 1988, 7:50 a.m.

**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell (arrived 8:00 a.m.), Fraise, Fuhrman (arrived 8:05 a.m.), Hall, Husak, Peterson, Riordan (arrived 8:00 a.m.), Rensink, Scott, Soorholtz (arrived 7:53 a.m.) and Vande Hoef.

**Members Absent:** none.

**Committee Business:** Approved LSBs 8152, 8383, 8392 and 8301 and SSBs 2199 and 2217 as committee bills.

**Adjourned:** 9:07 a.m.

#### BUSINESS AND LABOR RELATIONS

**Convened:** March 1, 1988, 1:32 p.m.

**Members Present:** Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Palmer, Vande Hoef and Welsh.

**Members Absent:** none.

**Committee Business:** Assigned House File 2260 to a subcommittee; approved SSB 2207 as a committee bill; discussed and deferred action on SSB 2216.

**Adjourned:** 2:00 p.m.

## EDUCATION

**Convened:** March 1, 1988, 11:47 a.m.

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

**Members Absent:** Lind and Rensink.

**Committee Business:** Approved SSBs 2212, 2179 and 2187 as committee bills; recommended passage of Senate File 2112; SSB 2232 failed committee approval.

**Adjourned:** 1:26 p.m.

## REPORT OF THE SECRETARY OF THE SENATE

**MADAM PRESIDENT:** Pursuant to Senate Rule 21, I report that in engrossing Senate File 2196, the following corrections were made:

(Page and line numbers refer to the Reprint)

1. Page 14, line 25, the words "section 14" were changed to the words "section 18".
2. Page 14, line 28, the words "sections 15 and 17" were changed to the words "sections 21 and 23".
3. Page 14, line 34, the words "Sections 8 and 9" were changed to the words "Sections 10 and 11".

**JOHN F. DWYER**  
Secretary of the Senate

## EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on February 29, 1988.

Had I been present, I would have voted "nay" on Senate File 2196.

CALVIN O. HULTMAN

## COMMITTEE REPORT

## ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2245 (SSB 2169), a bill for an act relating to the certification of laboratories which perform analyses of specimens for the department of natural resources.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Gronstal, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 3: Deluhery, Soorholtz and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## STUDY BILLS RECEIVED

## SSB 2240 Education

Relating to implementation of educational standards adopted by the state board of education, including delaying the effective date and providing for additional study of certain standards.

## SSB 2240A Education

Relating to implementation of educational standards adopted by the state board of education, including delaying the effective date and providing for additional study of certain standards.

## SSB 2241 State Government

Relating to the enforcement of laws relating to the sale and serving of alcoholic beverages by limiting warrantless searches and by providing for a fine in lieu of a suspension of a liquor control license or wine or beer permit for a first offense on certain violations.

**SSB 2242 Human Resources**

Relating to the imposition of a bingo card fee to be used for the establishment of a case management fund by the department of elder affairs, and appropriating moneys to be deposited in the fund.

**SSB 2243 Human Resources**

Relating to requirements of a pregnancy testing and counseling clinic.

**SSB 2244 Human Resources**

A concurrent resolution requesting an interim study of the grounds for civil commitment of mentally ill persons.

**SSB 2245 Transportation**

Relating to grain transportation by imposing an excise tax on grain, making appropriations, and providing a penalty.

**SUBCOMMITTEE ASSIGNMENTS****House File 2260**

**BUSINESS AND LABOR RELATIONS:** Gettings, Chair; Palmer and Hultman

**SSB 2240**

**EDUCATION:** Murphy, Chair; Varn, Horn, Taylor and Corning

**SSB 2242**

**HUMAN RESOURCES:** Hannon, Chair; Bruner and Corning

**SSB 2243**

**HUMAN RESOURCES:** Hannon, Chair; Bruner and Gentleman

**SSB 2244**

**HUMAN RESOURCES:** Bruner, Chair; Murphy and Gentleman

**SSB 2245**

**TRANSPORTATION:** Lloyd-Jones, Chair; Coleman 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 1st day of March, 1988:

Senate Files 348, 2036 and 2069.

JOHN F. DWYER  
Secretary of the Senate

**BILLS ASSIGNED TO COMMITTEE**

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

S.F.	2242	Natural Resources
S.F.	2243	Local Government
S.F.	2244	Small Business & Economic Development
H.F.	2283	Agriculture

**AMENDMENTS FILED**

S—5197	S.F.	2157	Ray Taylor
S—5198	H.F.	2155	Emil J. Husak

## AFTERNOON SESSION

The Senate reconvened at 4:37 p.m., President Zimmerman presiding.

## INTRODUCTION OF BILLS

**Senate File 2244**, by Hultman, a bill for an act relating to the establishment of the council for Iowa's economic future by the Iowa department of economic development to contribute to the strengthening of the state's economy, and making an appropriation.

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

**Senate File 2245**, by committee on Environment and Energy Utilities, a bill for an act relating to the certification of laboratories which perform analyses of specimens for the department of natural resources.

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

**Senate File 2246**, by committee on Environment and Energy Utilities, a bill for an act relating to the penalties for water pollution and hazardous waste disposal.

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

**Senate File 2247**, by committee on Environment and Energy Utilities, a bill for an act relating to the regulation and reporting of certain pesticides.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 116**, by committee on Human Resources, a concurrent resolution relating to a midwest legislative conference on children.

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

## APPENDIX

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 117**, by committee on Agriculture, a concurrent resolution to honor the Iowa Agriculture and Home Economics Experiment Station.

Read first time under **Rule 28** and placed on calendar.

### INTRODUCTION OF BILLS

**Senate File 2248**, by committee on Judiciary, a bill for an act relating to indemnification and the limitation of liability of directors and officers and to the indemnification of a present or former director, officer, employee, member, or volunteer of a cooperative association for certain judgments and expenses.

Read first time under **Rule 28** and placed on calendar.

**Senate File 2249**, by committee on Human Resources, a bill for an act relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters.

Read first time under **Rule 28** and placed on calendar.

### REPORT OF STANDING COMMITTEE

(Place nominee on En Bloc Confirmation Calendar)

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the appointment of Marda M. Howard as a member of the Iowa Law Enforcement Academy Council, completed its investigation on March 1, 1988, and recommended the appointee be confirmed.

### COMMITTEE REPORTS

#### AGRICULTURE

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 117, a concurrent resolution to honor the Iowa Agriculture and Home Economics Experiment Station.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Hall, Husak, Peterson, Riordan, Rensink, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Fuhrman and Scott.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2246 (SSB 2195), a bill for an act relating to the penalties for water pollution and hazardous waste disposal.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Gronstal, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 3: Deluhery, Soorholtz and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2247 (SSB 2225), a bill for an act relating to the regulation and reporting of certain pesticides.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Gronstal, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 3: Deluhery, Soorholtz and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## HUMAN RESOURCES

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 116 (SSB 2230), a concurrent resolution relating to a midwest legislative conference on children.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 10: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Murphy, C. Miller, Readinger and Sturgeon. Nays, none. Absent or not voting, 2: Lind and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2249 (SSB 2175), a bill for an act relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters.



**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, C. Miller, Murphy, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**JUDICIARY**

**Final Bill Action:** SENATE FILE 2020, a bill for an act relating to the return of cash or other qualified security deposited with the clerk of the district court as bail.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fuhrman, Gentleman, Horn, Hester, Varn and Fraise. Nays, none. Absent or not voting, 2: Taylor and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2248, a bill for an act relating to indemnification and the limitation of liability of directors and officers and to the indemnification of a present or former director, officer, employee, member, or volunteer of a cooperative association for certain judgments and expenses.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Deluhery and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2263, a bill for an act relating to the use of the Iowa state industries revolving fund.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Horn, Hester and Varn. Nays, none. Absent or not voting, 2: Deluhery and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2265, a bill for an act relating to reports to be submitted by superintendents of correctional institutions to the director of the department of corrections.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Horn, Hester and Varn. Nays, none. Absent or not voting, 2: Deluhery and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5199            S.F.            2239            Tom Mann, Jr.

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:40 p.m., until 9:00 a.m., Wednesday, March 2, 1988.

# JOURNAL OF THE SENATE

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FIFTY-SECOND CALENDAR DAY  
THIRTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 2, 1988

The Senate met in regular session at 9:12 a.m., President Zimmerman presiding.

Prayer was offered by Dr. William Hamm, President of Waldorf College, Forest City, Iowa.

The Journal of Tuesday, March 1, 1988, was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the day and March 3, 1988, 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 February 22, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2258**, a bill for an act relating to trespass upon the right-of-way of a public road or highway.

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

ALSO: That the House has on February 29, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2076**, a bill for an act including taxable property in certain school districts involved in or proposing dissolutions in the foundation property tax levy reduction provided on taxable property in certain school districts affected by a reorganization.

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

**House File 2280**, a bill for an act relating to townships, by establishing a township fund, by providing for a tax levy, by providing for the expenditure of township funds, and by amending procedures regarding the erection, maintenance, or repair of a fence.

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

ALSO: That the House has on March 2, 1988, appointed the following **conference committee on 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, on the part of the House, are: The Representative from Linn, Mrs. Chapman, chair; the Representative from Winnebago, Mr. Branstad, the Representative from Muscatine, Mr. Petersen, the Representative from Story, Mr. Rosenberg, and the Representative from Jackson, Mr. Tabor.

## INTRODUCTION OF BILLS

**Senate File 2250**, by committee on Environment and Energy Utilities, a bill for an act relating to environmental protection by correcting the reference to the membership of the advisory committee for the center for health effects of environmental contamination; by establishing requirements regarding sanitary disposal project inspections, the disposal of solid waste, and the solid waste tonnage fee; by making corrections relating to the collection and allocation of moneys within the solid waste account and the agriculture management account; by correcting a reference to the duties of the department of natural resources regarding household hazardous materials; and by specifying the content and liability for the content of statements submitted with a declaration of value regarding the existence and location of wells, disposal sites, underground storage tanks, and hazardous waste.

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

**Senate File 2251**, by committee on Business and Labor Relations, a bill for an act relating to mandatory subjects of bargaining under the public employment relations Act.

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

**MOTION TO RECONSIDER WITHDRAWN**

Senator Gentleman withdrew the motion to reconsider **Senate File 2159**, a bill for an act relating to the provision of hospice care within health care facilities by Medicare certified hospice programs, filed by her on February 22, 1988, and found on page 450 of the Senate Journal.

**IMMEDIATLEY MESSAGED**

Senator Hutchins asked and received unanimous consent that **Senate File 2159** be **immediately messaged** to the House.

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 9:51 a.m., until 4:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### COMMERCE

**Convened:** March 1, 1988, 2:30 p.m.

**Members Present:** Palmer, Chair; Jensen, Ranking Member; Gronstal, Holden, Kinley, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh.

**Members Absent:** Deluhery, Vice Chair (excused), Carr and Lind.

**Committee Business:** Approved SSB 2093 as a committee bill; deferred action on SSBs 2202 and 2211; recommended passage of Senate File 2158 as amended; assigned bills to subcommittees.

**Adjourned:** 3:00 p.m.

#### ENVIRONMENT AND ENERGY UTILITIES

**Convened:** March 1, 1988, 9:50 a.m.

**Members Present:** Gronstal, Vice Chair; Hall, A. Miller, Murphy, Rife, Sturgeon and Varn.

**Members Absent:** Deluhery, Chair; Soorholtz, Ranking Member; and Schwengels (excused).

**Committee Business:** Approved SSBs 2236, 2225 and 2195 as committee bills; amended and approved SSB 2169 as a committee bill.

**Adjourned:** 10:10 a.m.

#### HUMAN RESOURCES

**Convened:** March 1, 1988, 10:35 a.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman (arrived 11:09 a.m.), Corning, C. Miller, Murphy (arrived 10:55 a.m.), Readinger, Sturgeon and Taylor.

**Members Absent:** Lind (excused).

**Committee Business:** Assigned bills to subcommittees; recommended confirmation of Governor's appointees; approved SSBs 2230, 2175 and 2244 as committee bills; amended and approved SSBs 2233 and 2174 as committee bills; discussed and

deferred action on Senate File 2200; Senate File 2045 failed recommendation for passage as amended.

**Adjourned:** 11:35 a.m.

## **JUDICIARY**

**Convened:** March 1, 1988, 3:35 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn.

**Members Absent:** Deluhery (excused) and Taylor.

**Committee Business:** Approved LSB 8138 as a committee bill; recommended passage of House Files 2262, 2263 and 2265 and Senate File 2020.

**Adjourned:** 4:33 p.m.

## **LOCAL GOVERNMENT**

**Convened:** March 1, 1988, 4:48 p.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Horn, C. Miller, and Wells.

**Members Absent:** Kinley and Taylor (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 2049; approved SSBs 2172, 2170 and 2106 and ordered redrafted as committee bills; approved SSB 2116 as a committee bill.

**Adjourned:** 5:19 p.m.

## **TRANSPORTATION**

**Convened:** March 1, 1988, 9:35 a.m.

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

**Members Absent:** none.

**Committee Business:** Assigned SSB 2245 to a subcommittee; recommended passage of Senate Files 448 and 2017 as amended; recommended confirmation of Governor's appointee Marda Howard; approved SSBs 2112 and 2096 as committee bills; deferred action on SSBs 2208 and 2099 as amended.

**Adjourned:** 10:35 a.m.

## **CERTIFICATE OF RECOGNITION**

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

Alfred John Puls, Sr., Dubuque, Iowa — In honor of his 105th birthday. Senator Carr (March 2, 1988).

## **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 following Governor's appointees completed its investigations on March 1, 1988, and recommended the appointees be confirmed:

Myron L. Gookin as a member of the Mental Health and Mental Retardation Commission.

Joe S. Tursi as a member of the State Health Facilities Council.

## **INTRODUCTION OF BILL**

**Senate File 2252**, by Varn, a bill for an act relating to the contents of records affecting interests in property.

Read first time under **Rule 28** and **passed on file**.

## **BILL ASSIGNED TO COMMITTEE**

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

S.F.        2252        Judiciary

## **SUBCOMMITTEE ASSIGNMENTS**

**Senate File 2194**

COMMERCE: Palmer, Chair; Holden and Deluhery



**Senate File 2214**

WAYS AND MEANS: Gronstal, Chair; Boswell and Holden

**Senate File 2227**

COMMERCE: Kinley, Chair; Holden and Deluhery

**Senate File 2242**

NATURAL RESOURCES: Rensink, Chair; Hester and A. Miller

**Senate File 2243**

LOCAL GOVERNMENT: Vande Hoef, Chair; C. Miller and Wells

**Senate File 2244**

SMALL BUSINESS & ECONOMIC DEVELOPMENT: Boswell, Chair; Riordan and Vande Hoef

**Senate File 2252**

JUDICIARY: Varn, Chair; Mann and Drake

**House File 221**

WAYS AND MEANS: Riordan, Chair; Holt and Palmer

**House File 2257**

NATURAL RESOURCES: Priebe, Chair; Peterson and Tieden

**COMMITTEE REPORTS****AGRICULTURE**

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 118, a concurrent resolution urging the Congress of the United States to exempt diesel fuel used for farming purposes from retail excise taxes.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 11: Priebe, A. Miller, Hester, Fraise, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Boswell, Fuhrman and Riordan.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE JOINT RESOLUTION 2005, a joint resolution to designate "TAMA SOIL" as the official state soil for the state of Iowa.

**Recommendation:** APPROVED COMMITTEE JOINT RESOLUTION.

**Final Vote:** Ayes, 11: Priebe, A. Miller, Hester, Fraise, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Boswell, Fuhrman and Riordan.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2261 (SSB 2199), a bill for an act relating to horse and dog racing.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Boswell, Fraise, Hall, Husak, Peterson, Riordan, Rensink, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 2: Fuhrman and Scott.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2262 (SSB 2217), a bill for an act relating to organically produced food by providing for the establishment of standards, enforcement measures, penalties and an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2263, a bill for an act relating to horse and dog racing by allowing the application of cold with ice, cold packs, or similar treatments to the limbs of a horse or a dog prior to the start of a race and by allowing the use of certain drugs on racing horses under rules adopted by the state racing commission.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Priebe, A. Miller, Hester, Fraise, Hall, Husak, Peterson, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 3: Boswell, Fuhrman and Riordan.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **BUSINESS AND LABOR RELATIONS**

**Final Bill Action:** SENATE FILE 2251 (SSB 2207), a bill for an act relating to mandatory subjects of bargaining under the public employment relations act.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: Wells, Mann, Gettings, Horn, Palmer and Welsh. Nays, 4: Fuhrman, Holden, Hultman and Vande Hoef.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **EDUCATION**

**Final Bill Action:** SENATE FILE 2112, a bill for an act to provide for whole grade sharing between a school district located in this state and a contiguous school district located in a contiguous state.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5202.

**Final Vote:** Ayes, 11: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Holden, Lloyd-Jones, Tieden, Varn and Wells. Nays, 2: Hannon and Riordan. Absent or not voting, 2: Rensink and Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2253 (SSB 2179), a bill for an act to require that students in grades nine through twelve take history and government classes.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Murphy, Horn, Taylor, Bruner, Corning, Hannon, Holden, Lloyd-Jones, Riordan, Tieden, Varn, Wells and Dieleman. Nays, none. Absent or not voting, 2: Lind and Rensink.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2254 (SSB 2187), a bill for an act relating to exemptions from the staff development programming requirement for renewal of administrative certification or endorsement and creating a panel.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Murphy, Horn, Taylor, Bruner, Holden, Riordan, Tieden and Wells. Nays, 5: Corning, Dieleman, Hannon, Lloyd-Jones and Varn. Absent or not voting, 2: Lind and Rensink.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **ENVIRONMENT AND ENERGY UTILITIES**

**Final Bill Action:** SENATE FILE 2125, a bill for an act restricting the service area of sanitary landfills, providing for the Act's retroactive applicability, and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 6: Gronstal, Hall, A. Miller, Murphy, Sturgeon and Varn. Nays, none. Absent or not voting, 4: Deluhery, Soorholtz, Rife and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2250, a bill for an act relating to environmental protection by correcting the reference to the membership of the advisory committee for the center for health effects of environmental contamination; by establishing requirements regarding sanitary disposal project inspections, the disposal of solid waste, and the solid waste tonnage fee; by making corrections relating to the collection and allocation of moneys within the solid waste account and the agriculture management account; by correcting a reference to the duties of the department of natural resources regarding household hazardous materials; and by specifying the content and liability for the content of statements submitted with a declaration of value regarding the existence and location of wells, disposal sites, underground storage tanks, and hazardous waste.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Gronstal, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 3: Deluhery, Soorholtz and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**HUMAN RESOURCES**

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 115, a concurrent resolution relating to the certificate of need program.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Hannon, Carr, Gentleman, Bruner, Corning, Lind, Murphy, C. Miller, Readinger and Sturgeon. Nays, none. Absent or not voting, 2: Coleman and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 119 (SSB 2244), a concurrent resolution requesting an interim study of the grounds for civil commitment of mentally ill persons.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, C. Miller, Murphy, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 1: Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2255 (SSB 2174), a bill for an act relating to the dispensing of prescription drugs by certain practitioners and through pharmacy services covered under group health insurance policies and group health maintenance organization plans.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, C. Miller, Murphy, Readinger and Sturgeon. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**JUDICIARY**

**Final Bill Action:** SENATE FILE 2256 (SSB 2227), a bill for an act relating to the admission of a report or findings of the criminalistics laboratory as evidence in a civil proceeding.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fuhrman, Fraise, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Taylor and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2257 (SSB 2104), a bill for an act relating to expenses and compensation for the state judicial nominating commission.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Taylor and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2258 (SSB 2214), a bill for an act relating to the destruction and retention of court reporters' notes and certified transcripts in civil and criminal proceedings.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Taylor and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2259 (SSB 2192), a bill for an act relating to the disposal of abandoned personal property, including abandoned mobile homes.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Taylor and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2262, a bill for an act relating to the deduction and disbursement of certain moneys from an allowance paid to an inmate.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5203.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Drake, Fuhrman, Gentleman, Horn, Hester, Fraise and Varn. Nays, none. Absent or not voting, 2: Deluhery and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### LOCAL GOVERNMENT

**Final Bill Action:** SENATE FILE 2049, a bill for an act relating to the procedures for the vacating and closing of all or part of a secondary road or crossing.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller and Wells. Nays, none. Absent or not voting, 2: Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Final Bill Action:** SENATE FILE 2072, a bill for an act providing for a percentage of lottery revenues collected in each city of the state and each area formed under a chapter 28E agreement with a population of five thousand or more to be returned to the city or area to be used for economic development initiatives.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Boswell, Peterson, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 2: Deluhery and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2185, a bill for an act to promote Iowa tourism.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Boswell, Peterson, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 2: Deluhery and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2244, a bill for an act relating to the establishment of the council for Iowa's economic future by the Iowa department of economic development to contribute to the strengthening of the state's economy, and making an appropriation.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Boswell, Peterson, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 2: Deluhery and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## TRANSPORTATION

**Final Bill Action:** SENATE FILE 448, a bill for an act relating to railroad acquisition and divestiture and providing a penalty.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5200.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2017, a bill for an act relating to handicapped parking and the use, issuance, and display of handicapped identification devices, stickers, signs, and plates, making penalties applicable; and providing an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5201.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**



**Final Bill Action:** SENATE FILE 2162, a bill for an act allowing the issuance of collegiate registration plates for certain vehicles and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: Scott, Doyle, Gettings, Jensen, Lloyd-Jones, Nystrom and Priebe. Nays, 3: Coleman, Drake and Goodwin.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## STUDY BILLS RECEIVED

### **SSB 2246 Small Business & Economic Development**

Relating to the completion of a rest area, including the modernization of its facilities.

### **SSB 2247 Transportation**

To reclassify certain tanks and trailers as implements of husbandry.

### **SSB 2248 Transportation**

Providing for the registration of bicycles, providing an appropriation, establishing a registration fee, mandating county auditors to register bicycles, providing a penalty and providing effective dates.

### **SSB 2249 Environment & Energy Utilities**

Relating to residential water treatment systems, incorporating a penalty, and providing effective dates.

### **SSB 2250 Education**

Relating to school district sharing agreements and reorganizations including employee contracting and maximum incentives, certain property tax levy reductions, and providing for school district attendance for certain pupils.

### **SSB 2251 Human Resources**

A concurrent resolution relating to new reproduction technologies.

**SSB 2252 Human Resources**

Relating to the disclosure of mental health information.

**SSB 2253 State Government**

Relating to the enforcement of laws relating to the sale and serving of alcoholic beverages by limiting warrantless searches and by providing for a civil penalty in lieu of a suspension of a liquor control license or wine or beer permit for a first offense on certain violations.

**SSB 2254 Judiciary**

Repealing a right to review by a juvenile court judge of a juvenile court referee's decision.

**SSB 2257 Small Business & Economic Development**

Relating to nursing education programs by establishing qualifications for program heads and other faculty members.

## AFTERNOON SESSION

The Senate reconvened at 4:44 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 1, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2226**, a bill for an act relating to the calculation of budget enrollment of a reorganized school district.

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

**House File 2306**, a bill for an act relating to regulation of the extraction of coal for commercial purposes from a site of one-half acre or less, and making penalties applicable.

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

**House File 2313**, a bill for an act relating to child day care for sick children.

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

**House File 2315**, a bill for an act relating to commercial paper by modifying the definition of "sum certain".

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

**House File 2316**, a bill for an act requiring gas and electric public utilities to provide annual gas or electric energy costs for certain properties to certain persons when requested in writing and making civil penalties applicable.

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

**House File 2317**, a bill for an act relating to the repeal of the Iowa venture capital investment Act.

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

ALSO: That the House has on March 2, 1988, amended and adopted the following concurrent resolution in which the concurrence of the House was asked:

**Senate Concurrent Resolution 104**, a concurrent resolution relating to the federal conservation reserve program (S—5204).

### INTRODUCTION OF BILLS

**Senate Joint Resolution 2005**, by committee on Agriculture, a joint resolution to designate "TAMA SOIL" as the official state soil for the state of Iowa.

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

**Senate File 2253**, by committee on Education, a bill for an act to require that students in grades nine through twelve take history and government classes.

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

**Senate File 2254**, by committee on Education, a bill for an act relating to exemptions from the staff development programming requirement for renewal of administrative certification or endorsement and creating a panel.

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

**Senate File 2255**, by committee on Human Resources, a bill for an act relating to the dispensing of prescription drugs by certain practitioners and through pharmacy services covered under group health insurance policies and group health maintenance organization plans.

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

**Senate File 2256**, by committee on Judiciary, a bill for an act relating to the admission of a report or findings of the criminalistics laboratory as evidence in a civil proceeding.

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

**Senate File 2257**, by committee on Judiciary, a bill for an act relating to expenses and compensation for the state judicial nominating commission.

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

**Senate File 2258**, by committee on Judiciary, a bill for an act relating to the destruction and retention of court reporters' notes and certified transcripts in civil and criminal proceedings.

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

**Senate File 2259**, by committee on Judiciary, a bill for an act relating to the disposal of abandoned personal property, including abandoned mobile homes.

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

**Senate File 2260**, by Lind, a bill for an act relating to child abuse reports by requiring that a copy of a written report be forwarded to an appropriate law enforcement agency.

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

**Senate File 2261**, by committee on Agriculture, a bill for an act relating to horse and dog racing.

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

**Senate File 2262**, by committee on Agriculture, a bill for an act relating to organically produced food by providing for the establishment of standards, enforcement measures, penalties and an effective date.

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

**Senate File 2263**, by committee on Agriculture, a bill for an act relating to horse and dog racing by allowing the application of cold with ice, cold packs, or similar treatments to the limbs of a horse or a dog prior to the start of a race and by allowing the use of certain drugs on racing horses under rules adopted by the state racing commission.

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

**Senate File 2264**, by committee on Local Government, a bill for an act to allow the owner of a homestead to claim the homestead tax credit where the homestead is located on land owned by a partnership or corporation and the owner is a partner or shareholder.

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

**Senate File 2265**, by committee on Transportation, a bill for an act relating to the financing of primary road projects by permitting the temporary transfer of moneys from the RISE fund and providing an effective date.

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

**Senate File 2266**, by committee on Transportation, a bill for an act relating to the condemnation payment process.

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

**Senate File 2267**, by committee on Environment and Energy Utilities, a bill for an act relating to residential water treatment systems, incorporating a penalty, and providing effective dates.

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

**Senate File 2268**, by committee on Local Government, a bill for an act relating to certain ambiguities and inconsistencies of the Code as they relate to city government.

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

**Senate File 2269**, by committee on Local Government, a bill for an act relating to the establishment of a drainage subdistrict.

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

**Senate File 2270**, by committee on Local Government, a bill for an act relating to the suspension of the collection of taxes, special assessments, and other assessments by the county board of supervisors.

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

**Senate File 2271**, by committee on Small Business and Economic Development, a bill for an act relating to claims against public corporations for nonpayment of moneys due on public improvements.

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

**Senate File 2272**, by committee on Small Business and Economic Development, a bill for an act relating to motor fuel and special fuel franchisers and distributors, and providing for equitable relief and damages.

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

**Senate File 2273**, by committee on Small Business and Economic Development, a bill for an act relating to the completion of a rest area, including the modernization of its facilities.

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

### INTRODUCTION OF RESOLUTIONS

**Senate Concurrent Resolution 118**, by committee on Agriculture, a concurrent resolution urging the Congress of the United States to exempt diesel fuel used for farming purposes from retail excise taxes.

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

**Senate Concurrent Resolution 119**, by committee on Human Resources, a concurrent resolution requesting an interim study of the grounds for civil commitment of mentally ill persons.

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

## APPENDIX

### SUBCOMMITTEE ASSIGNMENTS

#### SSB 2246

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Peterson and Vande Hoef.

#### SSB 2247

TRANSPORTATION: Priebe, Chair; Scott and Jensen

#### SSB 2248

TRANSPORTATION: Lloyd-Jones, Chair; Coleman and Drake

#### SSB 2251

HUMAN RESOURCES: Hannon, Chair; Murphy and Corning

#### SSB 2252

HUMAN RESOURCES: Hannon, Chair; Bruner and Gentleman

#### SSB 2254

JUDICIARY: Gentleman, Chair; Varn and Fuhrman

#### LSB 8346

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and Horn

### BILLS ASSIGNED TO COMMITTEE

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

S.F.	2260	Judiciary
H.F.	2076	Ways and Means
H.F.	2226	Education
H.F.	2258	Natural Resources
H.F.	2280	Local Government
H.F.	2313	Human Resources
H.F.	2315	Commerce
H.F.	2316	Environment & Energy Utilities
H.F.	2317	Small Business & Economic Development



## INTRODUCTION OF BILL

**SENATE FILE 2274**, by the committee on Human Resources, a bill for an act to allow the board of dental examiners to revoke or suspend a license of a licensee where the licensee has been disciplined in another state, territory, or country.

Read first time under **Rule 28** and **placed on calendar**.

## COMMITTEE REPORTS

### ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** SENATE FILE 2267 (SSB 2249), a bill for an act relating to residential water treatment systems, incorporating a penalty, and providing effective dates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: Gronstal, Hall, A. Miller, Murphy, Sturgeon and Varn. Nays, none. Absent or not voting, 4: Deluhery, Soorholtz, Rife and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### HUMAN RESOURCES

**Final Bill Action:** SENATE FILE 2274 (SSB 2049), a bill for an act to allow the board of dental examiners to revoke or suspend a license of a licensee where the licensee has been disciplined in another state, territory, or country.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Murphy, C. Miller, Readinger and Sturgeon. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## JUDICIARY

**Final Bill Action:** HOUSE FILE 2117, a bill for an act allowing certain name changes in divorce and annulment decrees.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Doyle, Holt, Carr, Coleman, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Taylor and Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### **LOCAL GOVERNMENT**

**Final Bill Action:** SENATE FILE 2264 (SSB 2170), a bill for an act to allow the owner of a homestead to claim the homestead tax credit where the homestead is located on land owned by a partnership or corporation and the owner is a partner or shareholder.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller and Wells. Nays, none. Absent or not voting, 2: Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2268 (SSB 2172), a bill for an act relating to certain ambiguities and inconsistencies of the Code as they relate to city government.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller and Wells. Nays, none. Absent or not voting, 2: Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2269 (SSB 2116), a bill for an act relating to the establishment of a drainage subdistrict.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller and Wells. Nays, none. Absent or not voting, 2: Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2270 (SSB 2106), a bill for an act relating to the suspension of the collection of taxes, special assessments, and other assessments by the county board of supervisors.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller and Wells. Nays, none. Absent or not voting, 2: Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Final Bill Action:** SENATE FILE 2271 (SSB 2180), a bill for an act relating to claims against public corporations for nonpayment of moneys due on public improvements.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Boswell, Peterson, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 2: Deluhery and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2272 (SSB 2234), a bill for an act relating to motor fuel and special fuel franchisers and distributors, and providing for equitable relief and damages.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Boswell, Peterson, Hannon, Holt, A. Miller, Riordan and Scott. Nays, 3: Fuhrman, Rensink and Vande Hoef. Absent or not voting, 2: Deluhery and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2273 (SSB 2246), a bill for an act relating to the completion of a rest area, including the modernization of its facilities.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Boswell, Peterson, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 2: Deluhery and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 93, a bill for an act relating to the regulation of pawnbrokers on a statewide basis and providing penalties.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Carr, Nystrom, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Schwengels and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2019, a bill for an act relating to the credentiality and regulation of respiratory care practitioners.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5207.

**Final Vote:** Ayes, 8: Carr, Dieleman, Bruner, Gronstal, Horn, Lloyd-Jones, C. Miller and Welsh. Nays, 4: Coleman, Drake, Gentleman and Soorholtz. Absent or not voting, 3: Schwengels, Rife and Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2122, a bill for an act relating to trade or direct or indirect investments in South Africa by removing the exception made for companies adopting, or companies which are signatories of, the Sullivan principles.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Carr, Bruner, Coleman, Gronstal, Horn, Lloyd-Jones, C. Miller and Welsh. Nays, 5: Dieleman, Nystrom, Drake, Gentleman and Soorholtz. Absent or not voting, 2: Schwengels and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **TRANSPORTATION**

**Final Bill Action:** SENATE FILE 2265 (SSB 2112), a bill for an act relating

to the financing of primary road projects by permitting the temporary transfer of moneys from the RISE fund and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Priebe. Nays, none. Absent or not voting, 1: Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2266 (SSB 2096), a bill for an act relating to the condemnation payment process.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Priebe. Nays, none. Absent or not voting, 1: Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5200	S.F.	448	Transportation
S—5201	S.F.	2017	Transportation
S—5202	S.F.	2112	Education
S—5203	H.F.	2262	Judiciary
S—5204	S. C. R.	104	House amendment
S—5205	S.F.	2138	Larry Murphy
S—5206	S.F.	2169	Larry Murphy
S—5207	S.F.	2019	State Government

### ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 4:50 p.m., until 9:00 a.m., Thursday, March 3, 1988.

# JOURNAL OF THE SENATE

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FIFTY-THIRD CALENDAR DAY  
THIRTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 3, 1988

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

Prayer was offered by Harriet Vande Hoef, Senate Secretary, Harris, Iowa, who vocally performed, "Let There Be Peace On Earth."

The Journal of Wednesday, March 2, 1988, was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Taylor for the day on request of Senator Hultman.

## INTRODUCTION OF BILL

**Senate File 2275**, by Varn, a bill for an act creating a legislative project review commission to review interim study proposals submitted by members of the general assembly with the studies to be conducted by members of the general assembly.

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

## HOUSE AMENDMENT CONSIDERED

### **Senate Concurrent Resolution 104**

Senator Scott called up for consideration Senate Concurrent Resolution 104, a concurrent resolution relating to the federal conservation reserve program, amended by the House, and moved that the Senate concur in House amendment S—5204 filed March 2, 1988.

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

Senator Scott moved that the resolution as amended by the House and concurred in by the Senate, be adopted, which motion prevailed by a voice vote.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 9:17 a.m., until 3:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** March 2, 1988, 3:40 p.m.

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

**Members Absent:** Taylor, Ranking Member.

**Committee Business:** Approved SSB 2240A as a committee bill; recommended passage of Senate File 2024.

**Recessed:** 4:45 p.m.

**Reconvened:** 5:03 p.m.

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

**Members Absent:** Taylor, Ranking Member.

**Committee Business:** Discussed bills.

**Adjourned:** 6:00 p.m.

#### ENVIRONMENT AND ENERGY UTILITIES

**Convened:** March 2, 1988, 10:15 a.m.

**Members Present:** Gronstal, Vice Chair; Hall, A. Miller, Murphy, Sturgeon and Varn.

**Members Absent:** Deluhery, Chair (excused); Soorholtz, Ranking Member; Rife and Schwengels (excused).

**Committee Business:** Recommended passage of Senate File 2125; approved SSB 2249 as a committee bill; deferred action on Senate File 2001.

**Adjourned:** 10:21 a.m.

#### HUMAN RESOURCES

**Convened:** March 2, 1988, 10:35 a.m.



**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman (arrived 10:45 a.m.), Corning, Lind, Murphy, C. Miller, Readinger and Sturgeon.

**Members Absent:** Taylor (excused).

**Committee Business:** Recommended passage of Senate Concurrent Resolution 115; approved SSBs 2174 and 2049 as committee bills; discussed SSB 2251; motion to reconsider Senate File 2045 failed; SSB 2242 failed committee approval; assigned bills to subcommittees.

**Adjourned:** 11:30 a.m.

## JUDICIARY

**Convened:** March 2, 1988, 1:30 p.m.

**Members Present:** Doyle, Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn.

**Members Absent:** Mann, Vice Chair and Taylor (excused).

**Committee Business:** Recommended passage of House File 2117; approved SSBs 2239, 2177 and 2193; assigned bills to subcommittees.

**Adjourned:** 2:40 p.m.

## SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Convened:** March 2, 1988, 8:10 a.m.

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

**Members Absent:** Rife, Ranking Member (excused) and Deluhery (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate Files 2185, 2244 and 2072; approved SSBs 2180, 2246 and 2234 as committee bills.

**Adjourned:** 9:00 a.m.

## STATE GOVERNMENT

**Convened:** March 2, 1988, 2:35 p.m.

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

**Members Absent:** Schwengels and Rife (both excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate Files 93, 2122 and 2019; approved SSB 2253 as a committee bill; recommended confirmation of Governor's appointee Dale L. Renaud.

**Adjourned:** 3:15 p.m.

## **TRANSPORTATION**

**Convened:** March 2, 1988, 9:55 a.m.

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

**Members Absent:** none.

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 2162; approved SSB 2247 as a committee bill; deferred action on SSB 2245 as amended.

**Adjourned:** 10:40 a.m.

## **BILLS SIGNED BY THE GOVERNOR**

A communication was received announcing that on March 3, 1988, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 348 — Authorizing a state agency or a political subdivision of the state to contract to provide medical services.

SENATE FILE 2036 — Relating to moneys available to the first in the nation in education foundation.

SENATE FILE 2069 — Relating to the organizational meeting of the state board of education.

## **SUBCOMMITTEE ASSIGNMENTS**

### **Senate File 2219**

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

**Senate File 2220**

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Bruner and Schwengels

**Senate File 2228**

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

**Senate File 2260**

JUDICIARY: Gentleman, Chair; Varn and Horn

**House File 2162**

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

**House File 2313**

HUMAN RESOURCES: Bruner, Chair; Murphy and Corning

**SSB 2253**

STATE GOVERNMENT: Welsh, Chair; Horn and Rife

**SSB 2257**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Peterson and Holt

**LSB 8373**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Rife, Chair; Riordan and Fuhrman

**COMMITTEE REPORTS****COMMERCE**

**Final Bill Action:** SENATE FILE 2158, a bill for an act relating to the qualifications for the superintendent of the division of banking of the department of commerce.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5213.

**Final Vote:** Ayes, 8: Palmer, Jensen, Gronstal, Holden, Kinley, Mann, Sturgeon and Welsh. Nays, 3: Priebe, Rife and Tieden. Absent or not voting, 4: Deluhery, Carr, Lind and Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2282 (SSB 2093), a bill for an act permitting agreements providing for the payment of attorney's fees by a consumer in event of default in certain consumer credit transactions and authorizing the imposition of additional costs or fees by the court.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Palmer, Jensen, Holden, Kinley, Mann, Nystrom, Priebe, Rife, Tieden and Welsh. Nays, 2: Gronstal and Sturgeon. Absent or not voting, 3: Deluhery, Carr and Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## EDUCATION

**Final Bill Action:** SENATE FILE 2278 (SSB 2240A), a bill for an act relating to implementation of educational standards adopted by the state board of education, including delaying the effective date and providing for additional study of certain standards.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Murphy, Horn, Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Riordan, Rensink, Tieden, Varn and Wells. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2279 (SSB 2212), a bill for an act relating to the payment of educational costs of nonresident children residing in child foster care facilities and homes.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Murphy, Horn, Taylor, Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Riordan, Tieden, Varn and Wells. Nays, none. Absent or not voting, 2: Lind and Rensink.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**JUDICIARY**

**Final Bill Action:** SENATE FILE 2280 (SSB 2239), a bill for an act relating to the time of filing a nonprofit corporation's annual report.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Taylor and Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2281 (SSB 2177), a bill for an act relating to service of notice on a judgment debtor in garnishment proceedings.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Doyle, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 2: Taylor and Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**LOCAL GOVERNMENT**

**Final Bill Action:** SENATE FILE 2103, a bill for an act relating to the use of certain revenues obtained from the sale or other use of property or taxes imposed in urban renewal areas for economic development purposes.

**Recommendation:** AMEND AS PROVIDED IN AMENDMENT S—5212 AND THE BILL WITHOUT RECOMMENDATION.

**Final Vote:** Ayes, 6: A. Miller, Vande Hoef, Goodwin, Hall, C. Miller and Wells. Nays, none. Absent or not voting, 4: Fraise, Horn, Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2228, a bill for an act relating to vacancies in civil service promotional grades and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 6: A. Miller, Fraise, Vande Hoef, Goodwin, Hall and Wells. Nays, none. Absent or not voting, 4: Horn, Kinley, C. Miller and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## NATURAL RESOURCES

**Final Bill Action:** SENATE FILE 2167, a bill for an act relating to definition and regulation of tip-up fishing devices, and providing a penalty.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5211.

**Final Vote:** Ayes, 11: Scott, Priebe, Doyle, Goodwin, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Final Bill Action:** SENATE FILE 402, a bill for an act relating to the purposes for which community economic betterment funds may be expended.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## WAYS AND MEANS

**Final Bill Action:** SENATE FILE 2078, a bill for an act relating to the issuance of fuel exemption certificates for the purposes of the state sales, services, and use tax, providing for retroactive applicability, and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 1: Palmer.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2188, a bill for an act relating to the property tax credit and rent reimbursement for elderly and disabled individuals by changing the formula used for determining the amount of credit and reimbursement and providing effective dates.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Riordan, Holden, Drake, Hester, Holt, Readinger, Soorholtz and Murphy. Nays, none. Absent or not voting, 1: Palmer.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 665, a bill for an act authorizing a tax levy for city libraries by petition and referendum.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Bruner, Husak, Boswell, Gronstal, Murphy, Riordan, Holden, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 4: Dieleman, Mann, Palmer and Drake.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## STUDY BILLS RECEIVED

### SSB 2188A Education

Requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education.

### SSB 2210A Education

Relating to the development of programs for the identification, educational methods, and staff qualifications for at-risk children.

### SSB 2255 State Government

Relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

**SSB 2255A State Government**

Relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

**SSB 2256 Commerce**

Relating to the investment powers and duties of financial institutions by requiring certain disclosures, by mandating the adoption of a community reinvestment rating system by rule, and by conditioning participation in certain state programs and the deposit of public funds on a financial institution's receipt of an acceptable rating.

**SSB 2258 State Government**

Relating to the acceptance of beneficiaries of health insurance under Title XVIII of the Social Security Act by certain licensed physicians.

**AMENDMENTS FILED**

S—5208	S. F.	2248	Eugene Fraise
S—5209	S. F.	2235	Richard Varn
S—5210	S. F.	2240	Edgar H. Holden
S—5211	S. F.	2167	Natural Resources
S—5212	S. F.	2103	Local Government
S—5213	S. F.	2158	Commerce



## AFTERNOON SESSION

The Senate reconvened at 3:43 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 41 present, 9 absent and a quorum present.

## 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 1, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2113**, a bill for an act relating to the dispensing of prescription drugs.

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

**House File 2138**, a bill for an act relating to judgment liens by providing for the filing of a written demand for acknowledgment of satisfaction and the filing of a verified statement denying satisfaction, providing for the award of expenses including attorney fees, and increasing a civil penalty.

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

**House File 2296**, a bill for an act providing coverage under the Iowa life and health guaranty association to the holders of unallocated annuity contracts.

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

ALSO: That the House has on March 2, 1988, failed on reconsideration to pass the bill the objection of the Governor to the contrary notwithstanding:

**House File 2082**, a bill for an act relating to and making appropriations to the department of human services and to the Iowa finance authority for the remainder of the fiscal year ending June 30, 1988, allowing carryover of certain funds to the next fiscal year, and providing an effective date.

### INTRODUCTION OF BILLS

**Senate File 2276**, by committee on Transportation, a bill for an act to reclassify certain tanks and trailers as implements of husbandry.

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

**Senate File 2277**, by committee on State Government, a bill for an act relating to the enforcement of laws relating to the sale and serving of alcoholic beverages by limiting warrantless searches and by providing for a civil penalty in lieu of a suspension of a liquor control license or wine or beer permit for a first offense on certain violations.

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

**Senate File 2278**, by committee on Education, a bill for an act relating to implementation of educational standards adopted by the state board of education, including delaying the effective date and providing for additional study of certain standards.

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

**Senate File 2279**, by committee on Education, a bill for an act relating to the payment of educational costs of nonresident children residing in child foster care facilities and homes.

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

**Senate File 2280**, by committee on Judiciary, a bill for an act relating to the time of filing a nonprofit corporation's annual report.

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

**Senate File 2281**, by committee on Judiciary, a bill for an act relating to service of notice on a judgment debtor in garnishment proceedings.

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

**Senate File 2282**, by committee on Commerce, a bill for an act permitting agreements providing for the payment of attorney's fees by a consumer in event of default in certain consumer credit transactions and authorizing the imposition of additional costs or fees by the court.

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

**Senate File 2283**, by committee on Human Resources, a bill for an act relating to health and safety regarding swimming pools, spas, bathing beaches, and swimming inspection programs by clarifying the responsibilities of the department of public health and of local governments in establishing standards, inspections, enforcement, and fee collection, by providing for certain governmental liability immunity, and by establishing a penalty.

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

**Senate File 2284**, by committee on Human Resources, a bill for an act relating to the disclosure of mental health information.

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

**Senate File 2285**, by committee on Transportation, a bill for an act relating to the enforcement of laws concerning motor vehicle fraud, salvage, and theft, certificates of title, and transfer of ownership of foreign, wrecked, and salvage vehicles and making penalties applicable and providing effective dates.

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

**Senate File 2286**, by committee on Transportation, a bill for an act relating to grain transportation by imposing an excise tax on grain, making appropriations, and providing a penalty.

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

**Senate File 2287**, by committee on Transportation, a bill for an act relating to the possession or making of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms, and providing penalties.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 120**, by committee on Human Resources, a concurrent resolution relating to new reproduction technologies.

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

## UNFINISHED BUSINESS (Deferred February 22, 1988)

### **Senate File 2098**

The Senate resumed consideration of Senate File 2098, a bill for an act relating to payment of costs of asbestos identification, encapsulation, and removal by boards of directors of school districts, deferred February 22, 1988.

Senator Hultman asked and received unanimous consent to withdraw amendment S—5130 filed by Senator Taylor on February 24, 1988, to page 1 of the bill.

Senator Riordan offered amendment S—5186 filed by him on February 29, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5186 was adopted by a voice vote.

Senator Riordan asked and received unanimous consent that **House File 2155** be substituted for **Senate File 2098** as amended.

### **House File 2155**

On motion of Senator Riordan, House File 2155, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts, was taken up for consideration.

Senator Riordan asked and received unanimous consent that action on **House File 2155** be **deferred**.

## WITHDRAWN

Senator Horn asked and received unanimous consent that **Senate File 472** be **withdrawn** from further consideration of the Senate.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 2157.

### **Senate File 2157**

On motion of Senator Sturgeon, Senate File 2157, a bill for an act relating to a comprehensive acquired immune deficiency syndrome (AIDS) prevention and intervention plan, was taken up for consideration.

Senator Sturgeon offered amendment S—5147 filed by Senators Sturgeon, et al., on February 25, 1988, to pages 4 through 12 of the bill.

Senator Murhpy offered amendment S—5188 filed by him on February 29, 1988, to amendment S—5147 and moved its adoption.

A non record roll call was requested.

The ayes were 30, nays 13.

Amendment S—5188 was adopted.

Senator Murphy offered amendment S—5185 filed by him on February 29, 1988, to amendment S—5147 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5185 to amendment S—5147 be adopted?" (S.F. 2157) the vote was:

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

Ayes, 22:

Boswell	Coleman	Dieleman	Doyle
Fraise	Fuhrman	Goodwin	Hester
Horn	Husak	Jensen	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Peterson
Priebe	Rensink	Scott	Vande Hoef
Varn	Welsh		

Nays, 24:

Bruner	Carr	Corning	Deluhery
Drake	Gentleman	Gronstal	Hall
Hannon	Holden	Holt	Hutchins
Kinley	Lind	Miller, C.P.	Nystrom
Palmer	Readinger	Rife	Riordan
Soorholtz	Sturgeon	Tieden	Wells

Absent or not voting, 4:

Gettings	Hultman	Schwengels	Taylor
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Amendment S—5185 lost.

Senator Hutchins asked and received unanimous consent that action on amendment S—5147 as amended and **Senate File 2157** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2170.

### **Senate File 2170**

On motion of Senator Gronstal, Senate File 2170, a bill for an act relating to the membership of the commission on the status of women, 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. 2170) 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	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A. V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gettings	Hultman	Miller, C.P.	Schwengels
Taylor			

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2192.

### Senate File 2192

On motion of Senator Bruner, Senate File 2192, a bill for an act to establish a child development coordinating council for the promotion of child development services to certain at-risk children and to prescribe its duties, was taken up for consideration.

Senator Bruner offered amendment S—5121 filed by him on February 22, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5121 was adopted 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. 2192) 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
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2225.

### Senate File 2225

On motion of Senator Bruner, Senate File 2225, a bill for an act relating to the establishment of a family development and self-sufficiency council and the council's duties, was taken up for consideration.

Senator Corning offered amendment S—5157 filed by Senators Corning, Bruner and Lind on February 26, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5157 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. 2225) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	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	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Drake	Gettings	Hultman	Schwengels
Taylor			

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 394

Senator Riordan called up for consideration Senate File 394, a bill for an act relating to care of animals in commercial establishments, amended by the House, and moved that the Senate concur in House amendment S—5138.

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

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 394, 2170, 2192 and 2225** be **immediately messaged** to the House.

### BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 119** be referred from the Regular Calendar to the committee on **Rules and Administration** and that **Senate File 2181** be referred from the Regular Calendar to the committee on **Local Government**.

## INTRODUCTION OF BILLS

**Senate File 2288**, by Hutchins and Hultman, a bill for an act relating to unemployment compensation benefits for certain employees of the natural resource commission and providing an effective date.

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

**Senate File 2289**, by committee on Commerce, a bill for an act relating to the sale of certificates of deposit, issued by foreign associations, within the state.

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.	2275	Rules and Administration
H.F.	2138	Judiciary
H.F.	2296	Commerce

### INTRODUCTION OF BILL

**Senate File 2290**, by committee on Commerce, a bill for an act relating to the pledge of United States government obligations or their functional equivalents as security for the deposit of public funds.

Read first time under **Rule 28** and **placed on calendar**.

### COMMITTEE REPORTS

#### COMMERCE

**Final Bill Action:** SENATE FILE 2289 (SSB 2211), a bill for an act relating to the sale of certificates of deposit, issued by foreign associations, within the state.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Palmer, Carr, Gronstal, Holden, Kinley, Lind, Sturgeon, Tieden and Welsh. Nays, 4: Deluhery, Jensen, Priebe and Rife. Absent or not voting, 2: Mann and Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2290 (SSB 2092), a bill for an act relating to the pledge of United States government obligations or their functional equivalents as security for the deposit of public funds.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 2: Mann and Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## EDUCATION

**Final Bill Action:** SENATE FILE 2005, a bill for an act to prohibit the use of corporal punishment in approved or accredited schools.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5215.

**Final Vote:** Ayes, 9: Murphy, Bruner, Corning, Lloyd-Jones, Hannon, Lind, Riordan, Rensink and Varn. Nays, 1: Tieden. Absent or not voting, 5: Horn, Taylor, Holden, Dieleman and Wells.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## HUMAN RESOURCES

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 120 (SSB 2251), a concurrent resolution relating to new reproduction technologies.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 9: Hannon, Carr, Gentleman, Bruner, Corning, Lind, Murphy, Readinger and Sturgeon. Nays, none. Absent or not voting, 3: Taylor, Coleman and C. Miller.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2283 (SSB 2120), a bill for an act relating to health and safety regarding swimming pools, spas, bathing beaches, and swimming inspection programs by clarifying the responsibilities of the department of public health and of local governments in establishing standards, inspections, enforcement, and fee collection, by providing for certain governmental liability immunity, and by establishing a penalty.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Hannon, Carr, Bruner, Corning, Lind, Murphy, C. Miller and Sturgeon. Nays, 3: Gentleman, Coleman and Readinger. Absent or not voting, 1: Taylor.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2284 (SSB 2252), a bill for an act relating to the disclosure of mental health information.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Hannon, Carr, Gentleman, Bruner, Corning, Lind, Murphy, Readinger and Sturgeon. Nays, none. Absent or not voting, 3: Taylor, Coleman and C. Miller.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### STATE GOVERNMENT

**Final Bill Action:** SENATE FILE 2277 (SSB 2253), a bill for an act relating to the enforcement of laws relating to the sale and serving of alcoholic beverages by limiting warrantless searches and by providing for a civil penalty in lieu of a suspension of a liquor control license or wine or beer permit for a first offense on certain violations.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Carr, Nystrom, Bruner, Coleman, Drake, Horn, Gronstal, Gentleman, Lloyd-Jones, C. Miller, Soorholtz and Welsh. Nays, 1: Dieleman. Absent or not voting, 2: Schwengels and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### TRANSPORTATION

**Final Bill Action:** SENATE FILE 2276 (SSB 2247), a bill for an act to reclassify certain tanks and trailers as implements of husbandry.

**Recommendation:** APPROVED COMMITTEE BILL.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2285 (SSB 2208), a bill for an act relating to certificates of title and transfer of ownership of foreign, wrecked, and salvage vehicles and making penalties applicable and providing effective dates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Coleman, Scott, Goodwin, Jensen and Lloyd-Jones, Nystrom and Priebe. Nays, none. Absent or not voting, 3: Drake, Doyle and Gettings.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2286 (SSB 2245), a bill for an act relating to grain transportation by imposing an excise tax on grain, making appropriations, and providing a penalty.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Coleman, Scott, Goodwin, Jensen, Lloyd-Jones, Nystrom and Priebe. Nays, none. Absent or not voting, 3: Drake, Doyle and Gettings.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2287 (SSB 2099), a bill for an act relating to the making or altering of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms and providing a penalty.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 7: Coleman, Scott, Goodwin, Jensen, Lloyd-Jones, Nystrom and Priebe. Nays, none. Absent or not voting, 3: Drake, Doyle and Gettings.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S-5214	S. F.	2157	Tom Mann, Jr.
S-5215	S. F.	2005	Education
S-5216	S. F.	2093	Richard F. Drake
			C. Joseph Coleman
S-5217	S. F.	2093	Richard F. Drake
			C. Joseph Coleman
S-5218	S. F.	2258	Richard Varn
S-5219	S. F.	2178	Tom Mann, Jr.
S-5220	S. F.	2235	Edgar H. Holden
S-5221	S. F.	2223	William W. Dieleman
S-5222	S. F.	2223	William W. Dieleman
S-5223	S. F.	2223	William W. Dieleman
S-5224	S. F.	2223	William W. Dieleman

S—5225	S.F.	2223	William W. Dieleman
S—5226	S.F.	2223	William W. Dieleman
S—5227	S.F.	2223	William W. Dieleman
S—5228	S.F.	2223	William W. Dieleman

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:35 p.m., until 9:00 a.m., Friday, March 4, 1988.

# JOURNAL OF THE SENATE

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FIFTY-FOURTH CALENDAR DAY  
THIRTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, March 4, 1988

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

Prayer was offered by the Reverend William T. Miller, pastor of the United Methodist Church, West Des Moines, Iowa.

The Journal of Thursday, March 3, 1988, 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 2, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2046**, a bill for an act relating to student membership on the state board of regents.

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

**House File 2329**, a bill for an act relating to the Iowa sheep and wool promotion board, by providing that a member of the board may receive compensation from an organization receiving funds from the board, and providing for possible conflicts in interest.

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

**House File 2341**, a bill for an act relating to the state employees disability insurance program.

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



## INTRODUCTION OF BILLS

**Senate File 2291**, by committee on State Government, a bill for an act to provide that certain appropriations for retirement allowances be paid from the Iowa public employee's retirement fund rather than from the general fund of the state retroactive to July 1, 1987.

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

**Senate File 2292**, by committee on State Government, a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

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

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Taylor for the day on request of Senator Hultman and Senators Gettings and Peterson for the day on request of Senator Hutchins.

## RECESS

On motion of Senator Hutchins, the Senate recessed at 9:12 a.m., until 10:30 a.m.

## RECONVENED

The Senate reconvened at 10:51 a.m., President Zimmerman presiding.

## QUORUM CALL

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

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

## 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 3, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2060**, a bill for an act relating to the benefit ratio array system under the unemployment insurance law by making the benefit ratio array system permanent, by resolving potential federal conformity issues concerning new nonconstruction experience-based rates and access to job service information by business and labor organizations, by abolishing the special employer contribution rate for employers with certain negative balance account histories with retroactive applicability, and by providing an effective date (S—5231).

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hutchins for the remainder of the day on request of Senator Husak.

## HOUSE AMENDMENT CONSIDERED

### **Senate File 2060**

Senator Hultman called up for consideration Senate File 2060, a bill for an act relating to the benefit ratio array system under the unemployment insurance law by making the benefit ratio array system permanent, by resolving potential federal conformity issues concerning new nonconstruction experience-based rates and access to job service information by business and labor organizations, by abolishing the special employer contribution rate for employers with certain negative balance account histories with retroactive applicability, and by providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5231 filed March 4, 1988.

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

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

On the question "Shall the bill pass?" (S.F. 2060) the vote was:

Ayes, 40:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hannon	Hester	Holden
Holt	Horn	Hultman	Husak
Jensen	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Bruner	Gettings	Hall	Hutchins
Kinley	Nystrom	Peterson	Priebe
Schwengels	Taylor		

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 that an immediate message on **Senate File 2060** be sent to the House.

## INTRODUCTION OF BILLS

**Senate File 2293**, by committee on Small Business and Economic Development, a bill for an act relating to economic development plans and the providing of financial and technical assistance by the department of economic development and the state transportation commission.

Read first time and placed on calendar.

**Senate File 2294**, by committee on Small Business and Economic Development, a bill for an act relating to nursing education programs by establishing qualifications for program heads and other faculty members.

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

**Senate File 2295**, by committee on Education, a bill for an act relating to the development of programs for the identification, educational methods, and staff qualifications for at-risk children.

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

**Senate File 2296**, by committee on Education, a bill for an act requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education.

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

**Senate File 2297**, by committee on Commerce, a bill for an act relating to the investment powers and duties of financial institutions by requiring certain disclosures, by mandating the adoption of a community reinvestment rating system by rule, and by conditioning participation in certain state programs and the deposit of public funds on a financial institution's receipt of an acceptable rating.

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

**Senate File 2298**, by committee on Commerce, a bill for an act relating to the enforcement of laws concerning motor vehicle fraud and salvage, rebuilt, or junking designations on motor vehicle titles, and making penalties applicable.

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

**Senate File 2299**, by committee on Local Government, a bill for an act relating to the survey of land including the practice of land surveying and the preparation, recording, and vacation of plats, and subjecting violators to civil penalties.

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

**Senate File 2300**, by committee on Appropriations, a bill for an act relating to and appropriating funds for the development of the Brushy Creek state recreation area as a wilderness area resort.

Read first time under Rule 28 and **placed on calendar**.

**Senate File 2301**, by committee on Appropriations, a bill for an act relating to the maintenance of local financial support by governmental subdivisions for operating expenses of local libraries.

Read first time under Rule 28 and **placed on calendar**.

**Senate File 2302**, by committee on Agriculture, a bill for an act relating to the investment powers of state banks.

Read first time under Rule 28 and **placed on calendar**.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS

**Convened:** March 3, 1988, 10:08 a.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 (excused) and Lind.

**Committee Business:** Approved LSBs 7571 and 8244 as committee bills.

**Adjourned:** 10:25 a.m.

#### COMMERCE

**Convened:** March 3, 1988, 1:35 p.m.

**Members Present:** Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Kinley, Lind, Priebe, Rife, Sturgeon, Tieden and Welsh.

**Members Absent:** Mann (excused) and Nystrom.

**Committee Business:** Approved SSBs 2256, 2202 and 2211 as committee bills; approved LSB 8053 (substituted for SSB 2092) as a committee bill.

**Adjourned:** 2:10 p.m.

#### EDUCATION

**Convened:** March 3, 1988, 12:10 p.m.

**Members Present:** Murphy, Chair; Bruner, Corning, Hannon, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells.

**Members Absent:** Horn, Vice Chair; Taylor, Ranking Member; Dieleman and Holden.

**Committee Business:** Approved SSBs 2210A and 2188A as committee bills; recommended passage of Senate File 2005.

**Adjourned:** 1:17 p.m.

## HUMAN RESOURCES

**Convened:** March 3, 1988, 11:20 a.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind, Murphy, C. Miller, Readinger and Sturgeon.

**Members Absent:** Taylor (excused).

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2251 and 2252 as committee bills; amended and approved SSB 2120 as a committee bill.

**Adjourned:** 11:52 a.m.

## LOCAL GOVERNMENT

**Convened:** March 3, 1988, 9:37 a.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Horn, C. Miller and Wells.

**Members Absent:** Kinley and Taylor (excused).

**Committee Business:** Assigned House File 2280 to a subcommittee; recommended passage of House File 2228; approved SSB 2201 as a committee bill; amended Senate File 2103 and reported the bill without recommendation; deferred action on Senate File 2243; LSB 8346 failed committee approval.

**Adjourned:** 10:30 a.m.

## NATURAL RESOURCES

**Convened:** March 3, 1988, 8:05 a.m.

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

**Members Absent:** Schwengels, Ranking Member (excused).

**Committee Business:** Recommended passage of Senate File 2167; assigned bills to subcommittees.

**Adjourned:** 8:50 a.m.

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** March 3, 1988, 10:40 a.m.

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

**Members Absent:** Rife, Ranking Member (excused).

**Committee Business:** Approved SSB 2257 as a committee bill without recommendation; recommended passage of Senate File 402; approved SSB 2181 as a committee bill; amended and approved LSB 8373 as a committee bill.

**Adjourned:** 11:10 a.m.

**STATE GOVERNMENT**

**Convened:** March 3, 1988, 2:35 p.m.

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

**Members Absent:** Schwengels and C. Miller (both excused).

**Committee Business:** Assigned bills to subcommittees; approved SSBs 2259 and 2255A as committee bills; recommended confirmation of Governor's appointee Lorraine Tate.

**Adjourned:** 3:30 p.m.

**TRANSPORTATION**

**Convened:** March 3, 1988, 3:30 p.m.

**Members Present:** Coleman, Chair; Scott, Vice Chair; Goodwin, Jensen, Lloyd-Jones, Nystrom and Priebe.

**Members Absent:** Drake, Ranking Member; Doyle and Gettings (all excused).

**Committee Business:** Approved SSBs 2099, 2245 and 2208 as committee bills.

**Adjourned:** 3:35 p.m.

**WAYS AND MEANS**

**Convened:** March 3, 1988, 9:35 a.m.



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

**Members Absent:** Palmer.

**Committee Business:** Recommended passage of Senate Files 2188 and 2078 and House File 665.

**Adjourned:** 9:44 a.m.

### CERTIFICATE OF RECOGNITION

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

Alan R. Ruden, Marcus, Iowa — For attaining the rank of Eagle Scout. Senator Vande Hoef (March 6, 1988).

### BILLS ASSIGNED TO COMMITTEE

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

S.F.	2288	Business and Labor Relations
H.F.	2329	Agriculture
H.F.	2341	Business and Labor Relations

### STUDY BILL RECEIVED

#### SSB 2259 State Government

Providing that certain appropriations for retirement allowances be paid from the Iowa public employee's retirement fund rather than from the general fund of the state retroactive to July 1, 1987.

### COMMITTEE REPORTS

#### AGRICULTURE

**Final Bill Action:** SENATE FILE 2302, a bill for an act relating to the investment powers of state banks.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **APPROPRIATIONS**

**Final Bill Action:** SENATE FILE 2301, a bill for an act relating to the maintenance of local financial support by governmental subdivisions for operating expenses of local libraries.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Lind and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2300, a bill for an act relating to and appropriating funds for the development of the Brushy Creek state recreation area as a wilderness area resort.

**Recommendation:** APPROVED COMMITTEE BILL.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **COMMERCE**

**Final Bill Action:** SENATE FILE 2297 (SSB 2256), a bill for an act relating to the investment powers and duties of financial institutions by requiring certain disclosures, by mandating the adoption of a community reinvestment rating system by rule, and by conditioning participation in certain state programs and the deposit of public funds on a financial institution's receipt of an acceptable rating.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Palmer, Deluhery, Carr, Gronstal, Kinley, Lind, Priebe and Sturgeon. Nays, 5: Jensen, Holden, Rife, Tieden and Welsh. Absent or not voting, 2: Mann and Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2298 (SSB 2202), a bill for an act relating to the enforcement of laws concerning motor vehicle fraud and salvage, rebuilt, or junking designations on motor vehicle titles, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Palmer, Deluhery, Carr, Gronstal, Holden, Kinley, Lind, Priebe, Sturgeon, Tieden and Welsh. Nays, 1: Jensen. Voting present, 1: Rife. Absent, 2: Mann and Nystrom.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## EDUCATION

**Final Bill Action:** SENATE FILE 2295 (SSB 2210A), a bill for an act relating to the development of programs for the identification, educational methods, and staff qualifications for at-risk children.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Murphy, Bruner, Corning, Hannon, Lloyd-Jones, Lind, Riordan, Rensink, Tieden, Varn and Wells. Nays, none. Absent or not voting, 4: Horn, Taylor, Dieleman and Holden.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2296 (SSB 2188A), a bill for an act requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 8: Murphy, Bruner, Corning, Lloyd-Jones, Lind, Riordan, Rensink and Varn. Nays, 2: Hannon and Tieden. Absent or not voting, 5: Horn, Taylor, Dieleman, Holden and Wells.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## 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, 13: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2075, a bill for an act relating to child abuse by expanding the definition of child in need of assistance, by requiring departmental coordination in cases of child abuse, and by expanding the definition of indecent contact with a child.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Fraise and Horn. Nays, 5: Drake, Fuhrman, Gentleman, Hester and Varn. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2222, a bill for an act relating to the issuance of citations and the detention of juveniles, and providing penalties.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2252, a bill for an act relating to the contents of records affecting interests in property.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**LOCAL GOVERNMENT**

**Final Bill Action:** SENATE FILE 2299 (SSB 2201), a bill for an act relating to the survey of land including the practice of land surveying and the preparation, recording, and vacation of plats, and subjecting violators to civil penalties.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 6: A. Miller, Fraise, Vande Hoef, Goodwin, Hall and Wells. Nays, none. Absent or not voting, 4: Horn, Kinley, C. Miller and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Final Bill Action:** SENATE FILE 2293 (SSB 2257), a bill for an act relating to nursing education programs by establishing qualifications for program heads and other faculty members.

**Recommendation:** WITHOUT RECOMMENDATION.

**Final Vote:** Ayes, 11: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2294 (SSB 2181), a bill for an act relating to economic development plans and the providing of financial and technical assistance by the department of economic development and the state transportation commission.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Boswell, Peterson, Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 1: Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 2291 (SSB 2259), a bill for an act to provide that certain appropriations for retirement allowances be paid from the Iowa public

employee's retirement fund rather than from the general fund of the state retroactive to July 1, 1987.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Carr, Nystrom, Dieleman, Bruner, Coleman, Gronstal, Gentleman, Lloyd-Jones, Welsh and Drake. Nays, 3: Horn, Soorholtz and Rife. Absent or not voting, 2: Schwengels and C. Miller.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2292 (SSB 2255A), a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Carr, Dieleman, Nystrom, Coleman, Drake, Horn, Rife, Soorholtz and Welsh. Nays, 4: Bruner, Gentleman, Gronstal and Lloyd-Jones. Absent or not voting, 2: C. Miller and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## PRESENTATION OF GUEST

The following guest was present in the Senate chamber as the guest of Senator Boswell:

Senator Loran Schmit from Nebraska, Chairman of the Interstate Grain Compact.

## AMENDMENTS FILED

S—5229	S.F.	2223	William W. Dieleman
S—5230	S.F.	450	James D. Wells
			Calvin O. Hultman
S—5231	S.F.	2060	House amendment

## ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 11:17 a.m., until 10:00 a.m., Monday, March 7, 1988.

# JOURNAL OF THE SENATE

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FIFTY-SEVENTH CALENDAR DAY  
THIRTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 7, 1988

The Senate met in regular session at 10:09 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Paul E. Frederiksen, pastor of the United Methodist Church, Ventura, Iowa.

The Journal of Friday, March 4, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Varn, Murphy and Hutchins for the morning on request of Senator Gronstal; Senator Schwengels for the week, Senator Taylor for the day and March 8, 1988, Senators Hultman and Nystrom for the morning and Senator Fuhrman for the day on request of Senator Jensen.

## 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 1, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2233**, a bill for an act relating to work programs for inmates of state correctional institutions.

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

ALSO: That the House has on March 3, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2336**, a bill for an act relating to the confidentiality of certain records of a library.

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

### BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. C. R.	120	Rules and Administration
S. F.	2154	Appropriations
S. F.	2282	Judiciary
S. F.	2286	Ways and Means
S. F.	2294	State Government
S. F.	2298	Transportation

### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up out of order Senate Concurrent Resolution 116.

#### **Senate Concurrent Resolution 116**

On motion of Senator Bruner, Senate Concurrent Resolution 116, a concurrent resolution relating to a midwest legislative conference on children, was taken up for consideration.

Senator Bruner moved the adoption of Senate Concurrent Resolution 116, which motion prevailed by a voice vote.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Joint Resolution 2005.

#### **Senate Joint Resolution 2005**

On motion of Senator Husak, Senate Joint Resolution 2005, a joint resolution to designate "TAMA SOIL" as the official state soil for the state of Iowa, was taken up for consideration.



Senator Husak 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. 2005) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holt
Horn	Husak	Jensen	Lind
Miller, A.V.	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Tieden	Vande Hoef	Wells

Nays, 7:

Dieleman	Gentleman	Kinley	Lloyd-Jones
Sturgeon	Varn	Welsh	

Absent or not voting, 11:

Fuhrman	Holden	Hultman	Hutchins
Mann	Miller, C.P.	Murphy	Nystrom
Riordan	Schwengels	Taylor	

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

## CONSIDERATION OF RESOLUTIONS (Regular Calendar)

### Senate Concurrent Resolution 115

On motion of Senator Readinger, Senate Concurrent Resolution 115, a concurrent resolution relating to certificate of need program, with report of committee recommending passage, was taken up for consideration.

Senator Readinger moved the adoption of Senate Concurrent Resolution 115, which motion prevailed by a voice vote.

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 118.

### **Senate Concurrent Resolution 118**

On motion of Senator Hester, Senate Concurrent Resolution 118, a concurrent resolution urging the Congress of the United States to exempt diesel fuel used for farming purposes from retail excise taxes, was taken up for consideration.

Senator Hester moved the adoption of Senate Concurrent Resolution 118, which motion prevailed by a voice vote.

### **CONSIDERATION OF BILLS (Regular Calendar)**

Senator Gronstal asked and received unanimous consent to take up out of order Senate File 2093.

### **Senate File 2093**

On motion of Senator Lloyd-Jones, Senate File 2093, a bill for an act requiring railway corporations to offer abandoned rail lines to regional railroad authorities, counties, the state and its agencies prior to removal of the track materials and providing an effective date and a civil penalty, and making a property tax exemption applicable, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5146 filed by her on February 25, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Drake offered amendment S—5216 filed by Senators Drake and Coleman on March 3, 1988, to amendment S—5146 and moved its adoption.

Amendment S—5216 was adopted by a voice vote.

Senator Lloyd-Jones moved the adoption of amendment S—5146 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5146 as amended, the Chair ruled the following amendments out of order:

S—5217 filed by Senators Drake and Coleman on March 3, 1988, to page 1 of the bill.

S—5062 filed by Senator Priebe on February 11, 1988, to page 1 of the bill.

S—5078 filed by Senator Lloyd-Jones on February 15, 1988, to page 2 of the bill.

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. 2093) the vote was:

Ayes, 27:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holt	Horn	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Palmer	Readinger	Riordan	Sturgeon
Varn	Wells	Welsh	

Nays, 15:

Boswell	Dieleman	Fraise	Hester
Holden	Husak	Jensen	Peterson
Priebe	Rensink	Rife	Scott
Soorholtz	Tieden	Vande Hoef	

Absent or not voting, 8:

Fuhrman	Hultman	Hutchins	Mann
Murphy	Nystrom	Schwengels	Taylor

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

Senator Gronstal asked and received unanimous consent to take up out of order Senate File 2011.

### Senate File 2011

On motion of Senator Tieden, Senate File 2011, a bill for an act relating to meat and poultry regulation and inspection, providing penalties, and providing for injunctive relief, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2011) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Gentleman

Voting present, 1:

Peterson

Absent or not voting, 8:

Fuhrman	Hultman	Hutchins	Mann
Murphy	Nystrom	Schwengels	Taylor

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

Senator Gronstal asked and received unanimous consent to take up out of order Senate File 2174.

### Senate File 2174

On motion of Senator Palmer, Senate File 2174, a bill for an act making changes in the state's labor laws relating to occupational safety and health, safety inspection of amusement rides, and elevator safety, and providing injunctive relief under certain of those laws, 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. 2174) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 8:

Fuhrman	Hultman	Hutchins	Mann
Murphy	Nystrom	Schwengels	Taylor

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

Senator Gronstal asked and received unanimous consent to take up out of order Senate File 302.

### Senate File 302

On motion of Senator Hannon, Senate File 302, a bill for an act relating to the disability of brain injury, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon asked and received unanimous consent to withdraw amendment S—3188 filed by the committee on Human Resources on March 18, 1987, to page 1 and the title page of the bill.

Senator Hannon offered amendment S—5096 filed by the committee on Human Resources on February 18, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5096 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?" (S.F. 302) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Fuhrman	Hultman	Hutchins	Murphy
Nystrom	Schwengels	Taylor	

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

### IMMEDIATLEY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2093** be immediately messaged to the House.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up out of order Senate File 2039.

**Senate File 2039**

On motion of Senator Dieleman, Senate File 2039, a bill for an act allowing personalized vehicle registration plates to contain up to seven characters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that further action on **Senate File 2039** be deferred.

RECESS

On motion of Senator Gronstal, the Senate recessed at 12:07 p.m., until 4:30 p.m.

## APPENDIX

### PETITIONS

The following petitions opposing any increase in beer, wine or liquor taxes were presented and placed on file by:

Senator Drake from eighty-five residents of Muscatine County.

Senator Fraise from ninety-seven residents of Lee County.

Senator Fuhrman from seventy-nine residents of Sac, Pocahontas and Clay Counties.

Senator Gettings from twenty-seven residents of Wapello County.

Senator Holden from fifty-five residents of Scott County.

Senator C. Miller from fifty-six residents of Henry County.

Senator Murphy from seventy-seven residents of Fayette and Buchanan Counties.

Senator Riordan from fifty-five residents of Senate District 45.

Senator Vande Hoef from fifty-five residents of O'Brien and Clay Counties.

The following petitions were presented and placed on file by:

Senator Hutchins from five residents of Iowa opposing legislation minimizing the educational requirements of an Iowa chiropractic practitioner; and allowing the reciprocity of candidates for licensure to enter Iowa having not obtained the National Board or Basic Science requirements.

Senator Hester from five hundred forty-one residents of Pottawattamie County favoring the resurfacing of Highway 183 from Crescent to Loveland, Iowa.

### REPORTS OF COMMITTEE MEETINGS

#### AGRICULTURE

Convened: March 3, 1988, 2:19 p.m.



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

**Members Absent:** none.

**Committee Business:** Approved LSB 8505 as a committee bill; recommended confirmation of Governor's appointee Jo Ann Merfeld.

**Adjourned:** 2:40 p.m.

## JUDICIARY

**Convened:** March 4, 1988, 9:25 a.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn.

**Members Absent:** Taylor (excused).

**Committee Business:** Recommended passage of Senate Files 2238, 2222, 2075 and 4; approved SSBs 2057, 2235, 2252, 2254, 2193 and 2014; approved proposed committee resolution.

**Adjourned:** 10:55 a.m.

## 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 appointment of Jo Ann Merfeld as a member of the Agricultural Development Authority, completed its investigation on March 3, 1988, and recommended the appointee be confirmed.

### STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the Governor's appointment of Dale Lewis Renaud as Administrator of the Veterans Affairs Division, completed its investigation on March 2, 1988, and recommended the appointee be confirmed.

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the appointment of Lorraine Tate as a member of the Alcoholic Beverages Commission, completed its investigation on March 3, 1988, and recommended the appointee be confirmed.

## REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2060, the following corrections were made:

1. Page 1, line 29, the words "Section 2" were changed to the words "Section 3".
2. Page 1, line 32, the words "Sections 2 and 5" were changed to the words "Sections 3 and 6".
3. Page 1, line 33, the word "takes" was changed to the word "take".

JOHN F. DWYER  
Secretary of the Senate

## COMMUNICATIONS RECEIVED

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

## DEPARTMENT OF HUMAN SERVICES

"A Study of the Economic and Administrative Impact of a Separate Reimbursement Policy for Unit Dose Drug Distribution Systems in Long Term Care Facilities," pursuant to Chapter 234.203(2), Acts of the 1987 Regular Session, Seventy-second General Assembly.

A report of "Funding Decategorization an Approach to Child Welfare Reform," pursuant to Chapter 234.203(9)(i) of the Acts of the 1987 Regular Session, Seventy-second General Assembly.

## DEPARTMENT OF PUBLIC HEALTH

A Memorandum of Understanding regarding the establishment of a single statewide procurement organization, approved by the Organ and Tissue Transplant Commission. It is now subject to the approval of the Iowa Board of Regents.

## LOCAL JOB TRAINING PLANS

Local training plans for areas one (1) through sixteen (16), under the Job Training Partnership Act, pursuant to Chapter 7B.3(10), Code of Iowa, are on file in the office of the Secretary of the Senate.

## COMMITTEE REPORTS

## JUDICIARY

**Final Bill Action:** SENATE FILE 2304 (SSB 2057), a bill for an act relating to the representation of indigent and incompetent persons by appointed attorneys, public defenders, and the appellate defender's office; the establishment of district legal defense boards; and the determination of indigency.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Bill Action:** Ayes, 12: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, 1: Drake. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2305 (SSB 2014), a bill for an act relating to civil and criminal immunity of civilian correctional officers and governmental subdivisions responsible for detaining persons taken into custody for an alleged violation of a court order or consent agreement.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Doyle, Holt, Carr, Coleman, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, 2: Mann and Deluhery. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Final Bill Action:** SENATE FILE 2303, a bill for an act relating to the Iowa small business new jobs training Act by providing for repayments to the permanent school fund, establishing a revolving loan account, and providing for departmental approval of certain projects by rule.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Boswell, Peterson, Hannon, Riordan, Scott, A. Miller, Holt, Vande Hoef, Fuhrman, Rensink and Deluhery. Nays, none. Absent or not voting, 1: Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

Pursuant to Senate Rule 59, the following Governor's appointees referred to the committee on Small Business and Economic Development for investigation on February 16, 1988, were automatically placed on the Individual Confirmation Calendar **without recommendation**:

Julie J. Bulkeley and Toni A. Lazar as members of the Iowa Economic Development Board.

Mary L. Heistand-Bro and Sally S. Naylor as members of the Iowa Product Development Corporation.

## STUDY BILL RECEIVED

### SSB 2260 Ways and Means

Relating to the formula used in valuing agricultural property.

## SUBCOMMITTEE ASSIGNMENTS

### Senate File 2104

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

### House File 2076

WAYS AND MEANS: Murphy, Chair; Dieleman and Hester

### House File 2280

LOCAL GOVERNMENT: Fraise, Chair; Vande Hoef and A. Miller

### House File 2316

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Sturgeon and Hall

### SSB 2255A

STATE GOVERNMENT: Welsh, Chair; Bruner and Nystrom

**SSB 2258**

STATE GOVERNMENT: Bruner, Chair; Horn and Soorholtz

**SSB 2259**

STATE GOVERNMENT: Drake, Chair; Carr and Nystrom

**SSB 2260**

WAYS AND MEANS: Boswell, Chair; Dieleman and Holt

**AMENDMENTS FILED**

S—5232	S.F.	2201	Joe J. Welsh
S—5233	S.F.	2232	Michael E. Gronstal
S—5234	S.F.	2232	Michael E. Gronstal Richard F. Drake
S—5235	S.F.	2256	Tom Mann, Jr.
S—5236	S.F.	2178	Tom Mann, Jr.
S—5237	S.F.	2039	James D. Wells
S—5238	S.F.	2231	Michael E. Gronstal
S—5239	S.F.	354	Jim Lind
S—5240	S.F.	354	Jim Lind
S—5241	S.F.	354	Jim Lind
S—5242	S.F.	354	Jim Lind
S—5243	S.F.	2092	Joe J. Welsh
S—5244	S.F.	2160	Charles P. Miller Wally E. Horn
S—5245	S.F.	2202	Jim Lind
S—5246	S.F.	2154	Joe J. Welsh
S—5247	S.F.	2208	Jim Lind
S—5248	S.F.	2238	Judiciary

## AFTERNOON SESSION

The Senate reconvened at 4:41 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 44 present, 6 absent and a quorum present.

## CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate Concurrent Resolution 117.

### **Senate Concurrent Resolution 117**

On motion of Senator Riordan, Senate Concurrent Resolution 117, a concurrent resolution to honor the Iowa Agriculture and Home Economics Experiment Station, was taken up for consideration.

Senator Riordan moved the adoption of Senate Concurrent Resolution 117, 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 2230.

### **Senate File 2230**

On motion of Senator Miller of Cerro Gordo, Senate File 2230, a bill for an act relating to the sale of part of a gravel pit owned by a 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. 2230) the vote was:

Ayes, 44:

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	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Fuhrman	Hultman	Lloyd-Jones	Mann
Schwengels	Taylor		

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

## BUSINESS PENDING

### Senate File 2039

The Senate resumed consideration of Senate File 2039, a bill for an act allowing personalized vehicle registration plates to contain up to seven characters, previously deferred.

Senator Coleman offered amendment S—5093 filed by the committee on Transportation on February 18, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5093 was adopted by a voice vote.

With the adoption of amendment S—5093, the Chair ruled the following amendments out of order:

S—5237 filed by Senator Wells from the floor to page 1 and the title page of the bill.

S—5249 filed by Senator Wells from the floor to amendment S—5237.

S—5250 filed by Senator Drake from the floor to amendment S—5237.

S—5251 filed by Senators Lind and Wells from the floor to amendment S—5237.

Senator Corning asked and received unanimous consent that further action on **Senate File 2039** be **deferred**.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2068.

#### **Senate File 2068**

On motion of Senator Peterson, Senate File 2068, a bill for an act to require a public hearing before the issuance of a permit to construct and operate a sanitary disposal project, with report of committees on Natural Resources and Environment and Energy Utilities recommending amendments and passage, was taken up for consideration.

Senator Peterson offered amendment S—5035 filed by the committee on Natural Resources on February 4, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5035 was adopted by a voice vote.

Senator Gronstal offered amendment S—5092 filed by the committee on Environment and Energy Utilities to page 1 of the bill and moved its adoption.

Amendment S—5092 was adopted by a voice vote.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

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



## BUSINESS PENDING

## Senate File 2068

The Senate resumed consideration of Senate File 2068.

Senator Hester offered amendment S—5055 filed by him on February 9, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5055 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?" (S.F. 2068) 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	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

## CONSIDERATION OF BILLS (Regular Calendar)

### Senate File 2102

On motion of Senator Miller of Cerro Gordo, Senate File 2102, a bill for an act relating to payment for supplies of uniform citations, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2102) the vote was:

Ayes, 40:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 6:

Carr	Gentleman	Gronstal	Mann
Palmer	Sturgeon		

Absent or not voting, 4:

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

### Senate File 2180

On motion of Senator Coleman, Senate File 2180, a bill for an act relating to the eligibility policies established by the commission of elder affairs, 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. 2180) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 6:

Gentleman	Hester	Holden	Lind
Lloyd-Jones	Rife		

Absent or not voting, 4:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2182.

### Senate File 2182

On motion of Senator Miller of Cerro Gordo, Senate File 2182, a bill for an act to provide for the payment of costs of improvements in drainage districts by special assessment, 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. 2182) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	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	Scott	Soorholtz	Sturgeon
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Fuhrman	Hultman	Schwengels	Taylor
Tieden			

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 Concurrent Resolution 117, Senate Files 2230, 2068, 2102, 2180 and 2182 and Senate Joint Resolution 2005** be immediately messaged to the House.

### INTRODUCTION OF BILLS

**Senate Joint Resolution 2006**, by committee on Judiciary, a joint resolution to nullify an administrative rule of the department of human services relating to the correction or expungement of information in the possession of the department concerning a case of alleged child abuse.

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

**Senate File 2303**, by committee on Small Business and Economic Development, a bill for an act relating to the Iowa small business new jobs training Act by providing for repayments to the permanent school fund, establishing a revolving loan account,

and providing for departmental approval of certain projects by rule.

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

**Senate File 2304**, by committee on Judiciary, a bill for an act relating to the representation of indigent and incompetent persons by appointed attorneys, public defenders, and the appellate defender's office; and the determination of indigency.

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

**Senate File 2305**, by committee on Judiciary, a bill for an act relating to civil and criminal immunity of civilian correctional officers and governmental subdivisions responsible for detaining persons taken into custody for an alleged violation of a court order or consent agreement.

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

**Senate File 2306**, by committee on Judiciary, a bill for an act repealing a right to review by a juvenile court judge of a juvenile court referee's decision.

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

**Senate File 2307**, by committee on Judiciary, a bill for an act relating to evidence for identification of certain criminals and establishing certain requirements for their early release, providing for a study by the department of corrections, and providing an effective date.

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

**Senate File 2308**, by committee on Judiciary, a bill for an act relating to notification and listing of persons reported as alleged child abusers.

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

## APPENDIX

### BILLS ASSIGNED TO COMMITTEE

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

H.F.	2233	Judiciary
H.F.	2336	State Government

### COMMITTEE REPORTS

#### JUDICIARY

**Final Bill Action:** SENATE JOINT RESOLUTION 2006, a joint resolution to nullify an administrative rule of the department of human services relating to the correction or expungement of information in the possession of the department concerning a case of alleged child abuse.

**Recommendation:** APPROVED COMMITTEE JOINT RESOLUTION.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2306 (SSB 2254), a bill for an act repealing a right to review by a juvenile court judge of a juvenile court referee's decision.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2307 (SSB 2235), a bill for an act relating to evidence for identification of certain criminals and establishing certain requirements for their early release.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2308 (SSB 2193), a bill for an act relating to notification and listing of persons reported as alleged child abusers.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 7, 1988.

Had I been present, I would have voted "aye" on Senate Concurrent Resolutions 115, 116 and 118, Senate Joint Resolution 2005 and Senate Files 2093, 2011, 2174 and 302.

BILL HUTCHINS

#### AMENDMENTS FILED

S—5249	S.F.	2039	James D. Wells
S—5250	S.F.	2039	Richard F. Drake
S—5251	S.F.	2039	Jim Lind
			James D. Wells
S—5252	S.F.	2272	Beverly A. Hannon
S—5253	S.F.	2157	Jean Lloyd-Jones
			Beverly A. Hannon
			James R. Riordan
			Michael E. Gronstal
			Tom Mann
			Charles Bruner

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:42 p.m., until 9:00 a.m., Tuesday, March 8, 1988.



# JOURNAL OF THE SENATE

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FIFTY-EIGHTH CALENDAR DAY  
THIRTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 8, 1988

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

Prayer was offered by Sister Joelle Mauer, Liturgist, St. Ambrose Cathedral, Des Moines, Iowa.

The Journal of Monday, March 7, 1988, 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 4, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2318**, a bill for an act providing for the acknowledgment of delivery of certain debt documents.

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

**House File 2320**, a bill for an act relating to credit unions by amending the power to sell, participate in, or discount, or purchase the obligations of certain credit union members; by amending the authorization to appoint credit and auditing committees; and by permitting the superintendent to prescribe by rule the period of preservation of records or files for credit unions.

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

**House File 2322**, a bill for an act relating to schedule I and schedule III controlled substances.

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

**House File 2339**, a bill for an act relating to grievances and discipline resolution for certain employees of the state.

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

**House File 2346**, a bill for an act relating to the coordination of rural development programs by creating a rural development coordinating committee and the office of rural resources coordinator.

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

**House File 2347**, a bill for an act relating to the calculation of special assessment installments, interest on unpaid installments, and interest penalties.

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

**House Concurrent Resolution 27**, a concurrent resolution to approve and confirm the appointment of the citizens' aide.

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

ALSO: That the House has on March 4, 1988, passed the following bill in which the concurrence of the House was asked:

**Senate File 2089**, a bill for an act establishing the eligibility of Iowans for inclusion of their names on the Iowa Vietnam veterans memorial.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Palmer for the morning on request of Senator Hutchins.

## QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

## CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2197.

### Senate File 2197

On motion of Senator Lind, Senate File 2197, a bill for an act relating to schedule I and schedule III controlled substances, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2197) 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	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 4:

Palmer	Schwengels	Taylor	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.

## UNFINISHED BUSINESS (Deferred March 3, 1988)

### Senate File 2157

The Senate resumed consideration of Senate File 2157, a bill for an act relating to a comprehensive acquired immune deficiency syndrome (AIDS) prevention and intervention plan, and amendment S—5147 by Senators Sturgeon, et al., to pages 4 through 12 of the bill, deferred March 3, 1988.

Senator Lloyd-Jones offered amendment S—5253 filed by Senators Lloyd-Jones, et al., on March 7, 1988, to amendment S—5147.

Senator Holt took the chair at 9:43 a.m.

Senator Lloyd-Jones moved the adoption of amendment S—5253 to amendment S—5147.

A non record roll call was requested.

The ayes were 26, nays 21.

The Chair announced that amendment S—5253 was adopted.

A record roll call was requested.

Senator Welsh raised the point of order to question if a record roll call could be requested after a vote is announced by the Chair.

Senator Kinley took the chair at 10:00 a.m.

The Chair ruled that once the voting machine is locked and the vote announced by the Chair, a request for a record roll call is not in order.

Senator Readinger offered amendment S—5187 filed by him on February 29, 1988, to amendment S—5147 and moved its adoption.

Amendment S—5187 was adopted by a voice vote.

Senator Sturgeon asked and received unanimous consent that further action on amendment S—5147 as amended and **Senate File 2157 be deferred.**

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2183.

### Senate File 2183

On motion of Senator Wells, Senate File 2183, a bill for an act relating to the publication of notice of a drainage district hearing, 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. 2183) the vote was:

Ayes, 46:

Boswell	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	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none

Absent or not voting, 4:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2201.

**Senate File 2201**

On motion of Senator Welsh, Senate File 2201, a bill for an act to remove the bond required for class "A", "B", "C", and "D" liquor control licenses and retail wine and beer permits, was taken up for consideration.

Senator Welsh offered amendment S—5232 filed by him on March 7, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5232 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. 2201) 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, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none

Absent or not voting, 3:

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

**Senate File 2202**

On motion of Senator Welsh, Senate File 2202, a bill for an act relating to the licensing of private investigators and private security officers, providing for the issuance of temporary permits to certain persons pursuant to reciprocal agreement, making

penalties applicable, and providing other properly related matters, was taken up for consideration.

Senator Lind offered amendment S—5245 filed by him on March 7, 1988, to page 1 and the title page of the bill.

Senator Mann raised the point of order that amendment S—5245 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5245 out of order.

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

On the question “Shall the bill pass?” (S.F. 2202) 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	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

### Senate File 2203

On motion of Senator Welsh, Senate File 2203, a bill for an act relating to the composition of the engineering and land surveying examining board 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. 2203) 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	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Schwengels      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 2186.

### **Senate File 2186**

On motion of Senator Horn, Senate File 2186, a bill for an act relating to the modification of dissolution and parentage decrees, was taken up for consideration.

Senator Holt took the chair at 10:40 a.m.

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

On the question "Shall the bill pass?" (S.F. 2186) the vote was:



Ayes, 47:

Boswell	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	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate Files 2208, 2209 and 2210.

### **Senate File 2208**

On motion of Senator Mann, Senate File 2208, a bill for an act relating to the possession of alcoholic beverages by persons under legal age, was taken up for consideration.

Senator Lind offered amendment S—5247 filed by him on March 7, 1988, to page 1 of the bill.

President pro tempore Kinley took the chair at 10:56 a.m.

Senator Husak raised the point of order that amendment S—5247 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5247 out of order.

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

On the question "Shall the bill pass?" (S.F. 2208) 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.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

### Senate File 2209

On motion of Senator Varn, Senate File 2209, a bill for an act relating to the sale, lease, exchange, or other disposition of corporate property and assets, was taken up for consideration.

Senator Mann offered amendment S—5168 filed by him on February 29, 1988, to page 1 of the bill.

Senator Fuhrman raised the point of order that amendment S—5168 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5168 in order.

Senator Mann moved the adoption of amendment S—5168.

A non record roll call was requested.

The ayes were 27, nays 21.

Amendment S—5168 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?" (S.F. 2209) 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	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Riordan	Sturgeon
Varn	Wells	Welsh	

Nays, 21:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Readinger	Rensink
Rife	Scott	Soorholtz	Tieden
Vande Hoef			

Absent or not voting, 2:

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

### Senate File 2210

On motion of Senator Dieleman, Senate File 2210, a bill for an act relating to the licensing of marital and family therapists; establishing the board of marital and family therapy examiners; providing exemptions; redefining "mental health professional" for purposes of confidential communications; making penalties applicable; and providing other properly related matters, 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. 2210) 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	Corning
Deluhery	Fraise	Gronstal	Hannon
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Riordan	Scott	Soorholtz
Sturgeon	Wells	Welsh	

Nays, 22:

Coleman	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Palmer	Peterson
Readinger	Rensink	Rife	Tieden
Vande Hoef	Varn		

Absent or not voting, 5:

Gettings	Goodwin	Priebe	Schwengels
Taylor			

The bill not having received a constitutional majority was declared to have **failed to pass** 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 March 4, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2328**, a bill for an act relating to the repeal of the licensing of grain producers as bonded grain sellers by the department of agriculture and land stewardship.

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

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 12:07 p.m., until 4:30 p.m.

## APPENDIX

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS

**Convened:** March 7, 1988, 1:40 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 (excused).

**Committee Business:** Approved LSBs 8236, 8269 and 8191 as committee bills.

**Adjourned:** 4:40 p.m.

#### 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 8th day of March, 1988:

Senate File 2060.

JOHN F. DWYER  
Secretary of the Senate

#### MOTIONS TO RECONSIDER

**MADAM PRESIDENT:** I move to reconsider the vote by which amendment S—5253 to amendment S—5147 to Senate File 2157 was adopted by the Senate on March 8, 1988.

DAVID M. READINGER

**MADAM PRESIDENT:** I move to reconsider the vote by which amendment S—5253 to amendment S—5147 to Senate File 2157 was adopted by the Senate on March 8, 1988.

C. JOSEPH COLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2208 passed the Senate on March 8, 1988.

JULIA GENTLEMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2210 failed to pass the Senate on March 8, 1988.

WILLIAM W. DIELEMAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2197 passed the Senate on March 8, 1988.

JIM LIND

### PRESENTATION OF VISITORS

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

Forty-five 4-H students from Jones County, accompanied by Varlin Fink, Iowa State University Extension Service. Senator Hannon.

Thirty fifth grade students from Phillips Elementary School, Des Moines, Iowa, accompanied by Mrs. Hamilton. Senator Kinley.

### SUBCOMMITTEE ASSIGNMENTS

#### **Senate Concurrent Resolution 119**

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

#### **Senate Concurrent Resolution 120**

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

#### **Senate File 2275**

RULES AND ADMINISTRATION: Gettings, Chair; Gronstal and Jensen

#### **House File 2226**

EDUCATION: Riordan, Chair; Wells and Corning

**House File 2258**

NATURAL RESOURCES: Priebe, Chair; Husak and Tieden

**House File 2277**

EDUCATION: Murphy, Chair; Horn, Hannon, Corning and Tieden

**COMMUNICATION**

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

**DEPARTMENT OF NATURAL RESOURCES**

The Annual Report on Abandoned and Uncontrolled Hazardous Waste Disposal Sites and Hazardous Waste Remedial Fund for fiscal year 1987, pursuant to Section 455B.425, Code of Iowa.

**AMENDMENTS FILED**

S—5254	S.F.	2280	Richard Varn
S—5255	S.F.	2231	Michael E. Gronstal
S—5256	S.F.	2039	James D. Wells
			Jim Lind
S—5257	S.F.	2039	Joy Corning
S—5258	S.F.	2039	Joy Corning
S—5259	S.F.	2092	James Riordan
S—5260	S.F.	2259	C. Joseph Coleman
S—5261	H.F.	2102	Hurley Hall
S—5262	S.F.	2307	Donald V. Doyle
S—5263	S.F.	2005	Wally E. Horn
S—5264	S.F.	2092	James Riordan
			Patrick Deluhery
S—5265	S.F.	2018	Edgar H. Holden
S—5266	S.F.	2188	Edgar H. Holden
S—5267	S.F.	2248	Donald V. Doyle



## AFTERNOON SESSION

The Senate reconvened at 4:18 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.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the afternoon on request of Senator Jensen.

## UNFINISHED BUSINESS (Deferred March 7, 1988)

### **Senate File 2039**

The Senate resumed consideration of Senate File 2039, a bill for an act allowing personalized vehicle registration plates to contain up to seven characters, deferred on March 7, 1988.

Senator Wells offered amendment S—5256 filed by Senators Wells and Lind from the floor to page 1 and the title page of the bill.

Senator Corning offered amendment S—5258 filed by her from the floor to amendment S—5256.

Senator Drake raised the point of order that amendment S—5258 to amendment S—5256 was not germane to the title of the bill.

The Chair ruled the point well taken and amendment S—5258 out of order.

Senator Drake raised the point of order that amendment S—5256 was not germane to the title of the bill.

The Chair ruled the point well taken and amendment S—5256 out of order.

Senator Corning withdrew amendment S—5257 filed by her from the floor to page 1 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. 2039) the vote was:

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

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Gronstal
Hall	Hannon	Horn	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Priebe	Readinger
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, 16:

Fuhrman	Gentleman	Goodwin	Hester
Holden	Holt	Husak	Jensen
Miller, C.P.	Palmer	Peterson	Rensink
Rife	Soorholtz	Tieden	Vande Hoef

Absent or not voting, 4:

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

## BUSINESS PENDING

### Senate File 2157

The Senate resumed consideration of Senate File 2157, a bill for an act relating to a comprehensive acquired immune deficiency

syndrome (AIDS) prevention and intervention plan and amendment S—5147 by Senators Sturgeon, et al., to pages 4 through 12 of the bill, previously deferred.

Senator Readinger called up the motion to reconsider the vote by which amendment S—5253 to amendment S—5147 to Senate File 2157 was adopted by the Senate on March 8, 1988, filed by him on March 8, 1988, found on page 683 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5253 by Senators Lloyd-Jones, et al., to amendment S—5147, was taken up for reconsideration.

Senator Lloyd-Jones asked and received unanimous consent that further action on amendment S—5253 to amendment S—5147 be deferred.

Senator Sturgeon offered amendment S—5272 filed by Senators Sturgeon and Lloyd-Jones from the floor to amendment S—5147 and moved its adoption.

Amendment S—5272 was adopted by a voice vote.

With the adoption of amendment S—5272 to amendment S—5147, the Chair ruled amendment S—5253 by Senators Lloyd-Jones, et al., to amendment S—5147, previously deferred, out of order.

Senator Sturgeon moved the adoption of amendment S—5147 as amended, which motion prevailed by a voice vote.

Senator Readinger offered amendment S—5120 filed by Senator Taylor on February 22, 1988, to page 12 of the bill.

Senator Sturgeon raised the point of order that amendment S—5120 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5120 out of order.

The Chair ruled amendment S—5197 filed by Senator Taylor on March 1, 1988, to page 12 of the bill, out of order.

Senator Mann offered amendment S—5214 filed by him on March 3, 1988, to page 12 of the bill and moved its adoption.

Amendment S—5214 was adopted by a voice vote.

The motion to reconsider the vote by which amendment S—5253 to amendment S—5147 to Senate File 2157 was adopted by the Senate on March 8, 1988, filed by Senator Coleman on March 8, 1988, and found on page 683 of the Senate Journal, was out of order.

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. 2157) 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
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Dieleman

Absent or not voting, 5:

Hultman	Hutchins	Nystrom	Schwengels
Taylor			

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

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2291.

## Senate File 2291

On motion of Senator Drake, Senate File 2291, a bill for an act to provide that certain appropriations for retirement allowances be paid from the Iowa public employees' retirement fund rather than from the general fund of the state retroactive to July 1, 1987, 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. 2291) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Priebe	Rensink	Scott	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 7:

Fuhrman	Gentleman	Miller, C.P.	Palmer
Peterson	Rife	Soorholtz	

Absent or not voting, 6:

Hultman	Nystrom	Readinger	Riordan
Schwengels	Taylor		

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

## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 2157, 2039 and 2291 be immediately messaged to the House.

## INTRODUCTION OF BILLS

**Senate File 2309**, by committee on Appropriations, a bill for an act relating to and making appropriations to the department of economic development.

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

**Senate File 2310**, by committee on Appropriations, a bill for an act relating to and making appropriations to the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, and establishing a division on the status of blacks.

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

**Senate File 2311**, by committee on Appropriations, a bill for an act relating to and making appropriations to various state agencies including the elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management appropriating certain membership fees, increasing fees collected by the office of the secretary of state, and appropriating moneys to the county assistance fund, the municipal assistance fund, and the moneys and credits replacement fund.

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

## APPENDIX

### BILLS ASSIGNED TO COMMITTEE

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

H.C.R.	27	Rules and Administration
H.F.	2320	Commerce
H.F.	2328	Agriculture
H.F.	2339	State Government
H.F.	2346	Small Business & Economic Development
H.F.	2347	Local Government

### MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2201 passed the Senate on March 8, 1988.

EMIL J. HUSAK

### COMMITTEE REPORTS

#### APPROPRIATIONS

**Final Bill Action:** SENATE FILE 2309, a bill for an act relating to and making appropriations to the department of economic development.

**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 FILE 2310, a bill for an act relating to and making appropriations to the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, and establishing a division on the status of blacks.

**Recommendation:** APPROVED COMMITTEE BILL.

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

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2311, a bill for an act relating to and making appropriations to various state agencies including the elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management appropriating certain membership fees, increasing fees collected by the office of the secretary of state, and appropriating moneys to the county assistance fund, the municipal assistance fund, and the moneys and credits replacement fund.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Welsh, Husak, Boswell, Dieleman, Fraise, Gettings, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, 6: Tieden, Corning, Holt, Jensen, Lind and Readinger. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## EDUCATION

**Final Bill Action:** SENATE FILE 2024, a bill for an act relating to the membership of the college aid commission.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Murphy, Horn, Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Lind, Riordan, Tieden, Varn and Wells. Nays, 2: Holden and Rensink. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

S-5268	S. F.	2019	C. Joseph Coleman
S-5269	S. F.	2193	Richard J. Varn
			Joy Corning
S-5270	S. F.	2256	Richard Varn
S-5271	S. F.	2271	Alvin V. Miller
S-5272	S. F.	2157	Al Sturgeon
			Jean Lloyd-Jones



## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:42 p.m., until 9:00 a.m., Wednesday, March 9, 1988.

# JOURNAL OF THE SENATE

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FIFTY-NINTH CALENDAR DAY  
THIRTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 9, 1988

The Senate met in regular session at 9:05 a.m., Senator Boswell presiding.

Prayer was offered by Father Cain, pastor of St. Mary Catholic Church, Dow City, Iowa.

President Zimmerman took the chair at 9:10 a.m.

The Journal of Tuesday, March 8, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Taylor for the day and Senator Nystrom 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 March 4, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2344**, a bill for an act relating to the civil rights of persons with a condition relating to acquired immune deficiency syndrome, by prohibiting the testing, with respect to the employment of persons, for a condition related to acquired immune deficiency syndrome, and by making remedial provisions of the civil rights law applicable.

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

ALSO: That the House has on March 7, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2189**, a bill for an act relating to child abuse investigation reports made to subjects of reports by the department of human services.

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

**House File 2307**, a bill for an act relating to the regulation of the state's insurance industry and the administration of the insurance division of the department of commerce.

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

**House File 2319**, a bill for an act to exclude Saturday as a banking day.

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

**House File 2323**, a bill for an act relating to the pledge of United States government obligations or their functional equivalents as security for the deposit of public funds.

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

**House File 2337**, a bill for an act relating to the jurisdiction of the employment appeal board.

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

**House File 2352**, a bill for an act relating to right-of-way and relocation assistance provided to persons displaced by highway projects.

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

**House File 2353**, a bill for an act relating to the condemnation payment process.

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

**House File 2363**, a bill for an act relating to the control of certain parasitic infestations common to bees by the state apiarist.

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

**House File 2367**, a bill for an act relating to training for mandatory reporters of dependent adult abuse and child abuse.

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

**House File 2371**, a bill for an act authorizing the joint investment of funds by counties, cities, city utilities, and judicial district departments of correctional services, and providing an effective date.

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

**House File 2373**, a bill for an act to grant the department of agriculture and land stewardship the authority to administer oaths and subpoenas and issue injunctions in the course of administering the law regarding bovine brucellosis.

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

**House File 2375**, a bill for an act relating to procedures of the Iowa boundary commission and providing for the appointment of subcommittees.

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

**House File 2377**, a bill for an act relating to the establishment of programs for paying for college costs, including the provision for the state board of regents to issue revenue bonds that are payable at times determined by the board and the preparation of an educational program and marketing strategies by the college aid commission in cooperation with the state board of regents.

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

**House File 2383**, a bill for an act relating to the movement of vehicles of excess size and weight, subject to penalties provided by law.

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

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 121**, by Mann, a concurrent resolution to urge improved data collection and recordkeeping relating to the state's Hispanic population.

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 36 present, 14 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.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2092.

#### **Senate File 2092**

On motion of Senator Riordan, Senate File 2092, a bill for an act establishing a community and rural development loan program to assist communities in financing traditional and new infrastructure and housing for needy and elderly and providing for a revolving fund to be used for the program, with report of committee on Appropriations recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—5123 filed by the committee on Appropriations on February 22, 1988, to pages 1 through 4 and the title page of the bill and moved its adoption.

Amendment S—5123 was adopted by a voice vote.

Senator Riordan offered amendment S—5259 filed by him on March 8, 1988, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5259 was adopted by a voice vote.

Senator Riordan offered amendment S—5243 filed by Senator Welsh on March 7, 1988, to page 4 of the bill and moved its adoption.

Amendment S—5243 was adopted by a voice vote.

Senator Riordan offered amendment S—5264 filed by Senators Riordan and Deluhery on March 8, 1988, to page 4 and the title page of the bill and moved its adoption.

Amendment S—5264 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. 2092) the vote was:

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

Ayes, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gettings	Gronstal	Hannon
Holt	Horn	Husak	Hutchins
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Priebe	Readinger
Riordan	Scott	Sturgeon	Varn
Wells			

Nays, 16:

Corning	Drake	Gentleman	Goodwin
Hall	Hester	Holden	Hultman
Jensen	Kinley	Lind	Peterson
Rensink	Soorholtz	Tieden	Vande Hoef

Absent or not voting, 5:

Nystrom	Rife	Schwengels	Taylor
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 BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2107.

## Senate File 2107

On motion of Senator Bruner, Senate File 2107, a bill for an act relating to the creation of a foster home insurance fund, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5143 filed by the committee on Human Resources on February 25, 1988, to strike everything after the enacting clause of the bill, and moved its adoption.

Amendment S—5143 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. 2107) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Mann

Absent or not voting, 6:

Holt	Nystrom	Peterson	Rife
Schwengels	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 2049.

**Senate File 2049**

On motion of Senator Vande Hoef, Senate File 2049, a bill for an act relating to the procedures for the vacating and closing of all or part of a secondary road or crossing, with report of committee recommending passage, was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2049) the vote was:

Ayes, 45:

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	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gronstal	Nystrom	Rife	Schwengels
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 2244.

**Senate File 2244**

On motion of Senator Hultman, Senate File 2244, a bill for an act relating to the establishment of the council for Iowa's economic future by the Iowa department of economic development to contribute to the strengthening of the state's economy, and making



an appropriation, with report of committee recommending passage, was taken up for consideration.

Senator Hultman offered amendment S—5274 filed by him from the floor to pages 1 and 2 of the bill.

Senator Hutchins offered amendment S—5278 filed by him from the floor to amendment S—5274 and moved its adoption.

Amendment S—5278 was adopted by a voice vote.

Senator Hultman moved the adoption of amendment S—5274 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5274 as amended, the Chair ruled amendment S—5273 filed by Senator Hultman from the floor to page 1 of the bill, out of order.

Senator Hutchins asked and received unanimous consent that **Senate File 2244** be referred to the committee on **Appropriations** and returned to the Senate Calendar by 5:00 p.m., Thursday, March 10, 1988.

### **Senate File 2250**

On motion of Senator Deluhery, Senate File 2250, a bill for an act relating to environmental protection by correcting the reference to the membership of the advisory committee for the center for health effects of environmental contamination; by establishing requirements regarding sanitary disposal project inspections, the disposal of solid waste, and the solid waste tonnage fee; by making corrections relating to the collection and allocation of moneys within the solid waste account and the agriculture management account; by correcting a reference to the duties of the department of natural resources regarding household hazardous materials; and by specifying the content and liability for the content of statements submitted with a declaration of value regarding the existence and location of wells, disposal sites, underground storage tanks, and hazardous waste, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2250** be deferred.

**BILLS REFERRED TO COMMITTEE**

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Appropriations Calendar to committee and returned to the Senate Calendar by 5:00 p.m., Wednesday, March 9, 1988:

S.F.	2310	State Government
S.F.	2311	Ways and Means

Senator Hutchins asked and received unanimous consent that **Senate File 2237** be referred from the Regular Calendar to the committee on **Judiciary**.

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 12:07 p.m., until 4:30 p.m.

## APPENDIX

### PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

**MADAM PRESIDENT:** Pursuant to Senate Rule 59, I hereby request that the name of Mary Garst be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

LEONARD L. BOSWELL

**MADAM PRESIDENT:** Pursuant to Senate Rule 59, I hereby request that the name of David Linquist be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

JAMES D. WELLS

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS

**Convened:** March 8, 1988, 1:45 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 (excused).

**Committee Business:** Discussed LSBs 8249 and 8325.

**Recessed:** 3:22 p.m.

**Reconvened:** March 8, 1988, 5:45 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 (excused).

**Committee Business:** Approved LSBs 8249 and 8325 as committee bills.

**Adjourned:** 6:30 p.m.

**MOTION TO RECONSIDER**

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2208 passed the Senate on March 8, 1988.

TOM MANN, JR.

**PRESENTATION OF VISITORS**

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

Twelfth grade students from Greene High School, Greene, Iowa, accompanied by Rodger Holchur. Senator Jensen.

Members of the Hartley-Melvin High School Girls' State basketball tournament team, accompanied by Coach Mark Butt. Senator Vande Hoef.

**STUDY BILLS RECEIVED****SSB 2261 Ways and Means**

Relating to payments for local school districts, area schools, counties, cities, local conference boards, county hospitals, and county agricultural extension councils.

**SSB 2262 Ways and Means**

Imposing additional hazardous waste fees with civil penalties applicable.

**AMENDMENTS FILED**

S-5273	S.F.	2244	Calvin O. Hultman
S-5274	S.F.	2244	Calvin O. Hultman
S-5275	S.F.	2231	Michael Gronstal
S-5276	S.F.	2188	Leonard Boswell
			Beverly Hannon
			Norman Goodwin
S-5277	S.F.	2212	John Peterson
S-5278	S.F.	2244	C.W. Hutchins
S-5279	S.F.	2305	Tom Mann, Jr.

S—5280	S. F.	2249	Larry Murphy
S—5281	S. F.	2245	Joy Corning

## AFTERNOON SESSION

The Senate reconvened at 4:30 p.m., President Zimmerman presiding.

## INTRODUCTION OF BILL

**Senate File 2312**, by committee on Appropriations, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date.

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

## QUORUM CALL

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

The vote revealed 39 present, 11 absent and a quorum present.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Holden for the remainder of the day on request of Senator Hultman; Senator Kinley for the remainder of the day on request of Senator Palmer and Senator Lloyd-Jones for the remainder of the day on request of Senator Hutchins.

## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2092, 2107 and Senate File 2049** be **immediately messaged** to the House.

## BUSINESS PENDING

### **Senate File 2250**

The Senate resumed consideration of Senate File 2250, a bill for an act relating to environmental protection by correcting the reference to the membership of the advisory committee for the

center for health effects of environmental contamination; by establishing requirements regarding sanitary disposal project inspections, the disposal of solid waste, and the solid waste tonnage fee; by making corrections relating to the collection and allocation of moneys within the solid waste account and the agriculture management account; by correcting a reference to the duties of the department of natural resources regarding household hazardous materials; and by specifying the content and liability for the content of statements submitted with a declaration of value regarding the existence and location of wells, disposal sites, underground storage tanks, and hazardous waste, previously deferred.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hutchins for the remainder of the afternoon on request of Senator Husak.

### BUSINESS PENDING

#### Senate File 2250

The Senate resumed consideration of Senate File 2250.

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. 2250) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Husak	Jensen
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Drake  
Hutchins  
Taylor

Gettings  
Kinley

Holden  
Lloyd-Jones

Hultman  
Schwengels

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

### CONSIDERATION OF BILLS (Regular Calendar)

#### Senate File 2256

On motion of Senator Varn, Senate File 2256, a bill for an act relating to the admission of a report or findings of the criminalistics laboratory as evidence in a civil proceeding, was taken up for consideration.

Senator Mann withdrew amendment S—5235 filed by him on March 7, 1988, to page 1 of the bill.

Senator Mann offered amendment S—5289 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5289 was adopted by a voice vote.

Senator Varn offered amendment S—5270 filed by him on March 8, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5270 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. 2256) the vote was:

Ayes, 43:

Boswell  
Corning  
Drake  
Gettings  
Hannon

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holt

Coleman  
Doyle  
Gentleman  
Hall  
Horn



Husak	Jensen	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Holden	Hultman	Hutchins	Kinley
Lloyd-Jones	Schwengels	Taylor	

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

### Senate File 2190

On motion of Senator Corning, Senate File 2190, a bill for an act to create an advancement and recruitment program to encourage administrative advancement of women and minorities and recruitment of minorities by school corporations. was taken up for consideration.

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

On the question "Shall the bill pass?" (S.F. 2190) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Horn	Husak	Jensen
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Sturgeon	Vande Hoef
Varn	Wells	Welsh	

Nays, 2:

Fuhrman	Tieden
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Absent or not voting, 9:

Holden	Holt	Hultman	Hutchins
Kinley	Lloyd-Jones	Schwengels	Soorholtz
Taylor			

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

### Senate File 2193

On motion of Senator Varn, Senate File 2193, a bill for an act relating to requirements for approved teacher education programs, was taken up for consideration.

Senator Varn offered amendment S—5145 filed by him on February 25, 1988, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5145 was adopted by a voice vote.

Senator Varn offered amendment S—5269 filed by Senators Varn and Corning on March 8, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5269 was adopted by a voice vote.

Senator Corning offered amendment S—5133 filed by her on February 24, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5133 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. 2193) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan

Scott  
Varn

Sturgeon  
Wells

Tieden  
Welsh

Vande Hoef

Nays, 3:

Jensen

Lind

Nystrom

Absent or not voting, 8:

Holden  
Lloyd-Jones

Hultman  
Schwengels

Hutchins  
Soorholtz

Kinley  
Taylor

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 2250, 2256, 2190 and 2193** be immediately messaged to the House.

## APPENDIX

### BILLS ASSIGNED TO COMMITTEE

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

S. C. R.	121	State Government
H. F.	2189	Human Resources
H. F.	2307	Commerce
H. F.	2319	Commerce
H. F.	2344	Human Resources
H. F.	2363	Agriculture
H. F.	2367	Human Resources
H. F.	2371	Local Government
H. F.	2373	Agriculture
H. F.	2375	State Government
H. F.	2377	Education
H. F.	2383	Transportation

### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 9, 1988, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2060 — Relating to the benefit ratio array system under the unemployment insurance law by making the benefit ratio array system permanent, by making a change related to new construction employers, by resolving potential federal conformity issues concerning new nonconstruction experience- based rates and access to job service information by business and labor organizations, by abolishing the special employer contribution rate for employers with certain negative balance account histories with retroactive applicability, and by providing an effective date.

### COMMITTEE REPORTS

#### APPROPRIATIONS

**Final Bill Action:** SENATE FILE 2312, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date.

**Recommendation: APPROVED COMMITTEE BILL.**

**Final Vote:** Ayes, 12: Welsh, Husak, Boswell, Dieleman, Fraise, Gettings, Holt, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, 3: Tieden, Jensen and Readinger. Voting present, 1: Corning. Absent or not voting, 2: Lind and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**EDUCATION**

**Final Bill Action:** HOUSE FILE 2277, a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including the frequency and manner of payments, eligibility for payments, deadlines for submission of plans and reports, and the issuance of supplemental contracts.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5296.

**Final Vote:** Ayes, 14: Murphy, Horn, Bruner, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden, Varn and Wells. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**LOCAL GOVERNMENT**

**Final Bill Action:** 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 the city.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5287.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Hall, Goodwin, Horn, C. Miller and Wells. Nays, none. Absent or not voting, 2: Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2168, a bill for an act relating to the recording of instruments by a county recorder.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, C. Miller and Wells. Nays, none. Absent or not voting, 3: Horn, Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2287, a bill for an act relating to the filing date of the elderly or disabled property tax credit, providing for the recovery of erroneous payments, and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, C. Miller and Wells. Nays, none. Absent or not voting, 3: Horn, Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Final Bill Action:** HOUSE FILE 529, a bill for an act relating to governmental competition with and purchase of goods and services from private enterprise.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Boswell, Peterson, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef. Nays, 1: Deluhery. Absent or not voting, 1: Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 2310, a bill for an act relating to and making appropriations to the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, and establishing a division on the status of blacks.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5295.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Coleman, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, C. Miller, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Schwengels and Rife.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** 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.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Carr, Nystrom, Bruner, Drake, Gronstal, Gentleman, Lloyd-Jones, Soorholtz, C. Miller, Welsh, Horn and Coleman. Nays, 1: Dieleman. Absent or not voting, 2: Rife and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 586, a bill for an act relating to the federal low-income housing credit allowance.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Carr, Nystrom, Dieleman, Bruner, Coleman, Drake, Gronstal, Lloyd-Jones, Soorholtz, Welsh, C. Miller, Gentleman and Horn. Nays, none. Absent or not voting, 2: Schwengels and Rife.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## WAYS AND MEANS

**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, 14: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 1: Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2285, a bill for an act relating to the administration of the state's income, franchise, sales, services, use, fuel, and death taxes, providing penalties, and providing retroactive and effective dates.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5288.

**Final Vote:** Ayes, 11: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Drake, Readinger and Soorholtz. Nays, 3: Holden, Hester and Holt. Absent or not voting, 1: Mann.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

#### REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2092, the following corrections were made:

(Page and line numbers refer to the Reprint)

1. Page 3, line 28, the figure "1" was inserted before the word "Any".
2. Page 15, line 6, the words "Sections 1 through 8" were changed to the words "Section 1 through 7 and 9".

JOHN F. DWYER  
Secretary of the Senate

#### BILL RETURNED TO CALENDAR (Senate File 2311)

Pursuant to Senate Rule 13 and unanimous consent received by Senator Hutchins on March 9, 1988, on Senate Journal page 703, **Senate File 2311** was returned to the Senate Appropriations Calendar from the committee on **Ways and Means** at 5:00 p.m., Wednesday, May 9, 1988, without committee recommendation for passage.

#### AMENDMENTS FILED

S—5282	S. F.	2284	Beverly A. Hannon Charles Bruner Julia Gentleman Larry Murphy
S—5283	S. F.	2295	Beverly A. Hannon Larry Murphy Charles Bruner Jim Lind



S—5284	S.F.	2254	Joy Corning
S—5285	S.F.	2234	Jim Lind
			Larry Murphy
			Jim Lind
			Dale Tieden
			Wally E. Horn
S—5286	S.F.	2268	Larry Murphy
S—5287	H.F.	382	Local Government
S—5288	H.F.	2285	Ways and Means
S—5289	S.F.	2256	Tom Mann, Jr.
S—5290	S.F.	2178	Tom Mann, Jr.
S—5291	S.F.	2253	Larry Murphy
S—5292	S.F.	2285	Joe J. Welsh
S—5293	S.F.	2266	Berl E. Priebe
S—5294	S.F.	2233	Bob Carr
S—5295	S.F.	2310	State Government
S—5296	H.F.	2277	Education

#### ADJOURNMENT

On motion of Senator Husak, the Senate adjourned at 5:37 p.m., until 9:00 a.m., Thursday, March 10, 1988.

# JOURNAL OF THE SENATE

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SIXTIETH CALENDAR DAY  
FORTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 10, 1988

The Senate met in regular session at 9:04 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Keith Hejnal, pastor of the United Methodist Church of Christ, Osage, Iowa.

The Journal of Wednesday, March 9, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Taylor for the day and March 11, 1988, on request of Senator Hultman and Senator Miller of Cerro Gordo 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 March 7, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2355**, a bill for an act relating to cooperative associations by providing for their purposes and powers.

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

ALSO: That the House has on March 8, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2338**, a bill for an act relating to environmental quality by creating an emergency response fund and by establishing and increasing fines and penalties.

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

**House File 2399**, a bill for an act relating to the designation, inventory, sale, and protection of protected wetlands, and providing a civil penalty for violations.

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

### INTRODUCTION OF BILL

**Senate File 2313**, by committee on Ways and Means, a bill for an act imposing additional hazardous waste fees with civil penalties applicable.

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

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2160.

#### **Senate File 2160**

On motion of Senator Horn, Senate File 2160, a bill for an act relating to the practice of chiropractic and providing for rules to implement the right of an applicant to choose whether to utilize certain procedures related to differential diagnosis, with report of committee recommending passage, was taken up for consideration.

Senator Horn offered amendment S—5244 filed by Senators Miller of Des Moines and Horn on March 7, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5244 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. 2160) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gettings	Gronstal	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, C.P.	Murphy
Nystrom	Priebe	Readinger	Rensink
Rife	Riordan	Soorholtz	Sturgeon
Tieden	Vande Hoef	Wells	Welsh

Nays, 9:

Dieleman	Fuhrman	Gentleman	Goodwin
Hall	Hannon	Hester	Peterson
Scott			

Absent or not voting, 5:

Miller, A.V.	Palmer	Schwengels	Taylor
Varn			

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 2285.

### Senate File 2285

On motion of Senator Jensen, Senate File 2285, a bill for an act relating to the enforcement of laws concerning motor vehicle fraud, salvage, and theft, certificates of title, and transfer of ownership of foreign, wrecked, and salvage vehicles and making penalties applicable and providing effective dates, was taken up for consideration.

Senator Welsh offered amendment S—5292 filed by him on March 9, 1988, to strike everything after the enacting clause of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5292 be adopted?" (S.F. 2285) the vote was:

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

Ayes, 25:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Drake	Gronstal
Hester	Holden	Holt	Hultman
Hutchins	Kinley	Lind	Lloyd-Jones
Murphy	Nystrom	Priebe	Readinger
Rife	Soorholtz	Sturgeon	Tieden
Welsh			

Nays, 21:

Coleman	Dieleman	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hall
Hannon	Horn	Husak	Jensen
Mann	Miller, C.P.	Peterson	Rensink
Riordan	Scott	Vande Hoef	Varn
Wells			

Absent or not voting, 4:

Miller, A.V.	Palmer	Schwengels	Taylor
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Amendment S—5292 was adopted.

With the adoption of amendment S—5292, the Chair ruled amendment S—5297 filed by Senator Jensen from the floor to strike everything after the enacting clause of the bill, out of order.

Senator Husak asked and received unanimous consent that further action on **Senate File 2285** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order **Senate File 2216**.

### **Senate File 2216**

On motion of Senator Gettings, **Senate File 2216**, a bill for an act providing that the state fair board may make an agreement with the department of public safety to provide security during the annual fair and exposition and interim events, was taken up for consideration.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

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

## BUSINESS PENDING

### Senate File 2216

The Senate resumed consideration of Senate File 2216.

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. 2216) 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
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hannon	Jensen	Miller, A.V.	Palmer
Schwengels	Sturgeon	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 2195.

### **Senate File 2195**

On motion of Senator Horn, Senate File 2195, a bill for an act relating to the authority of the board of chiropractic examiners to issue licenses by reciprocity or endorsement, 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. 2195) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Holden
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, C.P.	Murphy
Nystrom	Priebe	Readinger	Rensink
Rife	Riordan	Soorholtz	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 13:

Corning	Fuhrman	Gentleman	Goodwin
Hall	Hannon	Hester	Holt
Hultman	Jensen	Lind	Peterson
Scott			

Absent or not voting, 5:

Miller, A.V.	Palmer	Schwengels	Sturgeon
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 2236.

**Senate File 2236**

On motion of Senator Dieleman, Senate File 2236, a bill for an act relating to the qualification for office by elected school board members and school officers, 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. 2236) 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, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Miller, A.V.	Palmer	Schwengels	Sturgeon
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 2020.

**Senate File 2020**

On motion of Senator Horn, Senate File 2020, a bill for an act relating to the return of cash or other qualified security deposited with the clerk of the district court as bail, 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. 2020) 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
Mann	Miller, C.P.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Miller, A.V.	Palmer	Schwengels	Sturgeon
Taylor			

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

### SPECIAL GUESTS

President Zimmerman presented winners of the essay contest sponsored by the Iowa Commission on the Status of Women, Iowa State Historical Society and the Iowa Department of Education to "Write Women Back Into History" in celebration of Women's History Month:

#### Sixth and Seventh Grade

First Place: Carrie Spann, Council Bluffs

Second Place: Jenny Schuttinga, Spencer

Third Place: Sadye Brooker, Cedar Rapids

Eighth and Ninth Grade

First Place: Lori Fehr, Fort Dodge

Second Place: Meg Symmonds, Muscatine

Third Place: Dawn Thompson, Fort Dodge

Edith Rose Murphy Sackett Volunteerism Award:

Meg Symmonds, Muscatine

CONSIDERATION OF BILLS  
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2253.

**Senate File 2253**

On motion of Senator Tieden, Senate File 2253, a bill for an act to require that students in grades nine through twelve take history and government classes, was taken up for consideration.

Senator Murphy withdrew amendment S—5291 filed by him on March 9, 1988, to page 1 of the bill.

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. 2253) the vote was:

Ayes, 41:

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	Mann	Miller, C.P.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Riordan	Scott	Soorholtz
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Gentleman                      Lloyd-Jones

Absent or not voting, 7:

Drake	Miller, A.V.	Palmer	Rife
Schwengels	Sturgeon	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 2295.

### Senate File 2295

On motion of Senator Hannon, Senate File 2295, a bill for an act relating to the development of programs for the identification, educational methods, and staff qualifications for at-risk children, was taken up for consideration.

Senator Hannon offered amendment S—5283 filed by Senators Hannon, et al., on March 9, 1988, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5283 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?" (S.F. 2295) the vote was:

Ayes, 43:

Boswell	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, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Bruner  
Schwengels

Drake  
Sturgeon

Miller, A.V.  
Taylor

Palmer

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2231.

### **Senate File 2231**

On motion of Senator Gronstal, Senate File 2231, a bill for an act to allow certain elections to be conducted by mail ballots, making penalties applicable, and providing for the prospective repeal of the Act, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that further action on **Senate File 2231** be **deferred**.

### **Senate File 2232**

On motion of Senator Gronstal, Senate File 2232, a bill for an act relating to elections and election procedures and providing an effective date, was taken up for consideration.

Senator Gronstal offered amendment S—5233 filed by him on March 7, 1988, to pages 6 and 7 of the bill and moved its adoption.

Amendment S—5233 was adopted by a voice vote.

Senator Gronstal offered amendment S—5234 filed by Senators Gronstal and Drake on March 7, 1988, to pages 7, 8 and 20 of the bill and moved its adoption.

Amendment S—5234 was adopted by a voice vote.

Senator Gronstal offered amendment S—5173 filed by him on February 29, 1988, to page 8 of the bill and moved its adoption.

Amendment S—5173 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. 2232) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Hannon	Miller, A.V.	Palmer	Schwengels
Sturgeon	Taylor		

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

### Senate File 2233

On motion of Senator Gronstal, Senate File 2233, a bill for an act relating to the registration of voters in state offices, was taken up for consideration.

Senator Carr offered amendment S—5294 filed by him on March 9, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5294 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that further action on **Senate File 2233** be deferred.

**IMMEDIATLEY MESSAGED**

Senator Husak asked and received unanimous consent that **Senate Files 2160, 2216, 2195, 2020, 2253, 2295 and 2232** be **immediately messaged** to the House.

**RECESS**

On motion of Senator Husak, the Senatę recessed at 11:55 a.m., until 4:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS SUBCOMMITTEE ON CLAIMS

**Convened:** March 9, 1988, 8:32 a.m.

**Members Present:** C. Miller, Chair; Drake, Ranking Member and Hultman.

**Members Absent:** Kinley, Vice Chair and Welsh.

**Committee Business:** Reviewed Claim No. G 87-0373, Kewin Auto Company, Inc.

**Adjourned:** 8:34 a.m.

#### EDUCATION

**Convened:** March 9, 1988, 3:52 p.m.

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

**Members Absent:** Taylor, Vice Chair.

**Committee Business:** Recommended passage of House File 2277.

**Adjourned:** 4:10 p.m.

#### LOCAL GOVERNMENT

**Convened:** March 9, 1988, 1:35 p.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Horn, C. Miller and Wells.

**Members Absent:** Kinley and Taylor (both excused).

**Committee Business:** Assigned House File 2347 to a subcommittee; recommended passage of House Files 2168 and 2287; recommended passage of House File 382 as amended.

**Adjourned:** 1:53 p.m.

**STATE GOVERNMENT**

**Convened:** March 9, 1988, 3:00 p.m.

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

**Members Absent:** Rife and Schwengels (both excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 2310 and House Files 586, 2194 and 393.

**Adjourned:** 3:45 p.m.

**WAYS AND MEANS**

**Convened:** March 9, 1988, 1:40 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:** Recommended passage of House Files 221 and 2285 (as amended); approved SSB 2262 as a committee bill.

**Adjourned:** 3:45 p.m.

**COMMITTEE REPORTS****NATURAL RESOURCES**

**Final Bill Action:** HOUSE FILE 2066, a bill for an act relating to snare traps by establishing a minimum loop dimension for a snare trap, by prohibiting use or maintenance of a snare trap within the right-of-way of a public highway, and by providing scheduled fines for violations.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5306.

**Final Vote:** Ayes, 9: Scott, Priebe, Goodwin, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 3: Schwengels, Doyle and Hannon.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.



ALSO:

**Final Bill Action:** HOUSE FILE 2257, a bill for an act relating to the use of vessels for hunting blinds on the public waters of this state and subjecting violators to an existing penalty.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Scott, Priebe, Goodwin, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 3: Schwengels, Doyle and Hannon.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## TRANSPORTATION

**Final Bill Action:** HOUSE FILE 2383, a bill for an act relating to the movement of vehicles of excess size and weight, subject to penalties provided by law.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: Coleman, Scott, Doyle, Gettings, Goodwin, Jensen and Lloyd-Jones. Nays, none. Absent or not voting, 3: Drake, Nystrom and Priebe.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## WAYS AND MEANS

**Final Bill Action:** SENATE FILE 2313 (SSB 2262), a bill for an act imposing additional hazardous waste fees with civil penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Drake, Hester, Holt and Readinger. Nays, 2: Holden and Soorholtz. Absent or not voting, 1: Mann.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## MOTION TO RECONSIDER

**MADAM PRESIDENT:** I move to reconsider the vote by which amendment S—5292 to Senate File 2285 was adopted by the Senate on March 10, 1988.

BERL E. PRIEBE

## AMENDMENTS FILED

S—5297	S.F.	2285	John W. Jensen
S—5298	S.F.	2261	Berl E. Priebe
S—5299	S.F.	2263	William W. Dieleman
S—5300	S.F.	2263	William W. Dieleman
S—5301	S.F.	2263	Richard Varn
S—5302	S.F.	2286	C. Joseph Coleman
S—5303	S.F.	2188	Larry Murphy
			Charles Bruner
			Leonard L. Boswell
S—5304	S.F.	2263	Berl E. Priebe
S—5305	H.F.	2066	Natural Resources
S—5306	H.F.	2066	Natural Resources

## AFTERNOON SESSION

The Senate reconvened at 4:40 p.m., Senator Hannon presiding.

## QUORUM CALL

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

The vote revealed 42 present, 8 absent and a quorum present.

## BILL REFERRED TO COMMITTEE

Senator Husak asked and received unanimous consent that **Senate File 2292** be referred from the Regular Calendar to the committee on **Appropriations**.

## IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate File 2236** be **immediately messaged** to the House.

## BUSINESS PENDING

### Senate File 2233

The Senate resumed consideration of Senate File 2233, a bill for an act relating to the registration of voters in state offices, previously deferred.

President Zimmerman took the chair at 4:49 p.m.

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

On the question "Shall the bill pass?" (S.F. 2233) the vote was:

Ayes, 28:

Boswell  
Deluhery  
Gettings  
Husak

Bruner  
Dieleman  
Gronstal  
Hutchins

Carr  
Doyle  
Hannon  
Kinley

Coleman  
Fraise  
Horn  
Lloyd-Jones

Mann  
Palmer  
Sturgeon

Miller, A.V.  
Peterson  
Varn

Miller, C.P.  
Priebe  
Wells

Murphy  
Scott  
Welsh

Nays, 18:

Corning  
Goodwin  
Holt  
Readinger  
Tieden

Drake  
Hall  
Hultman  
Rensink  
Vande Hoef

Fuhrman  
Hester  
Jensen  
Rife

Gentleman  
Holden  
Nystrom  
Soorholtz

Absent or not voting, 4:

Lind

Riordan

Schwengels

Taylor

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

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Husak asked and received unanimous consent to take up out of order Senate File 2245.

#### Senate File 2245

On motion of Senator Sturgeon, Senate File 2245, a bill for an act relating to the certification of laboratories which perform analyses of specimens for the department of natural resources, was taken up for consideration.

Senator Corning offered amendment S—5281 filed by her on March 9, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5281 was adopted 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. 2245) the vote was:

Ayes, 45:

Boswell  
Corning

Bruner  
Deluhery

Carr  
Dieleman

Coleman  
Doyle

Drake	Fraise	Fuhrman	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	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

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

Senator Husak asked and received unanimous consent to take up out of order Senate File 2258.

### Senate File 2258

On motion of Senator Varn, Senate File 2258, a bill for an act relating to the destruction and retention of court reporters' notes and certified transcripts in civil and criminal proceedings, was taken up for consideration.

Senator Varn offered amendment S—5218 filed by him on March 3, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5218 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. 2258) 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	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

Senator Husak asked and received unanimous consent to take up out of order Senate File 2261.

### **Senate File 2261**

On motion of Senator Priebe, Senate File 2261, a bill for an act relating to horse and dog racing, was taken up for consideration.

Senator Priebe offered amendment S—5298 filed by him from the floor to pages 1 and 3 of the bill.

Senator Dieleman asked and received unanimous consent that further action on amendment S—5298 and **Senate File 2261** be deferred.

### **Senate File 2262**

On motion of Senator Riordan, Senate File 2262, a bill for an act relating to organically produced food by providing for the establishment of standards, enforcement measures, penalties and an effective date, was taken up for consideration.

Senator Soorholtz offered amendment S—5309 filed by him from the floor to page 1 of the bill.

Senator Soorholtz asked and received unanimous consent that further action on amendment S—5309 and **Senate File 2262** be **deferred**.

## BUSINESS PENDING

### Senate File 2261

The Senate resumed consideration of Senate File 2261 and amendment S—5298, previously deferred.

Senator Priebe moved the adoption of amendment S—5298 to pages 1 and 3 of the bill, which motion prevailed by a voice vote.

Senator Dieleman offered amendment S—5315 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5315 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. 2261) 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	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gettings	Hultman	Lind	Schwengels
Taylor			

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

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2263.

#### **Senate File 2263**

On motion of Senator Peterson, Senate File 2263, a bill for an act relating to horse and dog racing by allowing the application of cold with ice, cold packs, or similar treatments to the limbs of a horse or a dog prior to the start of a race and by allowing the use of certain drugs on racing horses under rules adopted by the state racing commission, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2263 be deferred.**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2274.

#### **Senate File 2274**

On motion of Senator Carr, Senate File 2274, a bill for an act to allow the board of dental examiners to revoke or suspend a license of a licensee where the licensee has been disciplined in another state, territory, or country, 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. 2274) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.



Murphy  
Readinger  
Scott  
Vande Hoef

Palmer  
Rensink  
Soorholtz  
Varn

Peterson  
Rife  
Sturgeon  
Wells

Priebe  
Riordan  
Tieden

Nays, none.

Absent or not voting, 7:

Gettings  
Schwengels

Hultman  
Taylor

Lind  
Welsh

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 2233, 2258, 2245 and 2274 be immediately messaged** to the House.

### BUSINESS PENDING

#### **Senate File 2262**

The Senate resumed consideration of Senate File 2262 and amendment S—5309, previously deferred.

Senator Soorholtz withdrew amendment S—5309 to page 1 of the bill.

Senator Tieden offered amendment S—5316 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5316 was adopted by a voice vote.

Senator Soorholtz offered amendment S—5319 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5319 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. 2262) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Riordan	Scott
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Nays, 11:

Fuhrman	Goodwin	Hester	Holden
Holt	Jensen	Readinger	Rensink
Rife	Tieden	Vande Hoef	

Absent or not voting, 6:

Coleman	Gettings	Hultman	Lind
Schwengels	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 that **Senate File 2262** 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, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2351**, a bill for an act relating to conflicts between civil service laws and the terms and conditions of a collective bargaining agreement subject to mandatory negotiation.

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

ALSO: That the House has on March 10, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2179**, a bill for an act extending civil service status to certain job classes funded by public grants or other temporary funds.

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

**House File 2409**, a bill for an act relating to the state registrar of voters.

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

**House File 2414**, a bill for an act relating to funding for the education costs of certain shelter care homes and juvenile detention homes and providing an effective date.

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

**House File 2415**, a bill for an act relating to incentives to encourage certain state government employees to retire from employment by providing for monetary or insurance payment incentives, and providing an effective date.

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:

H.F.	2338	Environment & Energy Utilities
H.F.	2399	Natural Resources

### COMMITTEE REPORTS

#### BUSINESS AND LABOR RELATIONS

**Final Bill Action:** SENATE FILE 2288, a bill for an act relating to unemployment compensation benefits for certain employees of the natural resource commission and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Wells, Mann, Fuhrman, Gettings, Holden, Horn, Hultman, Palmer, Vande Hoef and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 102, a bill for an act relating to the prohibition of polygraph examinations as a condition of employment, and providing a penalty.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5317.

**Final Vote:** Ayes, 6: Wells, Mann, Gettings, Horn, Palmer and Welsh. Nays, 4: Holden, Hultman, Fuhrman and Vande Hoef.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2260, a bill for an act to prohibit employer sanctions against employees who refuse to work in unsafe conditions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Wells, Mann, Fuhrman, Gettings, Holden, Horn, Hultman, Palmer, Vande Hoef and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **JUDICIARY**

**Final Bill Action:** HOUSE FILE 2123, a bill for an act relating to the inheritance laws by providing for the power of a surviving spouse's conservator to elect to take or refuse to take under a will or to elect to occupy the homestead, eliminating the time requirement when the share of a surviving spouse may be set off by referees when the spouse elects to take against the will, and providing for a share of an estate of a child born or adopted after execution of a testator's last will.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Deluhery, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2233, a bill for an act relating to work programs for inmates of state correctional institutions.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5321.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Hester, Horn, Deluhery, Drake, Fraise, Fuhrman, Gentleman and Varn. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **TRANSPORTATION**

**Final Bill Action:** HOUSE FILE 578, a bill for an act providing for the use of vintage Iowa registration plates.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5314.

**Final Vote:** Ayes, 6: Coleman, Scott, Doyle, Gettings, Goodwin and Lloyd-Jones. Nays, none. Absent or not voting, 4: Drake, Jensen, Nystrom and Priebe.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**MOTIONS TO RECONSIDER**

**MADAM PRESIDENT:** I move to reconsider the vote by which Senate File 2261 passed the Senate on March 10, 1988.

**WILLIAM W. DIELEMAN**

**MADAM PRESIDENT:** I move to reconsider the vote by which amendment S—5315 to Senate File 2261 was adopted by the Senate on March 10, 1988.

**WILLIAM W. DIELEMAN**

**SUBCOMMITTEE ASSIGNMENTS**

**Senate File 2237**

**JUDICIARY:** Fraise, Chair; Doyle and Gentleman

**Senate File 2282**

**JUDICIARY:** Mann, Chair; Varn and Fuhrman

**Senate File 2288**

**BUSINESS AND LABOR RELATIONS:** Hultman, Chair; Gettings and Horn

**Senate File 2294**

**STATE GOVERNMENT:** Carr, Chair; Lloyd-Jones and Nystrom

**Senate File 2298**

**TRANSPORTATION:** Coleman, Chair; Scott and Jensen

**House File 2138**

**JUDICIARY:** Mann, Chair; Varn and Hester

**House File 2189**

**HUMAN RESOURCES:** Murphy, Chair; Carr and Gentleman

**House File 2233**

**JUDICIARY:** Fraise, Chair; Doyle and Holt

**House File 2236**

AGRICULTURE: Husak, Chair; Hester and Soorholtz

**House File 2296**

COMMERCE: Sturgeon, Chair; Lind and Carr

**House File 2315**

COMMERCE: Welsh, Chair; Deluhery and Nystrom

**House File 2317**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Rensink, Chair; Rife and A. Miller

**House File 2320**

COMMERCE: Kinley, Chair; Gronstal and Jensen

**House File 2336**

STATE GOVERNMENT: Gronstal, Chair; Bruner and Gentleman

**House File 2339**

STATE GOVERNMENT: Coleman, Chair; Gronstal and Drake

**House File 2341**

BUSINESS AND LABOR RELATIONS: Mann, Chair; Gettings and Vande Hoef

**House File 2344**

HUMAN RESOURCES: Sturgeon, Chair; Hannon, Murphy, Readinger and Corning

**House File 2347**

LOCAL GOVERNMENT: Horn, Chair; Fraise and Goodwin

**House File 2367**

HUMAN RESOURCES: Sturgeon, Chair; Bruner and Readinger

**House File 2383**

TRANSPORTATION: Scott, Chair; Gettings and Jensen

## SSB 2261

WAYS AND MEANS: Husak, Chair; Drake and Dieleman

## SSB 2262

WAYS AND MEANS: Gronstal, Chair; Soorholtz and Riordan

## AMENDMENTS FILED

S—5307	H.F.	2117	Dale L. Tieden Donald V. Doyle
S—5308	S.F.	2268	Alvin V. Miller
S—5309	S.F.	2262	John E. Soorholtz
S—5310	S.F.	2238	Judiciary
S—5311	S.F.	2019	Edgar H. Holden Julia Gentleman
S—5312	S.F.	2103	John W. Jensen Wally E. Horn
S—5313	S.F.	2235	Wally E. Horn Joy Corning
S—5314	H.F.	578	Transportation
S—5315	S.F.	2261	William W. Dieleman
S—5316	S.F.	2262	Dale L. Tieden
S—5317	H.F.	102	Business & Labor Relations
S—5318	S.F.	2162	James D. Wells
S—5319	S.F.	2262	John Soorholtz
S—5320	S.F.	2238	Judiciary
S—5321	H.F.	2233	Judiciary
S—5322	S.F.	2267	Michael E. Gronstal

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:59 p.m., until 9:00 a.m., Friday, March 11, 1988.



# JOURNAL OF THE SENATE

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SIXTY-FIRST CALENDAR DAY  
FORTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, March 11, 1988

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

Prayer was offered by the Honorable Kenneth D. Scott, member of the Senate from Cerro Gordo County, Clear Lake, Iowa.

The Journal of Thursday, March 10, 1988, 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 2, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2170**, a bill for an act relating to foster care review, providing for the continued existence of the state and local foster care review boards, providing for the establishment of local foster care review boards throughout the state, providing for review in cases of children involuntarily hospitalized for mental illness, revising provisions relating to confidentiality and access to certain information, providing additional requirements for case permanency plans, providing other procedural revisions, and providing properly related matters.

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

ALSO: That the House has on March 7, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2376**, a bill for an act relating to rules of the state fire marshal for the above-ground storage of petroleum products.

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

ALSO: That the House has on March 9, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2247**, a bill for an act relating to an action for slander or libel for a report or statement made to the division of job service of the department of employment services.

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

**House File 2303**, a bill for an act relating to nontraditional insurance arrangements by prohibiting the incorporation or reincorporation of a benevolent association, providing for the regulation of risk retention groups and purchasing groups, increasing surplus requirements for reciprocal insurers and repealing an exemption to the applicability of state law to certain reciprocal insurance contracts, and providing penalties.

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

**House File 2381**, a bill for an act relating to carrying out water protection projects and practices within soil and water conservation districts, and providing for a water protection fund.

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

**House File 2384**, a bill for an act relating to the notice to be given to a judgment debtor when the debtor's property is levied upon.

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

**House File 2386**, a bill for an act relating to additional factors, requirements, and guidelines for providing assistance under the community economic betterment account of the Iowa plan fund and RISE program.

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

**House File 2387**, a bill for an act relating to the construction of cable systems and telegraph and telephone lines in the state.

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

**House File 2391**, a bill for an act relating to the collection of fees for and the rights and duties of the sheriff regarding service of legal process and levy of execution.

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

**House File 2401**, a bill for an act relating to the licensing, rulemaking, and enforcement authority of the department of inspections and appeals and the state board of health regarding health care facilities.

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

ALSO: That the House has on March 10, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2412**, a bill for an act relating to judicial sentencing options.

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

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Goodwin for the day on request of Senator Hultman.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for further consideration Senate File 2244.

#### **Senate File 2244**

On motion of Senator Hultman, Senate File 2244, a bill for an act relating to the establishment of the council for Iowa's economic future by the Iowa department of economic development to contribute to the strengthening of the state's economy, and making an appropriation, amended by the Senate on March 9, 1988, referred to the committee on Appropriations on March 9, 1988, with report of committee on Appropriations without recommendation for passage, was taken up for further 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. 2244) the vote was:

Ayes, 39:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Rensink
Rife	Riordan	Scott	Tieden
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 11:

Bruner	Goodwin	Kinley	Murphy
Priebe	Readinger	Schwengels	Soorholtz
Sturgeon	Taylor	Wells	

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2249.

### Senate File 2249

On motion of Senator Sturgeon, Senate File 2249, a bill for an act relating to the labeling, advertising, adulteration, misbranding, and dispensing of drugs, devices, and cosmetics, providing penalties, and providing properly related matters, was taken up for consideration.

Senator Murphy offered amendment S—5280 filed by him on March 9, 1988, to page 8 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5280 be adopted?" (S.F. 2249) the vote was:

Ayes, 21:

Coleman	Deluhery	Dieleman	Doyle
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Drake	Gronstal	Hall	Holden
Holt	Horn	Hultman	Hutchins
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Priebe	Rensink	Tieden
Vande Hoef			

Nays, 24:

Boswell	Bruner	Carr	Corning
Fraise	Fuhrman	Gentleman	Gettings
Hannon	Hester	Husak	Jensen
Lloyd-Jones	Mann	Palmer	Peterson
Rife	Riordan	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 5:

Goodwin	Kinley	Readinger	Schwengels
Taylor			

Amendment S—5280 lost.

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. 2249) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gentleman	Gettings	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Scott	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 8:

Dieleman	Fuhrman	Hester	Holden
Holt	Rensink	Rife	Soorholtz

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2238.

### Senate File 2238

On motion of Senator Doyle, Senate File 2238, a bill for an act 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, was taken up for consideration.

Senator Doyle offered amendment S—5310 filed by the committee on Judiciary on March 10, 1988, to pages 7, 8, 10, 24, 29 and 49 of the bill and moved its adoption.

Amendment S—5310 was adopted by a voice vote.

Senator Doyle offered amendment S—5320 filed by the committee on Judiciary on March 10, 1988, to page 11 of the bill and moved its adoption.

Amendment S—5320 was adopted by a voice vote.

Senator Doyle asked and received unanimous consent to withdraw amendment S—5248 filed by the committee on Judiciary on March 7, 1988, to pages 24, 29 and 49 of the bill.

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

On the question "Shall the bill pass?" (S.F. 2238) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	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	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2139.

### Senate File 2139

On motion of Senator Lloyd-Jones, Senate File 2139, a bill for an act relating to persons with disabilities by requiring the state building code commissioner to adopt rules to ensure enforcement of accessibility provisions, include chapter 104A under the administration and enforcement section of chapter 103A, and adding a penalty, 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?" (S.F. 2139) 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	Deluhery	Doyle
Gronstal	Hannon	Horn	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Readinger
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, 25:

Boswell	Coleman	Corning	Dieleman
Drake	Fraise	Fuhrman	Gentleman
Gettings	Hall	Hester	Holden
Holt	Hultman	Husak	Jensen
Lind	Lloyd-Jones	Nystrom	Priebe
Rensink	Rife	Soorholtz	Tieden
Vande Hoef			

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2247.

### **Senate File 2247**

On motion of Senator Miller of Cerro Gordo, Senate File 2247, a bill for an act relating to the regulation and reporting of certain pesticides, was taken up for consideration.

President pro tempore Kinley took the chair at 10:30 a.m.

Senator Riordan offered amendment S—5334 filed by Senators Riordan, et al., from the floor to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5334 was adopted by a voice vote.

Senator Palmer asked and received unanimous consent that further action on **Senate File 2247** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2072.

### **Senate File 2072**

On motion of Senator Miller of Cerro Gordo, Senate File 2072, a bill for an act providing for a percentage of lottery revenues collected in each city of the state and each area formed under a chapter 28E agreement with a population of five thousand or more to be returned to the city or area to be used for economic



development initiatives, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5066 filed by the committee on Local Government on February 12, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5066 was adopted by a voice vote.

President Zimmerman took the chair at 11:04 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. 2072) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fuhrman
Gettings	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
Miller, A. V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 10:

Corning	Drake	Gentleman	Gronstal
Holden	Hultman	Lind	Nystrom
Readinger	Sturgeon		

Absent or not voting, 4:

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

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2249, 2238, 2072 and 2244** 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 2278.

### Senate File 2278

On motion of Senator Murphy, Senate File 2278, a bill for an act relating to implementation of educational standards adopted by the state board of education including delaying the effective date and providing for additional study of certain standards, 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. 2278) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
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	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells		

Nays, 2:

Gentleman	Gronstal
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Absent or not voting, 6:

Goodwin	Mann	Miller, C.P.	Schwengels
Taylor	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 2018.

### **Senate File 2018**

On motion of Senator Holden, Senate File 2018, a bill for an act creating a family support subsidy program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—5128 filed by the committee on Human Resources on February 23, 1988, to pages 1 through 5 of the bill.

Senator Carr offered amendment S—5327 filed by Senators Carr and Holden from the floor to amendment S—5128 and moved its adoption.

Amendment S—5327 was adopted by a voice vote.

Senator Holden offered amendment S—5265 filed by him on March 8, 1988, to amendment S—5128 and moved its adoption.

Amendment S—5265 was adopted by a voice vote.

Senator Gentleman called for a division of amendment S—5128 as amended.

Senator Hutchins asked and received unanimous consent that further action on amendment S—5128 as amended and **Senate File 2261** be **deferred**.

### **MOTION TO RECONSIDER ADOPTED**

Senator Dieleman called up the motion to reconsider Senate File 2261 filed by him on March 10, 1988, found on page 747 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2261) the vote was:

Ayes, 41:

Boswell  
Corning  
Drake

Bruner  
Deluhery  
Fraise

Carr  
Dieleman  
Fuhrman

Coleman  
Doyle  
Gentleman

Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Murphy
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Gettings	Goodwin	Mann	Miller, C.P.
Nystrom	Peterson	Schwengels	Taylor
Tieden			

The motion prevailed.

Senator Dieleman moved to reconsider the vote by which Senate File 2261 went to its last reading, which motion prevailed by a voice vote.

### Senate File 2261

On motion of Senator Dieleman, Senate File 2261, a bill for an act relating to horse and dog racing, was taken up for reconsideration.

Senator Dieleman called up the motion to reconsider the vote by which amendment S—5315 to Senate File 2261 was adopted by the Senate on March 10, 1988, filed by him on March 10, 1988, found on page 747 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5315 by Senator Dieleman to page 1 of the bill, was taken up for reconsideration.

Senator Dieleman asked and received unanimous consent that further action on amendment S—5315 be deferred.

Senator Dieleman offered amendment S—5325 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5325 was adopted by a voice vote.

With the adoption of amendment S—5325, the Chair ruled amendment S—5315 by Senator Dieleman to page 1 of the bill, previously deferred, out of order.

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

On the question “Shall the bill pass?” (S.F. 2261) the vote was:

Ayes, 42:

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

Nays, none.

Absent or not voting, 8:

Gettings	Goodwin	Mann	Nystrom
Peterson	Schwengels	Taylor	Tieden

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 2201

Senator Husak withdrew the motion to reconsider Senate File 2201, a bill for an act to remove the bond required for class “A”, “B”, “C”, and “D” liquor control licenses and retail wine and beer permits, filed by him on March 8, 1988, and found on page 692 of the Senate Journal.

## BUSINESS PENDING

**Senate File 2018**

The Senate resumed consideration of Senate File 2018, amendment S—5128 as amended and the request by Senator Gentleman for a division of amendment S—5128, previously deferred.

The Chair announced the division of amendment S—5128 as follows:

Division S—5128A: Page 1, lines 2, 20 through 22, 26, and 34 through 47; page 2, lines 5 through 26.

Division S—5128B: Page 1, lines 3 through 19, 27 through 33 and 48 through 50; page 2, lines 1 through 4.

Senator Carr moved the adoption of division S—5128A, which motion prevailed by a voice vote.

Senator Carr moved the adoption of division S—5128B, which motion prevailed by a voice vote.

With the adoption of divisions S—5128A and S—5128B, the Chair ruled amendment S—5056 filed by Senator Holden on February 9, 1988, to pages 1, 2 and 5 of the bill, out of order.

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

On the question "Shall the bill pass?" (S.F. 2018) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 12:

Corning  
Mann  
Schwengels

Gettings  
Nystrom  
Taylor

Goodwin  
Peterson  
Tieden

Hultman  
Rife  
Vande Hoef

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:

Betty Grandquist as Director of the Department of Elder Affairs.

R. Creig Slayton as Administrator of the Division for the Blind.

Michael S. Pomper as a member of the Speech Pathology and Audiology Examining Board.

Barbara D. Elkin as a member of the Job Service Advisory Council.

Jerry F. Duggan as a member of the Real Estate Examining Board.

Marda M. Howard as a member of the Iowa Law Enforcement Academy Council.

Myron L. Gookin as a member of the Mental Health and Mental Retardation Commission.

Jo Ann Merfeld as a member of the Agricultural Development Authority.

Dale Lewis Renaud as Administrator of the Veterans Affairs Division.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 38:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 12:

Corning	Gettings	Goodwin	Hultman
Mann	Nystrom	Peterson	Schwengels
Soorholtz	Taylor	Tieden	Vande Hoef

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2201, 2278, 2018 and 2261** be **immediately messaged** to the House.



## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### BUSINESS AND LABOR RELATIONS

**Convened:** March 10, 1988, 2:35 p.m.

**Members Present:** Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Holden, Horn, Hultman, Palmer, Vande Hoef and Welsh.

**Members Absent:** none.

**Committee Business:** Assigned bills to subcommittees; recommended passage of House File 2260 and Senate File 2288; recommended passage of House File 102 as amended.

**Adjourned:** 2:55 p.m.

#### COMMERCE

**Convened:** March 10, 1988, 11:55 a.m.

**Members Present:** Deluhery, Vice Chair; Jensen, Ranking Member; Gronstal, Holden, Kinley, Lind, Nystrom, Rife and Welsh.

**Members Absent:** Palmer, Chair; Priebe, Sturgeon, Tieden (all excused), Carr and Mann.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 12:00 noon.

#### HUMAN RESOURCES

**Convened:** March 10, 1988, 2:40 p.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Coleman, Corning, C. Miller, Readinger and Sturgeon.

**Members Absent:** Bruner, Lind, Taylor (all excused) and Murphy.

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 2:41 p.m.

## JUDICIARY

**Convened:** March 10, 1988, 3:40 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Coleman, Fraise, Fuhrman, Drake, Gentleman, Hester, Horn, Varn and Deluhery.

**Members Absent:** Taylor (excused).

**Committee Business:** Recommended passage of House File 2123; recommended passage of House File 2233 as amended; adopted committee amendment to Senate File 2238 (Code Editor's bill).

**Adjourned:** 4:20 p.m.

## NATURAL RESOURCES

**Convened:** March 10, 1988, 8:00 a.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Goodwin, Hester, Husak, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Schwengels, Ranking Member; Doyle (both excused) and Hannon.

**Committee Business:** Assigned bills to subcommittees; recommended passage of House Files 2066 and 2257.

**Adjourned:** 8:12 a.m.

## SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Convened:** March 9, 1988, 8:10 a.m.

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

**Members Absent:** Rife, Ranking Member (excused).

**Committee Business:** Recommended passage of House File 529; approved an informational hearing to be held on the Governor's appointees to the Iowa Economic Development Board.

**Adjourned:** 9:40 a.m.

**TRANSPORTATION**

**Convened:** March 10, 1988, 1:35 p.m.

**Members Present:** Coleman, Chair; Scott, Vice Chair; Doyle, Gettings, Goodwin, Jensen (arrived 1:40 p.m.) and Lloyd-Jones.

**Members Absent:** Drake, Ranking Member, Priebe and Nystrom (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of House File 2383; recommended passage of House File 578 as amended.

**Adjourned:** 1:45 p.m.

**BILL RETURNED TO CALENDAR**  
(Senate File 2244)

Pursuant to Senate Rule 13 and unanimous consent received by Senator Hutchins on March 9, 1988, on Senate Journal page 702, **Senate File 2244** was returned to the Senate Regular Calendar from the committee on **Appropriations** at 5:00 p.m., Thursday, March 10, 1988, without committee recommendation for passage.

**STUDY BILL RECEIVED**

**SSB 2263 Ways & Means**

Relating to county funding of metropolitan facilities or services and authorizing a property tax levy.

**CERTIFICATE OF RECOGNITION**

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

Jason Samuel Grubisich, Sheldon, Iowa — For attaining the rank of Eagle Scout.  
Senator Vande Hoef (March 12, 1988).

**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 11th day of March, 1988:

Senate File 2089.

JOHN F. DWYER  
Secretary of the Senate

### NOTICE OF INFORMATIONAL HEARING

Julie J. Bulkeley, Mary Garst and Toni A. Lazar, appointed by the Governor as members of the Iowa Economic Development Board, will appear before the Senate Small Business and Economic Development investigating committee on March 22, 1988, at 12:00 noon, Room 22, State Capitol Building.

### COMMITTEE REPORT

#### STATE GOVERNMENT

**Final Bill Action:** HOUSE FILE 2194, a bill for an act relating to the lottery by striking the date for appointing the original commissioner of the lottery, removing the requirement for serial numbering of pull-tab tickets, exempting pull-tab tickets from the stamping required by retailers, extending the time for submitting the annual report of the lottery, lowering the limit of the conflict of interest provisions to thirty-five dollars and incorporating the prohibitions of the gift law, authorizing the licensing of certain nonprofit organizations, modifying the hearing procedures for revocation and suspension of lottery licenses, permitting sales of tickets by members of certain nonprofit organizations, making penalties applicable, and providing an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5329.

**Final Vote:** Ayes, 13: Carr, Nystrom, Dieleman, Bruner, Coleman, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, Soorholtz, C. Miller and Welsh. Nays, none. Absent or not voting, 2: Rife and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### SUBCOMMITTEE ASSIGNMENTS

Senate File 2286

**WAYS AND MEANS:** Husak, Chair; Drake and Palmer

**House Concurrent Resolution 27**

RULES AND ADMINISTRATION: Gronstal, Chair; Hultman and Jensen

**House File 2371**

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

**MOTION TO RECONSIDER**

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2139 failed to pass the Senate on March 11, 1988.

JEAN LLOYD-JONES

**REPORT OF THE SECRETARY OF THE SENATE**

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2238, the following correction was made:

(Page and line numbers refer to the Reprint)

1. Page 51, line 27, the words "Sections 1001 and 1002" were changed to the words "Sections 67 and 78".

JOHN F. DWYER  
Secretary of the Senate

**PRESENTATION OF VISITORS**

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

Twenty-eight students from Little Rock School, Little Rock, Iowa, accompanied by Ms. Landhuis. Senator Vande Hoef.

**AMENDMENTS FILED**

S—5323	S.F.	2281	Richard Varn
			Donald V. Doyle
S—5324	S.F.	2167	Dale L. Tieden
S—5325	S.F.	2261	William W. Dieleman
S—5326	H.F.	468	William W. Dieleman
S—5327	S.F.	2018	Bob Carr
			Edgar H. Holden

S—5328	S. F.	2162	Joy Corning
S—5329	H. F.	2194	State Government
S—5330	S. F.	93	Charles Bruner
S—5331	H. F.	2076	Berl E. Priebe
S—5332	S. F.	2299	Edgar H. Holden
S—5333	H. F.	382	Alvin V. Miller
S—5334	S. F.	2247	Jim Riordan
			Richard Varn
			Hurley W. Hall
			Berl E. Priebe
			Calvin O. Hultman
			Patrick Deluhery
S—5335	S. F.	2019	Edgar H. Holden
			Julia Gentleman
S—5336	S. F.	2019	Edgar H. Holden
			Julia Gentleman
S—5337	S. F.	2246	Richard Varn
S—5338	H. F.	102	Linn Fuhrman
S—5339	S. F.	2251	Linn Fuhrman
S—5340	S. F.	2169	William W. Dieleman
S—5341	S. F.	2310	Al Sturgeon

### BILLS ASSIGNED TO COMMITTEE

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

H. F.	2170	State Government
H. F.	2179	Local Government
H. F.	2247	Judiciary
H. F.	2351	Business and Labor Relations
H. F.	2376	State Government
H. F.	2381	Agriculture
H. F.	2384	Judiciary
H. F.	2386	Small Business & Economic Development
H. F.	2391	Judiciary
H. F.	2401	State Government
H. F.	2409	State Government
H. F.	2412	Judiciary
H. F.	2414	Education
H. F.	2415	State Government

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 12:53 p.m., until 10:00 a.m., Monday, March 14, 1988.

# JOURNAL OF THE SENATE

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SIXTY-FOURTH CALENDAR DAY  
FORTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 14, 1988

The Senate met in regular session at 10:00 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 Friday, March 11, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Holden for the day and Senator Schwengels for the week on request of Senator Hultman.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

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

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 3, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 431**, a bill for an act relating to the education, practice, and supervision of cosmetologists and barbers.

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

ALSO: That the House has on March 10, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2088**, a bill for an act relating to work release for prisoners in county jails by providing for intermittent sentencing.

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



**House File 2405**, a bill for an act relating to the administration and benefits for certain public retirement systems.

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

**House File 2407**, a bill for an act relating to the Iowa housing finance authority, by modifying the title guaranty program requirements that participation fees be charged, that lenders be participants, that persons or lenders not receive a portion of the charge for title guaranty, and that financial institutions disclose the availability of the program, and by expanding the purposes of and renaming the commitment cost fund.

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

ALSO: That the House has on March 11, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2416**, a bill for an act relating to establishing a case management assistance program to assist low-income persons in starting up or expanding small businesses.

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

**House File 2430**, a bill for an act to designate hearing officers as administrative law judges.

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

**House File 2432**, a bill for an act relating to the registration and regulation of persons seeking to represent a student athlete for compensation in negotiations intended to result in employment with a professional sports team, prohibiting certain actions relating to student athletes and their families, and providing penalties.

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

### QUORUM CALL

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

The vote revealed 44 present, 6 absent and a quorum present.

UNFINISHED BUSINESS  
(Deferred March 11, 1988)

**Senate File 2247**

The Senate resumed consideration of Senate File 2247, a bill for an act relating to the regulation and reporting of certain pesticides, deferred March 11, 1988.

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—5334 to Senate File 2247 was adopted by the Senate on March 11, 1988.

The motion prevailed by a voice vote and amendment S—5334 filed by Senators Riordan, et al., on March 11, 1988, to pages 2 and 3 of the bill, was taken up for reconsideration.

Senator Riordan offered amendment S—5342 filed by him from the floor to amendment S—5334 and moved its adoption.

Amendment S—5342 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—5334 as amended, which motion prevailed by a voice vote.

Action on **Senate File 2247** was temporarily **deferred**.

CONSIDERATION OF BILL  
(Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2259.

**Senate File 2259**

On motion of Senator Coleman, Senate File 2259, a bill for an act relating to the disposal of abandoned personal property, including abandoned mobile homes, was taken up for consideration.

Senator Coleman offered amendment S—5260 filed by him on March 8, 1988, to page 7 of the bill and moved its adoption.

Amendment S—5260 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2259) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	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	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

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

## BUSINESS PENDING

### Senate File 2247

The Senate resumed consideration of Senate File 2247, previously deferred.

Senator Palmer offered amendment S—5343 filed by Senators Palmer and Readinger from the floor to page 1 of the bill.

Senator Deluhery asked and received unanimous consent that further action on amendment S—5343 and Senate File 2247 be deferred.

## CONSIDERATION OF BILLS (Regular Calendar)

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, with report of committee on Local Government approving committee bill with amendment and report of committee on Small Business and Economic Development recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5012 filed by the committee on Local Government on January 21, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5012 was adopted by a voice vote.

Senator Riordan asked and received unanimous consent that further action on **Senate File 402** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2223.

### **Senate File 2223**

On motion of Senator Sturgeon, Senate File 2223, a bill for an act relating to health care facilities, including personnel of intermediate care facilities, and penalties for violations of statutes or rules by health care facilities, was taken up for consideration.

Senator Dieleman offered amendment S—5229 filed by him on March 4, 1988, to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5229 be adopted?" (S.F. 2223) the vote was:

Ayes, 31:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Hall	Hester	Holt
Horn	Husak	Hutchins	Jensen
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Taylor
Tieden	Vande Hoef	Wells	

Nays, 15:

Bruner	Carr	Corning	Deluhery
Gronstal	Hannon	Hultman	Lind
Lloyd-Jones	Murphy	Palmer	Soorholtz
Sturgeon	Varn	Welsh	

Absent or not voting, 4:

Fuhrman	Holden	Kinley	Schwengels
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Amendment S—5229 was adopted.

Senator Dieleman offered amendment S—5224 filed by him on March 3, 1988, to pages 1 and 2 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5224 be adopted?” (S.F. 2223) the vote was:

Ayes, 19:

Boswell	Coleman	Dieleman	Doyle
Drake	Fraise	Goodwin	Hall
Hester	Holt	Husak	Hutchins
Miller, A.V.	Peterson	Priebe	Rensink
Scott	Taylor	Vande Hoef	

Nays, 28:

Bruner	Carr	Corning	Deluhery
Gentleman	Gettings	Gronstal	Hannon
Horn	Hultman	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, C.P.
Murphy	Nystrom	Palmer	Readinger
Rife	Riordan	Soorholtz	Sturgeon
Tieden	Varn	Wells	Welsh

Absent or not voting, 3:

Fuhrman

Holden

Schwengels

Amendment S—5224 lost.

Senator Dieleman offered amendment S—5222 filed by him on March 3, 1988, to page 1 of the bill.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Lloyd-Jones and Hannon for the remainder of the morning on request of Senator Hutchins.

### BUSINESS PENDING

#### Senate File 2223

The Senate resumed consideration of Senate File 2223 and amendment S—5222.

Senator Dieleman moved the adoption of amendment S—5222.

A record roll call was requested.

On the question "Shall amendment S—5222 be adopted?" (S.F. 2223) the vote was:

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

Ayes, 19:

Boswell  
Goodwin  
Jensen  
Priebe  
Taylor

Dieleman  
Hall  
Miller, C.P.  
Rensink  
Tieden

Doyle  
Holt  
Nystrom  
Scott  
Vande Hoef

Fraise  
Hutchins  
Peterson  
Soorholtz

Nays, 22:

Bruner  
Gentleman  
Husak  
Miller, A.V.

Carr  
Gettings  
Kinley  
Munphy

Corning  
Gronstal  
Lind  
Palmer

Deluhery  
Horn  
Mann  
Readinger

Rife  
Wells

Riordan  
Welsh

Sturgeon

Varn

Absent or not voting, 9:

Coleman  
Hester  
Schwengels

Drake  
Holden

Fuhrman  
Hultman

Hannon  
Lloyd-Jones

Amendment S—5222 lost.

(Senate File 2223 pending on recess.)

### RECESS

On motion of Senator Hutchins, the Senate recessed at 12:15 p.m., until 1:30 p.m.

### AFTERNOON SESSION

The Senate reconvened at 1:34 p.m., Senator Welsh presiding.

### QUORUM CALL

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

The vote revealed 36 present, 14 absent and a quorum present.

President Zimmerman took the chair at 1:43 p.m.

### UNFINISHED BUSINESS (Deferred March 10, 1988)

#### Senate File 2263

The Senate resumed consideration of Senate File 2263, a bill for an act relating to horse and dog racing by allowing the application of cold with ice, cold packs, or similar treatments to the limbs of a horse or a dog prior to the start of a race and by allowing the use of certain drugs on racing horses under rules adopted by the state racing commission, deferred on March 10, 1988.

Senator Dieleman offered amendment S—5300 filed by him on March 10, 1988, to strike everything after the enacting clause of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5300 be adopted?" (S.F. 2263) the vote was:

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

Ayes, 16:

Bruner	Carr	Corning	Dieleman
Goodwin	Gronstal	Hannon	Lind
Lloyd-Jones	Mann	Murphy	Palmer
Rensink	Sturgeon	Vande Hoef	Varn

Nays, 29:

Boswell	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Hall	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Miller, A.V.	Miller, C.P.	Nystrom	Peterson
Priebe	Readinger	Rife	Riordan
Scott	Soorholtz	Tieden	Wells
Welsh			

Absent or not voting, 5:

Coleman	Hester	Holden	Schwengels
Taylor			

Amendment S—5300 lost.

Senator Dieleman offered amendment S—5348 filed by him from the floor to page 1 of the bill, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5348 be adopted?" (S.F. 2263) the vote was:

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



Ayes, 21:

Bruner	Carr	Corning	Deluhery
Doyle	Gentleman	Goodwin	Gronstal
Hannon	Holt	Lind	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Rensink	Sturgeon	Vande Hoef	Varn
Welsh			

Nays, 24:

Boswell	Dieleman	Drake	Fraise
Fuhrman	Gettings	Hall	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Palmer
Peterson	Priebe	Readinger	Rife
Scott	Soorholtz	Tieden	Wells

Absent or not voting, 5:

Coleman	Holden	Riordan	Schwengels
Taylor			

Amendment S—5348 lost.

Senator Varn offered amendment S—5301 filed by him on March 10, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5301 was adopted by a voice vote.

Senator Dieleman offered amendment S—5299 filed by him on March 10, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5299 lost by a voice vote.

Senator Priebe offered amendment S—5304 filed by him on March 10, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5304 was adopted by a voice vote.

Senator Dieleman 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—5348 by Senator Dieleman to page 1 of Senate File 2263 failed to be adopted by the Senate on March 14, 1988.

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 25.

The motion lost.

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

On the question "Shall the bill pass?" (S.F. 2263) the vote was:

Ayes, 29:

Boswell	Coleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Hall
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Miller, C.P.	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Scott	Soorholtz	Tieden	Wells
Welsh			

Nays, 17:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Goodwin	Hannon
Holt	Lloyd-Jones	Mann	Murphy
Nystrom	Rensink	Sturgeon	Vande Hoef
Varn			

Absent or not voting, 4:

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

## BUSINESS PENDING

### Senate File 2223

The Senate resumed consideration of Senate File 2223, a bill for an act relating to health care facilities, including personnel

of intermediate care facilities, and penalties for violations of statutes or rules by health care facilities, pending on recess.

Senator Dieleman offered amendment S—5221 filed by him on March 3, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5221 lost by a voice vote.

Senator Dieleman offered amendment S—5223 filed by him on March 3, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5223 was adopted by a voice vote.

Senator Dieleman offered amendment S—5226 filed by him on March 3, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5226 was adopted by a voice vote.

Senator Dieleman offered amendment S—5225 filed by him on March 3, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5225 was adopted by a voice vote.

With the adoption of amendment S—5225, the Chair ruled the following amendments out of order:

Amendment S—5228 filed by Senator Dieleman on March 3, 1988, to page 2 of the bill.

Amendment S—5227 filed by Senator Dieleman on March 3, 1988, to page 2 of the bill.

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—5229 by Senator Dieleman to page 1 of Senate File 2223 was adopted by the Senate on March 14, 1988.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2223) the vote was:

Ayes, 11:

Bruner  
Hannon  
Palmer

Carr  
Horn  
Sturgeon

Deluhery  
Mann  
Varn

Gronstal  
Murphy

Nays, 34:

Boswell	Coleman	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hall
Hester	Holt	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Tieden	Vande Hoef
Wells	Welsh		

Absent or not voting, 5:

Holden	Lloyd-Jones	Miller, C.P.	Schwengels
Taylor			

The motion lost.

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. 2223) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	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	Soorholtz
Sturgeon	Tieden	Varn	Wells
Welsh			

Nays, 6:

Dieleman	Fuhrman	Hall	Miller, C.P.
Scott	Vande Hoef		

Absent or not voting, 3:

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

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2019.

#### Senate File 2019

On motion of Senator Dieleman, Senate File 2019, a bill for an act relating to the credentialing and regulation of respiratory care practitioners, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Dieleman offered amendment S—5207 filed by the committee on State Government on March 2, 1988, to page 3 of the bill.

Senator Gentleman offered amendment S—5335 filed by Senators Holden and Gentleman on March 11, 1988, to amendment S—5207 and moved its adoption.

Amendment S—5335 lost by a voice vote.

Senator Dieleman moved the adoption of amendment S—5207, which motion prevailed by a voice vote.

With the defeat of amendment S—5335 to amendment S—5207, the Chair ruled amendment S—5336 filed by Senators Holden and Gentleman on March 11, 1988, to pages 2 and 3 of the bill, out of order.

Senator Coleman offered amendment S—5268 filed by him on March 8, 1988, to page 3 of the bill.

Senator Coleman offered amendment S—5356 filed by him from the floor to amendment S—5268 and moved its adoption.

Amendment S—5356 was adopted by a voice vote.

Senator Coleman moved the adoption of amendment S—5268 as amended, which motion prevailed by a voice vote.

Senator Gentleman offered amendment S—5311 filed by Senators Holden and Gentleman on March 10, 1988, to page 3 of the bill, moved its adoption and requested a non record roll call.

The ayes were 15, nays 26.

Amendment S—5311 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. 2019) 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	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Gentleman

Absent or not voting, 5:

Holden	Lind	Miller, C.P.	Schwengels
Taylor			

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2239.

### Senate File 2239

On motion of Senator Mann, Senate File 2239, a bill for an act relating to administrative agency and the Iowa employment

security law by providing that administrative determinations are not binding in separate actions, was taken up for consideration.

Senator Mann offered amendment S—5199 filed by him on March 1, 1988, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5199 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. 2239) the vote was:

Ayes, 28:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Riordan	Scott
Sturgeon	Varn	Wells	Welsh

Nays, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holt
Hultman	Jensen	Lind	Nystrom
Readinger	Rensink	Rife	Soorholtz
Tieden	Vande Hoef		

Absent or not voting, 4:

Holden	Miller, C.P.	Schwengels	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President pro tempore Kinley took the chair at 4:40 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 93.

### Senate File 93

On motion of Senator Lloyd-Jones, Senate File 93, a bill for an act relating to the regulation of pawnbrokers on a statewide

basis and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—5330 filed by him on March 11, 1988, to pages 3 and 8 of the bill.

Senator Welsh called for a division of amendment S—5330: lines 2 through 7 as division S—5330A and lines 8 through 10 as division S—5330B.

Senator Bruner moved the adoption of division S—5330A, which motion prevailed by a voice vote.

Senator Bruner moved the adoption of division S—5330B.

A non record roll call was requested.

The ayes were 34, nays 9.

Division S—5330B was adopted.

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. 93) 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	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2162.

### **Senate File 2162**

On motion of Senator Wells, Senate File 2162, a bill for an act allowing the issuance of collegiate registration plates for certain vehicles and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Corning offered amendment S—5328 filed by her on March 11, 1988, to pages 1, 2 and the title page of the bill and moved its adoption.

Senator Drake raised the point of order that amendment S—5328 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5328 in order.

Senator Corning moved the adoption of amendment S—5328, which motion lost by a voice vote.

Senator Wells offered amendment S—5318 filed by him on March 10, 1988, to pages 1 and 2 of the bill.

Senator Drake asked and received unanimous consent that further action on amendment S—5318 and **Senate File 2162** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2264.

### **Senate File 2264**

On motion of Senator Fraise, Senate File 2264, a bill for an act to allow the owner of a homestead to claim the homestead tax credit where the homestead is located on land owned by a partnership or corporation and the owner is a partner or shareholder, 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. 2264) the vote was:

Ayes, 45:

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	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Gentleman

Voting present, 1:

Jensen

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2267.

### Senate File 2267

On motion of Senator Gronstal, Senate File 2267, a bill for an act relating to residential water treatment systems, incorporating a penalty, and providing effective dates, was taken up for consideration.

Senator Gronstal offered amendment S—5322 filed by him on March 10, 1988, to pages 1 through 3 of the bill and called for a division: lines 22 through 24 as division S—5322A; lines 2 through 21 and lines 25 through 44 as division S—5322B.

Senator Gronstal withdrew division S—5322A.

Senator Gronstal moved the adoption of division S—5322B, 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?" (S.F. 2267) 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	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2270.

### Senate File 2270

On motion of Senator Fraise, Senate File 2270, a bill for an act relating to the suspension of the collection of taxes, special

assessments, and other assessments by the county board of supervisors, 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. 2270) 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	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

President Zimmerman took the chair at 5:22 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2167.

### Senate File 2167

On motion of Senator Tieden, Senate File 2167, a bill for an act relating to definition and regulation of tip-up fishing devices, and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tieden offered amendment S—5211 filed by the committee on Natural Resources on March 3, 1988, to strike everything after the enacting clause of the bill.

Senator Tieden offered amendment S—5324 filed by him on March 11, 1988, to amendment S—5211 and moved its adoption.

Amendment S—5324 was adopted by a voice vote.

Senator Tieden moved the adoption of amendment S—5211 as amended, which motion prevailed by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2167) 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	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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

## BUSINESS PENDING

### Senate File 2162

The Senate resumed consideration of Senate File 2162, a bill for an act allowing the issuance of collegiate registration plates for certain vehicles and providing an effective date and amendment S—5318, previously deferred.

Senator Wells withdrew amendment S—5318 to pages 1 and 2 of the bill, previously deferred.

Senator Wells offered amendment S—5358 filed by Senators Wells and Drake from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5358 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. 2162) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Corning
Dieleman	Doyle	Drake	Fraise
Gentleman	Gettings	Gronstal	Hall
Hannon	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rensink	Riordan	Scott	Sturgeon
Vande Hoef	Varn	Wells	Welsh

Nays, 10:

Coleman	Deluhery	Fuhrman	Goodwin
Hester	Holt	Peterson	Rife
Soorholtz	Tieden		

Absent or not voting, 4:

Holden	Miller, C.P.	Schwengels	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## BUSINESS PENDING

### Senate File 2247

The Senate resumed consideration of Senate File 2247, a bill for act relating to the regulation and reporting of certain pesticides, previously deferred.

Senator Palmer asked and received unanimous consent to withdraw amendment S—5343 filed by Senators Palmer and Readinger from the floor to page 1 of the bill.

Senator Priebe offered amendment S—5354 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5354 was adopted by a voice vote.

Senator Priebe offered amendment S—5353 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5353 was adopted by a voice vote.

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

On the question "Shall the bill pass?" (S.F. 2247) the vote was:

Ayes, 45:

Boswell	Bruner	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.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Carr	Holden	Miller, C.P.	Schwengels
Taylor			

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

## MOTIONS TO RECONSIDER WITHDRAWN

### Senate File 2263

Senator Lind withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2263 passed the Senate on March 14, 1988.

Senator Peterson withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2263 passed the Senate on March 14, 1988.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2263, 2247, 2223, 2019, 2239, 93, 2162, 2264, 2267, 2270 and 2167** be immediately messaged to the House.

### BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2024** be referred from the Regular Calendar to the committee on **State Government**.

### 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, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2395**, a bill for an act permitting certain water utilities to become cooperatives and expanding allowable purposes under Chapter 499.

This bill was read first time and **passed on file**.

**House File 2396**, a bill for an act relating to the establishment of the economic development finance corporation to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and creating a state assistance fund.



This bill was read first time and **passed on file**.

ALSO: That the House has on March 10, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2240**, a bill for an act to establish and fund a transportation subsidization program for certain handicapped persons, including increasing certain fees to fund the program.

This bill was read first time and **passed on file**.

**House File 2348**, a bill for an act relating to certain ambiguities and inconsistencies of the Code as they relate to city government.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 11, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 566**, a bill for an act to require enrollment in an approved course of driver education to qualify for a minor's school license.

This bill was read first time and **passed on file**.

**House File 2063**, a bill for an act relating to bed and breakfast homes, by requiring smoke detectors and fire extinguishers, by providing for the testing of drinking water, by providing an effective date, and by subjecting violators to a penalty.

This bill was read first time and **passed on file**.

**House File 2255**, a bill for an act relating to the confidentiality of records of clients of advocacy services offered by the department of human rights.

This bill was read first time and **passed on file**.

**House File 2326**, a bill for an act relating to savings and loan associations.

This bill was read first time and **passed on file**.

**House File 2327**, a bill for an act relating to the use of certain revenues obtained from the transfer of property or taxes imposed in urban renewal areas for economic development purposes and providing an effective date.

This bill was read first time and **passed on file.**

**House File 2400**, a bill for an act relating to enhanced 911 emergency telephone communication systems, by requiring each county to prepare an enhanced 911 service plan for submittal to the office of disaster services on or before March 1, 1989, by requiring conversion of pay telephones to accept 911 calls without charge, by allowing a local E911 service surcharge, by providing certain liability exemptions in conjunction with the delivery of E911 services, and by providing a limited privacy waiver to permit nonlisted or unpublished numbers to be included in E911 service.

This bill was read first time and **passed on file.**

**House File 2406**, a bill for an act relating to access by the citizens' aide to confidential records and proceedings.

This bill was read first time and **passed on file.**

**House File 2426**, a bill for an act relating to the provision of municipal services within an annexed area.

This bill was read first time and **passed on file.**

## APPENDIX

### PETITIONS

The following petitions opposing any increase in beer, wine or liquor taxes were presented and placed on file by:

Senator Fuhrman from one hundred thirty-eight residents of Sac County.

Senator Husak from forty-three residents of Tama, Linn, Benton and Poweshiek Counties.

Senator Hutchins from nine hundred sixty-nine residents of Shelby, Carroll, Crawford, Story, Greene and Guthrie Counties.

Senator Miller of Cerro Gordo from fifty-five residents of Winnebago County.

Senator Scott from one hundred forty-eight residents of Floyd and Howard Counties.

Senator Tieden from fifty-five residents of Winneshiek County.

### STUDY BILL RECEIVED

#### SSB 2264 Ways and Means

Prohibiting the assessment of penalty and interest for the late filing of a farmer's state individual income tax return if the farmer was entitled to an extension for filing the farmer's federal individual income tax return under certain circumstances and providing an effective date.

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 11, 1988.

Had I been present, I would have voted "aye" on Senate File 2018.

JOY CORNING

**MOTION TO RECONSIDER**

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2259 passed the Senate on March 14, 1988.

RICHARD VARN

**SUBCOMMITTEE ASSIGNMENTS****Senate File 2154**

APPROPRIATIONS: Sturgeon, Chair; Holt and Welsh

**House File 2377**

EDUCATION: Varn, Chair; Bruner and Lind

**SSB 2263**

WAYS AND MEANS: Palmer, Chair; Soorholtz and Murphy

**SSB 2264**

WAYS AND MEANS: Husak, Chair; Boswell and Hester

**BILLS ASSIGNED TO COMMITTEE**

President Zimmerman announced the assignment of the following bills to committee:

H.F.	431	State Government
H.F.	566	Education
H.F.	2063	Local Government
H.F.	2088	Judiciary
H.F.	2240	Transportation
H.F.	2395	Environment & Energy Utilities
H.F.	2405	State Government
H.F.	2406	State Government
H.F.	2407	Commerce
H.F.	2416	Small Business and Economic Development
H.F.	2430	Judiciary

## AMENDMENTS FILED

S—5342	S.F.	2247	James Riordan
S—5343	S.F.	2247	William Palmer
			David M. Readinger
S—5344	S.F.	2075	Charles Bruner
			Tom Mann, Jr.
			Donald Doyle
S—5345	S.F.	2212	John A. Peterson
S—5346	S.F.	2252	Richard Varn
S—5347	S.F.	2178	Tom Mann, Jr.
S—5348	S.F.	2263	William W. Dieleman
S—5349	S.F.	2212	Michael E. Gronstal
S—5350	H.F.	2285	Michael E. Gronstal
S—5351	S.F.	2307	Richard Varn
S—5352	H.F.	2285	Michael E. Gronstal
S—5353	S.F.	2247	Berl E. Priebe
S—5354	S.F.	2247	Berl E. Priebe
S—5355	S.F.	2284	Lee W. Holt
S—5356	S.F.	2019	C. Joseph Coleman
S—5357	S.F.	448	C. Joseph Coleman
S—5358	S.F.	2162	James D. Wells
			Richard F. Drake
S—5359	S.F.	2296	John A. Peterson
S—5360	H.F.	105	Leonard Boswell
			Alvin V. Miller
S—5361	S.F.	2259	Richard Varn

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:02 p.m., until 9:00 a.m., Tuesday, March 15, 1988.

# JOURNAL OF THE SENATE

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SIXTY-FIFTH CALENDAR DAY  
FORTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 15, 1988

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Frank M. Elliott, pastor of the First Presbyterian Church, Lake Park, Iowa.

The Journal of Monday, March 14, 1988, was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lind for the day on request of Senator Hultman.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Coleman took the chair at 9:15 a.m.

The vote revealed 42 present, 8 absent and a quorum present.

## MOTION TO RECONSIDER ADOPTED

Senator Hultman called up the motion to reconsider Senate File 450 filed by him on February 22, 1988, found on page 450 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 450) the vote was:

Ayes, 43:

Boswell  
Corning

Bruner  
Deluhery

Carr  
Dieleman

Coleman  
Doyle

Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Tieden

Absent or not voting, 6:

Drake	Gronstal	Lind	Miller, C.P.
Readinger	Schwengels		

The motion prevailed.

Senator Hultman moved to reconsider the vote by which Senate File 450 went to its last reading, which motion prevailed by a voice vote.

### Senate File 450

On motion of Senator Wells, Senate File 450, a bill for an act relating to the safety of transportation of railroad company workers and providing a penalty and effective date, was taken up for reconsideration.

Senator Wells offered amendment S—5230 filed by Senators Wells and Hultman on March 4, 1988, to pages 1 through 3 and the title page of the bill and moved its adoption.

Amendment S—5230 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. 450) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Gettings

Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Vande Hoef	Varn	Wells	Welsh

Nays, 3:

Fuhrman	Gentleman	Tieden
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Absent or not voting, 7:

Dieleman	Drake	Fraise	Gronstal
Lind	Miller, C.P.	Schwengels	

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 out of order Senate File 2246.

#### **Senate File 2246**

On motion of Senator Varn, Senate File 2246, a bill for an act relating to the penalties for water pollution and hazardous waste disposal, was taken up for consideration.

Senator Varn offered amendment S—5337 filed by him on March 11, 1988, to pages 1 through 4 of the bill.

Senator Hultman asked and received unanimous consent that further action on amendment S—5337 and **Senate File 2246** be deferred.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Corning for the remainder of the day 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 2280.

### Senate File 2280

On motion of Senator Varn, Senate File 2280, a bill for an act relating to the time of filing a nonprofit corporation's annual report, was taken up for consideration.

Senator Varn offered amendment S—5254 filed by him on March 8, 1988, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5254 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. 2280) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
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.

Voting present, 1:

Miller, C.P.

Absent or not voting, 4:

Corning	Fuhrman	Lind	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2281

On motion of Senator Varn, Senate File 2281, a bill for an act relating to service of notice on a judgment debtor in garnishment proceedings, was taken up for consideration.

Senator Varn offered amendment S—5323 filed by Senators Varn and Doyle on March 11, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5323 was adopted by a voice vote.

Senator Priebe took the chair at 9:43 a.m.

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. 2281) 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	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:

Corning	Lind	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 2284.

### **Senate File 2284**

On motion of Senator Hannon, Senate File 2284, a bill for an act relating to the disclosure of mental health information, was taken up for consideration.

Senator Hannon offered amendment S—5282 filed by Senators Hannon, et al., on March 9, 1988, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5282 was adopted by a voice vote.

Senator Holt offered amendment S—5355 filed by him on March 14, 1988, to page 3 and the title page of the bill.

Senator Gronstal raised the point of order that amendment S—5355 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5355 out of order.

Senator Hannon asked and received unanimous consent that further action on **Senate File 2284** be deferred.

### **Senate File 2287**

On motion of Senator Doyle, Senate File 2287, a bill for an act relating to the possession or making of motor vehicle licenses, nonoperator's identification cards, and blank motor vehicle license forms, and providing penalties, was taken up for consideration.

President Zimmerman took the chair at 10:13 a.m.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2287) the vote was:

Ayes, 45:

Boswell  
Deluhery  
Fraise

Bruner  
Dieleman  
Fuhrman

Carr  
Doyle  
Gentleman

Coleman  
Drake  
Gettings

Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	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:

Corning	Lind	Mann	Miller, C.P.
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2289

On motion of Senator Holden, Senate File 2289, a bill for an act relating to the sale of certificates of deposit, issued by foreign associations, within the state, 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. 2289) the vote was:

Ayes, 30:

Bruner	Carr	Coleman	Dieleman
Doyle	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Readinger
Rensink	Sturgeon	Taylor	Vande Hoef
Varn	Welsh		

Nays, 16:

Boswell	Deluhery	Gronstal	Hall
Hannon	Hester	Jensen	Murphy
Peterson	Priebe	Rife	Riordan
Scott	Soorholtz	Tieden	Wells

Absent or not voting, 4:

Corning

Drake

Lind

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 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 Mann offered amendment S—3144 filed by him on March 11, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3144 was adopted by a voice vote.

Senator Taylor offered amendment S—3192 filed by Senators Taylor and Mann on March 18, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3192 was adopted by a voice vote.

Senator Hannon withdrew amendment S—3145 filed by her on March 11, 1987, to page 1 of the bill.

Senator Mann offered amendment S—3177 filed by Senator Sturgeon on March 17, 1987, to page 1 of the bill and moved its adoption.

Amendment S—3177 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. 4) the vote was:

Ayes, 46:

Boswell  
Deluhery

Bruner  
Dieleman

Carr  
Doyle

Coleman  
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
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Corning	Lind	Schwengels	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2075

On motion of Senator Bruner, Senate File 2075, a bill for an act relating to child abuse by expanding the definition of child in need of assistance, by requiring departmental coordination in cases of child abuse, and by expanding the definition of indecent contact with a child, with report of committee recommending passage, was taken up for consideration.

Senator Bruner offered amendment S—5344 filed by Senators Bruner, Mann and Doyle on March 14, 1988, to pages 1, 2 and the title page of the bill, and moved its adoption.

Amendment S—5344 was adopted by a voice vote.

Senator Sturgeon offered amendment S—5364 filed by Senators Sturgeon, et al., from the floor to page 1 of the bill.

Senator Mann raised the point of order that amendment S—5364 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5364 out of order.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2075) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Fuhrman                      Gentleman

Absent or not voting, 6:

Corning	Hultman	Lind	Miller, A.V.
Miller, C.P.	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2252.

### **Senate File 2252**

On motion of Senator Varn, Senate File 2252, a bill for an act relating to the contents of records affecting interests in property, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—5346 filed by him on March 14, 1988, to page 3 of the bill and moved its adoption.

Amendment S—5346 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. 2252) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
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, 5:

Corning	Fuhrman	Lind	Miller, C.P.
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### MOTION TO RECONSIDER ADOPTED

Senator Varn called up the motion to reconsider Senate File 2259 filed by him on March 14, 1988, found on page 801 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2259) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Goodwin	Gronstal
Hall	Hannon	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz



Sturgeon  
Welsh

Taylor

Vande Hoef

Varn

Nays, 1:

Tieden

Absent or not voting, 8:

Corning  
Lind

Fuhrman  
Miller, C.P.

Gettings  
Schwengels

Hester  
Wells

The motion prevailed.

Senator Varn moved to reconsider the vote by which Senate File 2259 went to its last reading, which motion prevailed by a voice vote.

### Senate File 2259

On motion of Senator Coleman, Senate File 2259, a bill for an act relating to the disposal of abandoned personal property, including abandoned mobile homes, was taken up for reconsideration.

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—5260 to Senate File 2259 was adopted by the Senate on March 14, 1988.

The motion prevailed by a voice vote and amendment S—5260 was taken up for reconsideration.

Senator Coleman withdrew amendment S—5260 to page 7 of the bill.

Senator Varn offered amendment S—5361 filed by him on March 14, 1988, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5361 was adopted by a voice vote.

Senator Coleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2259) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	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	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Corning	Drake	Lind	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 450, 2259, 2280, 2281, 2287, 2289, 4, 2075 and 2252** be immediately messaged to the House.

### 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 14, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2402**, a bill for an act relating to licensing and personnel requirements for health care facilities and providing a penalty.

This bill was read first time and **passed on file**.

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 11:30 a.m., until 4:30 p.m.

## APPENDIX

### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on March 15, 1988, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2089 — Establishing the eligibility of Iowans for inclusion of their names on the Iowa Vietnam Veterans Memorial.

### BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2255	State Government
H.F.	2303	Commerce
H.F.	2326	Commerce
H.F.	2387	Commerce
H.F.	2400	Commerce
H.F.	2402	Human Resources
H.F.	2426	Local Government
H.F.	2428	Judiciary
H.F.	2439	Commerce

### SUBCOMMITTEE ASSIGNMENTS

#### Senate File 2292

APPROPRIATIONS: Welsh, Chair; Lind, and Sturgeon.

#### House File 2063

LOCAL GOVERNMENT: Vande Hoef, Chair; Wells and Hall

#### House File 2179

LOCAL GOVERNMENT: Wells, Chair; Goodwin and C. Miller

#### House File 2247

JUDICIARY: Mann, Chair; Varn and Gentleman

**House File 2307**

COMMERCE: Sturgeon, Chair; Nystrom and Carr

**House File 2319**

COMMERCE: Palmer, Chair; Kinley and Jensen

**House File 2346**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Peterson, Chair; Scott and Rife

**House File 2384**

JUDICIARY: Drake, Chair; Carr and Mann

**House File 2387**

COMMERCE: Carr, Chair; Deluhery and Jensen

**House File 2391**

JUDICIARY: Carr, Chair; Fraise and Hester

**House File 2407**

COMMERCE: Gronstal, Chair; Welsh and Tieden

**House File 2412**

JUDICIARY: Fraise, Chair; Gentleman and Doyle

**COMMITTEE REPORTS****AGRICULTURE**

**Final Bill Action:** HOUSE FILE 2283, a bill for an act relating to agricultural property holdings by providing certain definitions; restricting processors; establishing family farm limited partnerships; restricting the number of acres of agricultural land that other limited partnerships may acquire or otherwise obtain or lease; restricting persons from becoming limited partners, stockholders, or beneficiaries in more than a number of certain limited partnerships, authorized farm corporations, or authorized trusts; providing certain restrictions of family trusts; and requiring reporting of certain agricultural related property and the confidentiality of certain information; and providing penalties.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5372.

**Final Vote:** Ayes, 12: Priebe, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Riordan, 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:** HOUSE FILE 2363, a bill for an act relating to the control of certain parasitic infestations common to bees by the state apiarist.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Priebe, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: A. Miller.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **APPROPRIATIONS**

**Final Bill Action:** SENATE FILE 2154, a bill for an act relating to the establishment of an Iowa municipal cable television authority to provide a program of financial and technical assistance to municipalities which need municipal cable television systems; providing for the issuance of revenue bonds and other obligations to finance the granting of loans and other assistance to municipalities determined to be eligible for the program; providing for the allocation of moneys from the Iowa plan fund for economic development to be used for start-up of the program; and providing other properly related matters.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Welsh, Husak, Tieden, Boswell, Dieleman, Fraise, Gettings, Holt, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 4: Corning, Jensen, Lind and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **LOCAL GOVERNMENT**

**Final Bill Action:** HOUSE FILE 2179, a bill for an act extending civil service status to certain job classes funded by public grants or other temporary funds.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: A. Miller, Fraise, Vande Hoef, Goodwin, Horn, C. Miller and Wells. Nays, 3: Hall, Kinley and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2347, a bill for an act relating to the calculation of special assessment installments, interest on unpaid installments, and interest penalties.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Kinley, C. Miller, Taylor and Wells. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2371, a bill for an act authorizing the joint investment of funds by counties, cities, city utilities, and judicial district departments of correctional services, and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Kinley, C. Miller, Taylor and Wells. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5362	S.F.	2106	Richard Varn
S—5363	S.F.	2255	Larry Murphy
S—5364	S.F.	2075	Al Sturgeon
			Ray Taylor
			Joe Welsh
			Lee W. Holt
S—5365	S.F.	2024	Richard J. Varn
			Ray Taylor
S—5366	H.F.	2285	Michael E. Gronstal
S—5367	S.F.	2311	Edgar H. Holden
			C. Joseph Coleman
S—5368	S.F.	2311	Edgar H. Holden
S—5369	S.F.	2273	Linn Fuhrman
			Leonard L. Boswell
S—5370	S.F.	2297	Michael E. Gronstal
S—5371	S.F.	2235	Walle E. Horn

S—5372	H.F.	2283	Agriculture
S—5373	S.F.	2240	Bob Carr
			Edgar H. Holden
S—5374	S.F.	2310	Al Sturgeon
S—5375	S.F.	2310	Al Sturgeon
S—5376	S.F.	2205	Michael E. Gronstal



## AFTERNOON SESSION

The Senate reconvened at 4:30 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 14, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2428**, a bill for an act increasing and establishing certain court filing fees.

This bill was read first time and **passed on file**.

**House File 2439**, a bill for an act relating to the regulation of securities by amending the Iowa uniform securities Act to provide certain new and modified securities exemptions and transaction exemptions and to remove the broker-dealer bonding requirement for members of the securities investor protection corporation.

This bill was read first time and **passed on file**.

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 122**, by committee on Appropriations, a concurrent resolution directing the department of general services to allow the use of certain parking spaces without charge.

Read first time and **placed on Appropriations calendar**.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Coleman for the afternoon session on request of Senator Doyle and Senator Murphy for the afternoon session on request of Senator Horn.

## QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 33 present, 17 absent and a quorum present.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 2305.

### Senate File 2305

On motion of Senator Fraise, Senate File 2305, a bill for an act relating to civil and criminal immunity of civilian correctional officers and governmental subdivisions responsible for detaining persons taken into custody for an alleged violation of a court order or consent agreement, was taken up for consideration.

Senator Mann offered amendment S—5279 filed by him on March 9, 1988, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 24, nays 13.

Amendment S—5279 was adopted.

President pro tempore Kinley took the chair at 4:58 p.m.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2305) the vote was:

Ayes, 34:

Boswell  
Dieleman  
Gentleman  
Hannon  
Husak  
Miller, A.V.

Bruner  
Doyle  
Gettings  
Holden  
Hutchins  
Miller, C.P.

Carr  
Fraise  
Goodwin  
Holt  
Kinley  
Nystrom

Deluhery  
Fuhrman  
Gronstal  
Horn  
Mann  
Palmer

Peterson	Priebe	Readinger	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 9:

Hall	Hester	Hultman	Jensen
Rensink	Rife	Taylor	Tieden
Vande Hoef			

Absent or not voting, 7:

Coleman	Corning	Drake	Lind
Lloyd-Jones	Murphy	Schwengels	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2306

On motion of Senator Gentleman, Senate File 2306, a bill for an act repealing a right to review by a juvenile court judge of a juvenile court referee's decision, was taken up for consideration.

Senator Gentleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2306) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	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.	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:

Coleman  
Lloyd-Jones

Corning  
Murphy

Drake  
Schwengels

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2307

On motion of Senator Varn, Senate File 2307, a bill for an act relating to evidence for identification of certain criminals and establishing certain requirements for their early release, providing for a study by the department of corrections, and providing an effective date, was taken up for consideration.

Senator Varn offered amendment S—5351 filed by him on March 14, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Mann offered amendment S—5378 filed by him from the floor to amendment S—5351 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5378 to amendment S—5351 be adopted?" (S.F. 2307) the vote was:

Ayes, 29:

Boswell  
Doyle  
Gettings  
Husak  
Mann  
Peterson  
Riordan  
Welsh

Bruner  
Fraise  
Gronstal  
Hutchins  
Miller, A.V.  
Priebe  
Scott

Carr  
Fuhrman  
Hannon  
Jensen  
Miller, C.P.  
Readinger  
Soorholtz

Deluhery  
Gentleman  
Horn  
Kinley  
Palmer  
Rife  
Wells

Nays, 15:

Dieleman  
Hester  
Nystrom  
Tieden

Drake  
Holden  
Rensink  
Vande Hoef

Goodwin  
Holt  
Sturgeon  
Varn

Hall  
Hultman  
Taylor

Absent or not voting, 6:

Coleman  
Murphy

Corning  
Schwengels

Lind

Lloyd-Jones

Amendment S—5378 was adopted.

Senator Varn moved the adoption of amendment S—5351 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5351 as amended, the Chair ruled amendment S—5262 filed by Senator Doyle on March 8, 1988, to page 2 of the bill, out of order.

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. 2307) the vote was:

Ayes, 41:

Boswell  
Dieleman  
Gentleman  
Hall  
Horn  
Kinley  
Nystrom  
Readinger  
Scott  
Tieden  
Welsh

Bruner  
Doyle  
Gettings  
Hannon  
Hultman  
Mann  
Palmer  
Rensink  
Soorholtz  
Vande Hoef

Carr  
Fraise  
Goodwin  
Hester  
Husak  
Miller, A.V.  
Peterson  
Rife  
Sturgeon  
Varn

Deluhery  
Fuhrman  
Gronstal  
Holt  
Hutchins  
Miller, C.P.  
Priebe  
Riordan  
Taylor  
Wells

Nays, 2:

Holden

Jensen

Absent or not voting, 7:

Coleman  
Lloyd-Jones

Corning  
Murphy

Drake  
Schwengels

Lind

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 2305, 2306 and 2307 be immediately messaged** to the House.

## APPENDIX

### STUDY BILL RECEIVED

#### SSB 2265 Ways and Means

Relating to the collection of the state sales, services and use tax with respect to the sales of tangible personal property by nonresidents who solicit such sales and providing an effective date.

### COMMITTEE REPORTS

#### APPROPRIATIONS

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 122, a concurrent resolution directing the department of general services to allow the use of certain parking spaces without charge.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 13: Welsh, Husak, Tieden, Boswell, Dieleman, Fraise, Gettings, Holt, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 5: Corning, Jensen, Lind, Readinger and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### STATE GOVERNMENT

**Final Bill Action:** HOUSE FILE 2336, a bill for an act relating to the confidentiality of certain records of a library.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Carr, Dieleman, Bruner, Drake, Gentleman, Gronstal, Horn, C. Miller and Welsh. Nays, none. Absent or not voting, 6: Schwengels, Rife, Nystrom, Coleman, Soorholtz and Lloyd-Jones.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5377	H.F.	529	John A. Peterson Donald V. Doyle Eugene Fraise
S—5378	S.F.	2307	Tom Mann, Jr.

S—5379	S.F.	2297	Michael E. Gronstal
S—5380	S.F.	2304	Tom Mann, Jr.
			Donald V. Doyle
S—5381	S.F.	2310	William W. Dieleman
S—5382	S.F.	2312	Richard Varn
S—5383	S.F.	2312	Joe Welsh

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:58 p.m., until 9:00 a.m., Wednesday, March 16, 1988.



## JOURNAL OF THE SENATE

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SIXTY-SIXTH CALENDAR DAY  
FORTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 16, 1988

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Gordon Vickery, pastor of the Methodist Church, Ocheyedan, Iowa.

The Journal of Tuesday, March 15, 1988, was approved.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lloyd-Jones for the day and March 17, 1988, on request of Senator Hutchins and Senator Jensen for the day on request of Senator Hultman.

### QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2311.

**Senate File 2311**

On motion of Senator Dieleman, Senate File 2311, a bill for an act relating to and making appropriations to various state agencies including the elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management appropriating certain membership fees, increasing fees collected by the office of the secretary of state, and appropriating moneys to the county assistance fund, the municipal assistance fund, and the moneys and credits replacement fund, with the committee on Ways and Means without recommendation for passage, was taken up for consideration.

Senator Hannon offered amendment S—5389 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—5389 was adopted by a voice vote.

Senator Hannon offered amendment S—5388 filed by her from the floor to page 1 of the bill and moved its adoption.

Amendment S—5388 was adopted by a voice vote.

Senator Holden offered amendment S—5367 filed by Senators Holden and Coleman on March 15, 1988, to page 5 of the bill and moved its adoption.

Amendment S—5367 was adopted by a voice vote.

Senator Dieleman offered amendment S—5387 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5387 was adopted by a voice vote.

Senator Bruner offered amendment S—5390 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5390 was adopted by a voice vote.

Senator Welsh offered amendment S—5392 filed by him from the floor to pages 8 and 9 of the bill and moved its adoption.

Amendment S—5392 was adopted by a voice vote.

Senator Welsh offered amendment S—5391 filed by him from the floor to page 11 and the title page of the bill and moved its adoption.

Amendment S—5391 was adopted by a voice vote.

Senator Holden asked and received unanimous consent that action on amendment S—5368 filed by him on March 15, 1988, to page 12 of the bill be deferred for consideration of amendment S—5393.

Senator Tieden offered amendment S—5393 filed by him from the floor to pages 12 through 18 and the title page of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 18, nays 25.

Amendment S—5393 lost.

The Senate resumed consideration of amendment S—5368 by Senator Holden to page 12 of the bill, previously deferred.

Senator Coleman took the chair at 11:16 a.m.

Senator Holden moved the adoption of amendment S—5368.

A non record roll call was requested.

The ayes were 17, nays 24.

Amendment S—5368 lost.

Senator Bruner offered amendment S—5402 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5402 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2311) the vote was:

Ayes, 35:

Boswell

Bruner

Carr

Coleman

Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hannon	Holden	Horn
Husak	Hutchins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 11:

Fuhrman	Gentleman	Hall	Hester
Holt	Hultman	Lind	Rife
Taylor	Tieden	Vande Hoef	

Absent or not voting, 4:

Jensen	Lloyd-Jones	Readinger	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2310.

### **Senate File 2310**

On motion of Senator Sturgeon, Senate File 2310, a bill for an act relating to and making appropriations to the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, and establishing a division on the status of blacks, with report of committee on State Government recommending amendment and passage, was taken up for consideration.

President pro tempore Kinley took the chair at 11:40 a.m.

Senator Carr asked and received unanimous consent that action on amendment S—5295 filed by the committee on State Government on March 9, 1988, to pages 2, 3 and 17 through 24 and the title page of the bill be deferred.

Senator Lind offered amendment S—5403 filed by him from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5403 was adopted by a voice vote.

(Senate File 2310 pending on recess.)

### RECESS

On motion of Senator Hutchins, the Senate recessed at 11:59 a.m., until 1:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### AGRICULTURE

**Convened:** March 15, 1988, 8:05 a.m.

**Members Present:** Priebe, Chair; Hester, Ranking Member; Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef.

**Members Absent:** A. Miller, Vice Chair (excused).

**Committee Business:** Recommended passage of House File 2283 as amended; recommended passage of House File 2363; deferred action on House File 2381.

**Adjourned:** 8:35 a.m.

#### APPROPRIATIONS

**Convened:** March 15, 1988, 11:39 a.m.

**Members Present:** Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Dieleman, Fraise, Gettings, Holt, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

**Members Absent:** Corning, Jensen, Lind and Schwengels (all excused).

**Committee Business:** Recommended passage of Senate File 2154 and approved committee resolution.

**Adjourned:** 11:45 a.m.

#### COMMERCE

**Convened:** March 15, 1988, 2:30 p.m.

**Members Present:** Palmer, Chair; Deluhery, Vice Chair; Carr, Gronstal, Holden, Nystrom, Sturgeon, Tieden and Welsh.

**Members Absent:** Jensen, Ranking Member; Kinley (excused); Lind, Mann, Priebe and Rife (excused).

**Committee Business:** Assigned bills to subcommittees.

**Adjourned:** 2:35 p.m.

**LOCAL GOVERNMENT**

**Convened:** March 15, 1988, 1:35 p.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Horn, Kinley, C. Miller, Taylor and Wells.

**Members Absent:** none.

**Committee Business:** Assigned bills to subcommittees; recommended passage of House Files 2179, 2371 and 2347.

**Adjourned:** 1:55 p.m.

**STATE GOVERNMENT**

**Convened:** March 15, 1988, 3:30 p.m.

**Members Present:** Carr, Chair; Dieleman, Vice Chair; Bruner, Drake, Gentleman, Gronstal, Horn, C. Miller and Welsh.

**Members Absent:** Nystrom, Ranking Member; Schwengels (excused), Lloyd-Jones (excused), Rife, Coleman and Soorholtz.

**Committee Business:** Assigned bills to subcommittees; recommended passage of House File 2336.

**Adjourned:** 3:50 p.m.

**WAYS AND MEANS**

**Convened:** March 15, 1988, 1:35 p.m.

**Members Present:** Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Gronstal, Palmer, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

**Members Absent:** Boswell, Dieleman, Mann and Murphy.

**Committee Business:** Amended SSB 2264.

**Adjourned:** 1:46 p.m.

**SUBCOMMITTEE ASSIGNMENTS****Senate Concurrent Resolution 121**

**STATE GOVERNMENT:** Lloyd-Jones, Chair; C. Miller and Soorholtz

**Senate File 2024**

STATE GOVERNMENT: Gronstal, Chair; Nystrom and Horn.

**House File 431**

STATE GOVERNMENT: Carr, Chair; Nystrom and Dieleman

**House File 2170**

STATE GOVERNMENT: Lloyd-Jones, Chair; Gentleman and Bruner

**House File 2283**

AGRICULTURE: Husak, Chair; Fraise and Hester

**House File 2328**

AGRICULTURE: Husak, Chair; Fraise and Hester

**House File 2329**

AGRICULTURE: Vande Hoef, Chair; Soorholtz and Boswell

**House File 2338**

ENVIRONMENT AND ENERGY UTILITIES: Varn, Chair; Deluhery and Soorholtz

**House File 2373**

AGRICULTURE: Husak, Chair; Soorholtz and Fuhrman

**House File 2375**

STATE GOVERNMENT: Gronstal, Chair; Drake and Carr

**House File 2376**

STATE GOVERNMENT: Coleman, Chair; Rife and C. Miller

**House File 2381**

AGRICULTURE: Riordan, Chair; Boswell, A. Miller, Hester and Fuhrman

**House File 2386**

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Boswell, Chair; Riordan and Holt



**House File 2395**

ENVIRONMENT AND ENERGY UTILITIES: Sturgeon, Chair; Gronstal and Hall

**House File 2401**

STATE GOVERNMENT: Carr, Chair; Nystrom, Dieleman, Drake and Bruner

**House File 2405**

STATE GOVERNMENT: Carr, Chair; Nystrom, Horn, Schwengels and Bruner

**House File 2406**

STATE GOVERNMENT: Carr, Chair; Nystrom, Bruner, Drake and Dieleman

**House File 2409**

STATE GOVERNMENT: Gronstal, Chair; Drake and Bruner

**House File 2415**

STATE GOVERNMENT: Carr, Chair; Schwengels, Bruner, Nystrom and Horn

**SSB 2265**

WAYS AND MEANS: Gronstal, Chair; Drake and Dieleman

**PRESENTATION OF VISITORS**

The Chair welcomed the following visitors who were present in the Senate gallery:

Members of the Western Christian High School Boys' State basketball Class 2-A tournament team, accompanied by Coach Jim Eekhoff. Senator Rensink.

Members of the Maurice-Orange City Boys' State basketball Class 1-A tournament team, accompanied by Coach Todd Barry. Senator Rensink.

The following visitors were present in the Senate gallery:

Forty-one fifth grade students from Slater Elementary School, Slater, Iowa, accompanied by Kathy Hennick. Senator Nystrom.

## AMENDMENTS FILED

S-5384	S.F.	2240	Calvin O. Hultman
S-5385	S.F.	2240	C. Joseph Coleman
S-5386	H.F.	2285	Michael Gronstal
S-5387	S.F.	2311	William W. Dieleman
S-5388	S.F.	2311	Beverly Hannon
S-5389	S.F.	2311	Beverly Hannon
S-5390	S.F.	2311	Charles Bruner
S-5391	S.F.	2311	Joe J. Welsh
S-5392	S.F.	2311	Joe Welsh
S-5393	S.F.	2311	Dale Tieden
S-5394	S.F.	2178	Jim Lind
S-5395	S.F.	2309	Edgar H. Holden
S-5396	S.F.	2178	Jim Lind
S-5397	S.F.	2178	Jim Lind
S-5398	S.F.	2178	Jim Lind
S-5399	S.F.	2178	Jim Lind
S-5400	S.F.	2178	Jim Lind
S-5401	S.F.	2309	Michael E. Gronstal
S-5402	S.F.	2311	Charles Bruner
S-5403	S.F.	2310	Jim Lind
S-5404	S.F.	2310	Al Sturgeon
S-5405	S.F.	2310	Joe J. Welsh
S-5406	S.F.	2310	Joe J. Welsh

## AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., Senator Murphy presiding.

## QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

The vote revealed 38 present, 12 absent and a quorum present.

## BUSINESS PENDING

### Senate File 2310

The Senate resumed consideration of Senate File 2310, a bill for an act relating to and making appropriations to the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, and establishing a division on the status of blacks, pending on recess.

Senator Sturgeon offered amendment S—5407 filed by Senators Readinger and Sturgeon from the floor to page 1 of the bill and moved its adoption.

Amendment S—5407 was adopted by a voice vote.

Senator Welsh offered amendment S—5406 filed by him from the floor to pages 2, 17 and the title page of the bill.

Senator Welsh asked and received unanimous consent that action on amendment S—5406 be deferred.

Senator Welsh offered amendment S—5405 filed by him from the floor to pages 2, 3, 17 through 24 and the title page of the bill.

Senator Carr called for a division of amendment S—5405: lines 9 and 10 as division S—5405A; lines 2 through 8 and lines 11 through 16 as division S—5405B.

Senator Readinger asked and received unanimous consent that action on division S—5405A be deferred.

Senator Carr asked and received unanimous consent that action on division S—5405B be deferred.

Senator Sturgeon withdrew amendment S—5341 filed by him on March 11, 1988, to page 6 of the bill.

Senator Welsh moved the adoption of amendment S—5406 to pages 2, 17 and the title page of the bill, previously deferred, which motion prevailed by a voice vote.

Senator Sturgeon offered amendment S—5404 filed by him from the floor to page 6 of the bill.

Senator Hultman raised the point of order that amendment S—5404 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5404 out of order.

Senator Varn offered amendment S—5412 filed by Senators Varn and Bruner from the floor to page 15 of the bill and moved its adoption.

Amendment S—5412 was adopted by a voice vote.

Senator Lind offered amendment S—5408 filed by him from the floor to page 16 of the bill and moved its adoption.

Amendment S—5408 was adopted by a voice vote.

Senator Welsh moved the adoption of division S—5405A to pages 17 through 21 of the bill, previously deferred.

Division S—5405A was adopted by a voice vote.

The Senate resumed consideration of division S—5405B to pages 2, 3, 21 through 24 and the title page of the bill, previously deferred.

Senator Welsh called for a further division of division S—5405B:

Division S—5405B: lines 2 through 8 and 11 and 12.

Division S—5405C: lines 13 through 16.

Senator Welsh moved the adoption of division S—5405B.

A record roll call was requested.

On the question "Shall division S—5405B be adopted?" (S.F. 2310) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 15:

Carr	Corning	Fuhrman	Gentleman
Goodwin	Gronstal	Hester	Holden
Hultman	Jensen	Nystrom	Readinger
Taylor	Tieden	Vande Hoef	

Nays, 33:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Hall	Hannon	Holt
Horn	Husak	Hutchins	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 2:

Lloyd-Jones      Schwengels

Division S—5405B lost.

The Chair ruled division S—5405C out of order.

Senator Sturgeon offered amendment S—5374 filed by him on March 15, 1988, to pages 21 and 23 of the bill and moved its adoption.

Amendment S—5374 was adopted by a voice vote.

Senator Dieleman offered amendment S—5381 filed by him on March 15, 1988, to page 23 of the bill.

Senator Sturgeon raised the point of order that amendment S—5381 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5381 out of order.

The Chair ruled amendment S—5295 by the committee on State Government to pages 2, 3, 17 through 24 and the title page of the bill, previously deferred, out of order.

Senator Sturgeon offered amendment S—5375 filed by him on March 15, 1988, to the title page of the bill and moved its adoption.

Amendment S—5375 was adopted 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. 2310) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 13:

Corning	Fuhrman	Gentleman	Hall
Hester	Holt	Hultman	Jensen
Lind	Readinger	Taylor	Tieden
Vande Hoef			

Absent or not voting, 3:

Holden	Lloyd-Jones	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Horn asked and received unanimous consent to take up out of order Senate File 2309.

**Senate File 2309**

On motion of Senator Boswell, Senate File 2309, a bill for an act relating to and making appropriations to the department of economic development, was taken up for consideration.

Senator Husak took the chair at 3:24 p.m.

Senator Rife offered amendment S—5415 filed by him from the floor to pages 1, 2 and 5 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 20, nays 25.

Amendment S—5415 lost.

Senator Boswell offered amendment S—5418 filed by him from the floor to pages 1 and 5 of the bill and moved its adoption.

Amendment S—5418 was adopted by a voice vote.

Senator Holden offered amendment S—5395 filed by him from the floor to pages 1 and 3 of the bill and moved its adoption.

President pro tempore Kinley took the chair at 3:51 p.m.

A record roll call was requested.

On the question "Shall amendment S—5395 be adopted?" (S.F. 2309) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Carr  
Fraise  
Holden  
Miller, C.P.  
Rife  
Vande Hoef

Corning  
Fuhrman  
Holt  
Nystrom  
Soorholtz

Deluhery  
Goodwin  
Hultman  
Readinger  
Taylor

Drake  
Hall  
Lind  
Rensink  
Tieden

Nays, 25:

Boswell	Bruner	Coleman	Doyle
Gentleman	Gettings	Gronstal	Hannon
Hester	Horn	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 4:

Dieleman	Jensen	Lloyd-Jones	Schwengels
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Amendment S—5395 lost.

Senator Gronstal offered amendment S—5401 filed by him from the floor to pages 1, 2 and 4 of the bill.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fuhrman for the remainder of the day on request of Senator Hultman.

### BUSINESS PENDING

#### Senate File 2309

The Senate resumed consideration of Senate File 2309 and amendment S—5401.

Senator Gronstal moved the adoption of amendment S—5401.

A non record roll call was requested.

The ayes were 26, nays 18.

Amendment S—5401 was adopted.

Senator Rife offered amendment S—5416 filed by him from the floor to pages 1 and 3 of the bill and moved its adoption.

Amendment S—5416 was adopted by a voice vote.



With the adoption of amendment S—5418, the Chair ruled amendment S—5411 filed by Senator Boswell from the floor to page 5 of the bill, out of order.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2309) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 2:

Gronstal	Murphy
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Absent or not voting, 6:

Fuhrman	Jensen	Lloyd-Jones	Miller, C.P.
Riordan	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2309, 2310 and 2311 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 15, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2370**, a bill for an act relating to the provision of sewer services to state agency buildings and providing an effective date.

This bill was read first time and **passed on file**.

**House File 2437**, a bill for an act relating to utilization of energy resources in the state including the implementation of energy conservation measures.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 16, 1988, passed the following bill in which the concurrence of the House was asked:

**Senate File 2267**, a bill for an act relating to residential water treatment systems, incorporating a penalty, and providing effective dates.

ALSO: That the House has on March 16, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2190**, a bill for an act to provide for whole grade sharing between a school district located in this state and a contiguous school district located in a contiguous state.

This bill was read first time and **passed on file**.

**House File 2369**, a bill for an act relating to the duties and authority of the board of parole.

This bill was read first time and **passed on file**.

**House File 2423**, a bill for an act relating to sureties and surety bonds for public officers and employees.

This bill was read first time and **passed on file**.

## APPENDIX

### COMMITTEE REPORT

#### SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Final Bill Action:** HOUSE FILE 2317, a bill for an act relating to the repeal of the Iowa venture capital investment.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Boswell, Deluhery, Hannon, A. Miller, Riordan, Scott, Rife, Fuhrman, Holt, Rensink and Vande Hoef. Nays, none. Absent or not voting, 1: Peterson.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### SUBCOMMITTEE ASSIGNMENTS

#### House File 2088

JUDICIARY: Fraise, Chair; Doyle and Gentleman

#### House File 2399

NATURAL RESOURCES: Priebe, Chair; Doyle and Rensink

#### House File 2428

JUDICIARY: Mann, Chair; Doyle and Holt

#### House File 2430

JUDICIARY: Mann, Chair; Varn and Drake

#### House File 2351

BUSINESS AND LABOR RELATIONS: Mann, Chair; Welsh and Holden

### EXPLANATION OF VOTES

MADAM PRESIDENT: I was absent from the Senate chamber on March 15, 1988.

Had I been present, I would have voted "aye" on Senate Files 2280, 2281, 2287, 2289, 4, 2075, 2252, 2259, 2305, 2306 and 2307.

JOY CORNING

#### REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate File 21, I report that in engrossing Senate File 2310, the following corrections were made:

(Page and line numbers refer to the Reprint)

1. Page 17, line 21, the words "section 5" were changed to the words "section 6".
2. Page 17, line 26, the words "section 5" were changed to the words "section 6".
3. Page 23, line 9, the words "Section 10" were changed to the words "Section 15".

JOHN F. DWYER  
Secretary of the Senate

#### AMENDMENTS FILED

S—5407	S. F.	2310	David M. Readinger Al Sturgeon
S—5408	S. F.	2310	Jim Lind
S—5409	S. F.	2240	Linn Fuhrman Joe J. Welsh
S—5410	S. F.	2251	Linn Fuhrman
S—5411	S. F.	2309	Leonard Boswell
S—5412	S. F.	2310	Richard Varn Charles Bruner
S—5413	S. F.	2240	Berl E. Priebe
S—5414	S. F.	2240	C. Joseph Coleman
S—5415	S. F.	2309	Jack Rife
S—5416	S. F.	2309	Jack Rife
S—5417	S. F.	2240	Jim Riordan
S—5418	S. F.	2309	Leonard Boswell
S—5419	S. F.	2235	Wally E. Horn

## ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:35 p.m., until 9:30 a.m., Thursday, March 17, 1988.

# JOURNAL OF THE SENATE

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SIXTY-SEVENTH CALENDAR DAY  
FORTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 17, 1988

The Senate met in regular session at 9:35 a.m., President Zimmerman presiding.

Prayer was offered by Father Matthew Lynch, pastor of the Sacred Heart Catholic Church, Melcher, Iowa.

The Journal of Wednesday, March 16, 1988, was approved.

## DISTINGUISHED GUEST

President Zimmerman presented Bernard Allen, T.D., Alderman of the City of Cork, Finagael Party, Spokesperson for Health, from Cork, Ireland, who addressed the Senate with brief remarks.

Mr. Allen, who was visiting the Senate as the guest of Senator Priebe, presented President Zimmerman with a copy of the "Anglo Irish Agreement 1985" and invited the members of the Senate to attend the St. Patrick's Day festivities in Emmetsburg.

## UNFINISHED BUSINESS (Deferred March 10, 1988)

### Senate File 2231

The Senate resumed consideration of Senate File 2231, a bill for an act to allow certain elections to be conducted by mail ballots, making penalties applicable, and providing for the prospective repeal of the Act, deferred March 10, 1988.

Senator Gronstal offered amendment S—5255 filed by him on March 8, 1988, to pages 6 and 7 of the bill.

Senator Gronstal offered amendment S—5275 filed by him on March 9, 1988, to amendment S—5255 and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 26.

Amendment S—5275 lost.

Senator Gronstal moved the adoption of amendment S—5255, which motion prevailed by a voice vote.

Senator Gronstal withdrew amendment S—5238 filed by him on March 7, 1988, to page 9 of the bill.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2231) 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
Deluhery	Dieleman	Doyle	Hannon
Horn	Husak	Hutchins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Riordan	Scott	Sturgeon
Varn	Wells	Welsh	

Nays, 23:

Corning	Drake	Fraise	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holden	Holt	Hultman
Jensen	Kinley	Lind	Nystrom
Readinger	Rensink	Rife	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 4:

Fuhrman	Lloyd-Jones	Priebe	Schwengels
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The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and recieved unanimous consent to take up out of order Senate File 2288.

### Senate File 2288

On motion of Senator Hultman, Senate File 2288, a bill for an act relating to unemployment compensation benefits for certain employees of the natural resource commission and providing an effective date, 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. 2288) the vote was:

Ayes, 43:

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	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rensink	Rife	Riordan
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, none.

Absent or not voting, 7:

Fuhrman	Hannon	Lloyd-Jones	Priebe
Schwengels	Scott	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 2304.



**Senate File 2304**

On motion of Senator Doyle, Senate File 2304, a bill for an act relating to the representation of indigent and incompetent persons by appointed attorneys, public defenders, and the appellate defender's office; and the determination of indigency, was taken up for consideration.

Senator Doyle offered amendment S—5380 filed by Senators Mann and Doyle on March 15, 1988, to strike everything after the enacting clause and to the title page of the bill.

Amendment S—5380 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. 2304) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holt	Horn	Hutchins
Jensen	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells		

Nays, none.

Absent or not voting, 8:

Fuhrman	Holden	Hultman	Husak
Lloyd-Jones	Priebe	Schwengels	Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2130.

### Senate File 2130

On motion of Senator Rife, Senate File 2130, a bill for an act repealing the prohibition against selling or offering for sale decorative gas lamps, 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?" (S.F. 2130) the vote was:

Ayes, 37:

Boswell	Carr	Coleman	Corning
Dieleman	Doyle	Fraise	Goodwin
Hall	Hester	Holden	Holt
Horn	Hultman	Jensen	Kinley
Lind	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 7:

Bruner	Deluhery	Gentleman	Gettings
Gronstal	Hannon	Hutchins	

Absent or not voting, 6:

Drake	Fuhrman	Husak	Lloyd-Jones
Priebe	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2248.

## Senate File 2248

On motion of Senator Doyle, Senate File 2248, a bill for an act relating to indemnification and the limitation of liability of directors and officers and to the indemnification of a present or former director, officer, employee, member, or volunteer of a cooperative association for certain judgments and expenses, was taken up for consideration.

Senator Doyle offered amendment S—5267 filed by him on March 8, 1988, to pages 1, 2, 4 and the title page of the bill.

Senator Gentleman raised the point of order that amendment S—5267 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5267 in order.

Senator Doyle moved the adoption of amendment S—5267, which motion prevailed by a voice vote.

With the adoption of amendment S—5267, the Chair ruled amendment S—5208 filed by Senator Fraise on March 3, 1988, to page 4 of the bill, out of order.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2248) the vote was:

Ayes, 41:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Readinger	Rensink
Rife	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Bruner	Fuhrman	Hutchins	Lloyd-Jones
Palmer	Priebe	Riordan	Schwengels
Taylor			

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 2271.

### Senate File 2271

On motion of Senator Miller of Cerro Gordo, Senate File 2271, a bill for an act relating to claims against public corporations for nonpayment of moneys due on public improvements, was taken up for consideration.

Senator Miller from Cerro Gordo offered amendment S—5271 filed by him on March 8, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5271 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2271) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Jensen	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Fuhrman	Husak	Hutchins	Lloyd-Jones
Palmer	Priebe	Schwengels	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 2302.

### Senate File 2302

On motion of Senator Vande Hoef, Senate File 2302, a bill for an act relating to the investment powers of state banks, was taken up for consideration.

Senator Vande Hoef moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2302) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Jensen	Kinley	Lind
Mann	Miller, A.V.	Murphy	Nystrom
Peterson	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Fuhrman	Hester	Hutchins	Lloyd-Jones
Miller, C.P.	Palmer	Priebe	Schwengels
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 2273.

### **Senate File 2273**

On motion of Senator Boswell, Senate File 2273, a bill for an act relating to the completion of a rest area, including the modernization of its facilities, was taken up for consideration.

Senator Boswell offered amendment S—5369 filed by Senators Fuhrman and Boswell on March 15, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Carr asked and received unanimous consent that further action on amendment S—5369 and **Senate File 2273** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2279.

### **Senate File 2279**

On motion of Senator Riordan, Senate File 2279, a bill for an act relating to the payment of educational costs of nonresident children residing in child foster care facilities and homes, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2279** be **deferred**.

## **IMMEDIATELY MESSAGED**

Senator Hutchins asked and received unanimous consent that **Senate Files 2288, 2304, 2130, 2248, 2271 and 2302** 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 16, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2440**, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship and the department of natural resources,

This bill was read first time and **passed on file**.

ALSO: That the House has on March 17, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2388**, a bill for an act relating to the petition signatures required to call an election to fill a vacancy in an elective city office.

This bill was read first time and **passed on file**.

## RECESS

On motion of Senator Hutchins, the Senate recessed at 12:08 p.m., until 2:30 p.m.

## AFTERNOON SESSION

The Senate reconvened at 2:56 p.m., Senator Varn 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.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2293.

### **Senate File 2293**

On motion of Senator Deluhery, Senate File 2293, a bill for an act relating to economic development plans and the providing

of financial and technical assistance by the department of economic development and the state transportation commission, with report of committee without recommendation, was taken up for consideration.

Senator Deluhery moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2293) 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	Hultman	Husak	Hutchins
Jensen	Lind	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rensink	Riordan	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Kinley	Lloyd-Jones	Mann	Priebe
Rife	Schwengels	Scott	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2296

On motion of Senator Taylor, Senate File 2296, a bill for an act requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education, was taken up for consideration.

Senator Peterson offered amendment S—5359 filed by him on March 14, 1988, to page 2 of the bill and moved its adoption.

A non record roll call was requested.



The ayes were 14, nays 31.

Amendment S—5359 lost.

Senator Peterson offered amendment S—5425 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5425 was adopted by a voice vote.

Senator Bruner offered amendment S—5421 filed by Senators Bruner, Murphy and Varn from the floor to page 4 of the bill.

Amendment S—5421 was adopted by a voice vote.

Senator Taylor moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2296) the vote was:

Ayes, 30:

Boswell	Bruner	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Miller, A.V.	Nystrom
Priebe	Rensink	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 17:

Carr	Coleman	Corning	Deluhery
Dieleman	Fuhrman	Hannon	Kinley
Mann	Miller, C.P.	Murphy	Palmer
Peterson	Readinger	Rife	Riordan
Scott			

Absent or not voting, 3:

Lind	Lloyd-Jones	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 2269.

**Senate File 2269**

On motion of Senator Taylor, Senate File 2269, a bill for an act relating to the establishment of a drainage subdistrict, 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. 2269) 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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lind	Lloyd-Jones	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**BUSINESS PENDING****Senate File 2273**

The Senate resumed consideration of Senate File 2273 and amendment S—5369 by Senators Fuhrman and Boswell to strike everything after the enacting clause and to the title page of the bill, previously deferred.

Senator Carr offered amendment S—5429 filed by him from the floor to amendment S—5369 and moved its adoption.

Amendment S—5429 was adopted by a voice vote.

Senator Boswell moved the adoption of amendment S—5369 as amended which motion prevailed by a voice vote.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2273) 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	Mann
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, 2:

Lloyd-Jones      Schwengels

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 2276.

#### Senate File 2276

On motion of Senator Priebe, Senate File 2276, a bill for an act to reclassify certain tanks and trailers as implements of husbandry, was taken up for consideration.

Senator Holden asked and received unanimous consent that further action on **Senate File 2276** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2205.

### **Senate File 2205**

On motion of Senator Gronstal, Senate File 2205, a bill for an act relating to interstate natural gas pipelines by establishing a new chapter to define jurisdiction over interstate natural gas pipelines, removing references to interstate natural gas pipelines from the current chapter relating to pipelines and natural gas storage, and adjusting fees, was taken up for consideration.

Senator Gronstal offered amendment S—5376 filed by him on March 15, 1988, to pages 2, 6 and 9 of the bill and moved its adoption.

Amendment S—5376 was adopted by a voice vote.

President Zimmerman took the chair at 4:21 p.m.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2205) 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	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lloyd-Jones

Readerger

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2303.

### **Senate File 2303**

On motion of Senator Riordan, Senate File 2303, a bill for an act relating to the Iowa small business new jobs training Act by providing for repayments to the permanent school fund, establishing a revolving loan account, and providing for departmental approval of certain projects by rule, 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. 2303) 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	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Readerger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Lloyd-Jones

Priebe

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2308.

### **Senate File 2308**

On motion of Senator Gentleman, Senate File 2308, a bill for an act relating to notification and listing of persons reported as alleged child abusers, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that action on **Senate File 2308** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order Senate Joint Resolution 2006.

### **Senate Joint Resolution 2006**

On motion of Senator Horn, Senate Joint Resolution 2006, a joint resolution to nullify an administrative rule of the department of human services relating to the correction or expungement of information in the possession of the department concerning a case of alleged child abuse, was taken up for consideration.

Senator Horn 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. 2006) the vote was:

Ayes, 47:

Boswell	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Mann
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, 3:

Bruner

Lloyd-Jones

Schwengels

The resolution 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 2240.

#### Senate File 2240

On motion of Senator Riordan, Senate File 2240, a bill for an act relating to the registration of construction contractors; providing for administration of the system of registration by the secretary of state; requiring display of the registration number; requiring as a condition of registration that the contractor be insured for general liability or be bonded, be in compliance with workers' compensation laws, and possess an account number for purposes of unemployment compensation; prohibiting the award of state contracts to nonregistered contractors; providing for investigations and enforcement by the labor commissioner; providing for administrative penalties; providing for the formation of a coordinating group; providing an effective date; and providing other properly related matters, was taken up for consideration.

Senator Holden offered amendment S—5210 filed by him on March 3, 1988, to pages 1 and 2 of the bill.

Senator Riordan offered amendment S—5434 filed by him from the floor to amendment S—5210, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5434 to amendment S—5210 be adopted?" (S.F. 2240) the vote was:

Ayes, 23:

Bruner  
Doyle

Carr  
Fraise

Deluhery  
Gettings

Dieleman  
Gronstal

Hannon  
Mann  
Peterson  
Varn

Horn  
Miller, A.V.  
Riordan  
Wells

Hutchins  
Murphy  
Scott  
Welsh

Kinley  
Palmer  
Sturgeon

Nays, 21:

Coleman  
Goodwin  
Hultman  
Nystrom  
Rife  
Vande Hoef

Corning  
Hall  
Jensen  
Priebe  
Soorholtz

Fuhrman  
Hester  
Lind  
Readinger  
Taylor

Gentleman  
Holden  
Miller, C.P.  
Rensink  
Tieden

Absent or not voting, 6:

Boswell  
Lloyd-Jones

Drake  
Schwengels

Holt

Husak

Amendment S—5434 was adopted.

Senator Holden moved the adoption of amendment S—5210 as amended.

A record roll call was requested.

On the question "Shall amendment S—5210 as amended be adopted?" (S.F. 2240) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Bruner  
Doyle  
Hannon  
Mann  
Palmer  
Sturgeon

Carr  
Fraise  
Horn  
Miller, A.V.  
Peterson  
Varn

Deluhery  
Gettings  
Hutchins  
Miller, C.P.  
Priebe  
Wells

Dieleman  
Gronstal  
Kinley  
Murphy  
Riordan  
Welsh

Nays, 21:

Coleman  
Gentleman  
Holden  
Nystrom  
Scott  
Vande Hoef

Corning  
Goodwin  
Hultman  
Readinger  
Soorholtz

Drake  
Hall  
Jensen  
Rensink  
Taylor

Fuhrman  
Hester  
Lind  
Rife  
Tieden



Absent or not voting, 5:

Boswell  
Schwengels

Holt

Husak

Lloyd-Jones

Amendment S—5210 as amended was adopted.

With the adoption of amendment S—5210 as amended, the Chair ruled amendment S—5373 filed by Senators Carr and Holden on March 15, 1988, to page 1 of the bill, out of order.

Senator Coleman offered amendment S—5385 filed by him on March 16, 1988, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 18.

Amendment S—5385 was adopted.

Senator Priebe offered amendment S—5413 filed by him on March 16, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5413 was adopted by a voice vote.

Senator Riordan offered amendment S—5417 filed by him on March 16, 1988, to page 3 of the bill and moved its adoption.

Amendment S—5417 was adopted by a voice vote.

Senator Hultman offered amendment S—5384 filed by him on March 16, 1988, to page 3 of the bill, moved its adoption, and requested a record roll call.

On the question "Shall amendment S—5384 be adopted?" (S.F. 2240) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Boswell  
Fuhrman  
Hester  
Lind  
Rife  
Vande Hoef

Coleman  
Gentleman  
Holden  
Miller, C.P.  
Scott

Corning  
Goodwin  
Hultman  
Nystrom  
Soorholtz

Drake  
Hall  
Jensen  
Readinger  
Tieden

Nays, 24:

Bruner	Carr	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Riordan
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 5:

Holt	Lloyd-Jones	Rensink	Schwengels
Taylor			

Amendment S—5384 lost.

Senator Lind offered amendment S—5444 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

Amendment S—5444 was adopted by a voice vote.

Senator Fuhrman offered amendment S—5409 filed by Senators Fuhrman and Welsh on March 16, 1988, to page 4 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5409 be adopted?" (S.F. 2240) the vote was:

Ayes, 26:

Boswell	Coleman	Corning	Dieleman
Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Hultman	Husak
Jensen	Kinley	Lind	Miller, C.P.
Murphy	Nystrom	Priebe	Readinger
Rife	Riordan	Scott	Soorholtz
Tieden	Vande Hoef		

Nays, 17:

Bruner	Carr	Deluhery	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Hutchins	Mann	Miller, A.V.
Palmer	Peterson	Sturgeon	Varn
Wells			

Absent or not voting, 7:

Drake	Holt	Lloyd-Jones	Rensink
Schwengels	Taylor	Welsh	

Amendment S—5409 was adopted.

Senator Lind offered amendment S—5445 filed by him from the floor to pages 4 and 5 of the bill and moved its adoption.

Amendment S—5445 was adopted by a voice vote.

Senator Coleman offered amendment S—5414 filed by him on March 16, 1988, to pages 6 and 7 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 26, nays 15.

Amendment S—5414 was adopted.

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. 2240) 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	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Hutchins	Kinley
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Sturgeon	Varn
Wells	Welsh		

Nays, 23:

Boswell	Coleman	Corning	Drake
Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Hultman	Husak
Jensen	Lind	Nystrom	Priebe
Readinger	Rife	Riordan	Scott
Soorholtz	Tieden	Vande Hoef	

Absent or not voting, 5:

Holt  
Taylor

Lloyd-Jones

Rensink

Schwengels

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

#### MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2240 failed to pass the Senate on March 17, 1988.

JIM R. RIORDAN

#### 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 17, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2427**, a bill for an act to repeal certain health-related regulation responsibilities of the department of agriculture and land stewardship.

This bill was read first time and **passed on file**.

#### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2269, 2273, 2293, 2296, 2303** and **Senate Joint Resolution 2006** be **immediately messaged** to the House.

## APPENDIX

### BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2369	Judiciary
H.F.	2370	Local Government
H.F.	2388	Local Government
H.F.	2423	Local Government
H.F.	2437	Environment and Energy Utilities
H.F.	2440	Appropriations

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on March 16, 1988, when the final vote was taken on Senate File 2311.

Had I been present, I would have voted "nay" on this bill.

DAVID M. READINGER

### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2231 failed to pass the Senate on March 17, 1988.

MICHAEL E. GRONSTAL

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2205 passed the Senate on March 17, 1988.

BERL E. PRIEBE

### SUBCOMMITTEE ASSIGNMENTS

#### House File 2303

COMMERCE: Deluhery, Chair; Welsh and Tieden

#### House File 2326

COMMERCE: Holden, Chair; Carr and Mann

**House File 2400**

COMMERCE: Gronstal, Chair; Mann and Holden

**House File 2402**

HUMAN RESOURCES: Sturgeon, Chair; Hannon and Taylor

**House File 2439**

COMMERCE: Sturgeon, Chair; Palmer and Nystrom

**COMMITTEE REPORTS****HUMAN RESOURCES**

**Final Bill Action:** HOUSE FILE 2189, a bill for an act relating to child abuse investigation reports made to subjects of reports by the department of human services.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5436.

**Final Vote:** Ayes, 11: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Murphy, C. Miller, Readinger and Sturgeon. Nays, none. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2313, a bill for an act relating to child day care for sick children.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Hannon, Carr, Gentleman, Bruner, Coleman, Corning, Lind, Murphy, C. Miller and Readinger. Nays, none. Absent or not voting, 2: Taylor and Sturgeon.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2344, a bill for an act relating to the civil rights of persons with a condition relating to acquired immune deficiency syndrome, by prohibiting the testing, with respect to the employment of persons, for a condition related to acquired immune deficiency syndrome, and by making remedial provisions of the civil rights law applicable.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5435.

**Final Vote:** Ayes, 8: Hannon, Carr, Bruner, Corning, Lind, Murphy, Readinger and Sturgeon. Nays, 3: Gentleman, Coleman and C. Miller. Absent or not voting, 1: Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## JUDICIARY

**Final Bill Action:** SENATE FILE 2282, a bill for an act permitting agreements providing for the payment of attorney's fees by a consumer in event of default in certain consumer credit transactions and authorizing the imposition of additional costs or fees by the court.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5427.

**Final Vote:** Ayes, 11: Doyle, Mann, Holt, Coleman, Drake, Deluhery, Fraise, Gentleman, Hester, Horn and Taylor. Nays, 1: Varn. Absent or not voting, 2: Fuhrman and Carr.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** 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.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5428.

**Final Vote:** Ayes, 11: Doyle, Mann, Holt, Coleman, Drake, Deluhery, Fraise, Gentleman, Hester, Horn and Varn. Nays, none. Absent or not voting, 3: Taylor, Fuhrman and Carr.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2430, a bill for an act to designate hearing officers as administrative law judges.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Coleman, Drake, Deluhery, Fraise, Gentleman, Hester, Horn, Taylor and Varn. Nays, none. Absent or not voting, 2: Fuhrman and Carr.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2384, a bill for an act relating to the notice to be given to a judgment debtor when the debtor's property is levied upon.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Doyle, Mann, Holt, Coleman, Fraise, Gentleman, Drake, Deluhery, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Fuhrman, Carr and Varn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## NATURAL RESOURCES

**Final Bill Action:** HOUSE FILE 2016, a bill for an act relating to county conservation boards by providing for the creation of a county conservation board in certain counties and by specifying the law enforcement authority of the director and other designated employees of a county conservation board, and by providing effective dates.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Scott, Priebe, Doyle, Goodwin, Hannon, Hester, A. Miller, Rensink and Tieden. Nays, 1: Peterson. Absent or not voting, 2: Schwengels and Husak.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2158, a bill for an act to limit operation of motor vehicles in streambeds and providing a penalty.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Scott, Doyle, Goodwin, Hannon, Hester, A. Miller, Peterson, Rensink and Tieden. Nays, 1: Priebe. Absent or not voting, 2: Schwengels and Husak.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:



**Final Bill Action:** HOUSE FILE 2192, a bill for an act exempting certain vessels from registration.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5426.

**Final Vote:** Ayes, 10: Scott, Priebe, Doyle, Goodwin, Hannon, Hester, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Schwengels and Husak.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## PRESENTATION OF VISITORS

President Zimmerman welcomed Gail Bonstetter, Shamrock Queen of the St. Patrick's Day festivities in Emmetsburg, Iowa, who was present in the Senate chamber as the guest of Senators Priebe and Holt.

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty eighth grade students from McCombs Middle School, Des Moines, Iowa, accompanied by Kathryn Lewellen. Senator Kinley.

Twenty-six twelfth grade students from Rockwell-Swaledale High School, Rockwell, Iowa, accompanied by Mr. Fredericksen. Senators A. Miller and Scott.

Members of the Pomeroy High School Boys' State basketball Class A tournament team, accompanied by Coaches Clive Clark and Eric Lantz. Senator Fuhrman.

## REPORTS OF COMMITTEE MEETINGS

### ENVIRONMENT AND ENERGY UTILITIES

**Convened:** March 16, 1988, 4:40 p.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hall, Rife, Sturgeon and Varn.

**Members Absent:** Schwengels (excused), A. Miller and Murphy.

**Committee Business:** Assigned bills to subcommittees and deferred action on House File 2153.

**Adjourned:** 4:45 p.m.

## JUDICIARY

**Convened:** March 16, 1988, 4:40 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Coleman, Deluhery, Drake, Fraise, Hester, Horn, Taylor, Gentleman and Varn.

**Members Absent:** Fuhrman and Carr.

**Committee Business:** Assigned bills to subcommittees; recommended passage of House Files 2384, 185, 2430 and Senate File 2282.

**Adjourned:** 5:30 p.m.

## SMALL BUSINESS AND ECONOMIC DEVELOPMENT

**Convened:** March 16, 1988, 8:10 a.m.

**Members Present:** Boswell, Chair; Rife, Ranking Member; Deluhery, Hannon, A. Miller, Riordan, Scott, Fuhrman, Holt, Rensink and Vande Hoef.

**Members Absent:** Peterson, Vice Chair (excused).

**Committee Business:** Assigned bills to subcommittees and recommended passage of House File 2317.

**Adjourned:** 8:20 a.m.

## AMENDMENTS FILED

S—5420	S. F.	2122	Ray Taylor
S—5421	S. F.	2296	Charles Bruner
			Larry Murphy
			Richard Varn
S—5422	S. F.	2254	Joy Corning
S—5423	S. F.	2005	Joy Corning
S—5424	S. F.	2312	Lee Holt
S—5425	S. F.	2296	John A. Peterson
S—5426	H. F.	2192	Natural Resources
S—5427	S. F.	2282	Judiciary
S—5428	H. F.	185	Judiciary
S—5429	S. F.	2273	Bob Carr
S—5430	S. F.	2234	Jim Lind
S—5431	H. F.	2405	Edgar H. Holden

S-5432	S.F.	2025	Wally E. Horn
S-5433	S.F.	2284	William D. Palmer
			Beverly A. Hannon
S-5434	S.F.	2240	Jim Riordan
S-5435	H.F.	2344	Human Resources
S-5436	H.F.	2189	Human Resources
S-5437	S.F.	2312	Larry Murphy
			Richard Varn
S-5438	S.F.	2268	Alvin V. Miller
S-5439	S.F.	2312	Richard Varn
			Larry Murphy
			Joy Corning
S-5440	H.F.	2283	Larry Murphy
S-5441	S.F.	2312	John W. Jensen
			Berl E. Priebe
S-5442	S.F.	2246	Calvin O. Hultman
S-5443	S.F.	2189	Kenneth Scott
			Berl E. Priebe
S-5444	S.F.	2240	Jim Lind
S-5445	S.F.	2240	Jim Lind
S-5446	S.F.	2312	Charles Bruner
			Richard Varn

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:55 p.m., until 9:00 a.m., Friday, March 18, 1988.

# JOURNAL OF THE SENATE

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SIXTY-EIGHTH CALENDAR DAY  
FORTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, March 18, 1988

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 Thursday, March 17, 1988, 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 11, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2106**, a bill for an act prohibiting the advertisement or sale in this state of home testing kits for human immunodeficiency virus antibody or antigen testing, and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 17, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2294**, a bill for an act relating to testing for and confidentiality of human immunodeficiency virus-related matters and providing penalties.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 17, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2196**, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates (S—5447).

### COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Mr. John F. 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 following Governor's appointees as members of state boards and commissions:

February 8, 1988

John D. Watson, Iowa City, Johnson County, Iowa, for appointment to the Board of Nursing Examiners pursuant to Section 147.14(3), 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1990.

To the Iowa Grain Indemnity Fund Board pursuant to Section 543A.4, as amended, for appointment to terms beginning immediately and ending April 30, 1990:

Marie G. Ellingson, Linn County, Walker, Iowa, and Carolyn Ann Roberts, O'Brien County, Sutherland, Iowa.

Dr. Carl S. Davis, Cedar Rapids, Linn County, Iowa, for appointment to the Psychology Examining Board pursuant to Section 147.14(7), 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1988.

February 16, 1988

Charles H. Sweeney, Des Moines, Polk County, Iowa, for reappointment as Director of Inspections and Appeals pursuant to Section 10A.102, 1987 Code of Iowa, serving at the pleasure of the Governor.

Gene W. Shepard, Des Moines, Polk County, Iowa, for reappointment as Director of Public Safety pursuant to Section 80.2, 1987 Code of Iowa, serving at the pleasure of the Governor.

Mr. John B. Walters, Des Moines, Polk County, Iowa, for reappointment as Director of the Department of General Services pursuant to Section 18.2, 1987 Code of Iowa, serving at the pleasure of the Governor.

Philip Smith, Des Moines, Polk County, Iowa, for appointment as Director of the Office for State-Federal Relations pursuant to 1987 Iowa Acts, Chapter 233, Section 126, for a term beginning July 1, 1987, and serving at the pleasure of the Governor.

Edward Tubbs, Maquoketa, Jackson County, Iowa, for appointment as Superintendent of Banking pursuant to Section 524.201, 1987 Code of Iowa, to fill an unexpired term beginning October 30, 1987, and ending April 30, 1989.

Dennis Nagel, Des Moines, Polk County, Iowa, for appointment as a member and chairperson of the Utilities Board pursuant to Section 474.1, 1987 Code of Iowa, to fill an unexpired term beginning February 1, 1988, and ending April 30, 1989.

March 15, 1988

To the Accountancy Examining Board pursuant to Section 116.3, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Daryl K. Henze, Urbandale, Polk County, Iowa, for reappointment and Judy L. Kappmeyer, Iowa City, Johnson County, Iowa, for appointment.

To the Agricultural Development Authority pursuant to Section 175.3, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1994:

E.E. Engstrom, Kanawha, Hancock County, Iowa, for reappointment; Gene Geissinger, West Des Moines, Polk County, Iowa, for reappointment and Gordon E. Swenson, Rake, Winnebago County, Iowa, for appointment.

Ingwer Hansen, Hartley, O'Brien County, Iowa, for reappointment to the Alcoholic Beverages Commission pursuant to Section 123.5, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1993.

To the Architectural Examining Board pursuant to Section 118.1, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Richard W. Pattschull, Iowa City, Johnson County, Iowa, and James W. Wilkins, Des Moines, Polk County, Iowa, for reappointment.

To the Barber Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Mark A. Stansberry, Sioux City, Woodbury County, Iowa, and Donna J. Weiss, Dow City, Crawford County, Iowa, for reappointment.

Kennith Culp, Iowa City, Johnson County, Iowa, for appointment to the Board of Nursing Examiners pursuant to Section 147.14(3), 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1991.

To the Board of Parole pursuant to Section 904A.2, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1992:

Barbara Binnie, Des Moines, Polk County, Iowa, for reappointment as a full-time member and Wanda E. Everage, Des Moines, Polk County, Iowa, for appointment as a part-time member.

To the Chiropractic Examining Board pursuant to Section 147.14(8), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Dr. Ramona Kathleen Kennedy, Cherokee, Cherokee County, Iowa, for appointment; Kenneth L. Mueller, Harlan, Shelby County, Iowa, for reappointment and Sister Marilyn S. Whitty, Ames, Story County, Iowa, for appointment.

Delman L. Bowers, Waterloo, Black Hawk County, Iowa, for reappointment to the City Development Board pursuant to Section 368.9, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1994.

Robert J. Martin, Davenport, Scott County, Iowa, for reappointment to the Commission for the Blind pursuant to Section 601K.122, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1991.

To the Commission of Elder Affairs pursuant to Section 249D.11, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1992:

Vennetta M. Fiedler, Spencer, Clay County, Iowa, and Marguerite E. Stockstad, Dunlap, Harrison County, Iowa, for reappointment.

Cyndi Fisher, Spencer, Clay County, Iowa, for appointment to the Commission on Judicial Qualifications pursuant to Section 602.2102, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1989.

To the Commission on the Deaf pursuant to Section 601K.112, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

William F. Kautzky, Ankeny, Polk County, Iowa, for reappointment and James G. Snyder, Dubuque, Dubuque County, Iowa, for appointment.

To the Cosmetology Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Roger A. Chapman, Cedar Falls, Black Hawk County, Iowa, for appointment and Maxine O. Cochran, Oskaloosa, Mahaska County, Iowa, for reappointment.

To the Credit Union Review Board pursuant to Section 533.53, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Tom N. Sarvis, Dubuque, Dubuque County, Iowa; William G. Sizer, Waterloo, Black Hawk County, Iowa, and H. Idris Thomas, Mason City, Cerro Gordo County, Iowa, for reappointment.

To the Dental Examining Board pursuant to Section 147.14(4), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Carolyn A. McNeill, Perry, Dallas County, Iowa, for appointment; Vicki Reschly, Davenport, Scott County, Iowa, for appointment and Myron Zeigler, Spirit Lake, Dickinson County, Iowa, for reappointment.

To the Dietetic Examining Board pursuant to Section 147.14(11), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Charles Finch, Chariton, Lucas County, Iowa, for appointment; Richard Garrells, Mt. Pleasant, Henry County, Iowa, for appointment and Jill M. Gift, Council Bluffs, Pottawattamie County, Iowa, for reappointment.

Norma I. Lock, Des Moines, Polk County, Iowa, for reappointment to the Employment Appeal Board pursuant to Section 10A.601, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1994.

To the Engineering and Land Surveying Examining Board pursuant to Section 114.3, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Richard Marr, Muscatine County, Iowa, for reappointment to a term beginning May 1, 1988, and ending April 30, 1991.

Cheryl J. Richardson, Waukee, Dallas County, Iowa, for appointment to a term beginning May 1, 1988, and ending April 30, 1989.

Joanne L. Stockdale, Spirit Lake, Dickinson County, Iowa, for appointment to the Investment Board (IPERS) pursuant to Section 97B.8, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1993.

To the Iowa Board of Veterinary Medicine pursuant to Section 169.5, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Dean Frey, North Liberty, Linn County, Iowa, for reappointment and Janice J. Heaberlin, Pleasantville, Marion County, Iowa, for appointment.

Joanne Pettit, Council Bluffs, Pottawattamie County, Iowa, for appointment to the Iowa Economic Development Board pursuant to Section 15.103, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1992.

James H. Weinman, Indianola, Warren County, Iowa, for reappointment to the Iowa Higher Education Loan Authority pursuant to Section 261A.6, 1987 Code of Iowa for a term beginning May 1, 1988, and ending April 30, 1994.



To the Iowa High Technology Council pursuant to Section 28.51, 1987 Code of Iowa, for terms beginning immediately and ending April 30, 1991:

Joanne Grueskin, Sioux City, Woodbury County, Iowa, and Jeanne Partlow, Des Moines, Polk County, Iowa, for appointment.

To the Iowa Law Enforcement Academy Council pursuant to Section 80B.6, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1992:

Linda L. Cherry, Elkhart, Polk County, Iowa, for appointment and Marda M. Howard, New Virginia, Warren County, Iowa, for reappointment.

Molly Scott, Spencer, Clay County, Iowa, for appointment to the Iowa Railway Finance Authority pursuant to Section 307B.6, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1994.

To the Landscape Architectural Examining Board pursuant to Section 118A.3, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

M. Susan Erickson, Ames, Story County, Iowa, for appointment and Craig D. Ritland, Waterloo, Black Hawk County, for reappointment.

To the Medical Examining Board pursuant to Iowa Code Section 147.14(2), for terms beginning May 1, 1988, and ending April 30, 1991:

Dr. John R. Anderson, Boone, Boone County, Iowa, for reappointment; Dr. Charlotte A. Cleavenger, Ames, Boone County, Iowa, for appointment and Ann O'Neill, Armstrong, Emmett County, Iowa, for reappointment.

To the Mental Health and Mental Retardation Commission pursuant to Section 225C.5, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Myron L. Gookin, Fairfield, Jefferson County, Iowa, for reappointment; Keniston H. Hoppenworth, Tripoli, Bremer County, Iowa, for appointment; Orin Huseman, Rock Rapids, Lyon County, Iowa, for appointment; Vilas "Sid" L. Morris, Jr., Cedar Falls, Black Hawk County, for appointment; Sheldon Rittmer, De Witt, Clinton County, Iowa, for appointment and Yvonne M. Schildberg, Greenfield, Adair County, Iowa, for reappointment.

To the Mortuary Science Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Jan S. Miller, Des Moines, Polk County, Iowa, for reappointment and Peter R. Teahen, Cedar Rapids, Linn County, Iowa, for appointment.

To the Optometry Examining Board pursuant to Section 147.14(6), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

James W. Hartzell, Des Moines, Polk County, Iowa, for reappointment; Ruth A. McAndrews, Davenport, Scott County, Iowa, for appointment and Colleen M. Reilly, Cedar Rapids, Linn County, Iowa, for appointment.

To the Pharmacy Examining Board pursuant to Section 147.14(5), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Marian L. Roberts, Laurens, Pocahontas County, Iowa, for appointment and John F. Rode, Mt. Pleasant, Henry County, Iowa, for reappointment.

Edward T. Shonsey, West Des Moines, Polk County, Iowa, for appointment to the Personnel Commission pursuant to Section 19A.6, 1987 Code of Iowa, for a term beginning immediately and ending April 30, 1993.

To the Physical and Occupational Therapy Examining Board pursuant to Section 147.14(10), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Robert E. Anderson, Grinnell, Poweshiek County, Iowa, and John B. Wadsworth, Cedar Rapids, Linn County, Iowa, for appointment.

To the Podiatry Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Brenda M. Salocker, Fort Dodge, Webster County, Iowa, and Sandi A. Yates, Ottumwa, Wapello County, Iowa, for appointment.

To the Psychology Examining Board pursuant to Section 147.14(7), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Dr. Carl S. Davis, Cedar Rapids, Linn County, Iowa, and Phyllis S. Hansell, Des Moines, Polk County, Iowa, for reappointment.

Scot L. Beckenbaugh, Indianola, Warren County, Iowa, for reappointment to the Public Employment Relations Board pursuant to Section 20.5, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1992.

To the Real Estate Examining Board pursuant to Section 117.8, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

James R. Berry, Iowa City, Johnson County, Iowa, and Marlys Nielsen, Chariton, Lucas County, Iowa, for reappointment.

To the Respiratory Care Advisory Committee pursuant to Section 135F.13, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Benita L. Strait, Iowa City, Johnson County, Iowa, for reappointment and Steven R. Wanzek, Ames, Story County, Iowa, for appointment.

Virginia J. Poffenberger, Perry, Dallas County, Iowa, for reappointment to the Social Work Examining Board pursuant to Section 147.14(1), 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1991.

To the Speech Pathology and Audiology Examining Board pursuant to Section 147.14(9), 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Michael G. Genz, Des Moines, Polk County, Iowa, for appointment; Charles R. Gipp, Decorah, Winneshiek County, Iowa, for appointment and Michael S. Pomper, Adel, Dallas County, Iowa, for reappointment.

To the State Board of Education pursuant to Section 256.3, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1994:

Ronald J. McGauvran, Clinton, Clinton County, Iowa; Ann W. Wickman, Atlantic, Cass County, Iowa, and George Wilson, Sioux City, Woodbury County, Iowa, for appointment.

To the State Board of Examiners for Nursing Home Administrators pursuant to Section 135E.2, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Darrell E. Devick, Polk City, Polk County, Iowa, for appointment; Steven C. Dowd, Bettendorf, Scott County, Iowa, for appointment; Marcia K. Dudden, Reinbeck, Grundy County, Iowa, for reappointment; Dolores M. Gross, Defiance, Shelby County, Iowa, for appointment and Alexa L. Mayner, Independence, Buchanan County, Iowa, for reappointment.

To the State Foster Care Review Board pursuant to Section 237.16, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

Richard L. Lowery, Nora Springs, Floyd County, Iowa, for appointment and Mark Wolraich, Iowa City, Johnson County, Iowa, for reappointment.

To the State Racing Commission pursuant to Section 99D.5, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1991:

L.C. Pike, Grundy Center, Grundy County, Iowa, and Sally Prickett, Cumming, Warren County, Iowa, for reappointment.

To the State Transportation Commission pursuant to Section 307.3, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1992:

Shelda J. Beener, Cedar Falls, Black Hawk County, Iowa, and Suzan M. Stewart, Sioux City, Woodbury County, Iowa, for appointment.

Very truly yours,  
TERRY E. BRANSTAD  
Governor

**Communications were read and referred to the committee on  
Rules and Administration.**

March 15, 1988

Mr. John F. Dwyer  
Secretary of the Senate  
State Capitol Building  
L O C A L

Dear Mr. Dwyer:

Pursuant to Iowa Code Section 2.32(4), 1987, I submit the deferral of the appointment to the Accountancy Examining Board currently held by Kenneth Putzier. This deferral is due to a pending Attorney General's opinion.

Sincerely,  
Terry E. Branstad  
Governor

Pursuant to Iowa Code Section 2.32(4), 1987, I submit the deferral of the appointment to the Board of Nursing Examiners for the position currently held by Karen Sojka. This appointment has been deferred because there are no qualified individuals for consideration.

Sincerely,  
Terry E. Branstad  
Governor

Pursuant to Iowa Code Section 2.32(4), 1987, I submit the deferral of the appointment to the Criminal and Juvenile Justice Advisory Council for the position that is currently vacant due to the resignation of Russ White. This appointment has been deferred because no individual has been selected.

Sincerely,  
Terry E. Branstad  
Governor

Pursuant to Iowa Code Section 2.32(4), 1987, I submit the deferral of the Director of the Department of Transportation. This appointment has been deferred because no individual has been selected. Darrel Rensink has been selected to serve as Acting Director.

Sincerely,  
Terry E. Branstad  
Governor

Pursuant to Iowa Code Section 2.32(4), 1987, I submit the deferral of the appointment to the Iowa Economic Development Board for the position currently held by Chuck Long. This deferral is due to pending legislation that would alter the membership of the board.

Sincerely,  
Terry E. Branstad  
Governor

Pursuant to Iowa Code Section 2.32(4), 1987, I submit the deferral of the appointment to the Iowa Railway Finance Authority currently held by George Davison. This appointment has been deferred because no individual has been selected.

Sincerely,  
Terry E. Branstad  
Governor

Pursuant to Iowa Code Section 2.32(4), 1987, I submit the deferral of the Director of the Department of Education. This deferral is due to pending legislation.

Sincerely,  
Terry E. Branstad  
Governor

### QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 44 present, 6 absent and a quorum present.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2312.

#### **Senate File 2312**

On motion of Senator Varn, Senate File 2312, a bill for an act relating to the funding of, operation of, and appropriation of

moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date, was taken up for consideration.

Senator Varn offered amendment S—5382 filed by him on March 15, 1988, to pages 1 through 3, 5 through 7, 10 through 12, 14, 15, 20, and 24 through 29 of the bill and moved its adoption.

Amendment S—5382 was adopted by a voice vote.

Senator Holt offered amendment S—5424 filed by him on March 17, 1988, to pages 2 and 34 of the bill and moved its adoption.

Amendment S—5424 was adopted by a voice vote.

Senator Murphy offered amendment S—5449 filed by him from the floor to page 8 of the bill and moved its adoption.

Amendment S—5449 was adopted by a voice vote.

With the adoption of amendment S—5382, the Chair ruled amendment S—5450 filed by Senator Tieden from the floor to page 11 of the bill, out of order.

Senator Welsh asked and received unanimous consent that action on amendment S—5383 filed by him on March 15, 1988, to pages 18 through 20 of the bill be deferred.

Senator Varn offered amendment S—5439 filed by Senators Varn, Murphy and Corning on March 17, 1988, to page 20 of the bill and moved its adoption.

Amendment S—5439 was adopted by a voice vote.

Senator Bruner offered amendment S—5446 filed by Senators Bruner and Varn on March 17, 1988, to page 29 of the bill and moved its adoption.

Amendment S—5446 was adopted by a voice vote.

Senator Jensen offered amendment S—5441 filed by Senators Jensen and Priebe on March 17, 1988, to page 30 of the bill.

Senator Varn asked unanimous consent that action on amendment S—5441 be deferred.

Senator Varn withdrew his request to defer action on amendment S—5441.

Senator Jensen moved the adoption of amendment S—5441 and requested a record roll call.

On the question “Shall amendment S—5441 be adopted?” (S.F 2312) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Boswell	Corning	Dieleman	Drake
Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Holt	Hultman
Husak	Jensen	Lind	Nystrom
Priebe	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef			

Nays, 24:

Bruner	Carr	Coleman	Deluhery
Doyle	Fraise	Gettings	Gronstal
Hannon	Horn	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Readinger
Riordan	Varn	Wells	Welsh

Absent or not voting, 1:

Schwengels

Amendment S—5441 was adopted.

Senator Murphy offered amendment S—5437 filed by Senators Murphy and Varn on March 17, 1988, to page 34 of the bill and moved its adoption.

Amendment S—5437 was adopted by a voice vote.

Senator Varn offered amendment S—5451 filed by Senators Varn and Hutchins from the floor to page 11 of the bill and moved its adoption.

Amendment S—5451 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2312** be deferred.

## HOUSE AMENDMENT CONSIDERED

### **Senate File 2196**

Senator Drake called up for consideration Senate File 2196, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates, amended by the House in House amendment S—5447 filed March 18, 1988.

Senator Rife offered amendment S—5452 filed by him from the floor to pages 2 and 9 of House amendment S—5447.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Dieleman for the remainder of the day on request of Senator Hutchins.

## BUSINESS PENDING

### **Senate File 2196**

The Senate resumed consideration of Senate File 2196.

Senator Rife moved the adoption of amendment S—5452 to House amendment S—5447 and requested a record roll call.

On the question “Shall amendment S—5452 to House amendment S—5447 be adopted?” (S.F. 2196) the vote was:

Ayes, 23:

Boswell  
Hall  
Husak  
Priebe

Coleman  
Hannon  
Jensen  
Rensink

Doyle  
Hester  
Mann  
Rife

Gettings  
Hultman  
Peterson  
Riordan



Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	

Nays, 25:

Bruner	Carr	Corning	Deluhery
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Holden	Holt
Horn	Hutchins	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Readinger	Wells
Welsh			

Absent or not voting, 2:

Dieleman	Schwengels
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Amendment S—5452 lost.

Senator Boswell offered amendment S—5454 filed by him from the floor to pages 6 and 9 of House amendment S—5447 and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 27.

Amendment S—5454 lost.

Senator Bruner offered amendment S—5456 filed by him from the floor to page 9 of House amendment S—5447.

Senator Hultman raised the point of order that amendment S—5456 to House amendment S—5447 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5456 out of order.

Senator Boswell offered amendment S—5459 filed by him from the floor to pages 6 and 9 of House amendment S—5447.

A record roll call was requested.

On the question "Shall amendment S—5459 to House amendment S—5447 be adopted?" (S.F. 2196) the vote was:

Ayes, 20:

Boswell	Coleman	Doyle	Fraise
Gettings	Hall	Hannon	Horn
Husak	Mann	Miller, C.P.	Palmer
Peterson	Priebe	Rife	Riordan
Sturgeon	Tieden	Varn	Wells

Nays, 27:

Bruner	Carr	Corning	Drake
Fuhrman	Gentleman	Goodwin	Gronstal
Hester	Holden	Holt	Hultman
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Murphy	Nystrom
Readinger	Rensink	Scott	Soorholtz
Taylor	Vande Hoef	Welsh	

Absent or not voting, 3:

Deluhery	Dieleman	Schwengels
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Amendment S—5459 lost.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2196** and House amendment S—5447 be **deferred**.

## BUSINESS PENDING

### Senate File 2312

The Senate resumed consideration of Senate File 2312, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date, and amendment S—5383, previously deferred.

Senator Lind offered amendment S—5455 filed by him from the floor to page 11 of the bill and moved its adoption.

Amendment S—5455 was adopted by a voice vote.

Senator Rife offered amendment S—5453 filed by him from the floor to page 14 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5453 be adopted?” (S.F. 2312) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Coleman	Corning	Deluhery	Doyle
Drake	Fuhrman	Gentleman	Hall
Holt	Hultman	Jensen	Kinley
Lind	Mann	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Scott	Soorholtz	Taylor	Tieden

Nays, 22:

Boswell	Bruner	Carr	Fraise
Gettings	Goodwin	Gronstal	Hannon
Horn	Husak	Hutchins	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Rensink
Riordan	Sturgeon	Vande Hoef	Varn
Wells	Welsh		

Absent or not voting, 4:

Dieleman	Hester	Holden	Schwengels
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Amendment S—5453 was adopted.

Senator Varn offered amendment S—5458 filed by Senators Varn and Hutchins from the floor to page 24 of the bill and moved its adoption.

Amendment S—5458 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2312** be **deferred**.

## CONSIDERATION OF BILL (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up out of order Senate File 2169.

### **Senate File 2169**

On motion of Senator Horn, Senate File 2169, a bill for an act relating to physician assistants, establishing a joint board of physician assistant examiners, providing for the registration and licensure of physician assistants, making penalties applicable, providing properly related matters, and providing an effective date, was taken up for consideration.

Senator Holden asked and received unanimous consent to withdraw amendment S—5189 filed by Senators Holden, Gentleman and Readinger on February 29, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Drake offered amendment S—5142 filed by him on February 25, 1988, to pages 2, 4 through 6, 11, 12 and the title page of the bill and moved its adoption.

Amendment S—5142 was adopted by a voice vote.

Senator Varn offered amendment S—5134 filed by Senators Varn, et al., on February 24, 1988, to page 3 of the bill and moved its adoption.

Amendment S—5134 was adopted by a voice vote.

Senator Murphy offered amendment S—5206 filed by him on March 2, 1988, to page 4 of the bill and moved its adoption.

Amendment S—5206 was adopted by a voice vote.

Senator Horn offered amendment S—5181 filed by him on February 29, 1988, to page 6 of the bill and moved its adoption.

Amendment S—5181 was adopted by a voice vote.

Senator Horn offered amendment S—5179 filed by him from the floor on February 29, 1988, to page 8 of the bill and moved its adoption.

Amendment S—5179 was adopted by a voice vote.

Senator Horn offered amendment S—5340 filed by Senator Dieleman on March 11, 1988, to page 9 of the bill and moved its adoption.

Amendment S—5340 was adopted by a voice vote.

Senator Horn offered amendment S—5178 filed by him on February 29, 1988, to page 9 of the bill and moved its adoption.

Amendment S—5178 was adopted by a voice vote.

Senator Readinger offered amendment S—5149 filed by him on February 26, 1988, to page 12 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 27.

Amendment S—5149 lost.

Senator Lind 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—5134 to Senate File 2169 was adopted by the Senate on March 18, 1988.

A non record roll call was requested.

The ayes were 24, nays 17.

The motion prevailed and amendment S—5134 by Senators Varn, et al., to page 3 of the bill was taken up for reconsideration.

Senator Varn moved the adoption of amendment S—5134.

A non record roll call was requested.

The ayes were 12, nays 30.

Amendment S—5134 lost.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2169** be **deferred**.

## BUSINESS PENDING

### **Senate File 2196**

The Senate resumed consideration of Senate File 2196, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates, and House amendment S—5447, previously deferred.

Senator Boswell offered amendment S—5462 filed by Senators Boswell and Gettings from the floor to pages 1 through 9 of House amendment S—5447.

Senator Drake raised the point of order that amendment S—5462 to House amendment S—5447 was not germane.

The Chair ruled the point well taken and amendment S—5462 out of order.

President pro tempore Kinley took the chair at 1:45 p.m.

Senator Peterson asked and received unanimous consent that further action on House amendment S—5447 and **Senate File 2196** be **deferred**.

## BUSINESS PENDING

### **Senate File 2312**

The Senate resumed consideration of Senate File 2312, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date, and amendment S—5383, previously deferred.

Senator Welsh offered amendment S—5461 filed by Senators Welsh, Rensink and Carr from the floor to pages 18 through 20 of the bill.

Action on amendment S—5461 was temporarily deferred.

Senator Lind offered amendment S—5460 filed by him from the floor to page 29 of the bill and moved its adoption.

Amendment S—5460 was adopted by a voice vote.

Senator Murphy asked and received unanimous consent to withdraw amendment S—5465 filed by Senators Murphy and Varn for the floor to page 30 of the bill.

Senator Welsh withdrew amendment S—5383 to pages 18 through 20 of the bill, previously deferred.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2312** be **deferred**.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2257.

#### **Senate File 2257**

On motion of Senator Carr, Senate File 2257, a bill for an act relating to expenses and compensation for the state judicial nominating commission, 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. 2257) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman

Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 3:

Lind	Miller, C.P.	Taylor
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Absent or not voting, 3:

Dieleman	Gettings	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### 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 WITHDRAWN

#### Senate File 2205

Senator Priebe withdrew the motion to reconsider Senate File 2205, a bill for an act relating to interstate natural gas pipelines by establishing a new chapter to define jurisdiction over interstate natural gas pipelines, removing references to interstate natural gas pipelines from the current chapter relating to pipelines and natural gas storage, and adjusting fees, filed by him on March 17, 1988, and found on page 874 of the Senate Journal.

### BUSINESS PENDING

#### Senate File 2312

The Senate resumed consideration of Senate File 2312, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date, and amendment S—5461



by Senators Welsh, Rensink and Carr to pages 18 through 20 of the bill, previously deferred.

Senator Murphy offered amendment S—5467 filed by Senators Murphy and Tieden from the floor to amendment S—5461 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5467 to amendment S—5461 be adopted?" (S.F. 2312) the vote was:

Ayes, 13:

Goodwin	Hannon	Horn	Hultman
Jensen	Lind	Murphy	Readinger
Rife	Scott	Taylor	Tieden
Vande Hoef			

Nays, 32:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gronstal
Hall	Hester	Holden	Holt
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A. V.	Nystrom	Palmer
Peterson	Priebe	Rensink	Soorholtz
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 5:

Dieleman	Gettings	Miller, C.P.	Riordan
Schwengels			

Amendment S—5467 lost.

Senator Welsh moved the adoption of amendment S—5461, 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. 2312) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Goodwin	Gronstal
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	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 4:

Gentleman	Hall	Hultman	Tieden
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Absent or not voting, 4:

Dieleman	Gettings	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.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2257, 2205 and 2312** be **immediately messaged** to the House.

### UNFINISHED BUSINESS (Deferred March 15, 1988)

#### Senate File 2246

The Senate resumed consideration of Senate File 2246, a bill for an act relating to the penalties for water pollution and hazardous waste disposal, and amendment S—5337 by Senator Varn, deferred on March 15, 1988.

Senator Varn withdrew amendment S—5337 to pages 1 through 4 of the bill.

Senator Hultman offered amendment S—5442 filed by him on March 17, 1988, to pages 1 through 4 of the bill and moved its adoption.

Amendment S—5442 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. 2246) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 27:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Gronstal
Hannon	Horn	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Riordan	Scott	Sturgeon
Varn	Wells	Welsh	

Nays, 18:

Boswell	Fraise	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Jensen	Nystrom	Readinger
Rensink	Rife	Soorholtz	Taylor
Tieden	Vande Hoef		

Absent or not voting, 5:

Dieleman	Gettings	Hultman	Miller, C.P.
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## UNFINISHED BUSINESS (Deferred March 15, 1988)

### Senate File 2284

The Senate resumed consideration of Senate File 2284, a bill

for an act relating to the disclosure of mental health information, deferred March 15, 1988.

Senator Palmer offered amendment S—5433 filed by Senators Palmer and Hannon on March 17, 1988, to page 3 of the bill and moved its adoption.

Amendment S—5433 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?” (S.F. 2284) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Varn	Wells	Welsh

Nays, 6:

Coleman	Holt	Jensen	Mann
Rife	Vande Hoef		

Absent or not voting, 4:

Dieleman	Gettings	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.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that Senate Files 2284 and 2246 be **immediately messaged** to the House.

## BUSINESS PENDING

## Senate File 2196

The Senate resumed consideration of Senate File 2196, a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates, and House amendment S—5447, previously deferred.

Senator Peterson offered amendment S—5468 filed by Senators Peterson and Sturgeon from the floor to page 4 of House amendment S—5447 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5468 to House amendment S—5447 be adopted?” (S.F. 2196) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 19:

Bruner	Carr	Coleman	Doyle
Gronstal	Hannon	Horn	Husak
Lloyd-Jones	Mann	Murphy	Peterson
Priebe	Riordan	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 27:

Boswell	Corning	Deluhery	Drake
Fraise	Fuhrman	Gentleman	Goodwin
Hall	Hester	Holden	Holt
Hultman	Hutchins	Jensen	Kinley
Lind	Miller, A.V.	Nystrom	Palmer
Readinger	Rensink	Rife	Scott
Taylor	Tieden	Vande Hoef	

Absent or not voting, 4:

Dieleman	Gettings	Miller, C.P.	Schwengels
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Amendment S—5468 lost.

Senator Drake moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2196) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Bruner	Carr	Corning	Deluhery
Fraise	Fuhrman	Gentleman	Goodwin
Gronstal	Holden	Holt	Horn
Hutchins	Jensen	Lind	Lloyd-Jones
Miller, A.V.	Nystrom	Readinger	Rensink
Scott	Taylor	Vande Hoef	Welsh

Nays, 22:

Boswell	Coleman	Doyle	Drake
Hall	Hannon	Hester	Hultman
Husak	Kinley	Mann	Murphy
Palmer	Peterson	Priebe	Rife
Riordan	Soorholtz	Sturgeon	Tieden
Varn	Wells		

Absent or not voting, 4:

Dieleman	Gettings	Miller, C.P.	Schwengels
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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 AND BILL PASSED

### Senate File 2169

Senator Palmer withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5340 to Senate File 2169 was adopted by the Senate on March 18, 1988.

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. 2169) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gronstal	Hannon	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Priebe
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Wells
Welsh			

Nays, 11:

Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Palmer	Peterson
Readinger	Rensink	Varn	

Absent or not voting, 6:

Dieleman	Gettings	Holt	Miller, C.P.
Schwengels	Vande Hoef		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**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:

Marguerite E. Stockstad as a member of the Commission of Elder Affairs.

L. Ted Sloane as a member of the Council on Human Services.

Joe S. Tursi as a member of the State Health Facilities Council.

Lorraine Tate as a member of the Alcoholic Beverages Commission.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	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	Rensink
Scott	Soorholtz	Taylor	Tieden
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 11:

Dieleman	Gettings	Holt	Miller, C.P.
Priebe	Readinger	Rife	Riordan
Schwengels	Sturgeon	Vande Hoef	

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.



## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2169** 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 17, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2443**, a bill for an act relating to and making appropriations to the justice system and providing an effective date.

This bill was read first time and **passed on file**.

**House File 2444**, a bill for an act relating to regulatory bodies of state government by making appropriations to agencies, boards, commissions, departments, and programs of state government including the auditor of state, campaign finance, employment services, labor services, industrial services, job services, inspections and appeals, commerce, professional licensing and regulation, insurance, alcoholic beverages, banking, credit union, savings and loan, and utilities, by mandating certain studies, policies, and other actions by certain regulatory bodies, by increasing certain fees, by allocating certain expenses between state agencies, and by exempting certain regulatory personnel from the merit pay system and providing an effective date.

This bill was read first time and **passed on file**.

## INTRODUCTION OF BILLS

**Senate File 2314**, by committee on Appropriations, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee,

mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, transferring motor vehicle enforcement investigators from the state department of transportation to the department of public safety, and providing effective dates.

Read first time and **placed on Appropriations Calendar.**

**Senate File 2315**, by committee on Appropriations, a bill for an act making an appropriation from the road use tax fund of the state to a certain person in settlement of claims made against the state of Iowa.

Read first time and **placed on Appropriations Calendar.**

**Senate File 2316**, by Hutchins and Hultman, a bill for an act relating to the establishment of a division on the status of blacks within the department of human rights.

Read first time and **passed on file.**

**Senate File 2317**, by Hutchins and Hultman, a bill for an act relating to the date by which the collection services center of the department of human services shall be fully effective.

Read first time and **passed on file.**

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS

**Convened:** March 17, 1988, 2:15 p.m.

**Members Present:** Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Peterson, Readinger, Riordan, Sturgeon and Varn.

**Members Absent:** Lloyd-Jones and Schwengels.

**Committee Business:** Approved LSBs 8249 and 8435 as committee bills.

**Adjourned:** 2:55 p.m.

#### HUMAN RESOURCES

**Convened:** March 17, 1988, 1:35 p.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Coleman, Corning, Lind (arrived 1:47 p.m.), Murphy, C. Miller (arrived 1:47 p.m.), Readinger and Sturgeon.

**Members Absent:** Taylor.

**Committee Business:** Assigned a bill to subcommittee; recommended passage of House Files 2344 and 2189 as amended; recommended passage of House File 2313.

**Adjourned:** 2:05 p.m.

#### NATURAL RESOURCES

**Convened:** March 17, 1988, 8:35 a.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Doyle, Goodwin, Hannon, Hester, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Schwengels, Ranking Member (excused) and Husak.

**Committee Business:** Assigned bills to subcommittees; recommended passage of House Files 2192, 2016 and 2158.

**Adjourned:** 8:45 a.m.

## COMMUNICATIONS

The following communications were received and placed on file in the office of the Secretary of the Senate:

### DEPARTMENT OF INSPECTIONS AND APPEALS

The Annual Report, pursuant to Chapter 7E.3(4), Code of Iowa.

### LEGISLATIVE EXTENDED ASSISTANCE GROUP

New LEAG report on traumatic head and spinal cord injuries.

## COMMITTEE REPORTS

### APPROPRIATIONS

**Final Bill Action:** SENATE FILE 2314, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, transferring motor vehicle enforcement investigators from the state department of transportation to the department of public safety, and providing effective dates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 14: Welsh, Husak, Tieden, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, 1: Lind. Absent or not voting, 3: Boswell, Lloyd-Jones and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2315, a bill for an act making an appropriation from the road use tax fund of the state to a certain person in settlement of claims made against the state of Iowa.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Welsh, Husak, Tieden, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 3: Boswell, Lloyd-Jones and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Coach Tom Murr and the Dike High School girls' basketball team ("Bobcats") — For winning the 1988 Girls' State six-player high school basketball tournament. Senator Jensen (March 12, 1988).

Coach Chuck Bredlow and the Grundy Center Lady Spartans girls' basketball team — For participation in the 1988 Girls' State six-player high school basketball tournament. Senator Jensen (March 12, 1988).

## MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2196 failed to pass the Senate on March 18, 1988.

RICHARD F. DRAKE

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2196 failed to pass the Senate on March 18, 1988.

JIM R. RIORDAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2196 failed to pass the Senate on March 18, 1988.

JAMES D. WELLS

## PRESENTATION OF VISITORS

President Zimmerman welcomed members of the Ballet Folklorico dancers from the university of Yucatan, who were visiting Iowa under the sponsorship of Iowa-Yucatan Partners of the Americas and through a grant of Avon Cosmetics of Mexico.

The following visitors who present in the Senate gallery:

Seventh and eighth grade students from Jones Junior High and Washington Junior High Schools, Dubuque, Iowa, accompanied by Gary Reid and Gary Kruse. Senator Carr.

Five eighth grade students from Jones Junior High School, Creston, Iowa. Senator Boswell.

Fifty fifth grade students from Cody Elementary School, LeClaire, Iowa, accompanied by Sonia Vogel. Senator Holden.

#### SUBCOMMITTEE ASSIGNMENT

##### House File 2416

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: A. Miller, Chair; Hannon and Fuhrman.

#### STUDY BILL RECEIVED

##### SSB 2266 Ways and Means

Relating to the exclusion of a certain portion of United States central intelligence agency retirement and disability benefits for state income tax purposes and providing retroactive applicability and effective dates.

#### BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	2316	State Government
S.F.	2317	Human Resources
H.F.	2106	Human Resources
H.F.	2294	Human Resources
H.F.	2427	Agriculture
H.F.	2443	Appropriations

#### AMENDMENTS FILED

S—5447	S.F.	2196	House amendment
S—5448	H.F.	102	Linn Fuhrman
			Richard Varn
S—5449	S.F.	2312	Larry Murphy
S—5450	S.F.	2312	Dale L. Tieden
S—5451	S.F.	2312	Richard Varn
			Bill Hutchins
S—5452	S.F.	2196	Jack Rife
S—5453	S.F.	2312	Jack Rife

S—5454	S.F.	2196	Leonard L. Boswell
S—5455	S.F.	2312	Jim Lind
S—5456	S.F.	2196	Charles Bruner
S—5457	S.F.	2283	Jim Lind
S—5458	S.F.	2312	Richard Varn Bill Hutchins
S—5459	S.F.	2196	Leonard Boswell
S—5460	S.F.	2312	Jim Lind
S—5461	S.F.	2312	Joe J. Welsh Wilmer Rensink Bob Carr
S—5462	S.F.	2196	Leonard L. Boswell Don Gettings
S—5463	S.F.	2251	Linn Fuhrman
S—5464	H.F.	2285	Ray Taylor Charles Bruner
S—5465	S.F.	2312	Larry Murphy Richard Varn
S—5466	S.F.	2314	Larry Murphy
S—5467	S.F.	2312	Larry Murphy Dale L. Tieden
S—5468	S.F.	2196	John Peterson Al Sturgeon
S—5469	S.F.	2282	Tom Mann, Jr.
S—5470	S.F.	2251	Edgar H. Holden
S—5471	S.F.	2139	Jean Lloyd-Jones Larry Murphy Eugene S. Fraise

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:00 p.m., until 10:00 a.m., Monday, March 21, 1988.

# JOURNAL OF THE SENATE

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SEVENTY-FIRST CALENDAR DAY  
FORTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 21, 1988

The Senate met in regular session at 10:10 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Paul Pfaltzgraff, retired minister of the Methodist Church, Ackley, Iowa.

The Journal of Friday, March 18, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the day and March 22, 1988, on request of Senator Hultman and Senator Bruner for the day on request of Senator Gronstal.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

## CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2017.

### Senate File 2017

On motion of Senator Holden, Senate File 2017, a bill for an act relating to handicapped parking and the use, issuance, and display of handicapped identification devices, stickers, signs, and plates, making penalties applicable; and providing an effective



date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5201 filed by the committee on Transportation on March 2, 1988, to pages 1 through 4 and the title page of the bill and moved its adoption.

Amendment S—5201 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. 2017) the vote was:

Ayes, 47:

Boswell	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	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Bruner	Schwengels	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.

Senator Hutchins asked and received unanimous consent that **Senate File 2017** 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.

**CONSIDERATION OF BILL  
(Appropriations Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2314.

**Senate File 2314**

On motion of Senator Gettings, Senate File 2314, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, transferring motor vehicle enforcement investigators from the state department of transportation to the department of public safety, and providing effective dates, was taken up for consideration.

(Senate File 2314 pending on recess.)

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 12:07 p.m., until 1:30 p.m.

## APPENDIX

### REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2312, the following corrections were made;

(Page and line numbers refer to the Reprint).

1. Page 20, line 7, the number "23" was changed to the number "27".
2. Page 20, line 13, the numbers "24 and 25" were changed to the numbers "28 and 29".
3. Page 33, line 22, the number "43" was changed to the number "49".
4. Page 33, line 26, the number "43" was changed to the number "49".
5. Page 33, line 27, the number "43" was changed to the number "49".
6. Page 33, line 28, the number "43" was changed to the number "49".
7. Page 34, line 2, the number "43" was changed to the number "49".
8. Page 34, line 3, the number "43" was changed to the number "49".
9. Page 34, line 4, the number "43" was changed to the number "49".
10. Page 34, line 14, the number "43" was changed to the number "49".
11. Page 40, line 9, the numbers "32 through 41" were changed to the numbers "37 through 46".
12. Page 40, line 11, the numbers "50 through 56" were changed to the numbers "55 through 61".
13. Page 40, line 14, the numbers "30 and 44" were changed to the numbers "34 and 50".

JOHN F. DWYER  
Secretary of the Senate

## PETITIONS

The following petitions opposing any increase in beer, wine or liquor taxes were presented and placed on file by:

Senator Doyle from fifty-five residents of Woodbury County.

Senator Kinley from fifty-five residents of Polk County.

Senator Miller of Des Moines from fifty-five residents of Des Moines County.

Senator Murphy from fifty-five residents of Fayette County.

Senator Schwengels from fifty-six residents of Jefferson County.

Senator Scott from forty-nine residents of Howard County.

Senator Tieden from two hundred twenty residents of Clayton and Winneshiek Counties.

The following petition was presented and placed on file by:

Senator Gronstal from five hundred forty-one residents of Pottawattamie and Harrison Counties favoring the resurfacing of Highway 183 from Crescent to Loveland, Iowa.

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifteen fifth through eighth grade students from Shenandoah Middle School, Shenandoah, Iowa, accompanied by Mr. Calderen. Senator Hultman.

Senator Boswell from fifteen sixth grade students from Grand Valley Community School, Grand River, Iowa, accompanied by Janice Stevenson. Senator Boswell.

The following visitors were present in the Senate gallery:

Thirty-five sixth grade students from Twin Cedars Elementary School, Bussey, Iowa, accompanied by Joan Anderson and Mark Law. Senator Dieleman.

### COMMITTEE REPORT

#### RULES AND ADMINISTRATION

**Final Bill Action:** HOUSE CONCURRENT RESOLUTION 27, a resolution to approve and confirm the appointment of the citizens' aide.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 6: Hutchins, Gronstal, Hultman, Kinley, Gettings and Jensen.  
Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment S—5447 to Senate File 2196 on March 18, 1988.

JIM LIND

### SUBCOMMITTEE ASSIGNMENTS

#### Senate File 2317

HUMAN RESOURCES: Carr, Chair; Bruner and Gentleman

#### House File 566

EDUCATION: Riordan, Chair; Horn and Lind

#### House File 2106

HUMAN RESOURCES: Readinger, Chair; Hannon, Sturgeon, Murphy and Corning

#### House File 2240

TRANSPORTATION: Gettings, Chair; Drake and Jensen

#### House File 2294

HUMAN RESOURCES: Sturgeon, Chair; Hannon, Murphy, Corning and Readinger

#### House File 2386

SMALL BUSINESS AND ECONOMIC DEVELOPMENT: Scott, Chair; Riordan and Holt

#### House File 2370

LOCAL GOVERNMENT: Wells, Chair; Kinley and Taylor

**House File 2388**

LOCAL GOVERNMENT: Horn, Chair; Fraise and Vande Hoef

**House File 2414**

EDUCATION: Varn, Chair; Bruner and Rensink

**House File 2423**

LOCAL GOVERNMENT: A. Miller, Chair; Hall and Wells

**House File 2426**

LOCAL GOVERNMENT: A. Miller, Chair; Wells and Hall

**SSB 2266**

WAYS AND MEANS: Riordan, Chair; Boswell and Holden

**AMENDMENTS FILED**

S-5472	H.F.	2283	Larry Murphy Jim Riordan Dale Tieden John W. Jensen Berl E. Priebe Richard Varn
S-5473	S.F.	2314	Dale L. Tieden Emil J. Husak
S-5474	S.F.	2314	Donald Gettings
S-5475	S.F.	2314	Donald Gettings
S-5476	S.F.	2199	Berl E. Priebe
S-5477	S.F.	2314	Joe Welsh Lee W. Holt
S-5478	S.F.	2314	Donald Gettings
S-5479	H.F.	105	Eugene Fraise
S-5480	S.F.	2277	Bob Carr
S-5481	S.F.	2103	John W. Jensen
S-5482	S.F.	2314	C. Joseph Coleman
S-5483	S.F.	2314	Lee Holt
S-5484	H.F.	2283	Al Sturgeon

## AFTERNOON SESSION

The Senate reconvened at 1:34 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 40 present, 10 absent and a quorum present.

## BUSINESS PENDING

### Senate File 2314

The Senate resumed consideration of Senate File 2314, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, transferring motor vehicle enforcement investigators from the state department of transportation to the department of public safety, and providing effective dates, pending on recess.

Senator Vande Hoef offered amendment S—5485 filed by Senators Vande Hoef and Miller of Cerro Gordo from the floor to page 2 of the bill and moved its adoption.

Amendment S—5485 was adopted by a voice vote.

Senator Gettings offered amendment S—5478 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—5478 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent that action on amendment S—5477 filed by Senators Welsh and Holt from the floor to page 8 of the bill be deferred.

Senator Gettings offered amendment S—5487 filed by him from the floor to page 14 of the bill and moved its adoption.

Amendment S—5487 was adopted by a voice vote.

Senator Murphy offered amendment S—5466 filed by him on March 18, 1988, to page 15 of the bill and moved its adoption.

Amendment S—5466 was adopted by a voice vote.

Senator Gettings offered amendment S—5474 filed by him from the floor to page 19 of the bill and moved its adoption.

Amendment S—5474 was adopted by a voice vote.

Senator Holt offered amendment S—5483 filed by him from the floor to page 19 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 28, nays 18.

Amendment S—5483 was adopted.

Senator Gettings offered amendment S—5475 filed by him from the floor to page 24 of the bill and moved its adoption.

Amendment S—5475 was adopted by a voice vote.

Senator Palmer offered amendment S—5488 filed by Senators Palmer and Welsh from the floor to page 25 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 24, nays 22.

Amendment S—5488 was adopted.

Senator Tieden offered amendment S—5473 filed by Senators Tieden and Husak from the floor to page 30 of the bill and moved its adoption.

Amendment S—5473 was adopted by a voice vote.

Senator Coleman offered amendment S—5482 filed by him from the floor to page 34 of the bill and moved its adoption.



Amendment S—5482 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—5477 by Senators Welsh and Holt to page 8 of the bill, previously deferred.

Amendment S—5477 was adopted by a voice vote.

Senator Dieleman asked and received unanimous consent that action on amendment S—5490 filed by him from the floor to pages 9 through 11, 16, 17, 19 through 24, 26 through 30, 33 and 34 of the bill be deferred.

Senator Vande Hoef offered amendment S—5491 filed by Senators Vande Hoef and Coleman from the floor to pages 10 through 12 of the bill, moved its adoption and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 23.

Amendment S—5491 lost.

Senator Priebe offered amendment S—5489 filed by him from the floor to page 17 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 33, nays 10.

Amendment S—5489 was adopted.

With the adoption of amendment S—5488, the Chair ruled amendment S—5492 filed by Senator Drake from the floor to pages 24 and 25 of the bill, out of order.

Senator Drake offered amendment S—5493 filed by him from the floor to page 24 of the bill and moved its adoption.

Amendment S—5493 lost by a voice vote.

Senator Welsh offered amendment S—5494 filed by him from the floor to page 33 of the bill and moved its adoption.

Amendment S—5494 was adopted by a voice vote.

Senator Welsh offered amendment S—5495 filed by him from the floor to pages 9 through 11, 16, 17, 19 through 24, 26 through 30, 33, 34 and the title page of the bill and moved its adoption.

Amendment S—5495 was adopted by a voice vote.

With the adoption of amendment S—5495, the Chair ruled amendment S—5490 by Senator Dieleman to pages 9 through 11, 16, 17, 19 through 24, 26 through 30, 33, 34 and the title page of the bill, previously deferred, 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. 2314) the vote was:

Ayes, 32:

Boswell	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Holt
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Scott
Sturgeon	Varn	Wells	Welsh

Nays, 14:

Coleman	Fuhrman	Hall	Hannon
Hester	Holden	Hultman	Jensen
Lind	Rife	Soorholtz	Taylor
Tiedjen	Vande Hoef		

Absent or not voting, 4:

Bruner	Gentleman	Murphy	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2314 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 2005.

### Senate File 2005

On motion of Senator Corning, Senate File 2005, a bill for an act to prohibit the use of corporal punishment in approved or accredited schools, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Corning offered amendment S—5215 filed by the committee on Education on March 3, 1988, to page 1 of the bill.

Senator Horn offered amendment S—5263 filed by him on March 8, 1988, to amendment S—5215 and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 16.

Amendment S—5263 was adopted.

Senator Corning moved the adoption of amendment S—5215 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5215 as amended, the Chair ruled amendment S—5423 filed by Senator Corning on March 17, 1988, to page 1 of the bill, out of order.

Senator Corning moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2005) the vote was:

Ayes, 45:

Boswell  
Deluhery  
Fuhrman  
Gronstal  
Holden  
Hutchins  
Lloyd-Jones

Carr  
Doyle  
Gentleman  
Hall  
Holt  
Jensen  
Mann

Coleman  
Drake  
Gettings  
Hannon  
Horn  
Kinley  
Miller, A.V.

Corning  
Fraise  
Goodwin  
Hester  
Husak  
Lind  
Miller, C.P.

Murphy  
Readinger  
Scott  
Tieden  
Welsh

Nystrom  
Rensink  
Soorholtz  
Vande Hoef

Palmer  
Rife  
Sturgeon  
Varn

Priebe  
Riordan  
Taylor  
Wells

Nays, 2:

Dieleman

Peterson

Absent or not voting, 3:

Bruner

Hultman

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2005 be immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2106.

### **Senate File 2106**

On motion of Senator Varn, Senate File 2106, a bill for an act relating to the prohibition of the sale, offering for sale, purchase, application, or use of chlordane in this state, and making a penalty applicable, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—5362 filed by him on March 15, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5362 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. 2106) the vote was:

Ayes, 37:

Boswell  
Deluhery  
Fraise  
Hannon

Carr  
Dieleman  
Gettings  
Holden

Coleman  
Doyle  
Gronstal  
Horn

Corning  
Drake  
Hall  
Husak

Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Varn	Wells
Welsh			

Nays, 11:

Fuhrman	Gentleman	Goodwin	Hester
Holt	Hultman	Jensen	Peterson
Readinger	Tieden	Vande Hoef	

Absent or not voting, 2:

Bruner	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2106** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2297.

### **Senate File 2297**

On motion of Senator Gronstal, Senate File 2297, a bill for an act relating to the investment powers and duties of financial institutions by requiring certain disclosures, by mandating the adoption of a community reinvestment rating system by rule, and by conditioning participation in certain state programs and the deposit of public funds on a financial institution's receipt of an acceptable rating, was taken up for consideration.

Senator Gronstal offered amendment S—5379 filed by him on March 15, 1988, to pages 1 through 5 of the bill and moved its adoption.

Amendment S—5279 was adopted by a voice vote.

Senator Gronstal offered amendment S—5370 filed by him on March 15, 1988, to page 4 of the bill.

Senator Readinger raised the point of order that amendment S—5370 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5370 in order.

Senator Hutchins asked and received unanimous consent that further action on amendment S—5370 and **Senate File 2297** be **deferred**.

### MOTION TO RECONSIDER LOST

#### **Senate File 2240**

Senator Riordan called up the motion to reconsider Senate File 2240, a bill for an act relating to the registration of construction contractors; providing for administration of the system of registration by the secretary of state; requiring display of the registration number; requiring as a condition of registration that the contractor be insured for general liability or be bonded, be in compliance with workers' compensation laws, and possess an account number for purposes of unemployment compensation; prohibiting the award of state contracts to nonregistered contractors; providing for investigations and enforcement by the labor commissioner; providing for administrative penalties; providing for the formation of a coordinating group; providing an effective date; and providing other properly related matters, filed by him on March 17, 1988, found on page 873 of the Senate Journal and moved its adoption.

On the question "Shall the motion to be reconsider be adopted?" (S.F. 2240) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Carr  
Fraise  
Horn  
Lloyd-Jones  
Palmer  
Scott  
Welsh

Deluhery  
Gettings  
Husak  
Mann  
Peterson  
Sturgeon

Doyle  
Gronstal  
Hutchins  
Miller, A.V.  
Priebe  
Varn

Drake  
Hannon  
Kinley  
Murphy  
Riordan  
Wells

Nays, 23:

Boswell	Coleman	Corning	Dieleman
Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Holt	Hultman
Jensen	Lind	Miller, C.P.	Nystrom
Readinger	Rensink	Rife	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Bruner                      Schwengels

The motion not having received a constitutional majority was declared to have lost.

### MOTION TO RECONSIDER DEFERRED

#### Senate File 2196

Senator Drake called up the motion to reconsider the vote by which Senate File 2196, a bill for a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates, failed to pass the Senate on March 18, 1988, filed by him on March 18, 1988, and found on page 914 of the Senate Journal.

Senator Carr asked and received unanimous consent that action on the motion to reconsider and **Senate File 2196** be deferred.

### BUSINESS PENDING

#### Senate File 2297

The Senate resumed consideration of Senate File 2297, a bill for an act relating to the investment powers and duties of financial institutions by requiring certain disclosures, by mandating the adoption of a community reinvestment rating system by rule, and by conditioning participation in certain state programs and the deposit of public funds on a financial institution's receipt of an

acceptable rating, and amendment S—5370 by Senator Gronstal to page 4 of the bill, previously deferred.

Senator Gronstal moved the adoption of amendment S—5370 and requested a record roll call.

On the question “Shall amendment S—5370 be adopted?” (S.F. 2297) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 13:

Carr	Coleman	Doyle	Fraise
Gronstal	Hutchins	Lloyd-Jones	Mann
Murphy	Riordan	Sturgeon	Varn
Welsh			

Nays, 35:

Boswell	Corning	Deluhery	Dieleman
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Jensen	Kinley	Lind
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	

Absent or not voting, 2:

Bruner                      Schwengels

Amendment S—5370 lost.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2297** 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 18, 1988, passed the following bill in which the concurrence of the Senate is asked:



**House File 2448**, a bill for an act relating to the funding for amending the basis for rates paid to intermediate care facilities and the schedule of basic needs under the aid to families with dependent children program by imposing a nonrefundable filing fee for corporations subject to state income tax and corporations or partnerships whose income is taxed to its shareholders or partners and imposing or repealing the state sales, services and use taxes on certain services, making appropriations, and providing a retroactive effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 21, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2393**, a bill for an act relating to the penalty for the sale of alcoholic beverages to persons under legal age by liquor control licensees or wine or beer permittees.

This bill was read first time and **passed on file**.

## APPENDIX

### SUBCOMMITTEE ASSIGNMENTS

#### House File 2369

JUDICIARY: Fraise, Chair; Doyle and Gentleman

#### House File 2437

ENVIRONMENT AND ENERGY UTILITIES: Deluhery, Chair; Varn and Soorholtz

### BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2393	Judiciary
H.F.	2444	Appropriations

### REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2314, the following corrections were made:

(Page and line numbers refer to the Reprint)

1. Page 25, line 6, the number "72" was changed to the number "43".
2. Page 25, line 7, the number "74" was changed to the number "45".
3. Page 25, line 8, the numbers "31, 34, 71, 73, 76" were changed to the numbers "28, 32, 42, 44, 47".
4. Page 25, line 9, the number "77" was changed to the number "48".

JOHN F. DWYER  
Secretary of the Senate

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Seventeen tenth through twelfth grade students from Central Community School, DeWitt, Iowa, accompanied by Eugene Kastler and George Pickup. Senator Goodwin.

### AMENDMENTS FILED

S—5485	S. F.	2314	Richard Vande Hoef Alvin V. Miller
S—5486	S. F.	2251	Edgar H. Holden
S—5487	S. F.	2314	Donald Gettings
S—5488	S. F.	2314	William D. Palmer Joe J. Welsh
S—5489	S. F.	2314	Berl E. Priebe
S—5490	S. F.	2314	William W. Dieleman
S—5491	S. F.	2314	Richard Vande Hoef C. Joseph Coleman
S—5492	S. F.	2314	Richard Drake
S—5493	S. F.	2314	Richard Drake
S—5494	S. F.	2314	Joe Welsh
S—5495	S. F.	2314	Joe Welsh
S—5496	H. F.	2444	Kenneth Scott
S—5497	S. F.	2196	Edgar H. Holden William D. Palmer Ray Taylor Jim Lind
S—5498	S. F.	2240	James Riordan
S—5499	H. F.	578	Jean Lloyd-Jones
S—5500	S. F.	2191	Richard Varn
S—5501	S. F.	2240	Calvin O. Hultman

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:03 p.m., until 9:00 a.m., Tuesday, March 22, 1988.

# JOURNAL OF THE SENATE

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SEVENTY-SECOND CALENDAR DAY  
FORTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 22, 1988

The Senate met in regular session at 9:07 a.m., President Zimmerman presiding.

Prayer was offered by Dr. Warren Heitbrink, pastor of the First Reformed Church, Sheldon, Iowa.

The Journal of Monday, March 21, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Mann for the day on request of Senator Hutchins; Senator Hester for the day on request of Senator Jensen and Senator Bruner for a portion of the day on request of Senator Gronstal.

## 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, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2447**, a bill for an act relating to human services, and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989 and providing effective dates:

This bill was read first time and **passed on file**.

ALSO: That the House has on March 18, 1988, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was 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).

### RECESS

On motion of Senator Hutchins, the Senate recessed at 9:15 a.m., until 10:15 a.m.

### RECONVENED

The Senate reconvened at 10:18 a.m., Senator Coleman presiding.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 10:19 a.m., until 11:15 a.m.

### RECONVENED

The Senate reconvened at 11:19 a.m, President Zimmerman presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Priebe presiding.

President Zimmerman took the chair at 11:40 a.m.

### INTRODUCTION OF BILL

**Senate File 2318**, by Hutchins and Hultman, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters.

Read first time and assigned to the committee on **Business and Labor Relations**.

## 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 21, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2419**, a bill for an act relating to initiating and effecting whole-grade sharing agreements, setting maximum incentives and providing for collective bargaining agreements.

This bill was read first time and **passed on file**.

**House File 2433**, a bill for an act relating to public school vocational education in agriculture technology and creating a council for agricultural education.

This bill was read first time and **passed on file**.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Welsh presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Jensen presiding.

## RECESS

On motion of Senator Hutchins, the Senate recessed at 12:17 p.m., until 1:00 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** March 21, 1988, 9:13 a.m.

**Members Present:** Murphy, Chair; Horn, Vice Chair; Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden and Wells.

**Members Absent:** Taylor, Ranking Member; Bruner and Varn.

**Committee Business:** Assigned bills to subcommittees and discussed House File 2377.

**Adjourned:** 10:03 a.m.

#### JUDICIARY

**Convened:** March 21, 1988, 5:05 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 Governor's appointees to subcommittees; recommended passage of House Files 645, 2247, 2369 and 2412.

**Adjourned:** 6:00 p.m.

#### RULES AND ADMINISTRATION

**Convened:** March 21, 1988, 9:55 a.m.

**Members Present:** Hutchins, Chair; Gronstal, Vice Chair; Hultman, Ranking Member; Kinley, Gettings and Jensen.

**Members Absent:** None.

**Committee Business:** Recommended passage of House Concurrent Resolution 27 and assigned Governor appointees to Senate standing committees.

**Adjourned:** 10:00 a.m.

## **REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION**

The committee on Rules and Administration referred the following Governor's appointments to state boards and commissions to standing committees as indicated for investigation on March 21, 1988:

### **AGRICULTURE**

Marie G. Ellingson and Carolyn Ann Roberts — Iowa Grain Indemnity Fund Board.

E.E. Engstrom, Gene Geissinger and Gordon E. Swenson — Agricultural Development Authority.

### **BUSINESS AND LABOR RELATIONS**

Norma I. Lock — Employment Appeal Board.

Scot L. Beckenbaugh — Public Employment Relations Board.

### **COMMERCE**

H. Idris Thomas, William G. Sizer and Tom N. Sarvis — Credit Union Review Board.

Edward Tubbs — Superintendent of Banking.

### **EDUCATION**

Ronald J. McGauvran, Ann W. Wickman and George Wilson — State Board of Education.

James H. Weinman — Iowa Higher Education Loan Authority.

### **ENVIRONMENT AND ENERGY UTILITIES**

Dennis Nagel — Chairperson of the Utilities Board.

### **HUMAN RESOURCES**

Robert J. Martin — Commission for the Blind.

Vennetta M. Fiedler and Marguerite E. Stockstad — Commission of Elder Affairs.

Richard L. Lowery and Mark Wolraich — State Foster Care Review Board.



Myron L. Gookin, Keniston H. Hoppenworth, Orin Huseman, Vilas "Sid" L. Morris, Jr., Sheldon Rittmer and Yvonne M. Schildberg — Mental Health and Mental Retardation Commission.

William F. Kautzky and James G. Snyder — Commission on the Deaf.

### **JUDICIARY**

Cyndi Fisher — Commission on Judicial Qualifications.

Barbara Binnie and Wanda E. Everage — Board of Parole.

### **LOCAL GOVERNMENT**

Delman L. Bowers — City Development Board.

### **SMALL BUSINESS/ECONOMIC DEVELOPMENT**

Joanne Pettit — Iowa Economic Development Board.

Joanne Grueskin and Jeanne Partlow — Iowa High Technology Council.

### **STATE GOVERNMENT**

Dr. John R. Anderson, Dr. Charlotte A. Cleavenger and Ann O'Neill — Medical Examining Board.

Jan S. Miller and Peter R. Teahen — Mortuary Science Examining Board.

Kennith Culp and John D. Watson — Board of Nursing Examiners.

Darrell E. Devick, Steven C. Dowd, Marcia K. Dudden, Dolores M. Gross and Alexa L. Mayner — State Board of Examiners for Nursing Home Administrators.

James W. Hartzell, Ruth A. McAndrews and Colleen M. Reilly — Optometry Examining Board.

Edward T. Shonsey — Personnel Commission.

Marian L. Roberts and John F. Rode — Pharmacy Examining Board.

Robert E. Anderson and John B. Wadsworth — Physical and Occupational Therapy Examining Board.

Brenda M. Salocker and Sandi A. Yates — Podiatry Examining Board.

Dr. Carl S. Davis and Phyllis S. Hansell — Psychology Examining Board.

Sally Prickett and L.C. Pike — State Racing Commission.

James R. Berry and Marlys Nielsen — Real Estate Examining Board.

Benita L. Strait and Steven R. Wanzek — Respiratory Care Advisory Committee.

Virginia J. Poffenberger — Social Work Examining Board.

Michael G. Genz, Charles R. Gipp and Michael S. Pomper — Speech Pathology and Audiology Examining Board.

Dean Frey and Janice J. Heaberlin — Iowa Board of Veterinary Medicine.

Philip Smith — Director of the Office for State-Federal Relations.

Daryl K. Henze and Judy L. Kappmeyer — Accountancy Examining Board.

Ingwer Hansen — Alcoholic Beverages Commission.

Richard W. Pattschull and James W. Wilkins — Architectural Examining Board.

Mark A. Stansberry and Donna J. Weiss — Barber Examining Board.

Dr. Ramona Kathleen Kennedy, Kenneth L. Mueller and Sister Marilyn S. Whitty — Chiropractic Examining Board.

Roger A. Chapman and Maxine O. Cochran — Cosmetology Examining Board.

Carolyn A. McNeill, Vicki Reschly and Myron Zeigler — Dental Examining Board.

Charles Finch, Richard Garrells and Jill M. Gift — Dietetic Examining Board.

Richard Marr and Cheryl J. Richardson — Engineering and Land Surveying Examining Board.

John B. Walters — Director of the Department of General Services.

Charles H. Sweeney — Director of Inspections and Appeals.

Joanne L. Stockdale — Investment Board (IPERS).

M. Susan Erickson and Craig D. Ritland - Landscape Architectural Examining Board.

## TRANSPORTATION

Suzan M. Stewart and Shelda J. Beener — State Transportation Commission.

Gene W. Shepard — Director of Public Safety.

Linda L. Cherry and Marda M. Howard — Iowa Law Enforcement Academy Council.

### WAYS AND MEANS

Molly Scott — Iowa Railway Finance Authority.

BILL HUTCHINS, Chair

### 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 March 21, 1988, to investigate the appointment or reappointment of the following Governor's appointments:

#### ENVIRONMENT AND ENERGY UTILITIES

As Chairperson of the Utilities Board:

DENNIS NAGEL: Deluhery, Chair; A. Miller and Rife.

#### JUDICIARY

As members of the Board of Parole:

BARBARA BINNIE: Gentleman, Chair; Mann and Carr.

WANDA E. EVERAGE: Mann, Chair; Gentleman and Horn.

As a member of the Commission on Judicial Qualifications:

CYNDI FISHER: Holt, Chair; Coleman and Fuhrman

#### LOCAL GOVERNMENT

As a member of the City Development Board:

DELMAN L. BOWERS: Horn, Chair; A. Miller and Hall.

#### COMMITTEE REPORTS

#### AGRICULTURE

**Final Bill Action:** HOUSE FILE 2381, a bill for an act relating to carrying out water protection projects and practices within soil and water conservation districts, and providing for a water protection fund.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, 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:** HOUSE FILE 2427, a bill for an act to repeal certain health-related regulation responsibilities of the department of agriculture and land stewardship.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Priebe, A. Miller, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none. Absent or not voting, 1: Hester.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** HOUSE FILE 2153, a bill for an act expanding the time in which the utilities board may grant or refuse an application for rehearing in a contested case.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## TRANSPORTATION

**Final Bill Action:** HOUSE FILE 2240, a bill for an act to establish and fund a transportation subsidization program for certain handicapped persons, including increasing certain fees to fund the program.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Priebe.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2269, a bill for an act relating to funds in the special railroad facility fund and the rail assistance fund and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Coleman, Scott, Drake, Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom. Nays, none. Absent or not voting, 1: Priebe.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AFTERNOON SESSION

The Senate reconvened at 1:00 p.m., Senator Coleman presiding.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 1:08 p.m.

The vote revealed 43 present, 7 absent and a quorum present.

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 123**, by committee on Business and Labor Relations, a concurrent resolution relating to the establishing of a Committee on licensure or certification of construction contractors.

Read first time and **placed on calendar**.

## COMMITTEE REPORTS

### BUSINESS AND LABOR RELATIONS

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 123 (SSB 2267), a concurrent resolution relating to the establishing of a Committee on licensure or certification of construction contractors.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 9: Wells, Fuhrman, Gettings, Holden, Horn, Hultman, Palmer, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2318, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: Wells, Fuhrman, Gettings, Holden, Horn, Hultman, Palmer, Vande Hoef and Welsh. Nays, none. Absent or not voting, 1: Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2318.

### Senate File 2318

On motion of Senator Riordan, Senate File 2318, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters, 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. 2318) the vote was:

Ayes, 37:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Riordan	Scott	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, 11:

Boswell	Coleman	Fuhrman	Gentleman
Hall	Holden	Priebe	Rensink
Rife	Soorholtz	Tieden	

Absent or not voting, 2:

Hester

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF RESOLUTION (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate Concurrent Resolution 123.

#### **Senate Concurrent Resolution 123**

On motion of Senator Hultman, Senate Concurrent Resolution 123, a concurrent resolution relating to the establishing of a Committee on licensure or certification of construction contractors, was taken up for consideration.

Senator Hultman moved the adoption of Senate Concurrent Resolution 123, which motion prevailed by a voice vote.

### UNFINISHED BUSINESS (Deferred March 21, 1988)

#### **Senate File 2196**

The Senate resumed consideration of Senate File 2196, a bill for an act a bill for an act relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates, and Senator Drake's motion to reconsider the vote by which Senate File 2196 failed to pass the Senate on March 18, 1988, deferred on March 21, 1988.

Senator Drake moved the adoption of the motion to reconsider.



On the question "Shall the motion to reconsider be adopted?" (S.F. 2196) 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	Corning	Deluhery
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Holden	Holt
Horn	Hutchins	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Readinger	Rensink
Riordan	Taylor	Vande Hoef	Wells
Welsh			

Nays, 19:

Boswell	Coleman	Dieleman	Doyle
Gentleman	Hall	Hannon	Hultman
Husak	Jensen	Kinley	Palmer
Priebe	Rife	Scott	Soorholtz
Sturgeon	Tieden	Varn	

Absent or not voting, 2:

Hester	Schwengels
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The motion prevailed.

Senator Drake moved to reconsider the vote by which Senate File 2196 went to its last reading, which motion prevailed by a voice vote and Senate File 2196 was taken up for reconsideration.

Senator Lind called up the motion to reconsider the vote by which the Senate concurred in House amendment S—5447 to Senate File 2196 on March 18, 1988, filed by him on March 21, 1988, found on page 922 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2196) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

## Ayes, 22:

Boswell	Coleman	Dieleman	Doyle
Gettings	Hall	Hannon	Husak
Kinley	Lind	Miller, A. V.	Palmer
Peterson	Priebe	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Vande Hoef	Varn		

## Nays, 25:

Bruner	Carr	Corning	Deluhery
Drake	Fraise	Gentleman	Goodwin
Gronstal	Holden	Holt	Horn
Hultman	Hutchins	Jensen	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Readinger	Riordan	Tieden	Wells
Welsh			

## Absent or not voting, 3:

Fuhrman	Hester	Schwengels
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The motion lost.

The Chair ruled amendment S—5497 filed by Senators Holden, et al., on March 21, 1988, to House amendment S—5447, out of order.

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. 2196) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

## Ayes, 27:

Bruner	Carr	Corning	Deluhery
Drake	Fraise	Fuhrman	Goodwin
Gronstal	Holden	Holt	Horn
Hutchins	Lind	Lloyd-Jones	Mann
Miller, A. V.	Miller, C.P.	Murphy	Nystrom
Readinger	Rensink	Riordan	Scott
Taylor	Wells	Welsh	

Nays, 20:

Boswell	Coleman	Dieleman	Doyle
Gentleman	Gettings	Hall	Hannon
Hultman	Husak	Jensen	Kinley
Palmer	Priebe	Rife	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn

Absent or not voting, 3:

Hester	Peterson	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.

The motions to reconsider the vote by which Senate File 2196 failed to pass the Senate on March 18, 1988, filed by Senators Riordan and Wells on March 18, 1988, and found on page 914 of the Senate Journal, were out of order.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to send an immediate message to the House on **Senate File 2196**.

Senator Hutchins asked and received unanimous consent that **Senate File 2318** and **Senate Concurrent Resolution 123** 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 2235.

#### **Senate File 2235**

On motion of Senator Varn, Senate File 2235, a bill for an act relating to student exercise of free expression in the public schools, was taken up for consideration.

Senator Horn asked and received unanimous consent that action on amendment S—5419 filed by him on March 16, 1988, to pages 1 and 2 of the bill be deferred.

Senator Varn offered amendment S—5209 filed by him on March 3, 1988, to pages 1 and 2 of the bill.

Senator Horn offered amendment S—5313 filed by Senators Horn and Corning on March 10, 1988, to amendment S—5209 and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 21.

Amendment S—5313 lost.

The Chair ruled amendment S—5371 filed by Senator Horn on March 15, 1988, to amendment S—5209, out of order.

Senator Varn moved the adoption of amendment S—5209, which motion prevailed by a voice vote.

Senator Holden offered amendment S—5220 filed by him on March 3, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5220 was adopted by a voice vote.

With the adoption of amendment S—5220, the Chair ruled amendment S—5419 by Senator Horn to pages 1 and 2 of the bill, previously deferred, out of order.

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. 2235) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hannon	Holden	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Palmer	Peterson
Priebe	Readinger	Riordan	Scott
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Nays, 10:

Fuhrman  
Nystrom  
Tieden

Hall  
Rensink  
Vande Hoef

Horn  
Rife

Jensen  
Taylor

Voting present, 1:

Dieleman

Absent or not voting, 6:

Drake  
Miller, C.P.

Hester  
Schwengels

Holt

Hultman

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 2235** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2125.

### **Senate File 2125**

On motion of Senator Peterson, Senate File 2125, a bill for an act restricting the service area of sanitary landfills, providing for the Act's retroactive applicability, and providing an effective date, was taken up for consideration.

Senator Dieleman offered amendment S—5509 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 8, nays 32.

Amendment S—5509 lost.

Senator Peterson offered amendment S—5059 filed by Senators Hester and Peterson on February 10, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5059 was adopted by a voice vote.

Senator Dieleman offered amendment S—5510 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5510 lost by a voice vote.

Senator Dieleman offered amendment S—5511 filed by him from the floor to page 1 and the title page of the bill.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Wells for the rest of the week on request of Senator Horn.

### BUSINESS PENDING

#### Senate File 2125

The Senate resumed consideration of Senate File 2125.

Senator Dieleman moved the adoption of amendment S—5511, which motion lost by a voice vote.

Senator Holden offered amendment S—5513 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—5513 lost.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2125) the vote was:

Ayes, 35:

Bruner	Carr	Coleman	Corning
Deluhery	Drake	Fraise	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Nystrom	Palmer	Peterson

Priebe  
Riordan  
Vande Hoef

Readinger  
Scott  
Varn

Rensink  
Soorholtz  
Welsh

Rife  
Sturgeon

Nays, 8:

Boswell  
Goodwin

Dieleman  
Holden

Doyle  
Taylor

Fuhrman  
Tieden

Absent or not voting, 7:

Hester  
Murphy

Holt  
Schwengels

Hultman  
Wells

Miller, C.P.

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### MOTIONS TO RECONSIDER WITHDRAWN

#### Senate File 2208

Senator Gentleman withdrew the motion to reconsider Senate File 2208, a bill for an act relating to the possession of alcoholic beverages by persons under legal age, filed by her on March 8, 1988, and found on page 684 of the Senate Journal.

Senator Mann withdrew the motion to reconsider Senate File 2208 filed by him on March 9, 1988, and found on page 705 of the Senate Journal.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2125 and 2208** be **immediately messaged** to the House.

### UNFINISHED BUSINESS (Deferred March 10, 1988)

#### Senate File 2285

The Senate resumed consideration of Senate File 2285, a bill for an act relating to the enforcement of laws concerning motor vehicle fraud, salvage, and theft, certificates of title, and transfer of ownership of foreign, wrecked, and salvage vehicles and making

penalties applicable and providing effective dates, deferred March 10, 1988.

Senator Priebe called up the motion to reconsider the vote by which amendment S—5292 to Senate File 2285 was adopted by the Senate on March 10, 1988, filed by him on March 10, 1988, found on page 734 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5292 by Senator Welsh to strike everything after the enacting clause of the bill, was taken up for reconsideration.

Senator Welsh asked and received unanimous consent that action on amendment S—5292 be deferred.

Senator Welsh asked and received unanimous consent that further action on **Senate File 2285** be **deferred** (amendment S—5292 pending).

## UNFINISHED BUSINESS (Deferred March 17, 1988)

### Senate File 2276

The Senate resumed consideration of Senate File 2276, a bill for an act to reclassify certain tanks and trailers as implements of husbandry, deferred on March 17, 1988.

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. 2276) the vote was:

Ayes, 35:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Jensen	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Peterson	Priebe	Rensink	Rife
Riordan	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Varn	



Nays, 7:

Carr  
Lind

Corning  
Sturgeon

Gentleman  
Welsh

Holden

Absent or not voting, 8:

Hester  
Palmer

Holt  
Readinger

Hultman  
Schwengels

Murphy  
Wells

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2212.

#### **Senate File 2212**

On motion of Senator Dieleman, Senate File 2212, a bill for an act relating to the credentialing of mental health counselors, establishing a board of mental health counseling examiners, making penalties applicable, and providing other properly related matters, was taken up for consideration.

Senator Peterson offered amendment S—5277 filed by him on March 9, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Peterson withdrew amendment S—5345 filed by him on March 14, 1988, to pages 1 through 6 of amendment S—5277.

Senator Peterson moved the adoption of amendment S—5277.

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 24.

Amendment S—5277 lost.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2212** be deferred.

## BUSINESS PENDING

## Senate File 2285

The Senate resumed consideration of Senate File 2285, a bill for an act relating to the enforcement of laws concerning motor vehicle fraud, salvage, and theft, certificates of title, and transfer of ownership of foreign, wrecked, and salvage vehicles and making penalties applicable and providing effective dates, and amendment S—5292 by Senator Welsh, previously deferred.

Senator Welsh offered amendment S—5502 filed by Senators Welsh, et al., from the floor to strike everything after the enacting clause of the bill.

Senator Holden offered amendment S—5516 filed by him from the floor to page 4 of amendment S—5502 and moved its adoption.

Amendment S—5516 was adopted by a voice vote.

Senator Jensen moved the adoption of amendment S—5502 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5502 as amended, the Chair ruled amendment S—5292 by Senator Welsh to strike everything after the enacting clause of the bill, previously deferred, out of order.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2285) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A. V.	Murphy
Nystrom	Peterson	Priebe	Readinger
Rensink	Rife	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, none.

Absent or not voting, 8:

Hester  
Palmer

Holt  
Riordan

Hultman  
Schwengels

Miller, C.P.  
Wells

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Gronstal asked and received unanimous consent that **Senate Files 2276 and 2285 be immediately messaged to the House.**

## BUSINESS PENDING

### Senate File 2212

The Senate resumed consideration of Senate File 2212, a bill for an act relating to the credentialing of mental health counselors, establishing a board of mental health counseling examiners, making penalties applicable, and providing other properly related matters, previously deferred.

Senator Gronstal offered amendment S—5349 filed by him on March 14, 1988, to pages 5 and 6 of the bill and moved its adoption.

Amendment S—5349 was adopted by a voice vote.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2212) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell  
Deluhery  
Gettings  
Horn  
Lloyd-Jones  
Murphy  
Varn

Bruner  
Dieleman  
Gronstal  
Husak  
Mann  
Peterson  
Welsh

Carr  
Doyle  
Hall  
Hutchins  
Miller, A.V.  
Scott

Corning  
Fraise  
Hannon  
Kinley  
Miller, C.P.  
Soorholtz

Nays, 14:

Coleman	Drake	Fuhrman	Gentleman
Goodwin	Holden	Jensen	Lind
Readinger	Rensink	Rife	Taylor
Tieden	Vande Hoef		

Absent or not voting, 10:

Hester	Holt	Hultman	Nystrom
Palmer	Priebe	Riordan	Schwengels
Sturgeon	Wells		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MADAM PRESIDENT: I am directed to inform your honorable body that the House has on March 21, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2394**, a bill for an act relating to the establishment of a statewide trails system, by providing for the acquisition and retention of abandoned rail lines for future rail use and for interim uses as recreational trails and other public transportation or utility purposes, and by creating a state trails advisory council.

This bill was read first time and **passed on file**.

### IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate File 2212** be **immediately messaged** to the House.

### COMMUNICATIONS FROM THE GOVERNOR

The following communications from the Governor were presented:

Mr. John F. 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 following Governor's appointees as members of a state board:

March 15, 1988

To the City Finance Committee pursuant to Section 384.13, 1987 Code of Iowa, for terms beginning May 1, 1988, and ending April 30, 1992:

Maree A. Hansen, Des Moines, Polk County, Iowa, for reappointment; Peter Hegeman, Spirit Lake, Dickinson County, Iowa, for reappointment and Robert E. McMahan, Cedar Rapids, Linn County, Iowa, for reappointment.

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 on March 22, 1988, to investigate the appointment or reappointment of the following Governor's appointments:

#### AGRICULTURE

As members of the Agricultural Development Authority:

E.E. ENGSTROM: Priebe, Chair; Fuhrman and Husak  
GENE GEISSINGER: Riordan, Chair; Boswell and Fuhrman  
GORDON E. SWENSON: A. Miller, Chair; Hester and Scott

As members of the Iowa Grain Indemnity Fund Board:

MARIE G. ELLINGSON: Hall, Chair; Peterson and Fraise  
CAROLYN ANN ROBERTS: Vande Hoef, Chair; Soorholtz and Rensink

#### BUSINESS AND LABOR RELATIONS

As a member of the Employment Appeal Board:

NORMA I. LOCK: Gettings, Chair; Hultman and Holden

As a member of the Public Employment Relations Board:

SCOT L. BECKENBAUGH: Fuhrman, Chair; Vande Hoef and Horn

#### COMMERCE

As members of the Credit Union Review Board:

TOM N. SARVIS: Lind, Chair; Carr and Deluhery  
WILLIAM G. SIZER: Deluhery, Chair; Holden and Mann  
H. IDRIS THOMAS: Jensen, Chair; Nystrom and Palmer

As Superintendent of Banking:

EDWARD TUBBS: Priebe, Chair; Kinley and Rife

#### EDUCATION

As a member of the Iowa Higher Education Loan Authority:

JAMES H. WEINMAN: Varn, Chair; Rensink and Horn

As members of the State Board of Education:

RONALD J. MCGAUVAN: Hannon, Chair; Riordan and Rensink

ANN W. WICKMAN: Murphy, Chair; Bruner and Lind

GEORGE WILSON: Horn, Chair; Lloyd-Jones and Corning

### HUMAN RESOURCES

As a member of the Commission for the Blind:

ROBERT J. MARTIN: Readinger, Chair; C. Miller and Carr

As members of the Commission of Elder Affairs:

VENNETTA M. FIEDLER: Murphy, Chair; Sturgeon and Lind

MARGUERITE E. STOCKSTAD: Sturgeon, Chair; Coleman and Taylor

As members of the Commission on the Deaf:

WILLIAM F. KAUTZKY: Corning, Chair; Murphy and Coleman

JAMES G. SNYDER: Coleman, Chair; Bruner and Taylor

As members of the Mental Health and Mental Retardation Commission:

MYRON L. GOOKIN: Lind, Chair; Murphy and Carr

KENISTON H. HOPPENWORTH: Gentleman, Chair; Carr and Bruner

ORIN HUSEMAN: Bruner, Chair; Gentleman and C. Miller

VILAS "SID" L. MORRIS, JR.: Bruner, Chair; Murphy and Lind

SHELDON RITTMER: Carr, Chair; Gentleman and C. Miller

YVONNE M. SCHILDBERG: Gentleman, Chair; Hannon and Carr

As members of the State Foster Care Review Board:

RICHARD L. LOWERY: Hannon, Chair; Bruner and Corning

MARK WOLRAICH: Corning, Chair; Hannon and Bruner

### SMALL BUSINESS/ECONOMIC DEVELOPMENT

As a member of the Iowa Economic Development Board:

JOANNE PETTIT: Hannon, Chair; Riordan and Rensink

As members of the Iowa High Technology Council:

JOANNE GRUESKIN: Rife, Chair; Peterson and Boswell

JEANNE PARTLOW: Holt, Chair; Vande Hoef and A. Miller

**STATE GOVERNMENT**

As members of the Accountancy Examining Board:

DARYL K. HENZE: Rife, Chair; Welsh and C. Miller

JUDY L. KAPMEYER: Rife, Chair; Welsh and C. Miller

As a member of the Alcoholic Beverages Commission:

INGWER HANSEN: Nystrom, Chair; C. Miller and Welsh

As members of the Architectural Examining Board:

RICHARD W. PATTSCHULL: Nystrom, Chair; C. Miller and Welsh

JAMES W. WILKINS: Nystrom, Chair; C. Miller and Welsh

As members of the Barber Examining Board:

MARK A. STANSBERRY: Lloyd-Jones, Chair; Horn and Schwengels

DONNA J. WEISS: Lloyd-Jones, Chair; Horn and Schwengels

As members of the Board of Nursing Examiners:

KENNETH CULP: Lloyd-Jones, Chair; Carr and Nystrom

JOHN D. WATSON: Lloyd-Jones, Chair; Carr and Nystrom

As members of the Chiropractic Examining Board:

DR. RAMONA KATHLEEN KENNEDY: Horn, Chair; C. Miller and Gronstal

KENNETH L. MUELLER: Horn, Chair; C. Miller and Gronstal

SISTER MARILYN S. WHITTY: Horn, Chair; C. Miller and Gronstal

As members of the Cosmetology Examining Board:

ROGER A. CHAPMAN: Gronstal, Chair; Gentleman and Coleman

MAXINE O. COCHRAN: Gronstal, Chair; Gentleman and Coleman

As members of the Dental Examining Board:

CAROLYN A. McNEILL: Lloyd-Jones, Chair; Rife and Bruner

VICKI RESCHLY: Lloyd-Jones, Chair; Rife and Bruner

MYRON ZEIGLER: Lloyd-Jones, Chair; Rife and Bruner

As members of the Dietetic Examining Board:

CHARLES FINCH: Gentleman, Chair; Drake and Gronstal

RICHARD GARRELLS: Gentleman, Chair; Drake and Gronstal

JILL M. GIFT: Gentleman, Chair; Drake and Gronstal



As Director of Inspections and Appeals:

CHARLES H. SWEENEY: Carr, Chair; Drake and Horn

As Director of the Department of General Services:

JOHN B. WALTERS: Dieleman, Chair; Carr and Nystrom

As Director of the Office for State-Federal Relations:

PHILIP SMITH: Carr, Chair; Bruner and Rife

As members of the Engineering and Land Surveying Examining Board:

RICHARD MARR: Rife, Chair; Schwengels and Coleman

CHERYL J. RICHARDSON: Rife, Chair; Schwengels and Coleman

As a member of the Investment Board (IPERS):

JOANNE L. STOCKDALE: Bruner, Chair; Nystrom and Carr

As members of the Iowa Board of Veterinary Medicine:

DEAN FREY: Soorholtz, Chair; Rife and Coleman

JANICE J. HEABERLIN: Soorholtz, Chair; Rife and Coleman

As members of the Landscape Architectural Examining Board:

M. SUSAN ERICKSON: Nystrom, Chair; Schwengels and Coleman

CRAIG D. RITLAND: Nystrom, Chair; Schwengels and Coleman

As members of the Medical Examining Board:

DR. JOHN R. ANDERSON: Gentleman, Chair; Drake and Horn

DR. CHARLOTTE A. CLEAVENGER: Gentleman, Chair; Drake and Horn

ANN O'NEILL: Gentleman, Chair; Drake and Horn

As members of the Mortuary Science Examining Board:

JAN S. MILLER: Soorholtz, Chair; Schwengels and Gronstal

PETER R. TEAHEN: Soorholtz, Chair; Schwengels and Gronstal

As members of the Optometry Examining Board:

JAMES W. HARTZELL: Nystrom, Chair; Schwengels and C. Miller

RUTH A. McANDREWS: Nystrom, Chair; Schwengels and C. Miller

COLLEEN M. REILLY: Nystrom, Chair; Schwengels and C. Miller

As a member of the Personnel Commission:

EDWARD T. SHONSEY: Welsh, Chair; Gronstal and Schwengels

As members of the Pharmacy Examining Board:

MARIAN L. ROBERTS: Dieleman, Chair; Rife and Nystrom

JOHN F. RODE: Nystrom, Chair; Drake and C. Miller

As members of the Physical and Occupational Therapy Examiners:

ROBERT E. ANDERSON: Nystrom, Chair; Bruner and C. Miller

JOHN B. WADSWORTH: Dieleman, Chair; Drake and Gentleman

As members of the Podiatry Examining Board:

BRENDA M. SALOCKER: Gronstal, Chair; Welsh and Schwengels

SANDI A. YATES: Gronstal, Chair; Welsh and Schwengels

As members of the Psychology Examining Board:

DR. CARL S. DAVIS: Dieleman, Chair; Coleman and Schwengels

PHYLLIS S. HANSELL: Dieleman, Chair; Coleman and Schwengels

As members of the Real Estate Examining Board:

JAMES R. BERRY: Rife, Chair; Schwengels and C. Miller

MARLYS NIELSEN: Rife, Chair; Schwengels and C. Miller

As members of the Respiratory Care Advisory Committee:

BENITA L. STRAIT: Dieleman, Chair; Gentleman and Soorholtz

STEVEN R. WANZEK: Dieleman, Chair; Gentleman and Soorholtz

As a member of the Social Work Examining Board:

VIRGINIA J. POFFENBERGER: Gentleman, Chair; Bruner and Lloyd-Jones

As members of the Speech Pathology and Audiology Examining Board:

MICHAEL G. GENZ: Gentleman, Chair; Bruner and Lloyd-Jones

CHARLES R. GIPP: Bruner, Chair; Gentleman and C. Miller

MICHAEL S. POMPER: Bruner, Chair; Gentleman and C. Miller

As members of the State Board of Examiners for Nursing Home Administrators:

DARRELL E. DEVICK: Horn, Chair; Rife and Carr

STEVEN C. DOWD: Horn, Chair; Rife and Carr

MARCIA K. DUDDEN: Horn, Chair; Rife and Carr

DOLORES M. GROSS: Bruner, Chair; Carr and Schwengels

ALEXA L. MAYNER: Bruner, Chair; Carr and Schwengels

As members of the State Racing Commission:

L.C. PIKE: Carr, Chair; Soorholtz and Gronstal

SALLY PRICKETT: Carr, Chair; Gronstal and Soorholtz

### TRANSPORTATION

As Director of Public Safety:

GENE W. SHEPARD: Drake, Chair; Gettings and Priebe

As members of the Iowa Law Enforcement Academy Council:

LINDA L. CHERRY: Priebe, Chair; Goodwin and Doyle

MARDA M. HOWARD: Lloyd-Jones, Chair; Scott and Nystrom

As members of the State Transportation Commission:

SHELDA J. BEENER: Jensen, Chair; Scott and Goodwin

SUZAN M. STEWART: Doyle, Chair; Nystrom and Gettings

### STUDY BILL RECEIVED

#### SSB 2267 Business and Labor Relations

A concurrent resolution relating to the establishing of a Committee on licensure or certification of construction contractors.

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifth grade students from Union Whitten-Beaman, Conrad, Liscomb Middle School, Union, Iowa, accompanied by Mary Pieper, John Ehn and Linda Jorpeland. Senators Jensen and Taylor.

### BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2394	Transportation
H.F.	2419	Education

H.F.	2433	Agriculture
H.F.	2447	Appropriations
H.F.	2448	Ways and Means

#### SUBCOMMITTEE ASSIGNMENTS

##### Senate File 2318

BUSINESS AND LABOR RELATIONS: Wells, Chair; Gettings and Hultman

##### House File 2393

JUDICIARY: Carr, Chair; Drake and Coleman

##### SSB 2267

BUSINESS AND LABOR RELATIONS: Hultman, Chair; Wells and Gettings

#### COMMITTEE REPORTS

##### COMMERCE

**Final Bill Action:** HOUSE FILE 2296, a bill for an act providing coverage under the Iowa life and health guaranty association to the holders of unallocated annuity contracts.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Nystrom, Priebe, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 2: Mann and Welsh.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2307, a bill for an act relating to the regulation of the state's insurance industry and the administration of the insurance division of the department of commerce.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Nystrom, Priebe, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 2: Mann and Welsh.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2315, a bill for an act relating to commercial paper by modifying the definition of "sum certain".

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none. Absent or not voting, 1: Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2319, a bill for an act to exclude Saturday as a banking day.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5508.

**Final Vote:** Ayes, 12: Palmer, Jensen, Carr, Gronstal, Kinley, Lind, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, 2: Deluhery and Holden. Absent or not voting, 1: Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2326, a bill for an act relating to savings and loan associations.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5506.

**Final Vote:** Ayes, 11: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Nystrom, Priebe and Sturgeon. Nays, 1: Tieden. Present, 1: Rife. Absent, 2: Mann and Welsh.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2387, a bill for an act relating to the construction of cable systems and telegraph and telephone lines in the state.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5507.

**Final Vote:** Ayes, 13: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Nystrom, Priebe, Rife, Sturgeon and Tieden. Nays, none. Absent or not voting, 2: Mann and Welsh.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## JUDICIARY

**Final Bill Action:** 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.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5515.

**Final Vote:** Ayes, 13: Doyle, Mann, Holt, Carr, Coleman, Fraise, Fuhrman, Drake, Deluhery, Horn, Hester, Taylor and Varn. Nays, 1: Gentleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2247, a bill for an act relating to an action for slander or libel for a report or statement made to the division of job service of the department of employment services.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2369, a bill for an act relating to the duties and authority of the board of parole.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2412, a bill for an act relating to judicial sentencing options.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5514.

**Final Vote:** Ayes, 14: Doyle, Mann, Holt, Carr, Coleman, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn. Nays, none.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5502	S. F.	2285	Joe J. Welsh John W. Jensen Kenneth D. Scott Emil J. Husak Jim Lind Richard Vande Hoef Donald E. Gettings C. Joseph Coleman Wally E. Horn Lee Holt Berl E. Priebe Richard F. Drake
S—5503	H. F.	2444	John A. Peterson
S—5504	S. F.	2175	Wally Horn
S—5505	H. F.	2257	Ray Taylor
S—5506	H. F.	2326	Commerce
S—5507	H. F.	2387	Commerce
S—5508	H. F.	2319	Commerce
S—5509	S. F.	2125	William W. Dieleman
S—5510	S. F.	2125	William W. Dieleman
S—5511	S. F.	2125	William W. Dieleman
S—5512	H. F.	2443	William W. Dieleman Emil J. Husak
S—5513	S. F.	2125	Edgar H. Holden
S—5514	H. F.	2412	Judiciary
S—5515	H. F.	645	Judiciary
S—5516	S. F.	2285	John W. Jensen Joe J. Welsh
S—5517	H. F.	2444	John A. Peterson

## ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 4:25 p.m., until 9:00 a.m., Wednesday, March 23, 1988.



# JOURNAL OF THE SENATE

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SEVENTY-THIRD CALENDAR DAY  
FORTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 23, 1988

The Senate met in regular session at 9:06 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Mary Green, pastor of the First United Methodist Church, Boone, Iowa.

The Journal of Tuesday, March 22, 1988, 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 21, 1988, adopted the following concurrent resolution in which the concurrence of the Senate is asked:

**House Concurrent Resolution 108**, a concurrent resolution relating to the designation of the vocational rehabilitation building as the Jessie M. Parker State Office Building in honor of Jessie M. Parker.

This resolution was read first time and **passed on file**.

**ALSO:** That the House has on March 21, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2354**, a bill for an act relating to radon testing and providing a penalty.

This bill was read first time and **passed on file**.

**ALSO:** That the House has on March 22, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2374**, a bill for an act relating to the nomination of candidates for the office of lieutenant governor for the general election in the year 1990.

This bill was read first time and **passed on file**.

**House File 2452**, a bill for an act relating to the receipt and disbursement of support payments by transferring the collection and distribution of child support payment from the department of human services collection services center to the district court clerks, by making an exception, for federal social security payments, to the statutory requirements regarding allowable payees, and by providing effective dates.

This bill was read first time and **passed on file**.

ALSO: That the House has on March 22, 1988, 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 2094**, a bill for an act relating to instructional requirements for human growth and development in grades kindergarten through twelve and providing an effective date.

ALSO: That the House has on March 22, 1988, passed the following bill in which the concurrence of the House was asked:

**Senate File 2061**, 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, and providing for the retroactive applicability of the Act and an effective date.

## RECESS

On motion of Senator Hutchins, the Senate recessed at 10:23 a.m., until 4:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### AGRICULTURE

**Convened:** March 22, 1988, 8:04 a.m.

**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef.

**Members Absent:** Hester, Ranking Member (excused).

**Committee Business:** Recommended passage of House Files 2381 and 2427.

**Adjourned:** 8:20 a.m.

#### BUSINESS AND LABOR RELATIONS

**Convened:** March 22, 1988, 11:55 a.m.

**Members Present:** Wells, Chair; Fuhrman, Ranking Member; Gettings, Horn, Hultman, Holden, Palmer, Vande Hoef and Welsh.

**Members Absent:** Mann, Vice Chair (excused).

**Committee Business:** Assigned Governor's appointees to subcommittees; assigned bills to subcommittees; recommended passage of Senate File 2318; approved SSB 2267 as a committee resolution.

**Adjourned:** 12:05 p.m.

#### COMMERCE

**Convened:** March 22, 1988, 10:15 a.m.

**Members Present:** Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Kinley, Lind, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh (arrived 11:00 a.m.).

**Members Absent:** Mann.

**Committee Business:** Assigned Governor's appointees to subcommittees; recommended passage of House Files 2307, 2296 and 2315; recommended passage of House Files 2387, 2326 and 2319 as amended.

**Adjourned:** 11:20 a.m.

## ENVIRONMENT AND ENERGY UTILITIES

**Convened:** March 22, 1988, 9:21 a.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hall, A. Miller, Murphy, Rife, Sturgeon and Varn.

**Members Absent:** Schwengels (excused).

**Committee Business:** Assigned House File 2437 to a subcommittee; recommended passage of House File 2153; discussed House Files 2316, 2338, 2395 and 2437.

**Adjourned:** 9:45 a.m.

## HUMAN RESOURCES

**Convened:** March 22, 1988, 11:32 a.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; assigned Governor's appointees to subcommittees; discussed House File 2402.

**Adjourned:** 11:40 a.m.

## STATE GOVERNMENT

**Convened:** March 22, 1988, 4:30 p.m.

**Members Present:** Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Soorholtz and Welsh.

**Members Absent:** Nystrom, Ranking Member; C. Miller and Schwengels (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of House Files 2415 and 2375; assigned Governor's appointees to subcommittees.

**Adjourned:** 5:02 p.m.

## TRANSPORTATION

**Convened:** March 22, 1988, 9:15 a.m.

**Members Present:** Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Nystrom.

**Members Absent:** Priebe.

**Committee Business:** Assigned Governor's appointees to subcommittees and recommended passage of House Files 2240 and 2269.

**Adjourned:** 9:45 a.m.

## **SUBCOMMITTEE ASSIGNMENT FOR GOVERNOR'S APPOINTMENT**

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on March 22, 1988, to investigate the appointment of the following Governor's appointee:

As a member of the Iowa Railway Finance Authority:

**MOLLY SCOTT:** Holt, Chair; Readinger and Riordan.

## **STUDY BILL RECEIVED**

### **SSB 2268 Ways and Means**

Providing for a state individual income tax checkoff for the United States olympic committee and the Iowa games committee, and providing a retroactive effective date.

## **SUBCOMMITTEE ASSIGNMENTS**

### **Senate File 2316**

**STATE GOVERNMENT:** Carr, Chair; Horn and Nystrom

### **House File 2255**

**STATE GOVERNMENT:** Gronstal, Chair; Bruner and Gentleman

### **House File 2427**

**AGRICULTURE:** A. Miller, Chair; Riordan and Hall

**House File 2433**

AGRICULTURE: Priebe, Chair; Soorholtz and Scott

**House File 2448**

WAYS AND MEANS: Bruner, Chair; Gronstal and Readinger

**House File 2452**

HUMAN RESOURCES: Carr, Chair; Bruner and Gentleman

**SSB 2268**

WAYS AND MEANS: Husak, Chair; Dieleman and Readinger

**COMMITTEE REPORTS****APPROPRIATIONS**

**Final Bill Action:** HOUSE FILE 2443, a bill for an act relating to and making appropriations to the justice system and providing an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5522.

**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.

**EDUCATION**

**Final Bill Action:** HOUSE FILE 470, a bill for an act relating to the payment of expenses of merged area schools by the board secretary.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Murphy, Horn, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden and Varn. Nays, none. Absent or not voting, 3: Taylor, Bruner and Wells.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2226, a bill for an act relating to the calculation of budget enrollment of a reorganized school district.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Murphy, Horn, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden and Varn. Nays, none. Absent or not voting, 3: Taylor, Bruner and Wells.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

### LOCAL GOVERNMENT

**Final Bill Action:** HOUSE FILE 2063, a bill for an act relating to bed and breakfast homes, by requiring smoke detectors and fire extinguishers, by providing for the testing of drinking water, by providing an effective date, and by subjecting violators to a penalty.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Kinley, C. Miller and Taylor. Nays, none. Absent or not voting, 1: Wells.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2388, a bill for an act relating to the petition signatures required to call an election to fill a vacancy in an elective city office.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 9: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, Kinley, C. Miller and Taylor. Nays, none. Absent or not voting, 1: Wells.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2423, a bill for an act relating to sureties and surety bonds for public officers and employees.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: A. Miller, Fraise, Vande Hoef, Goodwin, Hall, Horn, C. Miller and Taylor. Nays, none. Present, 1: Kinley. Absent, 1: Wells.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**STATE GOVERNMENT**

**Final Bill Action:** HOUSE FILE 2375, a bill for an act relating to procedures of the Iowa boundary commission and providing for the appointment of subcommittees.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Carr, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Nystrom, C. Miller and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2415, a bill for an act relating to incentives to encourage certain state government employees to retire from employment by providing for monetary or insurance payment incentives, and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Carr, Dieleman, Bruner, Coleman, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 3: Nystrom, C. Miller and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**AMENDMENTS FILED**

S—5518	S.F.	2255	Larry Murphy
S—5519	H.F.	2113	Larry Murphy
S—5520	S.F.	2071	Leonard Boswell
S—5521	H.F.	2192	Edgar H. Holden
S—5522	H.F.	2443	Appropriations



### AFTERNOON SESSION

The Senate reconvened at 4:37 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 37 present, 13 absent and a quorum present.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the remainder of the week on request of Senator Hutchins.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2154.

#### **Senate File 2154**

On motion of Senator Welsh, Senate File 2154, a bill for an act relating to the establishment of an Iowa municipal cable television authority to provide a program of financial and technical assistance to municipalities which need municipal cable television systems; providing for the issuance of revenue bonds and other obligations to finance the granting of loans and other assistance to municipalities determined to be eligible for the program; providing for the allocation of moneys from the Iowa plan fund for economic development to be used for start-up of the program; and providing other properly related matters, with report of committee on State Government recommending amendment and passage, and report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Welsh offered amendment S—5129 filed by the committee on State Government on February 24, 1988, to page 3 of the bill.

Senator Welsh offered amendment S—5246 filed by him on March 7, 1988, to amendment S—5129 and moved its adoption.

Amendment S—5246 was adopted by a voice vote.

Senator Welsh moved the adoption of amendment S—5129 as amended, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that action on **Senate File 2154** be **deferred**.

## APPENDIX

### BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.C.R.	108	Rules and Administration
H.F.	2374	State Government
H.F.	2452	Human Resources

### COMMITTEE REPORTS

#### APPROPRIATIONS

**Final Bill Action:** HOUSE FILE 2440, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship and the department of natural resources.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5523.

**Final Vote:** Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Lind. Nays, none. Absent or not voting, 2: Holt and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2444, a bill for an act relating to regulatory bodies of state government by making appropriations to agencies, boards, commissions, departments, and programs of state government including the auditor of state, campaign finance, employment services, labor services, industrial services, job services, inspections and appeals, commerce, professional licensing and regulation, insurance, alcoholic beverages, banking, credit union, savings and loan, and utilities, by mandating certain studies, policies, and other actions by certain regulatory bodies, by increasing certain fees, by allocating certain expenses between state agencies, and by exempting certain regulatory personnel from the merit pay system and providing an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5529.

**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.

## **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, 11: Doyle, Mann, Carr, Drake, Deluhery, Hester, Horn, Fraise, Fuhrman, Gentleman and Taylor. Nays, none. Absent or not voting, 3: Coleman, Holt and Varn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2088, a bill for an act relating to work release for prisoners in county jails by providing for intermittent sentencing.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Doyle, Mann, Carr, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Coleman, Holt and Varn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2428, a bill for an act increasing and establishing certain court filing fees.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Doyle, Mann, Carr, Fraise, Fuhrman, Drake, Deluhery, Gentleman, Horn and Taylor. Nays, 1: Hester. Absent or not voting, 3: Coleman, Holt and Varn.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **STATE GOVERNMENT**

**Final Bill Action:** SENATE FILE 2024, a bill for an act relating to the membership of the college aid commission.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Coleman and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE FILE 2316, a bill for an act relating to the establishment of a division on the status of blacks within the department of human rights.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Carr, Dieleman, Nystrom, Bruner, Drake, Welsh, Gronstal, Horn, Lloyd-Jones, C. Miller and Rife. Nays, 1: Gentleman. Absent or not voting, 3: Soorholtz, Schwengels and Coleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 431, a bill for an act relating to the education, practice and supervision of cosmetologists and barbers.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Carr, Nystrom, Dieleman, Bruner, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, C. Miller, Soorholtz, Rife and Welsh. Nays, none. Absent or not voting, 2: Schwengels and Coleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2170, a bill for an act relating to foster care review, providing for the continued existence of the state and local foster care review boards, providing for the establishment of local foster care review boards throughout the state, providing for review in cases of children involuntarily hospitalized for mental illness, revising provisions relating to confidentiality and access to certain information, providing additional requirements for case permanency plans, providing other procedural revisions, and providing properly related matters.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5527.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Drake, Gronstal, Gentleman, Lloyd-Jones, C. Miller, Rife, Soorholtz, Welsh and Horn. Nays, none. Absent or not voting, 2: Coleman and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2255, a bill for an act relating to the confidentiality of records of clients of advocacy services offered by the department of human rights.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Coleman and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2406, a bill for an act relating to access by the citizen's aide to confidential records and proceedings.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5528.

**Final Vote:** Ayes, 13: Carr, Dieleman, Nystrom, Bruner, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, none. Absent or not voting, 2: Schwengels and Coleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **WAYS AND MEANS**

**Final Bill Action:** HOUSE FILE 678, a bill for an act authorizing the establishment of a benefited recreational lake district and its dissolution, the election of trustees, the levy of a tax, and the contract of indebtedness.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester and Readinger. Nays, none. Absent or not voting, 2: Holt and Soorholtz.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** HOUSE FILE 2076, a bill for an act including property in certain school districts involved in or proposing dissolutions in the foundation property tax levy reduction provided on taxable property in certain school districts affected by reorganization.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake and Hester. Nays, none. Absent or not voting, 3: Holt, Soorholtz and Readinger.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5523	H.F.	2440	Appropriations
S—5524	H.F.	2061	Jean Lloyd-Jones
S—5525	S.F.	2277	Joe J. Welsh
S—5526	H.F.	529	Bob Carr Richard Drake
S—5527	H.F.	2170	State Government
S—5528	H.F.	2406	State Government
S—5529	H.F.	2444	Appropriations

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:15 p.m., until 9:00 a.m., Thursday, March 24, 1988.

# JOURNAL OF THE SENATE

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SEVENTY-FOURTH CALENDAR DAY  
FIFTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 24, 1988

The Senate met in regular session at 9:11 a.m., President Zimmerman presiding.

Prayer was offered by Father Carl Leveling, pastor of St. Paul's Catholic Church, Burlington, Iowa.

The Journal of Wednesday, March 23, 1988, was approved.

## INTRODUCTION OF BILLS

**Senate File 2319**, by committee on Ways and Means, a bill for an act relating to the collection of the state sales, services and use tax with respect to the sales of tangible personal property by nonresidents who solicit such sales and providing an effective date.

Read first time and **placed on Ways and Means calendar.**

**Senate File 2320**, by committee on Ways and Means, a bill for an act relating to the exclusion of a certain portion of United States central intelligence agency retirement and disability benefits for state income tax purposes and providing retroactive applicability and effective dates.

Read first time and **placed on Ways and Means calendar.**

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Dieleman and Doyle for the remainder of the week of request of Senator Hutchins.



## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 34 present, 16 absent and a quorum present.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2024.

### Senate File 2024

On motion of Senator Horn, Senate File 2024, a bill for an act relating to the membership of the college aid commission, with report of committee recommending passage, was taken up for consideration.

Senator Taylor offered amendment S—5365 filed by Senators Varn and Taylor on March 15, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5365 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. 2024) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Corning
Deluhery	Drake	Fraise	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Horn	Hultman	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	Welsh

Nays, 7:

Fuhrman	Gentleman	Holden	Holt
Taylor	Tieden	Vande Hoef	

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Mann
Schwengels	Varn	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2316.

### Senate File 2316

On motion of Senator Carr, Senate File 2316, a bill for an act relating to the establishment of a division on the status of blacks within the department of human rights, 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. 2316) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Corning
Deluhery	Drake	Fraise	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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Coleman  
Schwengels

Dieleman  
Varn

Doyle  
Wells

Fuhrman

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up Senate File 2078.

#### Senate File 2078

On motion of Senator Boswell, Senate File 2078, a bill for an act relating to the issuance of fuel exemption certificates for purposes of the state sales, services, and use tax, providing for retroactive applicability, and providing an effective date, 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. 2078) the vote was:

Ayes, 42:

Boswell  
Deluhery  
Gettings  
Hannon  
Horn  
Jensen  
Mann  
Palmer  
Rife  
Sturgeon  
Varn

Bruner  
Drake  
Goodwin  
Hester  
Hultman  
Kinley  
Miller, A.V.  
Peterson  
Riordan  
Taylor  
Welsh

Carr  
Fraise  
Gronstal  
Holden  
Husak  
Lind  
Murphy  
Readinger  
Scott  
Tieden

Corning  
Fuhrman  
Hall  
Holt  
Hutchins  
Lloyd-Jones  
Nystrom  
Rensink  
Soorholtz  
Vande Hoef

Nays, 1:

Gentleman

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Miller, C.P.
Priebe	Schwengels	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2301.

#### Senate File 2301

On motion of Senator Varn, Senate File 2301, a bill for an act relating to the maintenance of local financial support by governmental subdivisions for operating expenses of local libraries, 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. 2301) the vote was:

+

Ayes, 42:

Boswell	Bruner	Carr	Corning
Deluhery	Fraise	Fuhrman	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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Drake
Miller, A.V.	Schwengels	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up Senate File 2188.

#### Senate File 2188

On motion of Senator Boswell, Senate File 2188, a bill for an act relating to the property tax credit and rent reimbursement for elderly and disabled individuals by changing the formula used for determining the amount of credit and reimbursement and providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Holden offered amendment S—5266 filed by him on March 8, 1988, to page 1 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5266 be adopted?" (S.F. 2188) 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	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Lind	Nystrom	Peterson	Readinger
Rensink	Rife	Scott	Soorholtz
Taylor	Tieden	Vande Hoef	

Nays, 22

Boswell	Bruner	Carr	Deluhery
Fraise	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy

Palmer  
Varn

Priebe  
Welsh

Riordan

Sturgeon

Absent or not voting, 5:

Coleman  
Wells

Dieleman

Doyle

Schwengels

Amendment S—5266 was adopted.

Senator Bruner asked and received unanimous consent that further action on **Senate File 2188** be **deferred**.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2234.

#### **Senate File 2234**

On motion of Senator Tieden, Senate File 2234, a bill for an act relating to the starting date for schools, was taken up for consideration.

Senator Lind offered amendment S—5430 filed by him on March 17, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5430 lost by a voice vote.

Senator Murphy offered amendment S—5285 filed by Senators Murphy, et al., on March 9, 1988, to page 1 and the title page of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 25, nays 20.

Amendment S—5285 was adopted.

Senator Tieden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2234) the vote was:

Ayes, 37

Bruner	Corning	Deluhery	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hall	Hannon	Hester
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Welsh			

Nays, 7:

Boswell	Carr	Gronstal	Holden
Hultman	Peterson	Scott	

Absent or not voting, 6:

Coleman	Dieleman	Doyle	Miller, A.V.
Schwengels	Wells		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2024, 2316, 2078, 2301 and 2234** be **immediately messaged** to the House.

### CONSIDERATION OF BILLS (Regular Calendar) (House Files Substituted)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2066.

#### **Senate File 2066**

On motion of Senator Tieden, Senate File 2066, a bill for an act relating to marriage and a name change for either party, with

report of committee recommending amendment and passage, was taken up for consideration.

Senator Tieden asked and received unanimous consent that action on amendment S—5031 filed by the committee on Judiciary on February 3, 1988, to page 1 of the bill be deferred.

Senator Tieden offered amendment S—5539 filed by him from the floor to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5539 was adopted by a voice vote.

With the adoption of amendment S—5539, the Chair ruled amendment S—5031, previously deferred, out of order.

Senator Tieden asked and received unanimous consent that **House File 2054** be substituted for **Senate File 2066** as amended.

Senator Tieden asked and received unanimous consent that action on **House File 2054** 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 2173.

### **Senate File 2173**

On motion of Senator Palmer, Senate File 2173, a bill for an act relating to the jurisdiction of the employment appeal board, was taken up for consideration.

Senator Mann withdrew amendment S—5177 filed by him on February 23, 1988, to page 1 of the bill.

Senator Palmer asked and received unanimous consent that **House File 2337** be substituted for **Senate File 2173**.

Senator Hutchins asked and received unanimous consent that action on **House File 2337** 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 2184.



### **Senate File 2184**

On motion of Senator Peterson, Senate File 2184, a bill for an act relating to regulation of the extraction of coal for commercial purposes from a site of one-half acre or less, and making penalties applicable, was taken up for consideration.

Senator Peterson asked and received unanimous consent that **House File 2306** be substituted for **Senate File 2184**.

Senator Peterson asked and received unanimous consent that action on **House File 2306** be deferred and that the bill be placed on the calendar under **unfinished business**.

### **Senate File 2187**

On motion of Senator Fraise, Senate File 2187, a bill for an act repealing a requirement that the department of corrections prepare a biennial report relating to the management of the community-based corrections programs, was taken up for consideration.

Senator Fraise asked and received unanimous consent that **House File 2264** be substituted for **Senate File 2187**.

Senator Fraise asked and received unanimous consent that action on **House File 2264** 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 2191.

### **Senate File 2191**

On motion of Senator Varn, Senate File 2191, a bill for an act relating to student athletes, by regulating athletes and athletes' agents, requiring compensation policy for collegiate athletes, and providing penalties, was taken up for consideration.

Senator Varn offered amendment S—5500 filed by him on March 21, 1988, to strike everything after the enacting clause of the bill and moved its adoption.

Amendment S—5500 was adopted by a voice vote.

Senator Varn asked and received unanimous consent that **House File 2432** be **substituted** for **Senate File 2191** as amended.

Senator Varn asked and received unanimous consent that action on **House File 2432** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **Senate File 2145**

On motion of Senator Scott, Senate File 2145, a bill for an act relating to cooperative associations by providing for their purposes and powers, with report of committee recommending passage, was taken up for consideration.

Senator Scott asked and received unanimous consent that **House File 2355** be **substituted** for **Senate File 2145**.

Senator Scott asked and received unanimous consent that action on **House File 2355** 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 2199.

### **Senate File 2199**

On motion of Senator Priebe, Senate File 2199, a bill for an act relating to acknowledgment of delivery of copies of certain debt documents, was taken up for consideration.

Senator Priebe offered amendment S—5476 filed by him on March 21, 1988, to the title page of the bill and moved its adoption.

Amendment S—5476 was adopted by a voice vote.

Senator Priebe asked and received unanimous consent that **House File 2318** be **substituted** for **Senate File 2199** as amended.

Senator Priebe asked and received unanimous consent that action on **House File 2318** 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 2215.

### Senate File 2215

On motion of Senator Nystrom, Senate File 2215, a bill for an act relating to right-of-way and relocation assistance provided to persons displaced by highway projects, was taken up for consideration.

Senator Nystrom asked and received unanimous consent that **House File 2352** be **substituted** for **Senate File 2215**.

Senator Nystrom asked and received unanimous consent that action on **House File 2352** 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 2189.

### Senate File 2189

On motion of Senator Tieden, Senate File 2189, a bill for an act relating to commercial concessions operated on certain state-owned lands and providing an effective date, was taken up for consideration.

Senator Scott offered amendment S—5443 filed by Senators Scott and Priebe on March 17, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5443 was adopted by a voice vote.

Senator Tieden asked and received unanimous consent that **House File 2191** be **substituted** for **Senate File 2189** as amended.

Senator Tieden asked and received unanimous consent that action on **House File 2191** 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 2255.

### Senate File 2255

On motion of Senator Murphy, Senate File 2255, a bill for an act relating to the dispensing of prescription drugs by certain practitioners and through pharmacy services covered under group

health insurance policies and group health maintenance organization plans, was taken up for consideration.

Senator Murphy withdrew amendment S—5363 filed by him on March 15, 1988, to pages 1 through 3 of the bill.

Senator Murphy offered amendment S—5518 filed by him on March 23, 1988, to pages 1 through 3 and the title page of the bill and moved its adoption.

Amendment S—5518 was adopted by a voice vote.

Senator Murphy asked and received unanimous consent that **House File 2113** be substituted for **Senate File 2255** as amended.

Senator Murphy asked and received unanimous consent that action on **House File 2113** 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 2112.

### **Senate File 2112**

On motion of Senator Tieden, Senate File 2112, a bill for an act to provide for whole grade sharing between a school district located in this state and a contiguous school district located in a contiguous state, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy withdrew amendment S—5202 filed by him on March 2, 1988, to pages 1 through 3 of the bill.

Senator Tieden offered amendment S—5540 filed by him on March 24, 1988, to pages 1 through 3 of the bill and moved its adoption.

Amendment S—5540 was adopted by a voice vote.

Senator Tieden asked and received unanimous consent that **House File 2190** be substituted for **Senate File 2112** as amended.

Senator Tieden asked and received unanimous consent that action on **House File 2190** 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 2025.

### **Senate File 2025**

On motion of Senator Horn, Senate File 2025, a bill for an act relating to student membership on the state board of regents, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent to withdraw amendment S—5153 filed by the committee on Education on February 26, 1988, to page 1 of the bill.

Senator Holden withdrew amendment S—5183 filed by him on February 29, 1988, to page 1 of the bill.

Senator Horn withdrew amendment S—5432 filed by him on March 17, 1988, to page 1 of the bill.

Senator Horn asked and received unanimous consent that **House File 2046** be substituted for **Senate File 2025**.

Senator Hultman raised the point of order that House File 2046 should be referred to the committee on State Government under Senate Rule 38.

The Chair ruled the point well taken and **House File 2046** was referred to the committee on **State Government**.

Senator Hutchins asked and received unanimous consent that **House File 2046** be returned to the Senate Calendar by noon on Friday, March 25, 1988.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2266.

### **Senate File 2266**

On motion of Senator Priebe, Senate File 2266, a bill for an act relating to the condemnation payment process, was taken up for consideration.

Senator Priebe withdrew amendment S—5293 filed by him on March 9, 1988, to page 1 of the bill.

Senator Priebe asked and received unanimous consent that **House File 2353** be substituted for **Senate File 2266**.

Senator Priebe asked and received unanimous consent that action on **House File 2353** be deferred and that the bill be placed on the calendar under **unfinished business**.

### **Senate File 2268**

On motion of Senator Miller of Cerro Gordo, Senate File 2268, a bill for an act relating to certain ambiguities and inconsistencies of the Code as they relate to city government, was taken up for consideration.

Senator Murphy withdrew amendment S—5286 filed by him on March 9, 1988, to page 1 of the bill.

Senator Miller of Cerro Gordo offered amendment S—5438 filed by him on March 17, 1988, to pages 1 and 5 of the bill and moved its adoption.

Amendment S—5438 was adopted by a voice vote.

Senator Miller of Cerro Gordo withdrew amendment S—5308 filed by him on March 10, 1988, to pages 1 and 2 of the bill.

Senator Miller of Cerro Gordo asked and received unanimous consent that **House File 2348** be substituted for **Senate File 2268** as amended.

Senator Miller of Cerro Gordo asked and received unanimous consent that action on **House File 2348** 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 2103.

### **Senate File 2103**

On motion of Senator Jensen, Senate File 2103, a bill for an act relating to the use of certain revenues obtained from the sale or other use of property or taxes imposed in urban renewal areas for economic development purposes, with report of committee recommending amendment and the bill without recommendation, was taken up for consideration.

Senator Jensen offered amendment S—5481 filed by him on March 21, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5481 was adopted by a voice vote.

Senator Miller of Cerro Gordo asked and received unanimous consent to withdraw amendment S—5212 filed by the committee on Local Government on March 3, 1988, to page 1 of the bill.

Senator Jensen asked and received unanimous consent to withdraw amendment S—5312 filed by Senators Jensen and Horn on March 10, 1988, to page 1 and the title page of the bill.

Senator Jensen asked and received unanimous consent that **House File 2327** be substituted for **Senate File 2103** as amended.

Senator Jensen asked and received unanimous consent that action on **House File 2327** 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 2290.

### **Senate File 2290**

On motion of Senator Lind, Senate File 2290, a bill for an act relating to the pledge of United States government obligations or their functional equivalents as security for the deposit of public funds, was taken up for consideration.

Senator Lind asked and received unanimous consent that **House File 2323** be substituted for **Senate File 2290**.

Senator Lind asked and received unanimous consent that action on **House File 2323** be deferred and that the bill be placed on the calendar under **unfinished business**.

### **CONSIDERATION OF BILL (Appropriations Calendar) (House File Substituted)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2071.

**Senate File 2071**

On motion of Senator Boswell, Senate File 2071, a bill for an act relating to the establishment of economic development finance corporations to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and providing for and making an appropriation of state matching funds, with report of committee on Appropriations recommending passage, was taken up for consideration.

Senator Boswell offered amendment S—5520 filed by him on March 23, 1988, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5520 was adopted by a voice vote.

Senator Boswell asked and received unanimous consent that **House File 2396** be substituted for **Senate File 2071** as amended.

Senator Boswell asked and received unanimous consent that action on **House File 2396** be deferred and that the bill be placed on the calendar under **unfinished business**.

**CONSIDERATION OF BILL**  
(Regular Calendar)  
(House File Substituted)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2226.

**Senate File 2226**

On motion of Senator Varn, Senate File 2226, a bill for an act relating to radon testing, reporting of radon levels, and providing a penalty, was taken up for consideration.

Senator Varn offered amendment S—5542 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5542 was adopted by a voice vote.

Senator Varn asked and received unanimous consent that **House File 2354** be substituted for **Senate File 2226** as amended.



Senator Varn asked and received unanimous consent that action on **House File 2354** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

**MOTION TO RECONSIDER ADOPTED**  
(House File Substituted)

Senator Lind called up the motion to reconsider Senate File 2197 filed by him on March 8, 1988, found on page 684 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2197) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Corning
Deluhery	Drake	Fraise	Fuhrman
Gentleman	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A.V.	Nystrom
Palmer	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Welsh			

Nays, 1:

Tieden

Absent or not voting, 12:

Coleman	Dieleman	Doyle	Gettings
Holden	Hultman	Lloyd-Jones	Miller, C.P.
Murphy	Peterson	Schwengels	Wells

The motion prevailed.

Senator Lind moved to reconsider the vote by which Senate File 2197 went to its last reading, which motion prevailed by a voice vote.

**Senate File 2197**

On motion of Senator Lind, Senate File 2197, a bill for an act relating to schedule I and schedule III controlled substances, was taken up for reconsideration.

Senator Lind asked and received unanimous consent that **House File 2322 be substituted for Senate File 2197.**

Senator Lind asked and received unanimous consent that action on **House File 2322 be deferred** and that the bill be placed on the calendar under **unfinished business.**

**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, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2441**, a bill for an act relating to underground storage tanks, establishing certain fees, providing penalties, and providing an effective date.

This bill was read first time and **passed on file.**

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 11:20 a.m., until 4:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** March 23, 1988, 11:53 a.m.

**Members Present:** Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden and Varn.

**Members Absent:** Wells and Bruner.

**Committee Business:** Recommended passage of House Files 470, 2226, 2377, 2419 and 2414; assigned a bill to subcommittee.

**Adjourned:** 1:46 p.m.

#### JUDICIARY

**Convened:** March 23, 1988, 3:35 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Carr, Deluhery, Fraise, Horn, Drake, Fuhrman, Gentleman, Hester and Taylor.

**Members Absent:** Holt, Ranking Member; Coleman and Varn (all excused).

**Committee Business:** Recommended confirmation of Governor's appointee Barbara Binnie; recommended passage of House Files 209, 498, 2428 and 2088.

**Adjourned:** 4:10 p.m.

#### LOCAL GOVERNMENT

**Convened:** March 23, 1988, 1:42 p.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Goodwin, Hall, Horn, Kinley, C. Miller and Taylor.

**Members Absent:** Wells (excused).

**Committee Business:** Assigned bills to subcommittees; recommended passage of House Files 2063, 2388 and 2423.

**Adjourned:** 2:11 p.m.

**SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** March 23, 1988, 8:10 a.m.

**Members Present:** Boswell, Chair; Peterson, Vice Chair; Deluhery, Hannon, A. Miller, Riordan, Scott, Rensink and Vande Hoef.

**Members Absent:** Rife, Ranking Member; Holt and Fuhrman (all excused).

**Committee Business:** Deferred action on House Files 2386 and 2416.

**Adjourned:** 8:30 a.m.

**STATE GOVERNMENT**

**Convened:** March 23, 1988, 2:35 p.m.

**Members Present:** Carr, Chair; Dieleman, Vice Chair; Nystrom, Ranking Member; Bruner, Drake, Gronstal, Gentleman, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh.

**Members Absent:** Coleman and Schwengels (both excused).

**Committee Business:** Recommended passage of Senate Files 2024, 2316 and House Files 431, 2170, 2255 and 2406.

**Adjourned:** 3:15 p.m.

**WAYS AND MEANS**

**Convened:** March 23, 1988, 1:38 p.m.

**Members Present:** Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Drake, Hester and Readinger.

**Members Absent:** Holt and Soorholtz.

**Committee Business:** Approved SSBs 2265 and 2266 as committee bills; recommended passage of House Files 2076 and 678.

**Adjourned:** 1:58 p.m.

**MOTION TO RECONSIDER**

**MADAM PRESIDENT:** I move to reconsider the vote by which amendment S—5266 to Senate File 2188 was adopted by the Senate on March 24, 1988.

**DON E. GETTINGS**

**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 investigations on March 24, 1988, and recommended the appointees be confirmed:

William G. Sizer and H. Idris Thomas for reappointment as members of the Credit Union Review Board.

Edward Tubbs for appointment as Superintendent of Banking.

**JUDICIARY**

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the Governor's reappointment of Barbara Binnie as a full-time member of the Board of Parole, completed its investigation on March 23, 1988, and recommended the appointee be confirmed.

**COMMITTEE REPORTS****EDUCATION**

**Final Bill Action:** HOUSE FILE 2377, a bill for an act relating to the establishment of programs for paying for college costs, including the provision for the state board of regents to issue revenue bonds that are payable at times determined by the board and the preparation of an educational program and marketing strategies by the college aid commission in cooperation with the state board of regents.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5535.

**Final Vote:** Ayes, 8: Murphy, Horn, Taylor, Lind, Rensink, Riordan, Tieden and Varn. Nays, 1: Holden. Absent or not voting, 6: Bruner, Corning, Dieleman, Hannon, Lloyd-Jones and Wells.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2414, a bill for an act relating to funding for the education costs of certain shelter care homes and juvenile detention homes and providing an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5538.

**Final Vote:** Ayes, 12: Murphy, Horn, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden and Varn. Nays, none. Absent or not voting, 3: Taylor, Bruner and Wells.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2419, a bill for an act relating to initiating and effecting whole-grade sharing agreements, setting maximum incentives and providing for collective bargaining agreements.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENTS S—5536 and S—5537.

**Final Vote:** Ayes, 12: Murphy, Horn, Corning, Dieleman, Hannon, Holden, Lloyd-Jones, Lind, Rensink, Riordan, Tieden and Varn. Nays, none. Absent or not voting, 3: Taylor, Wells and Bruner.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## JUDICIARY

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 124, a bill for an act requesting an interim study of the practice of land surveying and the preparation, recording, and vacation of plats.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 11: Doyle, Mann, Carr, Drake, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn and Taylor. Nays, none. Absent or not voting, 3: Varn, Coleman and Holt.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 498, a bill for an act to restrict the possession of ballistic knives and providing for the application of a penalty.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5545.

**Final Vote:** Ayes, 10: Doyle, Mann, Carr, Deluhery, Fraise, Fuhrman, Gentleman, Hester, Horn and Taylor. Nays, none. Absent or not voting, 4: Varn, Drake, Coleman and Holt.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## WAYS AND MEANS

**Final Bill Action:** SENATE FILE 2319 (SSB 2265), a bill for an act relating to the collection of the state sales, services and use tax with respect to the sales of tangible personal property by nonresidents who solicit such sales and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake and Hester. Nays, none. Absent or not voting, 3: Holt, Readinger and Soorholtz.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2320 (SSB 2266), a bill for an act relating to the exclusion of a certain portion of United States central intelligence agency retirement and disability benefits for state income tax purposes and providing retroactive applicability and effective dates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester and Readinger. Nays, none. Absent or not voting, 2: Holt and Soorholtz.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

S—5530	S.F.	2178	Richard Vande Hoef
S—5531	H.F.	2257	Jim Lind
S—5532	H.F.	2257	Jim Lind
S—5533	H.F.	2257	Jim Lind
S—5534	S.F.	2176	Richard Vande Hoef
S—5535	H.F.	2377	Education

S—5536	H.F.	2419	Education
S—5537	H.F.	2419	Education
S—5538	H.F.	2414	Education
S—5539	S.F.	2066	Dale L. Tieden
S—5540	S.F.	2112	Dale L. Tieden
S—5541	S.F.	2122	Jean Lloyd-Jones
S—5542	S.F.	2226	Richard Varn
S—5543	S.F.	2188	Charles Bruner Leonard Boswell Edgar H. Holden
S—5544	H.F.	2352	Wally Horn
S—5545	H.F.	498	Judiciary



## AFTERNOON SESSION

The Senate reconvened at 4:31 p.m., Senator Sturgeon presiding.

### INTRODUCTION OF BILL

**Senate File 2323**, 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 Appropriations calendar**.

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 124**, by committee on Judiciary, a concurrent resolution requesting an interim study of the practice of land surveying and the preparation, recording, and vacation of plats.

Read first time and **placed on calendar**.

### 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 24, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2442**, a bill for an act relating to the operation and funding of rail lines including appropriations from the road use tax fund, and authorizing the payment of principle and interest on bonds and payment of guaranteed leases.

This bill was read first time and **passed on file**.

## APPENDIX

### INTRODUCTION OF BILLS

**Senate File 2321**, 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 making coordinating amendments to the Code, and by providing applicability dates.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

**Senate File 2322**, by committee on Appropriations, a bill for an act relating to and making appropriations for the compensation and benefits for public officials and employees.

Read first time under Rule 28 and **placed on Appropriations Calendar.**

### BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F.      2441      Ways and Means

### COMMITTEE REPORTS

#### AGRICULTURE

**Final Bill Action:** HOUSE FILE 2433, a bill for an act relating to public school vocational education in agriculture technology and creating a council for agricultural education.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5549.

**Final Vote:** Ayes, 14: Priebe, A. Miller, Hester, Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**APPROPRIATIONS**

**Final Bill Action:** SENATE FILE 2321, 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 making coordinating amendments to the Code, and by providing applicability dates.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Dieleman and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2322, a bill for an act relating to and making appropriations for the compensation and benefits for public officials and employees.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Dieleman and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2323, 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 AND AMEND AS PROVIDED IN AMENDMENT S—5551.

**Final Vote:** Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 2: Dieleman and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**COMMERCE**

**Final Bill Action:** 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.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5546.

**Final Vote:** Ayes, 15: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2127, a bill for an act relating to the acceptance of checks and share drafts by prohibiting certain forms of identification as a condition of acceptance of a check or share, and providing penalties.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2303, a bill for an act relating to nontraditional insurance arrangements by prohibiting the incorporation or reincorporation of a benevolent association, providing for the regulation of risk retention groups and purchasing groups, increasing surplus requirements for reciprocal insurers and repealing an exemption to the applicability of state law to certain reciprocal insurance contracts, and providing penalties.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2320, a bill for an act relating to credit unions by amending the power to sell, participate in, or discount, or purchase the obligations of certain credit union members; by amending the authorization to

appoint credit and auditing committees; and by permitting the superintendent to prescribe by rule the period of preservation of records or files for credit unions.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2400, a bill for an act relating to enhanced 911 emergency telephone communication systems, by requiring each county to prepare an enhanced 911 service plan for submittal to the office of disaster services on or before March 1, 1989, by requiring conversion of pay telephones to accept 911 calls without charge, by allowing a local E911 service surcharge, by providing certain liability exemptions in conjunction with the delivery of E911 services, and by providing a limited privacy waiver to permit nonlisted or unpublished numbers to be included in E911 service.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2407, a bill for an act relating to the Iowa housing finance authority, by modifying the title guaranty program requirements that participation fees be charged, that lenders be participants, that persons or lenders not receive a portion of the charge for title guaranty, and that financial institutions disclose the availability of the program, and by expanding the purposes of and renaming the commitment cost fund.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2439, a bill for an act relating to the regulation of securities by amending the Iowa uniform securities Act to provide certain new and modified securities exemptions and transaction exemptions and to remove

the broker-dealer bonding requirement for members of the securities investor protection corporation.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5547.

**Final Vote:** Ayes, 12: Palmer, Jensen, Gronstal, Holden, Kinley, Lind, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, 3: Deluhery, Carr and Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** HOUSE FILE 2316, a bill for an act requiring gas and electric public utilities to provide annual gas or electric energy costs for certain properties to certain persons when requested in writing and making civil penalties applicable.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5557.

**Final Vote:** Ayes, 9: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2338, a bill for an act relating to environmental quality by creating an emergency response fund and by establishing and increasing fines and penalties.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5556.

**Final Vote:** Ayes, 9: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2395, a bill for an act permitting certain water utilities to become cooperatives and expanding allowable purposes under Chapter 499.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5550.

**Final Vote:** Ayes, 9: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2437, a bill for an act relating to utilization of energy resources in the state including the implementation of energy conservation measures.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5555.

**Final Vote:** Ayes, 9: Deluhery, Gronstal, Soorholtz, Hall, A. Miller, Murphy, Rife, Sturgeon and Varn. Nays, none. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## HUMAN RESOURCES

**Final Bill Action:** HOUSE FILE 2367, a bill for an act relating to training for mandatory reporters of dependent adult abuse and child abuse.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5554.

**Final Vote:** Ayes, 10: Hannon, Carr, Gentleman, Corning, Lind, Murphy, C. Miller, Readinger, Sturgeon and Taylor. Nays, none. Absent or not voting, 2: Coleman and Bruner.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2402, a bill for an act relating to licensing and personnel requirements for health care facilities and providing a penalty.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5553.

**Final Vote:** Ayes, 8: Hannon, Carr, Bruner, Corning, Lind, Murphy, C. Miller and Sturgeon. Nays, 3: Gentleman, Readinger and Taylor. Absent or not voting, 1: Coleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2452, a bill for an act relating to the receipt and disbursement of support payments by transferring the collection and distribution of child support payment from the department of human services collection services center to the district court clerks, by making an exception, for federal social security payments, to the statutory requirements regarding allowable payees, and by providing effective dates.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5558.

**Final Vote:** Ayes, 9: Hannon, Carr, Gentleman, Bruner, Corning, Murphy, C. Miller, Readinger and Sturgeon. Nays, 2: Lind and Taylor. Absent or not voting, 1: Coleman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## STATE GOVERNMENT

**Final Bill Action:** HOUSE FILE 2374, a bill for an act relating to the nomination of candidates for the office of lieutenant governor for the general election in the year 1990.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Carr, Nystrom, Bruner, Drake, Horn, Gronstal, Gentleman, Lloyd-Jones, C. Miller and Soorholtz. Nays, none. Absent or not voting, 5: Dieleman, Coleman, Rife, Schwengels and Welsh.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2405, a bill for an act relating to the administration and benefits for certain public retirement systems.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 10: Carr, Nystrom, Bruner, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller and Soorholtz. Nays, none. Absent or not voting, 5: Dieleman, Coleman, Rife, Schwengels and Welsh.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

S—5546	H.F.	613	Commerce
S—5547	H.F.	2439	Commerce



S—5548	H.F.	2444	John A. Peterson
S—5549	H.F.	2433	Agriculture
S—5550	H.F.	2395	Environment & Energy Utilities
S—5551	S.F.	2323	Appropriations
S—5552	H.F.	2283	Leonard L. Boswell
			Kenneth Scott
			John Soorholtz
S—5553	H.F.	2402	Human Resources
S—5554	H.F.	2367	Human Resources
S—5555	H.F.	2437	Environment & Energy Utilities
S—5556	H.F.	2338	Environment & Energy Utilities
S—5557	H.F.	2316	Environment & Energy Utilities
S—5558	H.F.	2452	Human Resources

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 4:35 p.m., until 9:00 a.m., Friday, March 25, 1988.

# JOURNAL OF THE SENATE

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SEVENTY-FIFTH CALENDAR DAY  
FIFTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, March 25, 1988

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Allen Wiese, pastor of the United Methodist Church, Cresco, Iowa.

The Journal of Thursday, March 24, 1988, 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, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 2168**, a bill for an act relating to the authority of the treasurer of state to invest in United States government obligations.

**Senate File 2271**, a bill for an act relating to claims against public corporations for nonpayment of moneys due on public improvements.

ALSO: That the House has on March 24, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2278**, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detentions of juveniles in adult facilities, and providing penalties.

This bill was read first time and **passed on file**.

**House File 2456**, a bill for an act relating to programs for which appropriations to the department of human services are required, and providing penalties.

This bill was read first time and **passed on file**.

## MOTIONS TO RECONSIDER WITHDRAWN

### **Senate File 2139**

Senator Lloyd-Jones withdrew the motion to reconsider Senate File 2139, a bill for an act relating to persons with disabilities by requiring the state building code commissioner to adopt rules to ensure enforcement of accessibility provisions, include chapter 104A under the administration and enforcement section of chapter 103A, and adding a penalty, filed by her on March 18, 1988, and found on page 770 of the Senate Journal.

### **Senate File 354**

Senator Murphy withdrew the motion to reconsider Senate File 354, 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, filed by him on February 1, 1988, and found on page 224 of the Senate Journal.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the day on request of Senator Hultman.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

## BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House Files 2440 and 2444** be referred from the Appropriations

Calendar to the committee on **Ways and Means** and returned to the Senate Calendar by 3:00 p.m., Friday, March 25, 1988.

Senator Hutchins asked and received unanimous consent that **House Files 2240 and 2428** be referred from the Regular Calendar to the committee on **Ways and Means**.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2222.

#### **Senate File 2222**

On motion of Senator Hester, Senate File 2222, a bill for an act relating to the issuance of citations and the detention of juveniles, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Hester offered amendment S—5561 filed by him from the floor to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5561 was adopted by a voice vote.

Senator Hester asked and received unanimous consent that **House File 2278** be substituted for **Senate File 2222** as amended.

Senator Hester asked and received unanimous consent that action on **House File 2278** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2323.

#### **Senate File 2323**

On motion of Senator Sturgeon, Senate File 2323, 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, with report of committee approving committee bill with amendment, was taken up for consideration.

Senator Sturgeon offered amendment S—5551 filed by the committee on Appropriations on March 24, 1988, to page 5 of the bill and moved its adoption.

Amendment S—5551 was adopted 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. 2323) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Corning
Deluhery	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	Welsh

Nays, none.

Absent or not voting, 6:

Coleman	Dieleman	Doyle	Miller, C.P.
Schwengels	Wells		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2315.

### Senate File 2315

On motion of Senator Welsh, Senate File 2315, a bill for an act making an appropriation from the road use tax fund of the

state to a certain person in settlement of claims made against the state of Iowa, 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. 2315) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Corning
Deluhery	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	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Miller, C.P.
Palmer	Schwengels	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2321.

### Senate File 2321

On motion of Senator Welsh, Senate File 2321, 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 making coordinating amendments to the Code, and by providing applicability dates, was taken up for consideration.

Senator Hultman offered amendment S—5564 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5564 was adopted by a voice vote.

Senator Hultman offered amendment S—5563 filed by him from the floor to page 5 of the bill and called for a division: lines 4 through 8 as division S—5563A and lines 2 and 3 as division S—5563B.

Senator Hultman moved the adoption of division S—5563A.

A record roll call was requested.

On the question “Shall division S—5563A be adopted?” (S.F.2321) the vote was:

Ayes, 12:

Bruner	Drake	Goodwin	Hall
Hester	Horn	Hultman	Jensen
Nystrom	Readinger	Rensink	Taylor

Nays, 32:

Boswell	Carr	Corning	Deluhery
Fraise	Fuhrman	Gentleman	Gettings
Gronstal	Hannon	Holden	Holt
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Rife
Riordan	Scott	Soorholtz	Sturgeon
Tieden	Vande Hoef	Varn	Welsh

Absent or not voting, 6:

Coleman	Dieleman	Doyle	Miller, C.P.
Schwengels	Wells		

Division S—5563A lost.

Senator Hultman moved the adoption of division S—5563B and requested a record roll call.

On the question “Shall division S—5563B be adopted?” (S.F. 2321) the vote was:

Ayes, 32:

Bruner	Carr	Corning	Deluhery
Fuhrman	Gentleman	Goodwin	Gronstal
Hall	Hester	Holden	Holt
Horn	Hultman	Hutchins	Jensen
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Readinger	Rensink	Rife	Riordan
Soorholtz	Taylor	Tieden	Vande Hoef

Nays, 12:

Boswell	Fraise	Gettings	Hannon
Husak	Kinley	Peterson	Priebe
Scott	Sturgeon	Varn	Welsh

Absent or not voting, 6:

Coleman	Dieleman	Doyle	Drake
Schwengels	Wells		

Division S—5563B was adopted.

## BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2456	Appropriations
H.F.	2442	Transportation

## BUSINESS PENDING

### Senate File 2321

The Senate resumed consideration of Senate File 2321.

Senator Bruner offered amendment S—5570 filed by him from the floor to page 5 of the bill.

President pro tempore Kinley took the chair at 10:08 a.m.

Senator Bruner moved the adoption of amendment S—5570.

Amendment S—5570 was adopted by a voice vote.



Senator Lind offered amendment S—5568 filed by him from the floor to pages 10 and 11 of the bill.

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.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Scott for the remainder of the day on request of Senator Hutchins.

### BUSINESS PENDING

#### Senate File 2321

The Senate resumed consideration of Senate File 2321 and amendment S—5568.

Senator Lind withdrew the following amendments:

S—5568 to pages 10 and 11 of the bill.

S—5567 filed by him on March 25, 1988, to page 11 of the bill.

Senator Welsh offered amendment S—5572 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5572 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. 2321) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Bruner  
Fuhrman  
Hultman

Carr  
Gettings  
Husak

Deluhery  
Goodwin  
Hutchins

Drake  
Horn  
Jensen

Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Schwengels	Soorholtz	Varn
Welsh			

Nays, 16:

Boswell	Corning	Fraise	Gentleman
Gronstal	Hall	Hannon	Hester
Holden	Holt	Lind	Murphy
Sturgeon	Taylor	Tieden	Vande Hoef

Absent or not voting, 5:

Coleman	Dieleman	Doyle	Scott
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 Hultman for the remainder of the day on request of Senator Holden.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2323, 2315 and 2321** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2322.

### Senate File 2322

On motion of Senator Welsh, Senate File 2322, a bill for an act relating to and making appropriations for the compensation and benefits for public officials and employees, 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. 2322) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Corning
Deluhery	Drake	Fraise	Gettings
Goodwin	Horn	Husak	Hutchins
Jensen	Kinley	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Soorholtz	Sturgeon	Tieden	Varn
Welsh			

Nays, 10:

Fuhrman	Gentleman	Gronstal	Hall
Hannon	Hester	Holden	Holt
Lind	Taylor		

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Hultman
Scott	Vande Hoef	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 File 2322** be **immediately messaged** to the House.

President Zimmerman took the chair at 10:50 a.m.

## UNFINISHED BUSINESS

(Deferred March 24, 1988)

### Senate File 2188

The Senate resumed consideration of Senate File 2188, a bill for an act relating to the property tax credit and rent reimbursement for elderly and disabled individuals by changing the formula used for determining the amount of credit and

reimbursement and providing effective dates, deferred March 24, 1988.

Senator Boswell offered amendment S—5276 filed by Senators Boswell, Hannon and Goodwin on March 9, 1988, to pages 1, 2 and the title page of the bill and moved its adoption.

Amendment S—5276 was adopted by a voice vote.

Senator Gettings called up the motion to reconsider the vote by which amendment S—5266 to Senate File 2188 was adopted by the Senate on March 24, 1988, filed by him on March 24, 1988, found on page 1010 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—5266 was taken up for further consideration.

Senator Holden asked and received unanimous consent that further action on amendment S—5266 to page 1 of the bill be deferred.

Senator Bruner offered amendment S—5543 filed by Senators Bruner, Boswell and Holden on March 24, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5543 was adopted by a voice vote.

With the adoption of amendment S—5543, the Chair ruled amendment S—5266 by Senator Holden to page 1 of the bill, previously deferred, out of order.

Senator Bruner offered amendment S—5303 filed by Senators Murphy, Bruner and Boswell on March 10, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5303 was adopted by a voice vote.

Senator Drake asked unanimous consent that Senate File 2188 be referred to the committee on Appropriations.

Senator Drake withdrew his request.

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. 2188) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Deluhery
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Schwengels	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Welsh			

Nays, 6:

Corning	Fuhrman	Gentleman	Holt
Rensink	Vande Hoef		

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Hultman
Rife	Scott	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

## UNFINISHED BUSINESS

(Deferred March 24, 1988)

### House File 2322

On motion of Senator Lind, House File 2322, a bill for an act relating to schedule I and schedule III controlled substances, was taken up for further consideration (substituted for Senate File 2197 and deferred on March 24, 1988).

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. 2322) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Corning
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	Schwengels	Soorholtz
Sturgeon	Taylor	Tieden	Welsh

Nays, 2:

Deluhery	Riordan
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Absent or not voting, 8:

Coleman	Dieleman	Doyle	Hultman
Scott	Vande Hoef	Varn	Wells

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Lind asked and received unanimous consent that **Senate File 2197** be **withdrawn** from further consideration of the Senate.

## UNFINISHED BUSINESS

(Deferred March 24, 1988)

### House File 2337

On motion of Senator Palmer, House File 2337, a bill for an act relating to the jurisdiction of the employment appeal board, was taken up for further consideration (substituted for Senate File 2173 and deferred on March 24, 1988).

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. 2337) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Corning
Deluhery	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal

Hall	Hannon	Hester	Holden
Holt	Horn	Husak	Jensen
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Schwengels	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Welsh			

Nays, none.

Absent or not voting, 9:

Coleman	Dieleman	Doyle	Hultman
Hutchins	Lind	Scott	Vande Hoef
Wells			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Palmer asked and received unanimous consent that **Senate File 2173** be **withdrawn** from further consideration of the Senate.

### UNFINISHED BUSINESS (Deferred March 24, 1988)

#### House File 2306

On motion of Senator Peterson, House File 2306, a bill for an act relating to regulation of the extraction of coal for commercial purposes from a site of one-half acre or less, and making penalties applicable, was taken up for further consideration (substituted for Senate File 2184 and deferred on March 24, 1988).

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. 2306) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Corning
Deluhery	Drake	Fraise	Fuhrman
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	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Hultman
Hutchins	Scott	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Peterson asked and received unanimous consent that **Senate File 2184** be **withdrawn** from further consideration of the Senate.

## UNFINISHED BUSINESS

(Deferred March 24, 1988)

### House File 2264

On motion of Senator Fraise, House File 2264, a bill for an act repealing a requirement that the department of corrections prepare a biennial report relating to the management of the community-based corrections programs, was taken up for further consideration (substituted for Senate File 2187 and deferred on March 24, 1988).

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. 2264) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Corning
Deluhery	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	Readerger
Rensink	Rife	Riordan	Schwengels
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Hester
Hultman	Scott	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Fraise asked and received unanimous consent that **Senate File 2187** be **withdrawn** from further consideration of the Senate.

## UNFINISHED BUSINESS

(Deferred March 24, 1988)

### House File 2355

On motion of Senator Boswell, House File 2355, a bill for an act relating to cooperative associations by providing for their purposes and powers, was taken up for further consideration (substituted for Senate File 2145 and deferred on March 24, 1988).

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. 2355) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Corning
Deluhery	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
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Hultman
Schwengels	Scott	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Boswell asked and received unanimous consent that **Senate File 2145** be **withdrawn** from further consideration of the Senate.

## UNFINISHED BUSINESS

(Deferred March 24, 1988)

### House File 2318

On motion of Senator Priebe, House File 2318, a bill for an act providing for the acknowledgment of delivery of certain debt documents, was taken up for further consideration (substituted for Senate File 2199 and deferred on March 24, 1988).

Senator Priebe moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2318) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Corning
Deluhery	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.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Schwengels
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 7:

Coleman	Dieleman	Doyle	Hultman
Jensen	Scott	Wells	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Priebe asked and received unanimous consent that **Senate File 2199** be **withdrawn** from further consideration of the Senate.

### UNFINISHED BUSINESS (Deferred March 24, 1988)

#### House File 2352

On motion of Senator Nystrom, House File 2352, a bill for an act relating to right-of-way and relocation assistance provided to persons displaced by highway projects, was taken up for further consideration (substituted for Senate File 2215 and deferred on March 24, 1988).

Senator Horn offered amendment S—5544 filed by him on March 24, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5544 was adopted by a voice vote.

Senator Nystrom moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2352) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Corning
Deluhery	Fraise	Fuhrman	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	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 2:

Drake                      Gentleman

Absent or not voting, 6:

Coleman	Dieleman	Doyle	Hultman
Scott	Wells		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Nystrom asked and received unanimous consent that **Senate File 2215** be **withdrawn** from further consideration of the Senate.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2322, 2337, 2306, 2264, 2355 and 2318** be immediately messaged to the House.

### 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.	402	Local Government
S.F.	2007	Natural Resources
S.F.	2279	Education

S. F.	2297	Commerce
S. F.	2308	Judiciary

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

S. F.	416	Judiciary
S. F.	448	Transportation
S. F.	2003	Transportation
S. F.	2122	State Government
S. F.	2158	Commerce
S. F.	2175	Judiciary
S. F.	2178	Judiciary
S. F.	2185	Small Business & Economic Development
S. F.	2198	Human Resources
S. F.	2211	Small Business & Economic Development
S. F.	2241	Business & Labor Relations
S. F.	2251	Business & Labor Relations
S. F.	2254	Education
S. F.	2265	Transportation
S. F.	2272	Small Business & Economic Development
S. F.	2277	State Government
S. F.	2282	Commerce
S. F.	2283	Human Resources

### 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 24, 1988, failed to adopt the **conference committee report** on **House File 395**, a bill for an act relating to the taking of animals and subjecting violators to penalties, and the members of the **second conference committee** on the part of the House are: The Representative from Winneshiek, Mr. Johnson, Chair; the Representative from Jasper, Mr. Black, the Representative from Dickinson, Mrs. Gruhn, the Representative from Black Hawk, Mr. Diemer, and the Representative from Clinton, Mr. Stueland.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### AGRICULTURE

**Convened:** March 24, 1988, 2:37 p.m.

**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Boswell, Fraise, Fuhrman, Hall, Husak, Peterson, Riordan, Rensink, Scott, Soorholtz and Vande Hoef.

**Members Absent:** none.

**Committee Business:** Recommended passage of House File 2433 as amended; recommended confirmation of Governor's appointees.

**Adjourned:** 2:20 p.m.

#### COMMERCE

**Convened:** March 24, 1988, 11:25 a.m.

**Members Present:** Palmer, Chair; Deluhery, Vice Chair; Jensen, Ranking Member; Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh.

**Members Absent:** none.

**Committee Business:** Recommended passage of House Files 2400, 2320, 2303, 2407 and 2127; recommended passage of House Files 2439, 653 and 613 as amended; recommended confirmation of Governor's appointees.

**Adjourned:** 12:40 p.m.

#### ENVIRONMENT AND ENERGY UTILITIES

**Convened:** March 24, 1988, 2:06 p.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hall, A. Miller, Murphy, Rife, Sturgeon and Varn (both arrived 2:11 p.m.).

**Members Absent:** Schwengels (excused).

**Committee Business:** Recommended passage of House Files 2437, 2316, 2338 and 2395 as amended; recommended confirmation of Governor's appointee Dennis Nagel.

**Adjourned:** 2:24 p.m.

## **HUMAN RESOURCES**

**Convened:** March 24, 1988, 2:37 p.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Corning, Lind, Murphy, C. Miller, Readinger, Sturgeon and Taylor.

**Members Absent:** Coleman (excused).

**Committee Business:** Assigned a bill to subcommittee; recommended confirmation of Governor's appointees; recommended passage of House Files 2452, 2402 and 2367 as amended.

**Adjourned:** 3:35 p.m.

## **NATURAL RESOURCES**

**Convened:** March 24, 1988, 5:00 p.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Goodwin, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Schwengels, Ranking Member and Doyle (both excused).

**Committee Business:** Recommended passage of House Files 2258 and 133; motion prevailed that House File 2164 be laid on the table.

**Adjourned:** 5:15 p.m.

## **STATE GOVERNMENT**

**Convened:** March 24, 1988, 3:45 p.m.

**Members Present:** Carr, Chair; Nystrom, Ranking Member; Bruner, Drake, Gentleman, Gronstal, Horn, Lloyd-Jones, C. Miller and Soorholtz.

**Members Absent:** Dieleman, Vice Chair; Coleman, Rife, Schwengels and Welsh (all excused).

**Committee Business:** Assigned House File 2374 to a subcommittee; recommended passage of House Files 2405 and 2374; recommended confirmation of Governor's appointments.

**Adjourned:** 4:03 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 Governor's appointment of Dennis Nagel as a member and chairperson of the Utilities Board, completed its investigation on March 24, 1988, and recommended the appointee 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 24 and 25, 1988, and recommended the appointees be confirmed:

Robert J. Martin for reappointment as a member of the Commission for the Blind.

William F. Kautzky for reappointment as a member of the Commission on the Deaf.

Myron L. Gookin (reappointment), Keniston H. Hoppenworth, Orin Huseman, Vilas "Sid" L. Morris, Jr. (all appointments) and Yvonne M. Schildberg (reappointment) as members of the Mental Health and Mental Retardation Commission.

Mark Wolraich for reappointment as a member of the State Foster Care Review Board.

**MOTIONS TO RECONSIDER**

**MADAM PRESIDENT:** I move to reconsider the vote by which Senate File 2188 passed the Senate on March 25, 1988.

**BILL HUTCHINS**

**MADAM PRESIDENT:** I move to reconsider the vote by which House File 2352 passed the Senate on March 25, 1988.

**JOE J. WELSH**



## BILLS RETURNED TO CALENDAR

Pursuant to Senate Rule 13 and unanimous consent received by Senator Hutchins on March 24, 1988, Senate Journal page 1002, **House File 2046** was placed on the Unfinished Business Calendar from the committee on **State Government** at noon, Friday, March 25, 1988, without committee recommendation for passage.

Pursuant to Senate Rule 13 and unanimous consent received by Senator Hutchins on March 25, 1988, Senate Journal pages 1024 and 1025, **House Files 2440 and 2444** were returned to the Appropriations Calendar from the committee on **Ways and Means** at 3:00 p.m., Friday, March 25, 1988, without committee recommendation for passage.

## PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty twelfth grade students from Denver High School, Denver, Iowa, accompanied by Robert Shultz, Steve Moon and Lois Miller. Senator Jensen.

## COMMITTEE REPORTS

### COMMERCE

**Final Bill Action:** 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.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5562.

**Final Vote:** Ayes, 15: Palmer, Deluhery, Jensen, Carr, Gronstal, Holden, Kinley, Lind, Mann, Nystrom, Priebe, Rife, Sturgeon, Tieden and Welsh. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### HUMAN RESOURCES

**Final Bill Action:** HOUSE FILE 2106, a bill for an act prohibiting the

advertisement or sale in this state of home testing kits for human immunodeficiency virus antibody or antigen testing, and providing penalties.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 7: Hannon, Carr, Bruner, Corning, Murphy, Readinger and Sturgeon. Nays, 2: Gentleman and Lind. Absent or not voting, 3: Coleman, C. Miller and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2294, a bill for an act relating to testing for and confidentiality of human immunodeficiency virus-related matters and providing penalties.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5579.

**Final Vote:** Ayes, 10: Hannon, Carr, Gentleman, Bruner, Corning, Lind, Murphy, C. Miller, Readinger and Sturgeon. Nays, none. Absent or not voting, 2: Coleman and Taylor.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## NATURAL RESOURCES

**Final Bill Action:** HOUSE FILE 133, a bill for an act providing for nonresident hunting licenses for deer and wild turkey.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5566.

**Final Vote:** Ayes, 7: Scott, Goodwin, Hannon, Hester, Peterson, Rensink and Tieden. Nays, 3: Priebe, Husak and A. Miller. Absent or not voting, 2: Schwengels and Doyle.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2258, a bill for an act relating to trespass upon the right-of-way of a public road or highway.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5565.

**Final Vote:** Ayes, 10: Scott, Priebe, Goodwin, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden. Nays, none. Absent or not voting, 2: Schwengels and Doyle.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Final Bill Action:** HOUSE FILE 2346, a bill for an act relating to the coordination of rural development programs by creating a rural development coordinating committee and the office of rural resources coordinator.

**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:** HOUSE FILE 2386, a bill for an act relating to additional factors, requirements, and guidelines for providing assistance under the community economic betterment account of the Iowa plan fund and RISE PROGRAM.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5575.

**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:** HOUSE FILE 2416, a bill for an act relating to establishing a case management assistance program to assist low-income persons in starting up or expanding small businesses.

**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.

**STATE GOVERNMENT**

**Final Bill Action:** HOUSE FILE 2339, a bill for an act relating to grievances and discipline resolution for certain employees of the state.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5578.

**Final Vote:** Ayes, 8: Carr, Bruner, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh. Nays, 1: Gentleman. Absent or not voting, 6: Dieleman, Nystrom, Coleman, Drake, Gronstal and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**AMENDMENTS FILED**

S—5559	H.F.	2283	Jim Riordan
S—5560	H.F.	2283	Jim Riordan
S—5561	S. F.	2222	Jack Hester
S—5562	H.F.	653	Commerce
S—5563	S. F.	2321	Calvin O. Hultman
S—5564	S. F.	2321	Calvin O. Hultman
S—5565	H.F.	2258	Natural Resources
S—5566	H.F.	133	Natural Resources
S—5567	S. F.	2321	Jim Lind
S—5568	S. F.	2321	Jim Lind
S—5569	H.F.	566	Wilmer Rensink
S—5570	S. F.	2321	Charles Bruner
S—5571	H.F.	468	Wally Horn
S—5572	S. F.	2321	Joe Welsh
S—5573	H.F.	2046	Edgar H. Holden
S—5574	H.F.	2285	Edgar H. Holden
			Jim Lind
S—5575	H.F.	2386	Small Business/Economic Development
S—5576	H.F.	2419	Larry Murphy
			Wally E. Horn
			Richard Varn
			Beverly Hannon
			Jean Lloyd-Jones
			Wilmer Rensink
			Ray Taylor
			Edgar H. Holden

			Charles Bruner
			Dale Tieden
			Jim Lind
			Joy Corning
			Jim Riordan
S—5577	H.F.	2444	John Peterson
			Joe Welsh
S—5578	H.F.	2339	State Government
S—5579	H.F.	2294	Human Resources
S—5580	H.F.	529	Joe Welsh

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 11:37 a.m., until 10:00 a.m., Monday, March 28, 1988.

# JOURNAL OF THE SENATE

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SEVENTY-EIGHTH CALENDAR DAY  
FIFTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, March 28, 1988

The Senate met in regular session at 10:02 a.m., President Zimmerman presiding.

Prayer was offered by Father Robert Schoemann, pastor of the Visitation Catholic Church, Des Moines, Iowa.

The Journal of Friday, March 25, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Boswell for the morning and Senator Doyle for the day on request of Senator Hutchins; Senator Lind for a portion of the morning on request of Senator Holt; Senator Hultman for a portion of the morning and Senator Schwengels for the day on request of Senator Jensen.

## 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, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 2020**, a bill for an act relating to the return of cash or other qualified security deposited with the clerk of the district court as bail.

**Senate File 2064**, a bill for an act relating to the residency of an agent for an authorized company engaged in the business of becoming surety upon bonds in criminal cases.

**Senate File 2256**, a bill for an act relating to the admission of a report or findings of the criminalistics laboratory as evidence in a civil proceeding.

ALSO: That the House has on March 24, 1988, 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 2074**, a bill for an act relating to the extension of the applicability of House File 689, enacted during the Second Extraordinary Session of the Seventy-second General Assembly during 1987, updating references to the Internal Revenue Code, providing for retroactive applicability, and providing an effective date.

ALSO: That the House has on March 24, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2086**, a bill for an act relating to the procurement of starch-based plastics and soybean-based inks by the department of general services, the state board of regents, the commission for the blind, and the state department of transportation (S—5581).

### QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 105.

#### House File 105

On motion of Senator Wells, House File 105, a bill for an act relating to the appointment of assessors, with report of committee recommending passage, was taken up for consideration.

Senator Miller of Cerro Gordo offered amendment S—5360 filed by Senators Boswell and Miller of Cerro Gordo on March 14, 1988, to page 1 and the title page of the bill.

Senator Miller of Cerro Gordo offered amendment S—5479 filed by Senator Fraise on March 21, 1988, to amendment S—5360 and moved its adoption.

A non record roll call was requested.

The ayes were 4, nays 37.

Amendment S—5479 lost.

Senator Miller of Cerro Gordo moved the adoption of amendment S—5360.

A record roll call was requested.

On the question “Shall amendment S—5360 be adopted?” (H.F 105) the vote was:

Ayes, 8:

Drake	Fraise	Goodwin	Mann
Miller, A.V.	Miller, C.P.	Scott	Sturgeon

Nays, 35:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Fuhrman	Gentleman
Gettings	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Absent or not voting, 7:

Boswell	Doyle	Hannon	Lind
Lloyd-Jones	Murphy	Schwengels	

Amendment S—5360 lost.

Senator Hultman offered amendment S—5148 filed by him on February 26, 1988, to page 2 and the title page of the bill and moved its adoption.

Amendment S—5148 was adopted by a voice vote.



Senator Wells moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 105) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	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.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Doyle	Lind	Murphy
Schwengels	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### House File 2061

On motion of Senator Goodwin, House File 2061, a bill for an act to require members of examining boards and board of review to be residents of the assessor jurisdiction, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5524 filed by her on March 23, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5524 lost 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. 2061) the vote was:

Ayes, 40:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Gentleman	Gettings	Goodwin	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 5:

Fuhrman	Gronstal	Lloyd-Jones	Palmer
Riordan			

Absent or not voting, 5:

Boswell	Doyle	Lind	Mann
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### House File 2129

On motion of Senator Coleman, House File 2129, a bill for an act relating to brake requirements for certain trucks and truck tractors, 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. 2129) the vote was:

Ayes, 46:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	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	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell	Doyle	Lind	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the morning on request of Senator Horn.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2156.

#### House File 2156

On motion of Senator Drake, House File 2156, a bill for an act relating to the registration of aircraft, and making penalties 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. 2156) the vote was:

Ayes, 41:

Bruner	Carr	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Kinley	Lloyd-Jones	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Coleman	Gentleman
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Absent or not voting, 7:

Boswell	Doyle	Jensen	Lind
Mann	Miller, A.V.	Schwengels	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## House File 2166

On motion of Senator Varn, House File 2166, a bill for an act relating to a disclaimer of interest by a beneficiary also acting as a fiduciary, 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. 2166) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	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, 6:

Boswell	Doyle	Hannon	Lind
Mann	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### House File 2259

On motion of Senator Jensen, House File 2259, a bill for an act to permit persons who rebuild motor vehicles into emergency vehicles to be licensed as wholesalers, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman offered amendment S—5136 filed by the committee on Transportation on February 24, 1988, to page 1 of the bill.

Senator Jensen asked and received unanimous consent to withdraw amendment S—5136.

Senator Peterson offered amendment S—5584 filed by him from the floor to page 1 and the title page of the bill.

Senator Jensen raised the point of order that amendment S—5584 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5584 out of order.

Senator Jensen moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2259) the vote was:

Ayes, 45:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
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, 5:

Boswell	Doyle	Lind	Mann
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### House File 2102

On motion of Senator Hannon, House File 2102, a bill for an act to prohibit the taking of an albino deer and protected game, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—5141 filed by the committee on Natural Resources on February 25, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5141 was adopted by a voice vote.

Senator Priebe offered amendment S—5140 filed by Senators Priebe, Peterson and Scott on February 25, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5140 was adopted by a voice vote.

Senator Hall offered amendment S—5261 filed by him on March 8, 1988, to page 1 of the bill.

President pro tempore Kinley took the chair at 11:19 a.m.

Senator Hall moved the adoption of amendment S—5261, 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. 2102) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	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, 6:

Boswell	Doyle	Holden	Lind
Mann	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2265.

### House File 2265

On motion of Senator Fraise, House File 2265, a bill for an act relating to reports to be submitted by superintendents of correctional institutions to the director of the department of corrections, 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. 2265) the vote was:

Ayes, 44:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Doyle	Lind	Mann
Schwengels	Sturgeon		

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 11:30 a.m., until 1:30 p.m. .



## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### APPROPRIATIONS

**Convened:** March 24, 1988, 1:28 p.m.

**Members Present:** Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

**Members Absent:** Dieleman and Schwengels.

**Committee Business:** Approved LSBs 8440 and 8443 as committee bills; approved LSB 8329 as a committee bill with amendment.

**Adjourned:** 1:57 p.m.

#### EDUCATION

**Convened:** March 25, 1988, 12:20 p.m.

**Members Present:** Murphy, Chair; Horn, Vice Chair; Bruner, Corning, Hannon, Lloyd-Jones, Lind, Rensink, Riordan and Varn.

**Members Absent:** Taylor, Ranking Member; Dieleman, Holden, Tieden and Wells.

**Committee Business:** Recommended passage of House File 566.

**Adjourned:** 12:24 p.m.

#### HUMAN RESOURCES

**Convened:** March 25, 1988, 11:42 a.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Bruner, Corning, Lind, Murphy, C. Miller, Readinger and Sturgeon.

**Members Absent:** Coleman (excused) and Taylor.

**Committee Business:** Recommended confirmation of Governor's appointees; recommended passage of House File 2294 as amended; recommended passage of House File 2106.

**Adjourned:** 12:15 p.m.

## **NATURAL RESOURCES**

**Convened:** March 24, 1988, 8:05 a.m.

**Members Present:** Scott, Chair; Priebe, Vice Chair; Doyle, Goodwin, Hannon, Hester, Husak, A. Miller, Peterson, Rensink and Tieden.

**Members Absent:** Schwengels, Ranking Member (excused).

**Committee Business:** Larry Wilson, Director of the Department of Natural Resources and Allen Stokes, Division Administrator, Environmental Protection Agency, discussed the results of the water system monitoring report presented to the Environmental Protection Commission.

**Adjourned:** 9:10 a.m.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** March 25, 1988, 8:08 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 House Files 2386, 2346 and 2416; recommended confirmation of Governor's appointee.

**Adjourned:** 8:30 a.m.

## **STATE GOVERNMENT**

**Convened:** March 25, 1988, 12:15 p.m.

**Members Present:** Carr, Chair; Bruner, Gentleman, Horn, Lloyd-Jones, C. Miller, Rife, Soorholtz and Welsh.

**Members Absent:** Dieleman, Vice Chair; Nystrom, Ranking Member; Coleman, Drake, Gronstal and Schwengels.

**Committee Business:** Recommended passage of House File 2339; recommended passage of Governor's appointees.

**Adjourned:** 12:20 p.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 25th day of March, 1988:

Senate Files 2267, 2196, 2061 and 2094.

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 enrolling Senate File 2094, the following correction was made:

1. Page 5, line 16, the words "Section 4" were changed to the words "Section 5".

ALSO:

Pursuant to Senate Rule 21, I report that in enrolling Senate File 2196, the following correction was made:

1. Page 2, line 13, the word "esthetic" was changed to the word "aesthetic".

Pursuant to Senate Rule 21, I report that in enrolling Senate File 2267, the following correction was made:

1. Page 2, line 3, the word "Supplement" was added after the word "Code".

JOHN F. DWYER  
Secretary of the Senate

**REPORT OF STANDING COMMITTEE**  
(Place nominee on En Bloc Confirmation Calendar)**SMALL BUSINESS/ECONOMIC DEVELOPMENT**

Pursuant to Senate Rule 59, the committee on Small Business/Economic Development assigned to investigate the appointment of Jeanne Partlow as a member of the Iowa High Technology Council, completed its investigation on March 25, 1988, and recommended the appointee be confirmed.

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-five twelfth grade students from Wilton High School, Wilton, Iowa, accompanied by Brenda Grander. Senator Rife.

Twenty members of the Walker Boy Scout Troop, Walker, Iowa, accompanied by Larry Schmidt. Senator Hall.

### PETITIONS

The following petitions opposing any increase in beer, wine or liquor taxes were presented and placed on file by:

Senator Gentleman from fifty-five residents of Polk County.

Senator Murphy from twenty-nine residents of Fayette County.

Senator Priebe from fifty-five residents of Kossuth County.

Senator Scott from fifty-six residents of Cerro Gordo County.

### AMENDMENTS FILED

S—5581	S.F.	2086	House amendment
S—5582	H.F.	2192	Kenneth Scott
S—5583	H.F.	2440	James Riordan
S—5584	H.F.	2259	John A. Peterson
S—5585	H.F.	2405	Wally Horn
S—5586	H.F.	2443	Joe J. Welsh

## AFTERNOON SESSION

The Senate reconvened at 1:36 p.m., Senator Hannon 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.

## BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2433** be referred from the Regular Calendar to the committee on **Education** and **Senate Concurrent Resolution 124** be referred from the Regular Calendar to the committee on **Rules and Administration**.

## MOTION TO RECONSIDER WITHDRAWN

### Senate File 2210

Senator Dieleman withdrew the motion to reconsider Senate File 2210, a bill for an act relating to the licensing of marital and family therapists; establishing the board of marital and family therapy examiners; providing exemptions; redefining "mental health professional" for purposes of confidential communications; making penalties applicable; and providing other properly related matters, filed by him on March 8, 1988, and found on page 684 of the Senate Journal.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2168.

### House File 2168

On motion of Senator Fraise, House File 2168, a bill for an act relating to the recording of instruments by a county recorder,

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. 2168) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Doyle	Hester	Holden	Mann
Palmer	Priebe	Schwengels	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 House File 2287.

### House File 2287

On motion of Senator Miller of Cerro Gordo, House File 2287, a bill for an act relating to the filing date of the elderly or disabled property tax credit, providing for the recovery of erroneous payments, and providing an effective date, 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. 2287) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Doyle	Hester	Jensen	Mann
Priebe	Schwengels	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 pro tempore Kinley presiding.

### CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2444.

#### House File 2444

On motion of Senator Peterson, House File 2444, a bill for an act relating to regulatory bodies of state government by making appropriations to agencies, boards, commissions, departments, and programs of state government including the auditor of state, campaign finance, employment services, labor services, industrial services, job services, inspections and appeals, commerce, professional licensing and regulation, insurance, alcoholic

beverages, banking, credit union, savings and loan, and utilities, by mandating certain studies, policies, and other actions by certain regulatory bodies, by increasing certain fees, by allocating certain expenses between state agencies, and by exempting certain regulatory personnel from the merit pay system and providing an effective date, with report of committee on Appropriations recommending amendment and passage and the committee on Ways and Means without recommendation for passage, was taken up for consideration.

Senator Welsh offered amendment S—5529 filed by the committee on Appropriations on March 23, 1988, to pages 5 and 11 of the bill and moved its adoption.

Amendment S—5529 was adopted by a voice vote.

Senator Peterson offered amendment S—5589 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—5589 was adopted by a voice vote.

Senator Peterson withdrew amendment S—5517 filed by him on March 22, 1988, to pages 8 and 22 of the bill.

Senator Peterson offered amendment S—5577 filed by Senators Peterson and Welsh on March 25, 1988, to pages 8, 16 and 22 of the bill and moved its adoption.

Amendment S—5577 was adopted by a voice vote.

Senator Scott offered amendment S—5496 filed by him on March 21, 1988, to pages 10 and 21 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 23.

Amendment S—5496 lost.

Senator Welsh offered amendment S—5587 filed by him from the floor to page 11 of the bill and moved its adoption.

Amendment S—5587 was adopted by a voice vote.



With the adoption of amendment S—5577, the Chair ruled amendment S—5548 filed by Senator Peterson on March 24, 1988, to page 16 of the bill, out of order.

Senator Peterson withdrew amendment S—5503 filed by him on March 22, 1988, to page 19 of the bill.

Senator Hultman offered amendment S—5593 filed by Senators Hultman, et al., from the floor to pages 2 and 3 of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendment S—5593 be deferred.

Senator Welsh offered amendment S—5595 filed by him from the floor to page 21 of the bill and moved its adoption.

Amendment S—5595 was adopted by a voice vote.

Senator Vande Hoef offered amendment S—5596 filed by him from the floor to page 22 of the bill and moved its adoption.

Amendment S—5596 was adopted by a voice vote.

(Action on House File 2444 was temporarily deferred.)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2443.

### **House File 2443**

On motion of Senator Fraise, House File 2443, a bill for an act relating to and making appropriations to the justice system and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

President Zimmerman took the chair at 3:30 p.m.

Senator Welsh offered amendment S—5522 filed by the committee on Appropriations on March 23, 1988, to pages 5 and 12 of the bill.

Senator Hannon offered amendment S—5598 filed by her from the floor to amendment S—5522 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5598 to amendment S—5522 be adopted?" (H.F. 2443) the vote was:

Ayes, 10:

Boswell	Coleman	Deluhery	Doyle
Fuhrman	Gronstal	Hannon	Murphy
Riordan	Welsh		

Nays, 35:

Bruner	Corning	Dieleman	Drake
Fraise	Gentleman	Gettings	Goodwin
Hall	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Absent or not voting, 5:

Carr	Hultman	Mann	Palmer
Schwengels			

Amendment S—5598 lost.

Senator Fraise offered amendment S—5594 filed by him from the floor to amendment S—5522.

Senator Lind called for a division of amendment S—5594 to amendment S—5522: lines 4 and 5 as division S—5594A and lines 6 through 9 as division S—5594B.

Senator Fraise moved the adoption of division S—5594A to amendment S—5522, which motion prevailed by a voice vote.

Senator Fraise moved the adoption of division S—5594B to amendment S—5522, which motion prevailed by a voice vote.

With the adoption of division S—5594B to amendment S—5522, the Chair ruled amendment S—5591 filed by Senator Lind from the floor to amendment S—5522, out of order.

Senator Welsh moved the adoption of amendment S—5522 as amended, which motion prevailed by a voice vote.

Senator Riordan offered amendment S—5588 filed by him from the floor to page 2 of the bill.

Senator Hultman raised the point of order that amendment S—5588 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5588 in order.

Senator Riordan moved the adoption of amendment S—5588, which motion prevailed by a voice vote.

Senator Welsh offered amendment S—5586 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

Amendment S—5586 was adopted by a voice vote.

With the adoption of amendment S—5522 as amended, the Chair ruled amendment S—5512 filed by Senators Dieleman and Husak on March 22, 1988, to page 5 of the bill, out of order.

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. 2443) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Goodwin	Gronstal
Holden	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Riordan	Scott
Soorholtz	Sturgeon	Vande Hoef	Varn
Wells	Welsh		

Nays, 13:

Drake	Fuhrman	Gentleman	Hall
Hester	Holt	Hultman	Jensen
Lind	Rensink	Rife	Taylor
Tieden			

Absent or not voting, 3:

Hannon

Mann

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2443** be **immediately messaged** to the House.

## BUSINESS PENDING

### House File 2444

The Senate resumed consideration of House File 2444, a bill for an act relating to regulatory bodies of state government by making appropriations to agencies, boards, commissions, departments, and programs of state government including the auditor of state, campaign finance, employment services, labor services, industrial services, job services, inspections and appeals, commerce, professional licensing and regulation, insurance, alcoholic beverages, banking, credit union, savings and loan, and utilities, by mandating certain studies, policies, and other actions by certain regulatory bodies, by increasing certain fees, by allocating certain expenses between state agencies, and by exempting certain regulatory personnel from the merit pay system and providing an effective date, and amendment S—5593 by Senators Hultman, et al., to pages 2 and 3 of the bill, previously deferred.

Senator Welsh offered amendment S—5602 filed by him from the floor to page 3 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5602 be adopted?” (H.F. 2444) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 26:

Boswell  
Deluhery

Bruner  
Dieleman

Carr  
Doyle

Coleman  
Fraise

Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Peterson	Priebe
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, 22:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Jensen	Kinley
Lind	Nystrom	Palmer	Readinger
Rensink	Rife	Soorholtz	Taylor
Tieden	Vande Hoef		

Absent or not voting, 2:

Mann	Schwengels
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Amendment S—5602 was adopted.

With the adoption of amendment S—5602, the Chair ruled amendment S—5593 by Senators Hultman, et al., to pages 2 and 3 of the bill, previously deferred, out of order.

Senator Holden offered amendment S—5603 filed by him from the floor to pages 3 and 4 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 19, nays 25.

Amendment S—5603 lost.

Senator Gentleman offered amendment S—5600 filed by her from the floor to page 5 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5600 be adopted?” (H.F. 2444) the vote was:

Ayes, 21:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Jensen	Lind
Miller, C.P.	Nystrom	Readinger	Rensink
Rife	Soorholtz	Taylor	Tieden
Vande Hoef			

Nays, 26:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Miller, A.V.	Murphy	Peterson	Priebe
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Absent or not voting, 3:

Mann	Palmer	Schwengels
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Amendment S—5600 lost.

Senator Holden offered amendment S—5604 filed by him from the floor to page 9 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 26.

Amendment S—5604 lost.

Senator Gentleman offered amendment S—5599 filed by her from the floor to page 9 of the bill and moved its adoption.

Amendment S—5599 lost by a voice vote.

Senator Dieleman 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—5595 by Senator Welsh to page 21 of House File 2444 was adopted by the Senate on March 28, 1988.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (H.F. 2444) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 12:

Bruner	Dieleman	Drake	Fuhrman
Gentleman	Gronstal	Jensen	Miller, A.V.
Miller, C.P.	Priebe	Readinger	Rife

Nays, 36:

Boswell	Carr	Coleman	Corning
Deluhery	Doyle	Fraise	Gettings
Goodwin	Hall	Hannon	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Murphy	Nystrom	Palmer
Peterson	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Absent or not voting, 2:

Mann	Schwengels
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The motion lost.

Senator Fuhrman 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—5496 to House File 2444 failed to be adopted by the Senate on March 28, 1988.

A non record roll call was requested.

The ayes were 33, nays 12.

The motion prevailed and amendment S—5496 by Senator Scott to pages 10 and 21 of the bill, was taken up for reconsideration.

Senator Scott moved the adoption of amendment S—5496, which motion prevailed 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. 2444) 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	Doyle	Fraise
Gettings	Goodwin	Gronstal	Hannon
Horn	Husak	Hutchins	Kinley
Miller, A.V.	Miller, C.P.	Peterson	Priebe
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, 21:

Corning	Drake	Fuhrman	Gentleman
Hall	Hester	Holden	Holt
Hultman	Jensen	Lind	Lloyd-Jones
Nystrom	Palmer	Readinger	Rensink
Rife	Soorholtz	Taylor	Tieden
Vande Hoef			

Absent or not voting, 3:

Mann	Murphy	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2444** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2440.

#### **House File 2440**

On motion of Senator Riordan, House File 2440, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship and the department of natural resources, with report of committee on Appropriations recommending amendment and passage, and the committee on Ways and Means without committee recommendation for passage, was taken up for consideration.



Senator Riordan offered amendment S—5523 filed by the committee on Appropriations on March 23, 1988, to page 2 and the title page of the bill and moved its adoption.

Amendment S—5523 was adopted by a voice vote.

Senator Holden withdrew amendment S—5605 filed by him on March 28, 1988, to page 5 of the bill.

Senator Priebe asked and received unanimous consent that action on amendment S—5615 filed by Senators Priebe and Tieden from the floor to page 5 of the bill be deferred.

Senator Riordan offered amendment S—5583 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—5583 was adopted by a voice vote.

With the adoption of amendment S—5583, the Chair ruled amendment S—5615 by Senators Priebe and Tieden to page 5 of the bill, previously deferred, out of order.

Senator Hultman offered amendment S—5597 filed by him from the floor to pages 13 and 14 of the bill and moved its adoption.

Amendment S—5597 lost by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **House File 2440** be deferred.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2415.

#### **House File 2415**

On motion of Senator Drake, House File 2415, a bill for an act relating to incentives to encourage certain state government employees to retire from employment by providing for monetary or insurance payment incentives, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **House File 2415** be **deferred**.

## BUSINESS PENDING

### House File 2440

The Senate resumed consideration of House File 2440, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship and the department of natural resources, previously deferred.

Senator Priebe offered amendment S—5616 filed by Senators Priebe, Tieden and Husak from the floor to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 31, nays 16.

Amendment S—5616 was adopted.

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. 2440) the vote was:

Ayes, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Palmer
Peterson	Priebe	Riordan	Scott
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Nays, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Jensen	Lind
Readinger	Rensink	Rife	Taylor
Tieden	Vande Hoef		

Absent or not voting, 3:

Mann

Nystrom

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2440** be **immediately messaged** to the House.

## **APPENDIX**

### **SUBCOMMITTEE ASSIGNMENTS**

#### **House Concurrent Resolution 108**

**RULES AND ADMINISTRATION:** Gettings, Chair; Kinley and Jensen

#### **House File 2240**

**WAYS AND MEANS:** Riordan, Chair; Drake and Husak

#### **House File 2374**

**STATE GOVERNMENT:** Carr, Chair; Drake and Horn

#### **House File 2428**

**WAYS AND MEANS:** Mann, Chair; Drake and Murphy

#### **House File 2441**

**WAYS AND MEANS:** Gronstal, Chair; Riordan and Soorholtz

### **PRESENTATION OF VISITORS**

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fifth grade students from Webster Elementary School, Oskaloosa, Iowa, accompanied by Richard Hamilton. Senator Schwengels.

Thirty-five twelfth grade students from Fort Madison and Newton High Schools, accompanied by Sue Vogel. Senators Fraise and Soorholtz.

### **CONFERENCE COMMITTEE REPORT RECEIVED**

**(House File 666)**

A conference committee report signed by the following Senate and House members was filed March 15, 1988, on 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:

## On the Part of the Senate:

WILLIAM W. DIELEMAN, Chair  
DONALD V. DOYLE  
MICHAEL E. GRONSTAL  
LEE HOLT  
DAVID M. READINGER

## On the Part of the House:

KAY CHAPMAN, Chair  
CLIFFORD O. BRANSTAD  
DAN PETERSEN  
RALPH ROSENBERG  
DAVID TABOR

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 and reappointments, completed its investigations on March 24 and 25, 1988, and recommended the appointees be confirmed:

Gene Geissinger for reappointment and Gordon E. Swenson for appointment as members of the Agricultural Development Authority.

Marie G. Ellingson and Carolyn Ann Roberts for appointment as members of the Iowa Grain Indemnity Fund Board.

**STATE GOVERNMENT**

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the following Governor's appointments and reappointments, completed its investigations on March 28, 1988, and recommended the appointees be confirmed:

Charles Finch and Richard Garrells for appointment and Jill M. Gift for reappointment as members of the Dietetic Examining Board.

Charles H. Sweeney for reappointment as Director of Inspections and Appeals.

Dean Frey for reappointment as a member of the Iowa Board of Veterinary Medicine.

Dr. John R. Anderson for reappointment as a member of the Medical Examining Board.

Jan S. Miller for reappointment and Peter R. Teahen for appointment as members of the Mortuary Science Examining Board.

Virginia J. Poffenberger for reappointment as a member of the Social Work Examining Board.

Charles R. Gipp for appointment and Michael S. Pomper for reappointment as members of the Speech Pathology and Audiology Examining Board.

Marcia K. Dudden for reappointment, Dolores M. Gross for appointment and Alexa L. Mayner for reappointment as members of the State Board of Examininers for Nursing Home Administrators.

Roger A. Chapman for appointment and Maxine O. Cochran for reappointment as members of the Cosmetology Examining Board.

### AMENDMENTS FILED

S-5587	H.F.	2444	Joe Welsh
S-5588	H.F.	2443	Jim Riordan
S-5589	H.F.	2444	John A. Peterson
S-5590	H.F.	2400	Emil J. Husak
S-5591	H.F.	2443	Jim Lind
S-5592	H.F.	2400	Emil J. Husak
S-5593	H.F.	2444	Calvin O. Hultman
			John W. Jensen
			Lee W. Holt
			Richard Vande Hoef
S-5594	H.F.	2443	Eugene Fraise
S-5595	H.F.	2444	Joe J. Welsh
S-5596	H.F.	2444	Richard Vande Hoef
S-5597	H.F.	2440	Calvin O. Hultman
S-5598	H.F.	2443	Beverly Hannon
S-5599	H.F.	2444	Julia Gentleman
S-5600	H.F.	2444	Julia Gentleman
S-5601	H.F.	2285	Emil J. Husak
			Wally E. Horn
			Leonard Boswell
			Jack W. Hester
			Jack Nystrom
S-5602	H.F.	2444	Joe Welsh
S-5603	H.F.	2444	Edgar H. Holden
S-5604	H.F.	2444	Edgar H. Holden
S-5605	H.F.	2440	Edgar H. Holden
S-5606	H.F.	645	Al Sturgeon
S-5607	H.F.	645	Al Sturgeon
S-5608	H.F.	645	Al Sturgeon
S-5609	H.F.	645	Al Sturgeon
S-5610	H.F.	645	Al Sturgeon

S—5611	H.F.	645	Al Sturgeon
S—5612	H.F.	2412	Eugene Fraise
S—5613	H.F.	2170	Charles Bruner
			Richard Vande Hoef
			Joy Corning
			Jean Lloyd-Jones
S—5614	H.F.	2336	Richard Varn
			Michael E. Gronstal
			Linn Fuhrman
			Donald V. Doyle
S—5615	H.F.	2440	Berl E. Priebe
			Dale Tieden
S—5616	H.F.	2440	Berl E. Priebe
			Dale L. Tieden
			Emil J. Husak

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:12 p.m., until 9:00 a.m., Tuesday, March 29, 1988.

# JOURNAL OF THE SENATE

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SEVENTY-NINTH CALENDAR DAY  
FIFTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, March 29, 1988

The Senate met in regular session at 9:08 a.m., Senator Coleman presiding.

Prayer was offered by Sister Gwen Hennessey, Director of the Catholic Peace Ministry, Des Moines Diocese, Des Moines, Iowa.

The Journal of Monday, March 28, 1988, was approved.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels 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 March 25, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 2183**, a bill for an act relating to the publication of a notice of a drainage district hearing.

**Senate File 2258**, a bill for an act relating to the destruction and retention of court reporters' notes and certified transcripts in civil and criminal proceedings.

**Senate File 2270**, a bill for an act relating to the suspension of the collection of taxes, special assessments, and other assessments by the county board of supervisors.

ALSO: That the House has on March 25, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:



**Senate File 2063**, a bill for an act relating to the jurisdiction of magistrates (S—5619).

**Senate File 2230**, a bill for an act relating to the sale of part of a gravel pit owned by a county (S—5618).

ALSO: That the House has on March 25, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2457**, 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.

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 41 present, 9 absent and a quorum present.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2123.

#### **House File 2123**

On motion of Senator Varn, House File 2123, a bill for an act relating to the inheritance laws by providing for the power of a surviving spouse's conservator to elect to take or refuse to take under a will or to elect to occupy the homestead, eliminating the time requirement when the share of a surviving spouse may be set off by referees when the spouse elects to take against the will, and providing for a share of an estate of a child born or adopted after execution of a testator's last will, 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. 2123) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
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
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	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 Hutchins asked and received unanimous consent to take up out of order House File 2179.

### House File 2179

On motion of Senator Wells, House File 2179, a bill for an act extending civil service status to certain job classes funded by public grants or other temporary funds, 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. 2179) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2336.

### House File 2336

On motion of Senator Gronstal, House File 2336, a bill for an act relating to the confidentiality of certain records of a library, with report of committee recommending passage, was taken up for consideration.

Senator Varn offered amendment S—5614 filed by Senators Varn, et al., on March 28, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5614 was adopted by a voice vote.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2336) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	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.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Holden

Absent or not voting, 2:

Deluhery                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### House File 2347

On motion of Senator Horn, House File 2347, a bill for an act relating to the calculation of special assessment installments, interest on unpaid installments, and interest penalties, 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. 2347) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### House File 2363

On motion of Senator Fuhrman, House File 2363, a bill for an act relating to the control of certain parasitic infestations common to bees by the state apiarist, 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. 2363) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Deluhery                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## House File 2371

On motion of Senator Wells, House File 2371, a bill for an act authorizing the joint investment of funds by counties, cities, city utilities, and judicial district departments of correctional services, and providing an effective date, 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. 2371) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Dieleman	Doyle	Drake
Fraise	Fuhrman	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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Deluhery	Holt	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2016.

## House File 2016

On motion of Senator Tieden, House File 2016, a bill for an act relating to county conservation boards by providing for the creation of a county conservation board in certain counties and by specifying the law enforcement authority of the director and

other designated employees of a county conservation board, and by providing effective dates, with report of committee recommending passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that further action on **House File 2016** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2192.

### **House File 2192**

On motion of Senator Hannon, House File 2192, a bill for an act exempting certain vessels from registration, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hannon offered amendment S—5426 filed by the committee on Natural Resources to strike everything after the enacting clause and to the title page of the bill.

Senator Scott offered amendment S—5582 filed by him on March 28, 1988, to amendment S—5426 and moved its adoption.

Amendment S—5582 was adopted by a voice vote.

Senator Holden offered amendment S—5521 filed by him on March 23, 1988, to amendment S—5426 and moved its adoption.

Amendment S—5521 was adopted by a voice vote.

Senator Hannon moved the adoption of amendment S—5426 as amended, 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. 2192) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holden	Horn

Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	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, 3:

Holt	Hultman	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2384.

### House File 2384

On motion of Senator Drake, House File 2384, a bill for an act relating to the notice to be given to a judgment debtor when the debtor's property is levied upon, 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. 2384) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh



Nays, none.

Absent or not voting, 2:

Holt                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### House File 2430

On motion of Senator Mann, House File 2430, a bill for an act to designate hearing officers as administrative law judges, 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. 2430) the vote was:

Ayes, 41:

Bruner	Coleman	Corning	Deluhery
Doyle	Drake	Fraise	Fuhrman
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	Readinger	Rensink	Rife
Riordan	Scott	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 4:

Carr	Dieleman	Holden	Peterson
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Absent or not voting, 5:

Boswell	Holt	Priebe	Schwengels
Soorholtz			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## House Concurrent Resolution 27

On motion of Senator Gronstal, House Concurrent Resolution 27, a concurrent resolution to approve and confirm the appointment of the citizens' aide, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved the adoption of House Concurrent Resolution 27.

On the question "Shall the resolution be adopted?" (H.C.R. 27) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Holt                      Schwengels

The resolution having received a constitutional majority was declared to have been adopted by the Senate.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2153.

## House File 2153

On motion of Senator Varn, House File 2153, a bill for an act expanding the time in which the utilities board may grant or refuse an application for rehearing in a contested case, 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. 2153) the vote was:

Ayes, 43:

Bruner	Carr	Coleman	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Readinger
Rensink	Rife	Riordan	Scott
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Boswell	Holt	Hutchins	Peterson
Priebe	Schwengels	Soorholtz	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2307.

### House File 2307

On motion of Senator Sturgeon, House File 2307, a bill for an act relating to the regulation of the state's insurance industry and the administration of the insurance division of the department of commerce, 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. 2307) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, none.

Absent or not voting, 3:

Holt	Schwengels	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2369.

### House File 2369

On motion of Senator Fraise, House File 2369, a bill for an act relating to the duties and authority of the board of parole, 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. 2369) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Holt                      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 2387.

### House File 2387

On motion of Senator Carr, House File 2387, a bill for an act relating to the construction of cable systems and telegraph and telephone lines in the state, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—5507 filed by the committee on Commerce on March 22, 1988, to page 1 of the bill.

Senator Hall raised the point of order that amendment S—5507 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5507 in order.

Senator Carr moved the adoption of amendment S—5507.

A non record roll call was requested.

The ayes were 29, nays 16.

Amendment S—5507 was adopted.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2387) the vote was:

Ayes, 48:

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.

Absent or not voting, 2:

Boswell                      Bruner

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 2427.

### House File 2427

On motion of Senator Miller of Cerro Gordo, House File 2427, a bill for an act to repeal certain health-related regulation responsibilities of the department of agriculture and land stewardship, 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. 2427) 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

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, 3:

Boswell	Hultman	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 House File 470.

### House File 470

On motion of Senator Horn, House File 470, a bill for an act relating to the payment of expenses of merged area schools by the board secretary, 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. 470) the vote was:

Ayes, 46:

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
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Boswell

Hultman

Rife

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 House File 2388.

### House File 2388

On motion of Senator Horn, House File 2388, a bill for an act relating to the petition signatures required to call an election to fill a vacancy in an elective city office, 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. 2388) 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

Sturgeon

Taylor

Tieden

Vande Hoef

Varn

Wells

Nays, 1:

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.



Senator Hutchins asked and received unanimous consent to take up out of order House File 2423.

### House File 2423

On motion of Senator Miller of Cerro Gordo, House File 2423, a bill for an act relating to surety bonds for county officers and employees, 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. 2423) 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	Riordan	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P.                      Rife

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2263.

### House File 2263

On motion of Senator Fraise, House File 2263, a bill for an act relating to the use of the Iowa state industries revolving fund,

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. 2263) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
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:

Dieleman

Absent or not voting, 3:

Hannon	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 was agreed to.

### House File 2117

On motion of Senator Horn, House File 2117, a bill for an act allowing certain name changes in divorce and annulment decrees, with report of committee recommending passage, was taken up for consideration.

Senator Tieden offered amendment S—5307 filed by Senators Tieden and Doyle on March 10, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5307 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. 2117) 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	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

## House File 2262

On motion of Senator Fraise, House File 2262, a bill for an act relating to the deduction and disbursement of certain moneys from an allowance paid to an inmate, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—5203 filed by the committee on Judiciary on March 2, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5203 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. 2262) 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 2228

On motion of Senator Wells, House File 2228, a bill for an act relating to vacancies in civil service promotional grades, 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. 2228) 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 Hutchins asked and received unanimous consent to take up out of order House File 2277.

### House File 2277

On motion of Senator Murphy, House File 2277, a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including the frequency and manner of payments, eligibility for payments, deadlines for submission of plans and reports, and the issuance of supplemental contracts, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5296 filed by the committee on Education on March 9, 1988, to pages 2 through 4 of the bill and moved its adoption.

Amendment S—5296 was adopted by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2277) 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.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 11:20 a.m., until 1:30 p.m.

## APPENDIX

### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2307 passed the Senate on March 29, 1988.

AL STURGEON

MADAM PRESIDENT: I move to reconsider the vote by which House File 2192 passed the Senate on March 29, 1988.

JOE J. WELSH

### SUBCOMMITTEE ASSIGNMENT

#### House File 2456

APPROPRIATIONS: Lloyd-Jones, Chair; Tieden and Sturgeon

### EXPLANATION OF VOTE

MADAM PRESIDENT: I was absent when the vote was taken on House File 2263.

Had I been present, I would have voted "aye" on the bill.

BEVERLY A. HANNON

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

FHA girls from Audubon, Iowa, accompanied by Sandy Kristensen. Senator Hutchins.

### REPORT 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 28, 1988, and recommended the appointees be confirmed:

Carolyn A. McNeill for appointment, Vicki Reschly for appointment and Myron Zeigler for reappointment as members of the Dental Examining Board.

### AMENDMENTS FILED

S—5617	H.F.	2339	Linn Fuhrman
S—5618	S.F.	2230	House amendment
S—5619	S.F.	2063	House amendment
S—5620	H.F.	2327	John W. Jensen
S—5621	H.F.	645	Al Sturgeon
S—5622	H.F.	645	Al Sturgeon
S—5623	H.F.	645	Al Sturgeon
S—5624	H.F.	2338	Richard Varn
S—5625	H.F.	2170	Tom Mann, Jr.
S—5626	H.F.	2170	Tom Mann, Jr.
S—5627	H.F.	2170	Tom Mann, Jr.



## AFTERNOON SESSION

The Senate reconvened at 2:29 p.m., Senator Welsh presiding.

## QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 2:30 p.m.

The vote revealed 35 present, 15 absent and a quorum present.

## UNFINISHED BUSINESS (Deferred March 28, 1988)

### House File 2415

The Senate resumed consideration of House File 2415, a bill for an act relating to incentives to encourage certain state government employees to retire from employment by providing for monetary or insurance incentives, and providing an effective date, deferred March 28, 1988.

Senator Welsh offered amendment S—5634 filed by him from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5634 was adopted by a voice vote.

Senator Drake moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2415) the vote was:

Ayes, 40:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Goodwin	Gronstal	Hall
Hannon	Holt	Horn	Husak
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Readinger

Rensink  
Soorholtz  
Vande Hoef

Rife  
Sturgeon  
Varn

Riordan  
Taylor  
Wells

Scott  
Tieden  
Welsh

Nays, 4:

Boswell

Corning

Gentleman

Holden

Absent or not voting, 6:

Gettings  
Priebe

Hester  
Schwengels

Hultman

Hutchins

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 House File 2233.

#### House File 2233

On motion of Senator Fraise, House File 2233, a bill for an act relating to work programs for inmates of state correctional institutions, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise offered amendment S—5321 filed by the committee on Judiciary on March 10, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5321 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. 2233) the vote was:

Ayes, 42:

Boswell  
Corning  
Drake

Bruner  
Deluhery  
Fraise

Carr  
Dieleman  
Fuhrman

Coleman  
Doyle  
Gentleman

Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Hester	Hultman	Hutchins	Mann
Palmer	Priebe	Rife	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 2317.

### House File 2317

On motion of Senator Rensink, House File 2317, a bill for an act to repeal the Iowa venture capital investment Act, with report of committee recommending passage, was taken up for consideration.

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. 2317) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Peterson	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hester	Hultman	Hutchins	Mann
Palmer	Priebe	Schwengels	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Coleman took the chair at 3:10 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2313.

### House File 2313

On motion of Senator Bruner, House File 2313, a bill for an act relating to child day care for sick children, 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. 2313) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Nystrom	Peterson
Priebe	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Hester	Hultman	Hutchins	Mann
Miller, C.P.	Murphy	Palmer	Priebe
Rife	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 3:14 p.m.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2296.

### House File 2296

On motion of Senator Sturgeon, House File 2296, a bill for an act providing coverage under the Iowa life and health guaranty association to the holders of unallocated annuity contracts, 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. 2296) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A. V.	Miller, C.P.	Murphy
Nystrom	Peterson	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Hester	Hultman	Hutchins	Mann
Palmer	Priebe	Rife	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 2412.

**House File 2412**

On motion of Senator Fraise, House File 2412, a bill for an act relating to judicial sentencing options, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Fraise offered amendment S—5514 filed by the committee on Judiciary on March 22, 1988, to pages 1 and 4 of the bill.

Senator Fraise offered amendment S—5612 filed by him on March 28, 1988, to amendment S—5514 and moved its adoption.

Amendment S—5612 was adopted by a voice vote.

Senator Fraise moved the adoption of amendment S—5514 as amended, which motion prevailed by a voice vote.

Senator Carr offered amendment S—5637 filed by Senators Carr, Doyle and Fraise from the floor to page 1 of the bill and moved its adoption.

Amendment S—5637 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. 2412) 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.	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, 5:

Hultman  
Schwengels

Hutchins

Mann

Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 431.

### House File 431

On motion of Senator Carr, House File 431, a bill for an act relating to the education, practice, and supervision of cosmetologists and barbers, with report of committee recommending passage, was taken up for consideration.

Senator Coleman took the chair at 3:28 p.m.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 431) 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.	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, 5:

Hultman  
Schwengels

Hutchins

Mann

Palmer

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### House File 2063

On motion of Senator Vande Hoef, House File 2063, a bill for an act relating to bed and breakfast homes, by requiring smoke detectors and fire extinguishers, by providing for the testing of drinking water, by providing an effective date, and by subjecting violators to a penalty, 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. 2063) the vote was:

Ayes, 44:

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	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Fuhrman	Soorholtz
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Absent or not voting, 4:

Hultman	Mann	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 2088

On motion of Senator Fraise, House File 2088, a bill for an act relating to work release for prisoners in county jails by



providing for intermittent sentencing, with report of committee recommending passage, was taken up for consideration.

President Zimmerman took the chair at 3:37 p.m.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2088) the vote was:

Ayes, 44:

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.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Boswell	Hultman	Hutchins	Mann
Rife	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 498.

### House File 498

On motion of Senator Doyle, House File 498, a bill for an act to restrict the possession of ballistic knives and providing for the application of a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—5545 filed by the committee on Judiciary on March 24, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5545 was adopted by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 498) 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	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, 1:

Drake

Absent or not voting, 4:

Hultman	Hutchins	Mann	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2303.

### House File 2303

On motion of Senator Deluhery, House File 2303, a bill for an act relating to nontraditional insurance arrangements by prohibiting the incorporation or reincorporation of a benevolent association, providing for the regulation of risk retention groups and purchasing groups, increasing surplus requirements for reciprocal insurers and repealing an exemption to the applicability of state law to certain reciprocal insurance contracts, and

providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Deluhery asked and received unanimous consent that further action on **House File 2303** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2367.

### **House File 2367**

On motion of Senator Sturgeon, House File 2367, a bill for an act relating to training for mandatory reporters of dependent adult abuse and child abuse, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—5554 filed by the committee on Human Resources on March 24, 1988, to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5554 was adopted 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. 2367) 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	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Varn	Wells	Welsh	

Nays, 5:

Gentleman	Hultman	Jensen	Tieden
Vande Hoef			

Absent or not voting, 2:

Hutchins

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 2395.

### House File 2395

On motion of Senator Sturgeon, House File 2395, a bill for an act permitting certain water utilities to become cooperatives, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5550 filed by committee on Environment and Energy Utilities on March 24, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5550 was adopted 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. 2395) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
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	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

Goodwin

Miller, A. V.

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 653.

### House File 653

On motion of Senator Lind, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lind offered amendment S—5562 filed by the committee on Commerce on March 25, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Lind offered amendment S—5640 filed by Senators Lind and Gronstal from the floor to amendment S—5562 and moved its adoption.

Amendment S—5640 was adopted by a voice vote.

Senator Lind moved the adoption of amendment S—5562 as amended, which motion prevailed by a voice vote.

Senator Lind moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 653) the vote was:

Ayes, 49:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Jensen

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Hultman  
Kinley

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Husak  
Lind

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Hutchins  
Lloyd-Jones

Mann	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, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 529.

### House File 529

On motion of Senator Peterson, House File 529, a bill for an act relating to governmental competition with and purchase of goods and services from private enterprise, with report of committee recommending passage, was taken up for consideration.

Senator Carr asked and received unanimous consent to withdraw amendment S—5526 filed by Senators Carr and Drake on March 23, 1988, to pages 1, 3, 4 and 5 of the bill.

Senator Carr offered amendment S—5630 filed by Senators Carr and Drake from the floor to pages 1, 3, 4 and 5 of the bill and moved its adoption.

Amendment S—5630 was adopted by voice vote.

Senator Horn offered amendment S—5631 filed by Senators Horn, Lloyd-Jones and Murphy from the floor to pages 1 and 2 of the bill and moved its adoption.

Amendment S—5631 was adopted by a voice vote.

Senator Peterson offered amendment S—5377 filed by Senators Peterson, Doyle and Fraise on March 15, 1988, to pages 2, 3 and 5 of the bill and moved its adoption.

Amendment S—5377 was adopted by a voice vote.

Senator Welsh offered amendment S—5580 filed by him on March 25, 1988, to page 4 of the bill and moved its adoption.

Amendment S—5580 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. 529) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Gronstal
Hall	Hannon	Horn	Hultman
Husak	Hutchins	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, 7:

Corning	Gentleman	Goodwin	Hester
Holden	Jensen	Mann	

Absent or not voting, 2:

Holt	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## BILL REFERRED TO COMMITTEE

Senator Horn asked and received unanimous consent that **House File 586** 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 House File 578.

### House File 578

On motion of Senator Lloyd-Jones, House File 578, a bill for an act providing for the use of vintage Iowa registration plates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5314 filed by the committee on Transportation on March 10, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5314 was adopted by a voice vote.

Senator Lloyd-Jones offered amendment S—5499 filed by her on March 21, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5499 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. 578) 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
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			



Nays, none.

Absent or not voting, 1:

Schwengels

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Fuhrman for the remainder of the day on request of Senator Hultman.

## CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2260.

### House File 2260

On motion of Senator Gettings, House File 2260, a bill for an act to prohibit employer sanctions against employees who refuse to work in unsafe conditions, with report of committee recommending passage, was taken up for consideration.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2260) 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	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman

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 185.

### House File 185

On motion of Senator Doyle, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Doyle offered amendment S—5428 filed by the committee on Judiciary on March 17, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Doyle offered amendment S—5639 filed by him from the floor to amendment S—5428 and moved its adoption.

Amendment S—5639 was adopted by a voice vote.

Senator Doyle moved the adoption of amendment S—5428 as amended, which motion prevailed by a voice vote.

Senator Doyle moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 185) the vote was:

Ayes, 48:

Boswell  
Corning  
Drake  
Goodwin  
Hester  
Hultman

Bruner  
Deluhery  
Fraise  
Gronstal  
Holden  
Husak

Carr  
Dieleman  
Gentleman  
Hall  
Holt  
Hutchins

Coleman  
Doyle  
Gettings  
Hannon  
Horn  
Jensen

Kinley	Lind	Lloyd-Jones	Mann
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, 2:

Fuhrman                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2247.

### House File 2247

On motion of Senator Mann, House File 2247, a bill for an act relating to an action for slander or libel for a report or statement made to the division of job service of the department of employment services, 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. 2247) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	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.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Voting present, 1:

Miller, C.P.

Absent or not voting, 3:

Coleman

Fuhrman

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 2326.

### House File 2326

On motion of Senator Holden, House File 2326, a bill for an act relating to savings and loan associations, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Holden offered amendment S—5506 filed by the committee on Commerce on March 22, 1988, to page 5 of the bill and moved its adoption.

Amendment S—5506 was adopted by a voice vote.

Senator Holden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2326) 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.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Tieden

Voting present, 1:

Miller, C.P.

Absent or not voting, 2:

Fuhrman

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 2255.

### House File 2255

On motion of Senator Gronstal, House File 2255, a bill for an act relating to the confidentiality of records of clients of advocacy services offered by the department of human rights, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2255) 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
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, 1:

Miller, C.P.

Absent or not voting, 2:

Fuhrman

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 2316.

### House File 2316

On motion of Senator Deluhery, House File 2316, a bill for an act requiring gas and electric public utilities to provide annual gas or electric energy costs for certain properties to certain persons when requested in writing and making civil penalties applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Rife offered amendment S—5557 filed by the committee on Environment and Energy Utilities on March 24, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5557 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. 2316) 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	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh



The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2127.

### House File 2127

On motion of Senator Rife, House File 2127, a bill for an act relating to the acceptance of checks and share drafts by prohibiting certain forms of identification as a condition of acceptance of a check or share draft, and providing penalties, 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. 2127) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	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	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Fuhrman	Hall	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2338.



## House File 2338

On motion of Senator Varn, House File 2338, a bill for an act relating to environmental quality by creating an emergency response fund and by establishing and increasing fines and penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn offered amendment S—5556 filed by the committee on Environment and Energy Utilities on March 24, 1988, to pages 1 through 4 and 6 through 8 of the bill and moved its adoption.

Amendment S—5556 was adopted by a voice vote.

Senator Varn offered amendment S—5624 filed by him from the floor to pages 1, 3, 4 and 5 of the bill and moved its adoption.

Amendment S—5624 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. 2338) 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
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:

Fuhrman	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 House File 2414.

### House File 2414

On motion of Senator Hannon, House File 2414, a bill for an act relating to funding for the education costs of certain shelter care homes and juvenile detention homes and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Murphy offered amendment S—5538 filed by the committee on Education on March 24, 1988, to strike everything after the enacting clause of the bill.

Senator Taylor offered amendment S—5642 filed by Senators Taylor and Bruner from the floor to amendment S—5538 and moved its adoption.

Amendment S—5642 was adopted by a voice vote.

Senator Murphy moved the adoption of amendment S—5538 as amended, 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. 2414) 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
Kinley	Lind	Mann	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, 3:

Fuhrman

Lloyd-Jones

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 2437.

### House File 2437

On motion of Senator Deluhery, House File 2437, a bill for an act relating to utilization of energy resources in the state including the implementation of energy conservation measures, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Deluhery offered amendment S—5555 filed by the committee on Environment and Energy Utilities on March 24, 1988, to pages 2 through 4 of the bill and moved its adoption.

Amendment S—5555 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. 2437) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
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	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Drake

Fuhrman

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 2106.

### **House File 2106**

On motion of Senator Readinger, House File 2106, a bill for an act prohibiting the advertisement, sale, or use in this state of home testing kits for human immunodeficiency virus antibody or antigen testing, and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Readinger offered amendment S—5638 filed by him from the floor to page 1 of the bill.

Senator Bruner called for a division of amendment S—5638: lines 3 and 4 as division S—5638A and lines 5 and 6 as division S—5638B.

Senator Readinger asked and received unanimous consent that further action on divisions S—5638A and S—5638B and **House File 2106** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 429.

### **House File 429**

On motion of Senator Coleman, 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 amendment and passage, was taken up for consideration.

Senator Doyle 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—3665 to House File 429 was adopted by the Senate on May 1, 1987.

The motion prevailed by a voice vote and amendment S—3665 by Senator Doyle to page 1 of the bill, was taken up for reconsideration.

Senator Doyle asked and received unanimous consent that action on amendment S—3665 be deferred.

Senator Doyle offered amendment S—5137 filed by the committee on Transportation on February 24, 1988, to strike everything after the enacting clause and to the title page of the bill and moved its adoption.

Amendment S—5137 was adopted by a voice vote.

With the adoption of amendment S—5137, the Chair ruled the following amendments to the bill, out of order:

- S—3656 filed by Senator Doyle on April 16, 1987, to page 2.
- S—3658 filed by Senator Doyle on April 16, 1987, to page 1.
- S—3659 filed by Senator Doyle on April 16, 1987, to page 1.
- S—3662 filed by Senator Doyle on April 16, 1987, to page 2.
- S—3663 filed by Senator Doyle on April 16, 1987, to page 1.
- S—3665 by Senator Doyle to page 1, previously deferred.
- S—3666 filed by Senator Doyle on April 16, 1987, to page 1.
- S—3667 filed by Senator Doyle on April 16, 1987, to page 2.
- S—3669 filed by Senator Doyle on April 16, 1987, to page 1.
- S—3670 filed by Senator Doyle on April 16, 1987, to page 1.
- S—3682 filed by Senator Doyle on April 16, 1987, to page 2.
- S—3696 filed by Senator Doyle on April 20, 1987, to page 1.
- S—3699 filed by Senator Doyle on April 21, 1987, to page 2.
- S—3700 filed by Senator Doyle on April 21, 1987, to page 1.
- S—3727 filed by Senator Doyle on April 22, 1987, to page 1.
- S—3731 filed by Senator Doyle on April 22, 1987, to page 1.
- S—3826 filed by Senator Mann on April 27, 1987, to page 1.

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. 429) 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	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Fuhrman                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2407.

### **House File 2407**

On motion of Senator Gronstal, House File 2407, a bill for an act relating to the Iowa housing finance authority, by modifying the title guaranty program requirements that participation fees be charged, that lenders be participants, that persons or lenders not receive a portion of the charge for title guaranty, and that financial institutions disclose the availability of the program, and by expanding the purposes of and renaming the commitment cost fund, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2407) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Holden

Absent or not voting, 2:

Fuhrman                      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 209.

### 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 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. 209) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings

Goodwin	Gronstal	Hall	Hannon
Holden	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Varn	Wells	Welsh	

Nays, 5:

Hester	Holt	Priebe	Rife
Vande Hoef			

Absent or not voting, 2:

Fuhrman	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## BUSINESS PENDING

### House File 2016

The Senate resumed consideration of House File 2016, a bill for an act relating to county conservation boards by providing for the creation of a county conservation board in certain counties and by specifying the law enforcement authority of the director and other designated employees of a county conservation board, and by providing effective dates, previously deferred.

Senator Husak offered amendment S—5628 filed by Senators Husak and Welsh from the floor to page 1 and the title page of the bill and moved its adoption.

Amendment S—5628 was adopted by a voice vote.

Senator Gentleman offered amendment S—5629 filed by her from the floor to page 2 and the title page of the bill and called for a division: lines 17 through 20 as division S—5629A and lines 3 through 16 as division S—5629B.

With the adoption of amendment S—5628, the Chair ruled division S—5629A, out of order.



Senator Fraise raised the point of order that division S—5629B was not germane to the bill.

The Chair ruled the point well taken and division S—5629B out of order.

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. 2016) 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
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Priebe	Riordan
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Absent or not voting, 3:

Fuhrman	Readinger	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.

## UNFINISHED BUSINESS

(Deferred March 24, 1988)

### House File 2327

On motion of Senator Jensen, House File 2327, a bill for an act relating to the use of certain revenues obtained from the transfer of property or taxes imposed in urban renewal areas for

economic development purposes, was taken up for further consideration (substituted for Senate File 2103 and deferred March 24, 1988).

Senator Jensen offered amendment S—5620 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5620 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. 2327) the vote was:

Ayes, 43:

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.	Murphy	Nystrom	Palmer
Peterson	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Vande Hoef
Varn	Wells	Welsh	

Nays, 3:

Priebe	Taylor	Tieden
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Absent or not voting, 4:

Fuhrman	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.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that House Files 498, 653, 2117, 2153, 2233, 2262, 2277, 2336, 2367, 2387, 2395, 2412, 2415, 578, 185, 2326, 2316, 2414, 2437, 429, 2016 and 2327 be immediately messaged to the House.

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 125**, by Miller of Cerro Gordo, a concurrent resolution relating to the establishment of an interim study committee to study family and marriage law in Iowa concerning property rights between spouses in comparison with the Uniform Marital Property Act, rights of spouses after a dissolution or divorce, establishment of a family conciliation court including mediation and other dispute resolution mechanisms, child custody, and other related issues.

Read first time and **passed on file**.

## APPENDIX

### 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 29th day of March, 1988:

Senate File 2168.

JOHN F. DWYER  
Secretary of the Senate

### BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on March 29, 1988, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2061 — 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 2094 — Relating to instructional requirements for human growth and development in grades kindergarten through twelve and providing an effective date.

SENATE FILE 2196 — Relating to transportation funding by providing for a network of commercial and industrial highways, increasing the excise taxes on motor fuel and special fuel, increasing the standing appropriation for public transit assistance, providing a standing appropriation for trails, authorizing the transfer of RISE funds to the primary road fund, providing for a study of highway financing, making appropriations from the road use tax fund, and providing effective dates.

SENATE FILE 2267 — Relating to residential water treatment systems, incorporating a penalty, and providing effective dates.

**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 March 24 and 29, 1988, and recommended the appointees be confirmed:

Norma I. Lock for reappointment as a member of the Employment Appeal Board.

Scot L. Beckenbaugh for reappointment as a member of the Public Employment Relations Board.

**JUDICIARY**

Pursuant to Senate Rule 59, the committee on Judiciary assigned to investigate the following Governor's appointments, completed its investigations on March 29, 1988, and recommended the appointees be confirmed:

Wanda E. Everage for appointment as a part-time member of the Board of Parole.

Cyndi Fisher for appointment as a member of the Commission on Judicial Qualifications.

**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 28, 1988, and recommended the appointees be confirmed:

Mark A. Stansberry for reappointment as a member of the Barber Examining Board.

John D. Watson for appointment as a member of the Board of Nursing Examiners.

Janice J. Heaberlin for appointment as a member of the Iowa Board of Veterinary Medicine.

Ann O'Neill for reappointment as a member of the Medical Examining Board.

**TRANSPORTATION**

Pursuant to Senate Rule 59, the committee on Transportation assigned to investigate the following Governor's appointments, completed its investigations on March 29, 1988, and recommended the appointees be confirmed:

Gene Shepard for reappointment as Director of Public Safety.

Linda L. Cherry for appointment and Marda M. Howard for reappointment as members of the Iowa Law Enforcement Academy Council.

Shelda J. Beener and Suzan M. Stewart for appointment as members of the State Transportation Commission.

#### PLACEMENTS ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Dr. John R. Anderson be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

JIM R. RIORDAN

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Gene W. Shepard be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

LARRY MURPHY

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Ann O'Neill be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

JIM R. RIORDAN

#### PRESENTATION OF VISITORS

The Chair welcomed the Honorable Irvin L. Bergman, former member of the Senate from Osceola County, who was present in the Senate chamber.

The Chair welcomed the following visitors were present in the Senate gallery:

Twenty-eight twelfth grade students from Midland High School, Wyoming, Iowa, accompanied by Gary Heier. Senator Hannon.

The following visitors were present in the Senate gallery:

Forty ninth grade students from Malvern High School, Malvern, Iowa, accompanied by Pat Fredrickson. Senator Hultman.

## REPORT OF COMMITTEE MEETING

## APPROPRIATIONS

**Convened:** March 28, 1988, 11:40 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 (excused).

**Committee Business:** Considered House File 2447.

**Recessed:** 12:26 p.m.

**Reconvened:** March 29, 1988, 11:32 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 (excused).

**Committee Business:** Discussed House File 2447.

**Recessed:** 12:10 p.m.

**Reconvened:** March 29, 1988, 1:15 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 (excused).

**Committee Business:** Recommended passage of House File 2447 as amended.

**Adjourned:** 2:10 p.m.

## COMMITTEE REPORT

## EDUCATION

**Final Bill Action:** HOUSE FILE 566, a bill for an act to require enrollment in an approved course of driver education to qualify for a minor's school license.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 8: Murphy, Bruner, Corning, Hannon, Lind, Rensink, Riordan and Varn. Nays, none. Absent or not voting, 7: Horn, Taylor, Dieleman, Holden, Tieden, Lloyd-Jones and Wells.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2407 passed the Senate on March 29, 1988.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 529 passed the Senate on March 29, 1988.

JOE J. WELSH

### RESOLUTION ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following resolution to committee:

S. C. R.    125            Rules and Administration

### AMENDMENTS FILED

S-5628	H.F.	2016	Emil J. Husak Joe J. Welsh
S-5629	H.F.	2016	Julia Gentleman
S-5630	H.F.	529	Bob Carr Richard F. Drake
S-5631	H.F.	529	Wally Horn Jean Lloyd-Jones Larry Murphy
S-5632	H.F.	2189	Tom Mann, Jr.
S-5633	H.F.	2189	Charles Bruner
S-5634	H.F.	2415	Joe Welsh
S-5635	H.F.	2428	Donald V. Doyle Tom Mann, Jr.
S-5636	H.F.	2348	Edgar H. Holden
S-5637	H.F.	2412	Bob Carr Donald V. Doyle Eugene Fraise



S—5638	H.F.	2106	David M. Readinger
S—5639	H.F.	185	Donald V. Doyle
S—5640	H.F.	653	Jim Lind
			Michael E. Gronstal
S—5641	H.F.	2189	Tom Mann, Jr.
S—5642	H.F.	2414	Ray Taylor
			Charles Bruner
S—5643	H.F.	2106	Charles Bruner
			Jim Lind
S—5644	H.F.	2439	Tom Mann, Jr.
S—5645	H.F.	2348	Alvin V. Miller
S—5646	H.F.	2106	Charles Bruner
			Jim Lind
S—5647	H.F.	2269	Jean Lloyd-Jones

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:10 p.m., until 9:00 a.m., Wednesday, March 30, 1988.

# JOURNAL OF THE SENATE

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EIGHTIETH CALENDAR DAY  
FIFTY-FOURTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, March 30, 1988

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Rebecca Campney, pastor of the United Methodist Church, Mitchellville, Iowa.

The Journal of Tuesday, March 29, 1988, 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 28, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 450**, a bill for an act relating to the regulation of the operation of trains and to the safety of transportation of railroad company workers and equipment and providing a penalty and effective date.

**Senate File 2011**, a bill for an act relating to meat and poultry regulation and inspection, providing penalties, and providing injunctive relief.

**Senate File 2050**, a bill for an act appropriating funds to the office of the attorney general to fund the legal assistance for farmers program and providing an effective date.

**Senate File 2159**, a bill for an act relating to the provision of hospice care within health care facilities by Medicare certified hospice programs.

**Senate File 2167**, a bill for an act relating to definition and regulation of tip-up fishing devices, and providing a penalty.

**Senate File 2174**, a bill for an act making changes in the state's labor laws relating to occupational safety and health, safety inspection of amusement rides, and elevator safety, and providing injunctive relief under certain of those laws.

**Senate File 2236**, a bill for an act relating to the qualification for office by elected school board members and school officers.

ALSO: That the House has on March 28, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:

**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 (S—5649).

**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 (S—5651).

**Senate File 464**, a bill for an act relating to the regulation of health clubs and providing penalties (S—5654).

**Senate File 2164**, a bill for an act relating to the composition of the Iowa economic development board (S—5652).

**Senate File 2274**, a bill for an act to allow the board of dental examiners to revoke or suspend a license of a licensee where the licensee has been disciplined in another state, territory, or country (S—5650).

## APPOINTMENT OF SECOND CONFERENCE COMMITTEE

The Chair announced the following second conference committee on **House File 395** on the part of the Senate: Senators Husak, Chair; Scott, Miller of Cerro Gordo, Hester and Rensink.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Lind for the remainder of the week on request of Senator Holt and Senator Schwengels for the morning 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 44 present, 6 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 BILL

**Senate File 2324**, by Hutchins and Hultman, a bill for an act relating to training requirements for reserve peace officers.

Read first time and **passed on file**.

## HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

**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, and to enroll their special education children in programs in public and private agencies, without cost to the parents or guardians and to provide an effective date (S—5668).

**Senate File 2225**, a bill for an act relating to the establishment of a family development and self-sufficiency council and the council's duties (S—5669).

**BILL REFERRED TO COMMITTEE**

Senator Hutchins asked and received unanimous consent that **House File 2194** be referred from the Regular Calendar to the committee on **Appropriations**.

**UNFINISHED BUSINESS**  
(Deferred March 27, 1988)**House File 2106**

The Senate resumed consideration of House File 2106, a bill for an act prohibiting the advertisement, sale, or use in this state of home testing kits for human immunodeficiency virus antibody or antigen testing, and providing a penalty, and divisions S—5638A and S—5638B by Senator Readinger to page 1 of the bill, deferred March 29, 1988.

Senator Readinger moved the adoption of division S—5638A, which motion prevailed by a voice vote.

Senator Readinger asked and received unanimous consent that further action on division S—5638B be deferred.

Senator Bruner asked and received unanimous consent to withdraw amendment S—5643 filed by Senators Bruner and Lind on March 29, 1988, to page 1 of the bill.

Senator Bruner offered amendment S—5646 filed by Senators Bruner and Lind on March 29, 1988, to page 1 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 28.

Amendment S—5646 lost.

Senator Readinger moved the adoption of division S—5638B to page 1 of the bill, previously deferred, which motion prevailed by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **House File 2106** be **deferred**.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 11:35 a.m., until 1:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### BUSINESS AND LABOR RELATIONS

**Convened:** March 29, 1988, 2:20 p.m.

**Members Present:** Wells, Chair; Mann, Vice Chair; Fuhrman, Ranking Member; Gettings, Horn, Palmer, Hultman, Vande Hoef and Welsh.

**Members Absent:** Holden.

**Committee Business:** Recommended confirmation of Governor's appointees.

**Adjourned:** 2:25 p.m.

#### JUDICIARY

**Convened:** March 29, 1988, 2:15 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Deluhery, Drake, Gentleman, Hester, Horn, Taylor and Varn.

**Members Absent:** Coleman, Fraise and Fuhrman (all excused).

**Committee Business:** Recommended confirmation of Governor's appointees.

**Adjourned:** 2:20 p.m.

#### TRANSPORTATION

**Convened:** March 29, 1988, 11:20 a.m.

**Members Present:** Coleman, Chair; Scott, Vice Chair; Drake, Ranking Member; Doyle, Gettings, Goodwin, Jensen, Lloyd-Jones and Priebe.

**Members Absent:** Nystrom.

**Committee Business:** Recommended confirmation of Governor's appointees.

**Adjourned:** 11:25 a.m.

### REPORT OF THE SECRETARY OF THE SENATE

**MADAM PRESIDENT:** Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment to House File 2387, the following technical correction was made:

1. Page 1, line 4, the word "~~therefore~~" was changed to the word "~~therefor~~".

JOHN F. DWYER  
Secretary of the Senate

## COMMITTEE REPORT

### APPROPRIATIONS

**Final Bill Action:** HOUSE FILE 2447, a bill for an act relating to human services, and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989 and providing effective dates.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5648.

**Final Vote:** Ayes, 16: Welsh, Husak, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, 1: Tieden. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## AMENDMENTS FILED

S—5648	H.F.	2447	Appropriations
S—5649	S.F.	299	House amendment
S—5650	S.F.	2274	House amendment
S—5651	S.F.	443	House amendment
S—5652	S.F.	2164	House amendment
S—5653	H.F.	2339	Tom Mann, Jr.
S—5654	S.F.	464	House amendment
S—5655	H.F.	645	Al Sturgeon
S—5656	H.F.	2447	Calvin O. Hultman
S—5657	H.F.	2447	Calvin O. Hultman
S—5658	H.F.	645	Al Sturgeon
S—5659	H.F.	645	Al Sturgeon
S—5660	H.F.	645	Al Sturgeon
S—5661	H.F.	645	Al Sturgeon
S—5662	H.F.	645	Al Sturgeon
S—5663	H.F.	645	Al Sturgeon
S—5664	H.F.	645	Al Sturgeon
S—5665	H.F.	2452	Bob Carr
S—5666	H.F.	645	Al Sturgeon



S—5667	H.F.	645	Al Sturgeon
S—5668	S.F.	323	House amendment
S—5669	S.F.	2225	House amendment
S—5670	H.F.	2402	William W. Dieleman
S—5671	H.F.	2402	William W. Dieleman
S—5672	H.F.	2400	Emil J. Husak
S—5673	H.F.	2294	Larry Murphy
S—5674	S.F.	323	Larry Murphy
S—5675	H.F.	2354	Michael Gronstal

## AFTERNOON SESSION

The Senate reconvened at 1:37 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 40 present, 10 absent and a quorum present.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Hultman and Tieden for a portion of the afternoon on request of Senator Jensen.

## BUSINESS PENDING

### House File 2106

The Senate resumed consideration of House File 2106, a bill for an act prohibiting the advertisement, sale, or use in this state of home testing kits for human immunodeficiency virus antibody or antigen testing, and providing a penalty, previously deferred.

Senator Readinger moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2106) 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	Drake	Fraise	Goodwin
Gronstal	Hall	Hannon	Hester
Holden	Holt	Husak	Hutchins
Jensen	Miller, A.V.	Nystrom	Palmer

Readinger  
Sturgeon

Rensink  
Vande Hoef

Rife  
Varn

Soorholtz  
Welsh

Nays, 14:

Boswell  
Gentleman  
Miller, C.P.  
Scott

Dieleman  
Gettings  
Murphy  
Taylor

Doyle  
Horn  
Peterson

Fuhrman  
Lloyd-Jones  
Priebe

Absent or not voting, 8:

Hultman  
Riordan

Kinley  
Schwengels

Lind  
Tieden

Mann  
Wells

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILLS (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2344.

#### House File 2344

On motion of Senator Sturgeon, House File 2344, a bill for an act relating to the civil rights of persons with a condition relating to acquired immune deficiency syndrome, by prohibiting the testing, with respect to the employment of persons, for a condition related to acquired immune deficiency syndrome, and by making remedial provisions of the civil rights law applicable, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—5435 filed by the committee on Human Resources on March 17, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5435 was adopted 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. 2344) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hall	Hultman	Kinley	Lind
Riordan	Schwengels	Tieden	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2381.

### House File 2381

On motion of Senator Riordan, House File 2381, a bill for an act relating to carrying out water protection projects and practices within soil and water conservation districts, and providing for a water protection fund, 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. 2381) 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

Hultman	Husak	Hutchins	Jensen
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 6:

Kinley	Lind	Mann	Schwengels
Soorholtz	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 2226.

### House File 2226

On motion of Senator Holt, House File 2226, a bill for an act relating to the calculation of budget enrollment of a reorganized school district, 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. 2226) 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
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon

Taylor  
Welsh

Vande Hoef

Varn

Wells

Nays, none.

Absent or not voting, 5:

Hall  
Tieden

Kinley

Lind

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 2452.

### **House File 2452**

On motion of Senator Carr, House File 2452, a bill for an act relating to the receipt and disbursement of support payments by transferring the collection and distribution of child support payment from the department of human services collection services center to the district court clerks, by making an exception, for federal social security payments, to the statutory requirements regarding allowable payees, and by providing effective dates, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr asked and received unanimous consent that further action on **House File 2452** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2406.

### **House File 2406**

On motion of Senator Carr, House File 2406, a bill for an act relating to access by the citizens' aide to confidential records and proceedings, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Carr offered amendment S—5528 filed by the committee on State Government on March 23, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5528 was adopted by a voice vote.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2406) the vote was:

Ayes, 45:

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	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Gronstal	Lind	Murphy	Schwengels
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2377.

### House File 2377

On motion of Senator Varn, House File 2377, a bill for an act relating to the establishment of programs for paying for college costs, including the provision for the state board of regents to issue revenue bonds that are payable at times determined by the board and the preparation of an educational program and marketing strategies by the college aid commission in cooperation with the state board of regents, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Varn asked and received unanimous consent that further action on **House File 2377** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2402.

### **House File 2402**

On motion of Senator Sturgeon, House File 2402, a bill for an act relating to licensing and personnel requirements for health care facilities and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—5553 filed by the committee on Human Resources on March 24, 1988, to pages 1 and 2 of the bill.

Senator Dieleman offered amendment S—5670 filed by him from the floor to amendment S—5553 and called for a division: lines 3 and 4 as division S—5670A and line 5 as division S—5670B.

Senator Dieleman moved the adoption of division S—5670A to amendment S—5553.

A record roll call was requested.

On the question “Shall division S—5670A to amendment S—5553 be adopted?” (H.F. 2402) the vote was:

Ayes, 27:

Coleman	Dieleman	Doyle	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Hall	Hester	Holden	Horn
Hultman	Husak	Hutchins	Miller, C.P.
Nystrom	Peterson	Priebe	Readinger
Rensink	Scott	Soorholtz	Taylor
Vande Hoef	Wells	Welsh	

Nays, 18:

Boswell	Bruner	Carr	Corning
Deluhery	Fraise	Gronstal	Hannon
Holt	Kinley	Lloyd-Jones	Mann
Murphy	Palmer	Rife	Riordan
Sturgeon	Varn		



Absent or not voting, 5:

Jensen  
Tieden

Lind

Miller, A.V.

Schwengels

Division S—5670A was adopted.

Senator Dieleman moved the adoption of division S—5670B to amendment S—5553.

A non record roll call was requested.

The ayes were 29, nays 15.

Division S—5670B was adopted.

Senator Sturgeon moved the adoption of amendment S—5553 as amended, which motion prevailed by a voice vote.

Senator Dieleman offered amendment S—5671 filed by him from the floor to page 2 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5671 be adopted?” (H.F. 2402) the vote was:

Ayes, 30:

Boswell  
Drake  
Gettings  
Holden  
Hutchins  
Priebe  
Scott  
Wells

Coleman  
Fraise  
Goodwin  
Horn  
Miller, A.V.  
Readinger  
Soorholtz  
Welsh

Dieleman  
Fuhrman  
Hall  
Hultman  
Miller, C.P.  
Rensink  
Taylor

Doyle  
Gentleman  
Hester  
Husak  
Nystrom  
Rife  
Vande Hoef

Nays, 15:

Bruner  
Gronstal  
Lloyd-Jones  
Riordan

Carr  
Hannon  
Murphy  
Sturgeon

Corning  
Holt  
Palmer  
Varn

Deluhery  
Kinley  
Peterson

Absent or not voting, 5:

Jensen  
Tieden

Lind

Mann

Schwengels

Amendment S—5671 was adopted.

Senator Sturgeon asked and received unanimous consent that further action on **House File 2402** be deferred.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2419.

### **House File 2419**

On motion of Senator Murphy, House File 2419, a bill for an act relating to initiating and effecting whole-grade sharing agreements, with report of committee recommending amendments and passage, was taken up for consideration.

Senator Murphy offered amendment S—5536 filed by the committee on Education on March 24, 1988, to the title page of the bill.

Senator Drake asked and received unanimous consent that further action on amendment S—5536 and **House File 2419** be deferred.

### **House File 2439**

On motion of Senator Sturgeon, House File 2439, a bill for an act relating to the regulation of securities by amending the Iowa uniform securities Act to provide certain new and modified securities exemptions and transaction exemptions and to remove the broker-dealer bonding requirement for members of the securities investor protection corporation, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Sturgeon offered amendment S—5547 filed by the committee on Commerce on March 24, 1988, to pages 1 and 3 of the bill.

Senator Mann raised the point of order that House File 2439 should be referred to the committee on State Government under Senate Rule 38.

The Chair ruled the point not well taken.

Senator Mann offered amendment S—5685 filed by him from the floor to amendment S—5547, moved its adoption and requested a non record roll call.

The ayes were 18, nays 27.

Amendment S—5685 lost.

Senator Carr offered amendment S—5684 filed by him from the floor to amendment S—5547 and moved its adoption.

Amendment S—5684 was adopted by a voice vote.

Senator Carr offered amendment S—5686 filed by him from the floor to amendment S—5547 and moved its adoption.

Amendment S—5686 was adopted by a voice vote.

(Action on amendment S—5547 as amended and **House File 2439** was temporarily **deferred**.)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2294.

### **House File 2294**

On motion of Senator Sturgeon, House File 2294, a bill for an act relating to testing for and confidentiality of human immunodeficiency virus-related matters and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

President pro tempore Kinley took the chair at 4:08 p.m.

Senator Sturgeon offered amendment S—5579 filed by the committee on Human Resources on March 25, 1988, to pages 1 through 3, 5 and 7 through 10 of the bill and moved its adoption.

Amendment S—5579 was adopted by a voice vote.

Senator Murphy withdrew amendment S—5673 filed by him from the floor to page 9 of the bill.

Senator Mann asked and received unanimous consent that further action on **House File 2294** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 393.

### **House File 393**

On motion of Senator Welsh, 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, with report of committee recommending passage, was taken up for consideration.

Senator Welsh offered amendment S—5691 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5691 was adopted by a voice vote.

Senator Carr offered amendment S—5692 filed by Senators Horn, et al., from the floor to pages 1 through 6 of the bill.

Senator Holden asked and received unanimous consent that further action on amendment S—5692 and **House File 393** be **deferred**.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2346.

### **House File 2346**

On motion of Senator Peterson, House File 2346, a bill for an act relating to the coordination of rural development programs by creating a rural development coordinating committee and the office of rural resources coordinator, with report of committee recommending passage, was taken up for consideration.

Senator Peterson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2346) 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	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

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 House File 2386.

### House File 2386

On motion of Senator Scott, House File 2386, a bill for an act relating to additional factors, requirements, and guidelines for providing assistance under the community economic betterment account of the Iowa plan fund and RISE program, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Scott offered amendment S—5575 filed by the committee on Small Business and Economic Development on March 25, 1988, to pages 1 through 4 of the bill and moved its adoption.

Amendment S—5575 was adopted by a voice vote.

Senator Sturgeon asked and received unanimous consent that further action on **House File 2386** be deferred.

## COMMITTEE REPORTS

## WAYS AND MEANS

**Final Bill Action:** SENATE FILE 2325 (SSB 2264), a bill for an act prohibiting the assessment of penalty for the late filing of a farmer's state individual income tax return if the farmer was entitled to an extension for filing the farmer's federal individual income tax return under certain circumstances and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Bruner, Husak, Boswell, Dieleman, Gronstal, Riordan, Holden, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 4: Mann, Murphy, Palmer and Drake.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2327 (SSB 2268), a bill for an act to provide for a state individual income tax checkoff for the United States olympic committee and the Iowa games committee, and providing a retroactive effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Bruner, Husak, Dieleman, Gronstal, Murphy, Riordan, Drake, Holt, Readinger and Soorholtz. Nays, 1: Hester. Absent or not voting, 4: Boswell, Palmer, Holden and Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2441, a bill for an act relating to underground storage tanks, establishing certain fees, providing penalties, and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 12: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Riordan, Hester, Holt, Readinger and Soorholtz. Nays, 2: Holden and Drake. Absent or not voting, 1: Palmer.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2299** be referred from the Regular Calendar to the committee on **Local Government** and that **House File 2441** be referred from the Ways and Means Calendar to the committee on **Environment and Energy Utilities**.

## MOTION TO RECONSIDER WITHDRAWN

### Senate File 2231

Senator Gronstal withdrew the motion to reconsider Senate File 2231, a bill for an act to allow certain elections to be conducted by mail ballots, making penalties applicable, and providing for the prospective repeal of the Act, filed by him on March 17, 1988, and found on page 874 of the Senate Journal.

Senator Hutchins asked and received unanimous consent to take up out of order House File 102.

### House File 102

On motion of Senator Mann, House File 102, a bill for an act relating to the prohibition of polygraph examinations as a condition of employment, and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman took the chair at 4:53 p.m.

Senator Mann offered amendment S—5317 filed by the committee on Business and Labor Relations on March 10, 1988, to page 1 of the bill.

Senator Fuhrman withdrew amendment S—5338 filed by him on March 11, 1988, to amendment S—5317.

Senator Fuhrman offered amendment S—5448 filed by Senators Fuhrman and Varn on March 18, 1988, to amendment S—5317 and moved its adoption.

Amendment S—5448 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—5317 as amended, which motion prevailed by a voice vote.

Senator Mann moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 102) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Fraise
Gentleman	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Riordan	Scott
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Nays, 14:

Dieleman	Drake	Fuhrman	Goodwin
Hall	Hester	Holden	Holt
Hultman	Jensen	Rensink	Rife
Taylor	Vande Hoef		

Absent or not voting, 3:

Lind	Schwengels	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## BUSINESS PENDING

### House File 2439

The Senate resumed consideration of House File 2439, a bill for an act relating to the regulation of securities by amending the Iowa uniform securities Act to provide certain new and modified securities exemptions and transaction exemptions and to remove the broker-dealer bonding requirement for members of the securities investor protection corporation, and amendment S—5547 as amended by the committee on Commerce to pages 1 and 3 of the bill, previously deferred.



Senator Mann offered amendment S—5693 filed by him from the floor to amendment S—5547.

Senator Sturgeon called for a division of amendment S—5693: lines 4 and 5 as division S—5693A and lines 6 through 9 as division S—5693B.

Senator Mann moved the adoption of division S—5693A to amendment S—5547, which motion prevailed by a voice vote.

Senator Mann moved the adoption of division S—5693B to amendment S—5547, which motion prevailed by a voice vote.

Senator Carr offered amendment S—5697 filed by him from the floor to amendment S—5547 and moved its adoption.

A non record roll call was requested.

The ayes were 24, nays 23.

Amendment S—5697 was adopted.

Senator Mann offered amendment S—5694 filed by him from the floor to amendment S—5547.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Hannon for the remainder of the day on request of Senator Hutchins.

### BUSINESS PENDING

#### House File 2439

The Senate resumed consideration of House File 2439.

Senator Mann moved the adoption of amendment S—5694 to amendment S—5547.

A non record roll call was requested.

The ayes were 7, nays 34.

Amendment S—5694 lost.

Senator Mann offered amendment S—5695 filed by him from the floor to amendment S—5547 and moved its adoption.

A non record roll call was requested.

The ayes were 10, nays 25.

Amendment S—5695 lost.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Bruner for the remainder of the day on request of Senator Hutchins.

### BUSINESS PENDING

#### House File 2439

The Senate resumed consideration of House File 2439.

Senator Sturgeon moved the adoption of amendment S—5547 as amended.

A record roll call was requested.

On the question “Shall amendment S—5547 as amended be adopted?” (H.F. 2439) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 21:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Horn	Jensen	Kinley	Nystrom
Palmer	Peterson	Readinger	Rife
Soorholtz	Taylor	Vande Hoef	Varn
Welsh			

Nays, 23:

Boswell	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Holt	Husak	Hutchins
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.

Murphy  
Scott

Priebe  
Sturgeon

Rensink  
Wells

Riordan

Absent or not voting, 6:

Bruner  
Schwengels

Hannon  
Tieden

Hultman

Lind

Amendment S—5547 as amended lost.

Senator Hutchins asked and received unanimous consent that action on **House File 2439** be **deferred**.

## BUSINESS PENDING

### House File 393

The Senate resumed consideration of 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, and amendment S—5692 by Senator Horn, et al., to pages 1 through 6 of the bill, previously deferred.

Senator Dieleman offered amendment S—5699 filed by Senators Dieleman and Holden from the floor to amendment S—5692, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5699 to amendment S—5692 be adopted?" (H.F. 393) the vote was:

Ayes, 11:

Dieleman  
Holden  
Scott

Fraise  
Holt  
Taylor

Goodwin  
Jensen  
Vande Hoef

Hester  
Rensink

Nays, 33:

Boswell  
Deluhery

Carr  
Doyle

Coleman  
Drake

Corning  
Fuhrman

Gentleman	Gettings	Gronstal	Hall
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 6:

Bruner	Hannon	Hultman	Lind
Schwengels	Tieden		

Amendment S—5699 lost.

Senator Carr moved the adoption of amendment S—5692, which motion prevailed by a voice vote.

With the adoption of amendment S—5692, the Chair ruled amendment S—5703 filed by Senators Deluhery and Miller of Cerro Gordo from the floor to pages 3 through 5 of the bill, out of order.

Senator Welsh offered amendment S—5705 filed by him from the floor to the title page of the bill and moved its adoption.

Amendment S—5705 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. 393) the vote was:

Ayes, 37:

Boswell	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Gronstal
Hall	Hester	Holt	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rife	Riordan	Scott
Soorholtz	Sturgeon	Varn	Wells
Welsh			

Nays, 7:

Dieleman  
Rensink

Goodwin  
Taylor

Holden  
Vande Hoef

Jensen

Absent or not voting, 6:

Bruner  
Schwengels

Hannon  
Tieden

Hultman

Lind

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 393** be **immediately messaged** to the House.

### MOTION TO RECONSIDER WITHDRAWN

#### House File 2307

Senator Sturgeon withdrew the motion to reconsider House File 2307, a bill for an act relating to the regulation of the state's insurance industry and the administration of the insurance division of the department of commerce, filed by him on March 29, 1988, and found on page 1108 of the Senate Journal.

### CONSIDERATION OF BILL (Regular Calendar)

#### House File 2400

On motion of Senator Gronstal, House File 2400, a bill for an act relating to enhanced 911 emergency telephone communication systems, by requiring each county to prepare an enhanced 911 service plan for submittal to the office of disaster services on or before March 1, 1989, by requiring conversion of pay telephones to accept 911 calls without charge, by allowing a local E911 service surcharge, by providing certain liability exemptions in conjunction with the delivery of E911 services, and by providing a limited privacy waiver to permit nonlisted or unpublished numbers to be included in E911 service, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on **House File 2400** be **deferred**.

## INTRODUCTION OF BILLS

**Senate File 2325**, by committee on Ways and Means, a bill for an act prohibiting the assessment of penalty for the late filing of a farmer's state individual income tax return if the farmer was entitled to an extension for filing the farmer's federal individual income tax return under certain circumstances and providing an effective date.

Read first time and **placed on Ways and Means Calendar**.

**Senate File 2326**, by Hutchins and Hultman, a bill for an act relating to the use of automatic dialing-announcing device (ADAD) equipment and providing a penalty.

Read first time and **passed on file**.

**Senate File 2327**, by committee on Ways and Means, a bill for an act to provide for a state individual income tax checkoff for the United States olympic committee and the Iowa games committee, and providing a retroactive effective date.

Read first time and **placed on Ways and Means Calendar**.

## COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March 28, 1988

Mr. John F. 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 Kenneth A. Putzier, Storm Lake, Buena Vista County, Iowa, for reappointment to the Accountancy Examining Board, pursuant to Section 116.3, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1991.

Sincerely,  
TERRY E. BRANSTAD  
Governor

Communication was read and referred to the committee on **Rules and Administration**.

## 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 Governor's reappointment of E.E. Engstrom as a member of the Agricultural Development Authority, completed its investigation on March 30, 1988, and recommended the appointee be confirmed.

#### COMMERCE

Pursuant to Senate Rule 59, the committee on Commerce assigned to investigate the reappointment of Tom N. Sarvis as a member of the Credit Union Review Board, completed its investigation on March 25, 1988, and recommended the appointee be confirmed.

#### WAYS AND MEANS

Pursuant to Senate Rule 59, the committee on Ways and Means assigned to investigate the appointment of Molly Scott as a member of the Iowa Railway Finance Authority, completed its investigation on March 30, 1988, and recommended the appointment be confirmed.

#### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2106 passed the Senate on March 30, 1988.

JOE J. WELSH

MADAM PRESIDENT: I move to reconsider the vote by which House File 2344 passed the Senate on March 30, 1988.

TOM MANN, JR.

MADAM PRESIDENT: I move to reconsider the vote by which House File 2407 passed the Senate on March 29, 1988.

MICHAEL E. GRONSTAL

## SUBCOMMITTEE ASSIGNMENTS

## House File 2419

EDUCATION: Murphy, Chair; Horn and Taylor

## SSB 2269

WAYS AND MEANS: Bruner, Chair; Readinger and Murphy

## PRESENTATION OF VISITORS

The Chair welcomed the Honorable William Gluba, former member of the Senate from Scott County, who was present in the Senate chamber.

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-eight twelfth grade students from Clarksville Community High School, Clarksville, Iowa, accompanied by Mr. Waskow, Mr. Saathoff and Mr. Voss. Senator Jensen.

## BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	2324	State Government
S.F.	2326	Commerce

## AMENDMENTS FILED

S—5676	H.F.	2354	Michael E. Gronstal Richard J. Varn
S—5677	H.F.	645	Al Sturgeon
S—5678	H.F.	2170	Richard Vande Hoef
S—5679	H.F.	2400	Emil J. Husak
S—5680	H.F.	2400	Emil J. Husak
S—5681	H.F.	2400	Emil Husak
S—5682	H.F.	2439	Tom Mann, Jr.
S—5683	S.F.	2325	Charles Bruner
S—5684	H.F.	2439	Bob Carr
S—5685	H.F.	2439	Tom Mann, Jr.
S—5686	H.F.	2439	Bob Carr



S—5687	H.F.	2439	Bob Carr
S—5688	H.F.	613	George R. Kinley
S—5689	H.F.	2386	Al Sturgeon
S—5690	H.F.	2419	Larry Murphy
S—5691	H.F.	393	Joe J. Welsh
S—5692	H.F.	393	Wally E. Horn
			Bob Carr
			John E. Soorholtz
			Jack Nystrom
			Kenneth Scott
			Jack Rife
			Alvin V. Miller
			Eugene Fraise
S—5693	H.F.	2439	Tom Mann, Jr.
S—5694	H.F.	2439	Tom Mann, Jr.
S—5695	H.F.	2439	Tom Mann, Jr.
S—5696	H.F.	2439	Tom Mann, Jr.
S—5697	H.F.	2439	Bob Carr
S—5698	H.F.	2294	Tom Mann, Jr.
S—5699	H.F.	393	William W. Dieleman
			Edgar Holden
S—5700	H.F.	2283	Leonard L. Boswell
			John E. Soorholtz
			Kenneth Scott
S—5701	H.F.	2419	Joy Corning
S—5702	H.F.	2066	Berl E. Priebe
S—5703	H.F.	393	Patrick J. Deluhery
			Alvin V. Miller
S—5704	H.F.	2285	Bill Hutchins
S—5705	H.F.	393	Joe J. Welsh

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:08 p.m., until 9:00 a.m., Thursday, March 31, 1988.

# JOURNAL OF THE SENATE

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EIGHTY-FIRST CALENDAR DAY  
FIFTY-FIFTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, March 31, 1988

The Senate met in regular session at 9:17 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Jack Rife, member of the Senate from Muscatine County, Moscow, Iowa.

The Journal of Wednesday, March 30, 1988, 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 29, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:

**Senate File 2117**, a bill for an act relating to certain speeding violations of ten miles per hour or less over the legal speed limit and providing an effective date (S—5706).

**Senate File 2157**, a bill for an act relating to a comprehensive acquired immune deficiency syndrome (AIDS) prevention and intervention plan (S—5708).

**Senate File 2253**, a bill for an act to require that students in grades nine through twelve take history and government classes (S—5707).

**Senate File 2284**, a bill for an act relating to the disclosure of mental health information (S—5709).

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the morning on request of Senator Hultman.

### QUORUM CALL

Senator Horn requested a non record roll call to determine that a quorum was present.

Senator Coleman took the chair at 9:31 a.m.

The vote revealed 38 present, 12 absent and a quorum present.

### MOTIONS TO RECONSIDER WITHDRAWN

#### House File 529

Senator Welsh withdrew the motion to reconsider House File 529, a bill for an act relating to governmental competition with and purchase of goods and services from private enterprise, filed by him on March 29, 1988, and found on page 1149 of the Senate Journal.

#### House File 2106

Senator Welsh withdrew the motion to reconsider House File 2106, a bill for an act prohibiting the advertisement, sale, or use in this state of home testing kits for human immunodeficiency virus antibody or antigen testing, and providing a penalty, filed by him on March 30, 1988, and found on page 1180 of the Senate Journal.

### CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Boswell called up the appointment of Mary Garst as a member of the Iowa Economic Development Board, placed on the Individual Confirmation Calendar on March 9, 1988, and found on page 704 of the Senate Journal.

Senator Boswell 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, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Murphy	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Hannon	Holden	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Schwengels
Vande Hoef			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Peterson called up the appointment of Toni A. Lazar as a member of the Iowa Economic Development Board, placed on the Individual Confirmation Calendar on March 7, 1988, and found on page 657 of the Senate Journal.

Senator Peterson moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	Hester	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Mann	Murphy

Palmer	Peterson	Priebe	Readerger
Rensink	Rife	Riordan	Scott
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Holden	Lind	Miller, A.V.	Miller, C.P.
Nystrom	Schwengels	Soorholtz	

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Riordan called up the appointment of Sally S. Naylor as a member of the Iowa Product Development Corporation, placed on the Individual Confirmation Calendar on March 7, 1988, and found on page 657 of the Senate Journal.

Senator Riordan moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" 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	Lloyd-Jones	Mann	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readerger	Rensink	Rife	Riordan
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Holden	Lind	Miller, A.V.	Nystrom
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Scott called up the appointment of Mary L. Heistand-Bro as a member of the Iowa Product Development Corporation, placed on the Individual Confirmation Calendar on March 7, 1988, and found on page 657 of the Senate Journal.

Senator Scott moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointee be confirmed?" 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	Jensen
Kinley	Lloyd-Jones	Mann	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, 4:

Hutchins	Lind	Miller, A.V.	Nystrom
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

## CONSIDERATION OF BILLS (Regular Calendar)

### House File 2170

On motion of Senator Lloyd-Jones, House File 2170, a bill for an act relating to foster care review, providing for the continued existence of the state and local foster care review boards, providing for the establishment of local foster care review boards throughout

the state, providing for review in cases of children involuntarily hospitalized for mental illness, revising provisions relating to confidentiality and access to certain information, providing additional requirements for case permanency plans, providing other procedural revisions, and providing properly related matters, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Hutchins asked and received unanimous consent that further action on **House File 2170** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 2283**

On motion of Senator Scott, House File 2283, a bill for an act relating to agricultural property holdings by providing certain definitions; restricting processors; establishing family farm limited partnerships; restricting the number of acres of agricultural land that other limited partnerships may acquire or otherwise obtain or lease; restricting persons from becoming limited partners, stockholders, or beneficiaries in more than a number of certain limited partnerships, authorized farm corporations, or authorized trusts; providing certain restrictions of family trusts; and requiring reporting of certain agricultural related property and the confidentiality of certain information; and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Scott asked and received unanimous consent that further action on **House File 2283** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 613**

On motion of Senator Kinley, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Kinley asked and received unanimous consent that further action on **House File 613** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### House File 2383

On motion of Senator Scott, House File 2383, a bill for an act relating to the movement of vehicles of excess size and weight, subject to penalties provided by law, with report of committee recommending passage, was taken up for consideration.

Senator Scott asked and received unanimous consent that further action on **House File 2383** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### House File 2374

On motion of Senator Carr, House File 2374, a bill for an act relating to the nomination of candidates for the office of lieutenant governor for the general election in the year 1990, with report of committee recommending passage, was taken up for consideration.

Senator Carr asked and received unanimous consent that further action on **House File 2374** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### House File 2405

On motion of Senator Carr, House File 2405, a bill for an act relating to the administration and benefits for certain public retirement systems, with report of committee recommending passage, was taken up for consideration.

Senator Carr asked and received unanimous consent that further action on **House File 2405** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### House File 2339

On motion of Senator Coleman, House File 2339, a bill for an act relating to grievances and discipline resolution in the state personnel system, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Coleman asked and received unanimous consent that further action on **House File 2339** be **deferred** and that the bill be placed on the calendar under **unfinished business**.



### House File 624

On motion of Senator Horn, House File 624, a bill for an act relating to the distribution, transportation, storage, and use of fireworks, defining fireworks, the presumptions applicable where property is destroyed by fire, establishing permits, licenses, and fees, and providing penalties, with report of committee recommending passage, was taken up for consideration.

Senator Horn asked and received unanimous consent that further action on **House File 624** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### 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 amendment and passage, was taken up for consideration.

Senator Husak asked and received unanimous consent that further action on **House File 221** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### House File 382

On motion of Senator Miller of Cerro Gordo, 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 the city, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Miller of Cerro Gordo asked and received unanimous consent that further action on **House File 382** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### House File 2066

On motion of Senator Priebe, House File 2066, a bill for an act establishing minimum and maximum loop dimensions for snare traps and providing a penalty, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that further action on **House File 2066** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 2257**

On motion of Senator Priebe, House File 2257, a bill for an act relating to the use of vessels for hunting blinds on the public waters of this state and subjecting violators to an existing penalty, with report of committee recommending passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that further action on **House File 2257** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 2158**

On motion of Senator Peterson, House File 2158, a bill for an act to limit operation of motor vehicles in streambeds and providing a penalty, with report of committee recommending passage, was taken up for consideration.

Senator Peterson asked and received unanimous consent that further action on **House File 2158** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 2269**

On motion of Senator Lloyd-Jones, House File 2269, a bill for an act relating to funds in the special railroad facility fund and the rail assistance fund and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Lloyd-Jones asked and received unanimous consent that further action on **House File 2269** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 2315**

On motion of Senator Welsh, House File 2315, a bill for an act relating to commercial paper by modifying the definition of "sum certain", with report of committee recommending passage, was taken up for consideration.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2315) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hester
Holden	Holt	Horn	Hultman
Husak	Kinley	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, 6:

Fraise	Hannon	Hutchins	Jensen
Lind	Nystrom		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### House File 2319

On motion of Senator Palmer, House File 2319, a bill for an act to exclude Saturday as a banking day, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Palmer asked and received unanimous consent that further action on **House File 2319** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### House File 2189

On motion of Senator Murphy, House File 2189, a bill for an act relating to child abuse investigation reports made to subjects of reports by the department of human services, with report of

committee recommending amendment and passage, was taken up for consideration.

Senator Murphy asked and received unanimous consent that further action on **House File 2189** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 645**

On motion of Senator Mann, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that further action on **House File 645** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 133**

On motion of Senator Tieden, House File 133, a bill for an act providing for nonresident hunting licenses for deer and wild turkey, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Tieden asked and received unanimous consent that further action on **House File 133** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

### **House File 2258**

On motion of Senator Priebe, House File 2258, a bill for an act relating to trespass upon the right-of-way of a public road or highway, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Priebe asked and received unanimous consent that further action on **House File 2258** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

## House File 2416

On motion of Senator Miller of Cerro Gordo, House File 2416, a bill for an act relating to establishing a case management assistance program to assist low-income persons in starting up or expanding small businesses, 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. 2416) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holt	Horn	Hultman
Hutchins	Jensen	Kinley	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, 1:

Holden

Absent or not voting, 4:

Hannon	Husak	Lind	Nystrom
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## House File 566

On motion of Senator Riordan, House File 566, a bill for an act to require completion of an approved course of driver education to qualify for a minor's school license, with report of committee recommending passage, was taken up for consideration.

Senator Riordan asked and received unanimous consent that further action on **House File 566** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Welsh presiding.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, Senator Coleman presiding.

### QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 40 present, 10 absent and a quorum present.

### 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 29, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2310**, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks (S—5710).

### RECESS

On motion of Senator Hutchins, the Senate recessed at 11:12 a.m., until 1:30 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### AGRICULTURE

**Convened:** March 30, 1988, 8:50 a.m.

**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Fraise, Husak, Riordan, Scott and Soorholtz.

**Members Absent:** Boswell, Fuhrman, Hall, Peterson, Rensink and Vande Hoef.

**Committee Business:** Recommended confirmation of Governor's appointee.

**Adjourned:** 8:55 a.m.

#### WAYS AND MEANS

**Convened:** March 30, 1988, 11:32 a.m.

**Members Present:** Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Murphy, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

**Members Absent:** Palmer.

**Committee Business:** Approved SSBs 2264 and 2268 as committee bills; recommended passage of House File 2441; recommended confirmation of Governor's appointee; House File 2428 failed recommendation for passage.

**Adjourned:** 12:09 p.m.

### PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Dolores Gross be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

BEVERLY A. HANNON

### MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2416 passed the Senate on March 31, 1988.

RICHARD VANDE HOEF

## COMMITTEE REPORT

## WAYS AND MEANS

**Final Bill Action:** HOUSE FILE 2428, a bill for an act increasing and establishing certain court filing fees.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Palmer, Riordan, Holt, Readinger and Soorholtz. Nays, 2: Hester and Holden. Absent or not voting, 2: Drake and Murphy.

**Fiscal Note:** 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 March 31, 1988, and recommended the appointees be confirmed:

Vennetta M. Fiedler and Marguerite E. Stockstad for reappointment as members of the Commission of Elder Affairs.

James G. Snyder for appointment as a member of the Commission on the Deaf.

Sheldon Rittmer for appointment as a member of the Mental Health and Mental Retardation Commission.

Richard L. Lowery for appointment as a member of the State Foster Care Review Board.

## AMENDMENTS FILED

S-5706	S.F.	2117	House amendment
S-5707	S.F.	2253	House amendment
S-5708	S.F.	2157	House amendment
S-5709	S.F.	2284	House amendment
S-5710	S.F.	2310	House amendment
S-5711	H.F.	645	Al Sturgeon
S-5712	H.F.	645	Al Sturgeon
S-5713	H.F.	645	Al Sturgeon



S—5714	H.F.	2447	Charles Bruner Jean Lloyd-Jones Joe Welsh
S—5715	H.F.	2383	John A. Peterson
S—5716	S.F.	2164	Calvin O. Hultman Leonard Boswell
S—5717	H.F.	2447	Richard Vande Hoef
S—5718	H.F.	645	Al Sturgeon
S—5719	H.F.	2447	Joe Welsh
S—5720	H.F.	2386	Ray Taylor
S—5721	H.F.	2386	Ray Taylor

## 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 39 present, 11 absent and a quorum present.

## CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2447.

### House File 2447

On motion of Senator Lloyd-Jones, House File 2447, a bill for an act relating to and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5648 filed by the committee on Appropriations on March 30, 1988, to pages 2 through 25, 28 through 32, 34 and 36 through 40 of the bill.

Senator Vande Hoef asked and received unanimous consent that action on amendment S—5717 filed by him from the floor to page 9 of amendment S—5648 be deferred.

Senator Vande Hoef asked and received unanimous consent that action on amendment S—5722 filed by him from the floor to page 9 of amendment S—5648 be deferred.

Senator Bruner offered amendment S—5714 filed by Senators Bruner, Lloyd-Jones and Welsh from the floor to page 11 of amendment S—5648 and moved its adoption.

Amendment S—5714 was adopted by a voice vote.

Senator Welsh offered amendment S—5719 filed by him from the floor to page 14 of amendment S—5648 and moved its adoption.

Amendment S—5719 was adopted by a voice vote.

(Action on amendment S—5648 as amended was temporarily deferred.)

Senator Hultman offered amendment S—5657 filed by him on March 30, 1988, to page 40 of the bill.

Senator Welsh raised the point of order that amendment S—5657 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5657 out of order.

Senator Hultman asked and received unanimous consent that action on amendment S—5656 filed by him on March 30, 1988, to page 40 of the bill be deferred.

The Senate resumed consideration of amendment S—5648 as amended, by the committee on Appropriations, previously deferred.

Senator Welsh offered amendment S—5723 filed by him from the floor to pages 4 and 6 of amendment S—5648 and called for a division: lines 4 through 7 as division S—5723A and lines 8 through 15 as division S—5723B.

With the adoption of amendment S—5719 to amendment S—5648, the Chair ruled division S—5723A out of order.

Senator Welsh moved the adoption of division S—5723B to amendment S—5648, which motion prevailed by a voice vote.

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 Coleman for the remainder of the day on request of Senator Fraise.

## BUSINESS PENDING

### House File 2447

The Senate resumed consideration of House File 2447 and amendment S—5648 as amended.

Senator Vande Hoef withdrew amendments S—5717 and S—5722 to page 9 of amendment S—5648, previously deferred.

(Action on amendment S—5648 as amended was temporarily deferred.)

Senator Hultman withdrew amendment S—5656 to page 40 of the bill, previously deferred.

The Senate resumed consideration of amendment S—5648 as amended, previously deferred.

Senator Hannon offered amendment S—5724 filed by her from the floor to page 4 of amendment S—5648 and moved its adoption.

Amendment S—5724 was adopted by a voice vote.

(Action on amendment S—5648 as amended and **House File 2447** was temporarily **deferred**.)

## UNFINISHED BUSINESS

### House File 2400

The Senate resumed consideration of House File 2400, a bill for an act relating to enhanced 911 emergency telephone communication systems, by requiring each county to prepare an enhanced 911 service plan for submittal to the office of disaster services on or before March 1, 1989, by requiring conversion of pay telephones to accept 911 calls without charge, by allowing a local E911 service surcharge, by providing certain liability exemptions in conjunction with the delivery of E911 services, and by providing a limited privacy waiver to permit nonlisted or unpublished numbers to be included in E911 service, placed on the unfinished business calendar on March 30, 1988.

Senator Gronstal asked and received unanimous consent that action on **House File 2400** be **deferred** for preparation of an amendment and that the bill retain its place on the unfinished business calendar.

## BUSINESS PENDING

### House File 2447

The Senate resumed consideration of House File 2447 and amendment S—5648 as amended, previously deferred.

Senator Corning 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—5719 to page 14 of amendment S—5648 to House File 2447 was adopted by the Senate on March 31, 1988.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (H.F. 2447) the vote was:

Ayes, 15:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Holden	Hultman	Jensen
Lloyd-Jones	Nystrom	Readerger	Rensink
Rife	Taylor	Vande Hoef	

Nays, 28:

Boswell	Bruner	Deluhery	Dieleman
Doyle	Fraise	Gettings	Gronstal
Hall	Hannon	Holt	Horn
Husak	Hutchins	Kinley	Mann
Miller, A.V.	Miller, C.P.	Murphy	Peterson
Priebe	Riordan	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 7:

Carr	Coleman	Hester	Lind
Palmer	Schwengels	Tieden	

The motion lost.

With the adoption of amendment S—5719 to amendment S—5648, the Chair ruled amendment S—5725 filed by Senators Corning and Gentleman from the floor to pages 4 and 5 of amendment S—5648, out of order.

Senator Taylor offered amendment S—5728 filed by him from the floor to page 5 of amendment S—5648, moved its adoption and requested a non record roll call.

The ayes were 14, nays 29.

Amendment S—5728 lost.

(Action on amendment S—5648 as amended, was temporarily deferred.)

Senator Bruner offered amendment S—5726 filed by him from the floor to page 7 of the bill and moved its adoption.

Amendment S—5726 was adopted by a voice vote.

(Action on House File 2447 was temporarily deferred.)

## COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

March 15, 1988

Mr. John F. 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 Ronald G. Richer, Urbandale, Polk County, Iowa for appointment to the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers, pursuant to Section 154A.2, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1991.

Sincerely,  
TERRY E. BRANSTAD  
Governor

Communication was read and referred to the committee on Rules and Administration.

## CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up House File 2428.

### House File 2428

On motion of Senator Mann, House File 2428, a bill for an act increasing and establishing certain court filing fees, with report of committees on Judiciary and Ways and Means recommending passage, was taken up for consideration.

Senator Mann asked and received unanimous consent that further action on **House File 2428** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

## COMMITTEE REPORT

### EDUCATION

**Final Bill Action:** HOUSE FILE 2433, a bill for an act relating to public school vocational education in agriculture technology and creating a council for agricultural education.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5727.

**Final Vote:** Ayes, 11: Murphy, Horn, Bruner, Corning, Dieleman, Hannon, Lloyd-Jones, Rensink, Riordan, Varn and Wells. Nays, 2: Holden and Tieden. Absent or not voting, 2: Taylor and Lind.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## CONSIDERATION OF BILL (Regular Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration House File 2433.

### House File 2433

On motion of Senator Fuhrman, House File 2433, a bill for an act relating to public school vocational education in agriculture technology and creating a council for agricultural education, with

report of committee recommending amendment and passage, was taken up for consideration.

Senator Fuhrman asked and received unanimous consent that further action on **House File 2433** be **deferred** and that the bill be placed on the calendar under **unfinished business**.

## BUSINESS PENDING

### House File 2447

The Senate resumed consideration of House File 2447, a bill for an act relating to and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989, and amendment S—5648 as amended by the committee on Appropriations, previously deferred.

Senator Hannon offered amendment S—5729 filed by Senators Hannon, et al., from the floor to pages 4 and 13 of amendment S—5648, moved its adoption and requested a record roll call.

On the question "Shall amendment S—5729 to amendment S—5648 be adopted?" (H.F. 2447) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 11:

Bruner	Dieleman	Drake	Fuhrman
Gentleman	Gronstal	Hannon	Holden
Mann	Murphy	Sturgeon	

Nays, 35:

Boswell	Corning	Deluhery	Doyle
Fraise	Gettings	Goodwin	Hall
Hester	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Schwengels	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	



Absent or not voting, 4:

Carr

Coleman

Lind

Riordan

Amendment S—5729 lost.

Senator Lloyd-Jones moved the adoption of amendment S—5648 as amended, 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?" (H.F. 2447) the vote was:

Ayes, 39:

Boswell	Bruner	Corning	Deluhery
Dielemian	Doyle	Drake	Fraise
Gentleman	Gettings	Goodwin	Gronstal
Hester	Holden	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Vande Hoef	Varn	Wells	Welsh

Nays, 8:

Fuhrman	Hall	Hannon	Hultman
Rife	Schwengels	Taylor	Tieden

Absent or not voting, 3:

Carr

Coleman

Lind

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **House File 2076** be referred from the Ways and Means Calendar to the committee on **Ways and Means**.

## APPENDIX

### REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointment to a state board to a standing committee as indicated for investigation on March 31, 1988:

#### STATE GOVERNMENT

Kenneth A. Putzier — Accountancy Examining Board.

BILL HUTCHINS, Chair

#### STUDY BILLS RECEIVED

##### **SSB 2269 Ways and Means**

Relating to physicians' charges for services to beneficiaries of health insurance under Title XVIII of the federal Social Security Act, providing for the collection and analysis of information, imposing fees, establishing a special indigent patient health care trust fund, providing other properly related matters, and providing an effective date.

##### **SSB 2270 Education**

A concurrent resolution requesting that an interim study committee be appointed to review present and projected higher education needs and offerings.

##### **SSB 2271 Judiciary**

To legalize and validate the proceedings for the organization and operation of the Resale Power Group of Iowa and declaring it to be legally established and declaring each and all of its acts to have been legally taken and declaring each and all of the actions taken by the Resale Power Group of Iowa and by the City of Burt, City of Dike, City of Dysart, City of Long Grove, City of Maquoketa, City of Marathon, City of Panora, City of Preston, City of Sibley, City of Stanhope, City of State Center, City of Tipton, City of West Liberty, City of Whittemore, City of Anita, City of Hopkinton, City of Grand Junction, City of Ogden, City of Story City, City of Traer, City of Vinton, the Amana Society Service Company,

Amana, and the Board of Directors of the Farmers Electric Cooperative, Kalona, all in Iowa, in entering into, ratifying and confirming an agreement between the Resale Power Group of Iowa and its members dated November 3, 1987 and a certain joint transmission agreement dated November 3, 1987, to have been legally taken.

#### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5547 to House File 2439 failed to be adopted by the Senate on March 30, 1988.

AL STURGEON

MADAM PRESIDENT: I move to reconsider the vote by which House File 2447 passed the Senate on March 31, 1988.

BILL HUTCHINS

MADAM PRESIDENT: I move to reconsider the vote by which House File 2447 passed the Senate on March 31, 1988.

WALLY E. HORN

#### 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 following Governor's appointments, completed its investigations on March 31, 1988, and recommended the appointees be confirmed:

James H. Weinman for reappointment as a member of the Iowa Higher Education Loan Authority.

Ann W. Wickman and George Wilson for appointment as members of the State Board of Education.

##### 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, 1988, and recommended the appointees be confirmed:

Daryl K. Henze and Judy L. Kappmeyer for appointment as members of the Accountancy Examining Board.

Richard W. Pattschull and James W. Wilkins for reappointment as members of the Architectural Examining Board.

Donna J. Weiss for reappointment as a member of the Barber Examining Board.

Kennith Culp for appointment as a member of the Board of Nursing Examiners.

Dr. Ramona Kathleen Kennedy for appointment, Kenneth L. Mueller for reappointment and Sister Marilyn S. Whitty for appointment as members of the Chiropractic Examining Board.

John B. Walters for reappointment as Director of the Department of General Services.

Philip Smith for appointment as Director of the Office for State-Federal Relations.

Richard Marr for reappointment and Cheryl J. Richardson for appointment as members of the Engineering and Land Surveying Examining Board.

Dr. Charlotte A. Cleavenger for appointment as a member of the Medical Examining Board.

Edward T. Shonsey for appointment as a member of the Personnel Commission.

Marian L. Roberts for appointment as a member of the Pharmacy Examining Board.

Brenda M. Salocker and Sandi A. Yates for appointment as members of the Podiatry Examining Board.

Dr. Carl S. Davis for appointment and reappointment and Phyllis S. Hansell for reappointment as members of the Psychology Examining Board.

James R. Berry and Marlys Nielsen for reappointment as members of the Real Estate Examining Board.

Benita L. Strait for reappointment and Steven R. Wanzek for appointment as members of the Respiratory Care Advisory Committee.

Michael G. Genz for appointment to the Speech Pathology and Audiology Examining Board.

Darrell E. Devick and Steven C. Dowd for appointment as members of the State Board of Examiners for Nursing Home Administrators.

**REPORT OF THE SECRETARY OF THE SENATE**

**MADAM PRESIDENT:** Pursuant to Senate Rule 21, I report that in engrossing Senate File 2074, the following corrections were made:

1. Page 26, line 24, the words "renumber sections 422.5" were changed to the words "renumber section 422.5".
2. Page 26, line 29, the numbers "31, 32, 46, and 47" were changed to the numbers "30, 31, 45, and 46".
3. Page 26, line 33, the numbers "22 through 28, 30, 33, 34, 35, 48, and 50" were changed to the numbers "21 through 27, 29, 32, 33, 34, 47, and 49".
4. Page 27, line 1, the number "29" was changed to the number "28".
5. Page 27, line 3, the numbers "36, 37, 38, and 40 through 45" were changed to the numbers "35, 36, 37, and 39 through 44".
6. Page 27, line 6, the number "39" was changed to the number "38".
7. Page 27, line 12, the numbers "32, 39, and 46" were changed to the numbers "31, 38, and 45".

**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 31st day of March, 1988:

Senate Files 2256, 2020, 2064, 2271, 2258, 2183, 2074 and 2270.

**JOHN F. DWYER**  
Secretary of the Senate

**BILL SIGNED BY THE GOVERNOR**

A communication was received announcing that on March 31, 1988, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2168 — Relating to the authority of the treasurer of state to invest in United States government obligations.

### COMMITTEE REPORT

#### EDUCATION

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 126 (SSB 2270), a concurrent resolution requesting that an interim study committee be appointed to review present and projected higher education needs and offerings.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 10: Murphy, Horn, Taylor, Bruner, Corning, Holden, Riordan, Tieden, Varn and Wells. Nays, none. Absent or not voting, 5: Dieleman, Hannon, Lloyd-Jones, Lind and Rensink.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 126**, by committee on Education, a concurrent resolution requesting that an interim study committee be appointed to review present and projected higher education needs and offerings.

Read first time under Rule 28 and **placed on calendar**.

### SUBCOMMITTEE ASSIGNMENTS

#### **Senate Concurrent Resolution 124**

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

#### **Senate Concurrent Resolution 125**

RULES AND ADMINISTRATION: Gronstal, Chair; Gettings and Jensen

#### **House File 2441**

ENVIRONMENT AND ENERGY UTILITIES: Gronstal, Chair; Deluhery and Soorholtz

#### **House File 2433**

EDUCATION: Murphy, Chair; Riordan and Corning

**SSB 2270**

EDUCATION: Murphy, Chair; Varn and Corning

**SSB 2271**

JUDICIARY: Drake, Chair; Deluhery and Hester

**PRESENTATION OF VISITORS**

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty second grade students from John Lawson Elementary School, Johnston, Iowa, accompanied by Mary Ann Hicks. President Zimmerman.

**AMENDMENTS FILED**

S—5722	H.F.	2447	Richard Vande Hoef
S—5723	H.F.	2447	Joe J. Welsh
S—5724	H.F.	2447	Beverly A. Hannon
S—5725	H.F.	2447	Joy Corning
			Julia Gentleman
S—5726	H.F.	2447	Charles Bruner
S—5727	H.F.	2433	Education
S—5728	H.F.	2447	Ray Taylor
S—5729	H.F.	2447	Beverly A. Hannon
			Julia Gentleman
			Al Sturgeon
			Tom Mann, Jr.

**ADJOURNMENT**

On motion of Senator Hutchins, the Senate adjourned at 4:05 p.m., until 1:00 p.m., Monday, April 4, 1988.

# JOURNAL OF THE SENATE

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EIGHTY-FIFTH CALENDAR DAY  
FIFTY-SIXTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 4, 1988

The Senate met in regular session at 1:05 p.m., President Zimmerman presiding.

Prayer was offered by the Reverend James Kvetko, pastor of the First Congregational Church, Waterloo, Iowa.

The Journal of Thursday, March 31, 1988, 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, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 2090**, a bill for an act authorizing the provision of law enforcement administrative services by agreement between a county and a city and providing an effective date.

**Senate File 2129**, a bill for an act relating to the issuance of warrants for drainage improvements.

**Senate File 2142**, a bill for an act relating to recording, without fee, an acknowledgment of a mortgage foreclosure decree.

**Senate File 2172**, a bill for an act relating to an appeal regarding the purchase of Iowa state industry products.

**Senate File 2182**, a bill for an act to provide for the payment of costs of improvements in drainage districts by special assessment.



**Senate File 2202**, a bill for an act relating to the licensing of private investigators and private security officers, providing for the issuance of temporary permits to certain persons pursuant to reciprocal agreement, making penalties applicable, and providing other property related matters.

**Senate File 2205**, a bill for an act relating to interstate natural gas pipelines by establishing a new chapter to define jurisdiction over interstate natural gas pipelines, removing references to interstate natural gas pipelines from the current chapter relating to pipelines and natural gas storage, and adjusting fees.

**Senate File 2216**, a bill for an act providing that the state fair board may make an agreement with the department of public safety to provide security during the annual fair and exposition and interim events.

**Senate File 2246**, a bill for an act relating to the penalties for water pollution and hazardous waste disposal.

**Senate File 2269**, a bill for an act relating to the establishment of a drainage subdistrict.

**Senate File 2280**, a bill for an act relating to the time of filing a nonprofit corporation's annual report.

**Senate File 2281**, a bill for an act relating to service of notice on a judgment debtor in garnishment proceedings.

**Senate File 2285**, a bill for an act relating to the enforcement of laws concerning motor vehicle fraud, salvage, and theft, certificates of title, and transfer of ownership of foreign, wrecked, and salvage vehicles and making penalties applicable and providing effective dates.

ALSO: That the House has on March 30, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:

**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 (S—5738).

**Senate File 2192**, a bill for an act to establish a child development coordinating council for the promotion of child development services to certain at-risk children and to prescribe its duties (S—5737).

**Senate File 2203**, a bill for an act relating to the composition of the engineering and land surveying examining board and providing an effective date (S—5736).

**Senate File 2239**, a bill for an act relating to administrative agency and the Iowa employment security law by providing that administrative determinations are not binding in separate actions (S—5735).

**Senate File 2257**, a bill for an act relating to expenses and compensation for the state judicial nominating commission (S—5734).

**Senate File 2291**, a bill for an act to provide that certain appropriations for retirement allowances be paid from the Iowa public employees' retirement fund rather than from the general fund of the state retroactive to July 1, 1987 (S—5733).

**Senate File 2295**, a bill for an act relating to the development of programs for the identification, educational methods, and staff qualifications for at-risk children (S—5732).

**Senate File 2303**, a bill for an act relating to the Iowa small business new jobs training Act by providing for repayments to the permanent school fund, establishing a revolving loan account, and providing for departmental approval of certain projects by rule (S—5731).

**Senate File 2307**, a bill for an act relating to evidence for identification of certain criminals, providing for a study by the department of public safety, and providing an effective date (S—5730).

### 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.

## BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that the following bills be referred from the Regular Calendar to committee:

H.F.	303	Local Government
H.F.	2375	State Government
S. C. R.	126	Rules and Administration

## CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

Senator Welsh requested that Charles H. Sweeney be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

In accordance with Senate File 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Myron L. Gookin, Keniston H. Hoppenworth, Orin Huseman, Vilas "Sid" L. Morris and Yvonne M. Schildberg as members of the Mental Health and Mental Retardation Commission.

Tom N. Sarvis and H. Idris Thomas as members of the Credit Union Review Board.

Charles Finch and Richard Garrells as members of the Dietetic Examining Board.

Marie G. Ellingson and Carolyn Ann Roberts as members of the Iowa Grain Indemnity Fund Board.

Marcia K. Dudden and Alexa L. Mayner as members of the State Board of Examiners for Nursing Home Administrators.

Michael S. Pomper as a member of the Speech Pathology and Audiology Examining Board.

Dean Frey and Janice J. Heaberlin as members of the Iowa Board of Veterinary Medicine.

Edward Tubbs as Superintendent of Banking.

Jeanne Partlow as a member of the Iowa High Technology Council.

Carolyn A. McNeill and Myron Zeigler as members of the Dental Examining Board.

Norma I. Lock as a member of the Employment Appeal Board.

Linda L. Cherry and Marda M. Howard as members of the Iowa Law Enforcement Academy Council.

John D. Watson as a member of the Board of Nursing Examiners.

Scot L. Beckenbaugh as a member of the Public Employment Relations Board.

Shelda J. Beener and Suzan M. Stewart as members of the State Transportation Commission.

Gene Geissinger as a member of the Agricultural Development Authority.

Maxine O. Cochran as a member of the Cosmetology Examining Board.

Robert J. Martin as a member of the Commission for the Blind.

Dennis Nagel as a member and chairperson of the Utilities Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Gettings  
Riordan

Jensen  
Schwengels

Mann

Murphy

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

## HOUSE AMENDMENTS CONSIDERED

### Senate File 2086

Senator Peterson called up for consideration Senate File 2086, a bill for an act relating to the procurement of starch-based plastics and soybean-based inks by the department of general services, the state board of regents, the commission for the blind, and the state department of transportation, amended by the House, and moved that the Senate concur in House amendment S—5581 filed March 28, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Peterson 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. 2086) the vote was:

Ayes, 42:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Lind  
Nystrom  
Rensink  
Taylor  
Wells

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Husak  
Lloyd-Jones  
Peterson  
Rife  
Tieden  
Welsh

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Hutchins  
Miller, A.V.  
Priebe  
Scott  
Vande Hoef

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Kinley  
Miller, C.P.  
Readinger  
Soorholtz  
Varn

Nays, none.

Absent or not voting, 8:

Hultman	Jensen	Mann	Murphy
Palmer	Riordan	Schwengels	Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2230

Senator Miller of Cerro Gordo called up for consideration Senate File 2230, a bill for an act relating to the sale of part of a gravel pit owned by a county, amended by the House, and moved that the Senate concur in House amendment S—5618 filed March 29, 1988.

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. 2230) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holden	Holt	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Nystrom	Peterson
Priebe	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Hannon	Hultman	Jensen	Mann
Miller, C.P.	Murphy	Palmer	Readinger
Riordan	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 299

Senator Soorholtz called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—5649 filed March 30, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Soorholtz moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 299) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Kinley	Lind
Miller, A.V.	Nystrom	Peterson	Priebe
Rensink	Scott	Soorholtz	Sturgeon
Tieden	Varn	Wells	

Nays, 5:

Goodwin	Readinger	Rife	Taylor
Vande Hoef			

Absent or not voting, 10:

Hultman  
Miller, C.P.  
Schwengels

Jensen  
Murphy  
Welsh

Lloyd-Jones  
Palmer

Mann  
Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### **Senate File 2164**

Senator Boswell called up for consideration Senate File 2164, a bill for an act relating to the composition of the Iowa economic development board, amended by the House in House amendment S—5652 filed March 30, 1988.

Senator Boswell offered amendment S—5716 filed by Senators Hultman and Boswell on March 31, 1988, to House amendment S—5652.

Senator Bruner asked and received unanimous consent that further action on House amendment S—5652, amendment S—5716 to House amendment S—5652 and **Senate File 2164** be deferred.

### **Senate File 2225**

Senator Bruner called up for consideration Senate File 2225, a bill for an act relating to the establishment of a family development and self-sufficiency council and the council's duties, amended by the House, and moved that the Senate concur in House amendment S—5669 filed March 30, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2225) the vote was:



Ayes, 46:

Boswell	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	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hester	Mann	Palmer	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.

### **Senate File 2274**

Senator Carr called up for consideration Senate File 2274, a bill for an act to allow the board of dental examiners to revoke or suspend a license of a licensee where the licensee has been disciplined in another state, territory, or country, amended by the House, and moved that the Senate concur in House amendment S—5650 filed March 30, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Carr moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2274) 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, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Schwengels	Scott	Soorholtz	Sturgeon
Taylor	Vande Hoef	Varn	Wells
Welsh			

Nays, none:

Absent or not voting, 5:

Mann	Miller, A.V.	Palmer	Riordan
Tieden			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### CONSIDERATION OF BILL (Ways and Means Calendar)

#### House File 665

On motion of Senator Husak, House File 665, a bill for an act authorizing a tax levy for city libraries by petition and referendum, with report of committee recommending passage, was taken up for consideration.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 665) 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
Kinley	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Nystrom	Peterson

Priebe	Readinger	Rife	Schwengels
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Rensink

Absent or not voting, 4:

Hultman	Miller, A.V.	Palmer	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.

### UNFINISHED BUSINESS (Deferred February 26, 1988)

#### House File 468

The Senate resumed consideration of House File 468, a bill for an act authorizing limited gambling on excursion gambling boats, by specifying additional powers and duties of the state racing and gaming commission, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing taxes on admissions, by requiring licenses and imposing fees, by allocating revenue received, by making corresponding amendments to the Code, and by providing penalties for violations and amendments S—5109 and S—4027, deferred on February 26, 1988.

Senator Dieleman asked and received unanimous consent that further action on amendment S—4027 to page 6 of the bill continue to be deferred.

Senator Dieleman offered amendment S—5326 filed by him on March 11, 1988, to page 6 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5326 be adopted?" (H.F. 468) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Boswell	Bruner	Corning	Dieleman
Fuhrman	Gentleman	Goodwin	Gronstal
Hannon	Hester	Holden	Holt
Jensen	Kinley	Peterson	Rensink
Rife	Taylor	Vande Hoef	Welsh

Nays, 29:

Carr	Coleman	Deluhery	Doyle
Drake	Fraise	Gettings	Hall
Horn	Hultman	Husak	Hutchins
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Schwengels	Scott
Soorholtz	Sturgeon	Tieden	Varn
Wells			

Absent or not voting, 1:

Riordan

Amendment S—5326 lost.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Riordan for the day on request of Senator Hutchins.

## BUSINESS PENDING

### House File 468

The Senate resumed consideration of House File 468.

Senator Holden withdrew amendment S—4045 filed by him on May 7, 1987, to pages 7 through 9 of the bill.

Senator Vande Hoef offered amendment S—4075 filed by him on May 8, 1987, to page 7 of the bill, moved its adoption and requested a non record roll call.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 25, nays 23.

Amendment S—4075 was adopted.

Senator Dieleman offered amendment S—5086 filed by him on February 16, 1988, to page 7 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5086 be adopted?” (H.F. 468) 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	Dieleman	Fuhrman
Gentleman	Goodwin	Gronstal	Hannon
Hester	Holden	Holt	Hultman
Lloyd-Jones	Mann	Miller, A.V.	Peterson
Priebe	Rensink	Schwengels	Scott
Taylor	Vande Hoef		

Nays, 26:

Boswell	Carr	Coleman	Deluhery
Doyle	Drake	Fraise	Gettings
Hall	Horn	Husak	Hutchins
Kinley	Lind	Miller, C.P.	Murphy
Nystrom	Palmer	Readinger	Rife
Soorholtz	Sturgeon	Tieden	Varn
Wells	Welsh		

Absent or not voting, 2:

Jensen	Riordan
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Amendment S—5086 lost.

Senator Lind withdrew amendment S—5112 filed by him on February 19, 1988, to page 8 of the bill.

Senator Dieleman offered amendment S—4071 filed by him on May 8, 1987, to page 8 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 26.

Amendment S—4071 lost.

Senator Lind offered amendment S—5111 filed by him on February 19, 1988, to page 8 of the bill and moved its adoption.

Amendment S—5111 was adopted by a voice vote.

Senator Dieleman offered amendment S—4028 filed by him on May 6, 1987, to page 8 of the bill and moved its adoption.

Amendment S—4028 lost by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on **House File 468** be temporarily **deferred**.

#### COMMITTEE REPORT

#### RULES AND ADMINISTRATION

**Final Bill Action:** SENATE RESOLUTION 103, a resolution honoring Senator Forrest V. Schwengels.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 6: Hutchins, Gronstal, Hultman, Kinley, Gettings and Jensen. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ADOPTION OF RESOLUTION (Regular Calendar)

Senator Hultman called up the following resolution:

- 1                   SENATE RESOLUTION NO. 103
- 2                   BY HULTMAN
- 3 A Resolution honoring Senator Forrest V. Schwengels.
- 4   WHEREAS, Senator Forrest "Frosty" Schwengels is
- 5 retiring from legislative office after completing four
- 6 terms in office as a state senator; and
- 7   WHEREAS, Senator Schwengels' service as both
- 8 chairperson and ranking member of the Natural

9 Resources Committee and of the State Government  
 10 Appropriations Subcommittee is well recognized; and  
 11 WHEREAS, Senator Schwengels has served on many  
 12 standing committees and appropriations subcommittees  
 13 throughout his sixteen years of legislative service  
 14 and has been a devoted legislator; and  
 15 WHEREAS, Senator Schwengels is distinguished by his  
 16 knowledge and expertise regarding natural resource  
 17 issues; NOW THEREFORE,  
 18 BE IT RESOLVED BY THE SENATE, That the Senate pay  
 19 tribute to Senator Forrest V. Schwengels for his  
 20 devoted service to the Iowa General Assembly and the  
 21 citizens of this state and wish him the very best in  
 22 the years ahead; and  
 23 BE IT FURTHER RESOLVED, That an official copy of  
 24 this resolution be prepared and presented to Senator  
 25 Forrest V. Schwengels.

Senator Hultman moved the adoption of Senate Resolution 103 and requested a record roll call vote.

On the question "Shall the resolution be adopted?" (S.R. 103) 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	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Voting present, 1:

Schwengels

Absent or not voting, 1:

Riordan

The motion prevailed and the resolution was adopted.

The Senate rose and expressed its tribute to Senator Schwengels and he was presented with an enrolled copy of Senate Resolution 103.

Senator Schwengels addressed the Senate with brief remarks.

## BUSINESS PENDING

### House File 468

The Senate resumed consideration of House File 468.

Senator Holt offered amendment S—5104 filed by him on February 18, 1988, to page 8 of the bill.

President pro tempore Kinley took the chair at 3:30 p.m.

Senator Holt moved the adoption of amendment S—5104.

A record roll call was requested.

On the question "Shall amendment S—5104 be adopted?" (H.F. 468) the vote was:

Ayes, 30:

Boswell	Bruner	Corning	Dieleman
Fuhrman	Goodwin	Gronstal	Hannon
Hester	Holden	Holt	Hultman
Husak	Jensen	Lind	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Peterson
Priebe	Rensink	Schwengels	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn		

Nays, 19:

Carr	Coleman	Deluhery	Doyle
Fraise	Gentleman	Gettings	Hall
Horn	Hutchins	Kinley	Mann
Miller, C.P.	Palmer	Readinger	Rife
Riordan	Wells	Welsh	

Absent or not voting, 1:

Drake



Amendment S—5104 was adopted.

Senator Lind withdrew amendments S—5108 and S—5117 filed by him on February 19, 1988, to page 8 of the bill.

Senator Lind offered amendment S—5118 filed by him on February 19, 1988, to page 8 of the bill and moved its adoption.

Amendment S—5118 was adopted by a voice vote.

Senator Welsh offered amendment S—5102 filed by him on February 18, 1988, to page 9 of the bill.

Senator Husak took the chair at 3:47 p.m.

President Zimmerman took the chair at 3:58 p.m.

Senator Welsh moved the adoption of amendment S—5102 and requested a record roll call.

On the question “Shall amendment S—5102 be adopted?” (H.F. 468) the vote was:

Ayes, 30:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Gentleman	Gettings
Gronstal	Hall	Horn	Husak
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer
Priebe	Readinger	Rife	Riordan
Soorholtz	Sturgeon	Tieden	Varn
Wells	Welsh		

Nays, 19:

Boswell	Dieleman	Fraise	Fuhrman
Goodwin	Hannon	Hester	Holden
Holt	Hultman	Jensen	Lloyd-Jones
Murphy	Peterson	Rensink	Schwengels
Scott	Taylor	Vande Hoef	

Absent or not voting, 1:

Drake

Amendment S—5102 was adopted.

Senator Lind withdrew amendment S—5114 filed by him on February 19, 1988, to page 9 of the bill.

Senator Lind offered amendment S—5113 filed by him on February 19, 1988, to page 9 of the bill and moved its adoption.

Amendment S—5113 was adopted by a voice vote.

Senator Taylor offered amendment S—4058 filed by him on May 7, 1987, to pages 9 and 13 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 25, nays 24.

Amendment S—4058 was adopted.

With the adoption of amendment S—4075, the Chair ruled amendment S—5116 filed by Senator Lind on February 19, 1988, to page 9 of the bill, out of order.

Senator Taylor offered amendment S—4056 filed by him on May 7, 1987, to page 10 of the bill and moved its adoption.

Amendment S—4056 lost by a voice vote.

Senator Lind offered amendment S—5115 filed by him on February 19, 1988, to page 10 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 21, nays 26.

Amendment S—5115 lost.

Senator Taylor offered amendment S—4057 filed by him on May 7, 1987, to page 10 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 26.

Amendment S—4057 lost.

Senator Dieleman withdrew amendment S—4048 filed by him on May 7, 1987, to page 11 of the bill.

Senator Bruner offered amendment S—5105 filed by him on February 18, 1988, to page 11 of the bill, moved its adoption and requested a non record roll call.

The ayes were 27, nays 23.

Amendment S—5105 was adopted.

Senator Readinger offered amendment S—5751 filed by Senators Readinger and Hutchins from the floor to page 12 of the bill.

Senator Welsh raised the point of order that amendment S—5751 was out of order because the same subject matter had previously been considered in amendment S—5053.

The Chair ruled the point not well taken and amendment S—5751 in order.

Senator Readinger moved the adoption of amendment S—5751 and requested a record roll call.

On the question “Shall amendment S—5751 be adopted?” (H.F. 468) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Boswell	Corning	Drake	Fuhrman
Gentleman	Gettings	Goodwin	Hannon
Hultman	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Priebe	Readinger	Rensink
Riordan	Scott	Tieden	Vande Hoef
Welsh			

Nays, 25:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gronstal
Hall	Hester	Holden	Holt
Horn	Husak	Kinley	Miller, C.P.
Palmer	Peterson	Rife	Schwengels
Soorholtz	Sturgeon	Taylor	Varn
Wells			

Amendment S—5751 lost.

Senator Lind withdrew amendment S—5110 filed by him on February 19, 1988, to page 13 of the bill.

Senator Dieleman offered amendment S—4072 filed by him on May 8, 1987, to page 13 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 20, nays 28.

Amendment S—4072 lost.

Senator Dieleman offered amendment S—4038 filed by him on May 7, 1987, to page 14 of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—4038 be adopted?” (H.F. 468) the vote was:

Ayes, 20:

Boswell	Bruner	Dieleman	Gentleman
Goodwin	Gronstal	Hannon	Hester
Holden	Hultman	Jensen	Lloyd-Jones
Nystrom	Peterson	Rensink	Riordan
Schwengels	Scott	Taylor	Vande Hoef

Nays, 28:

Carr	Coleman	Corning	Deluhery
Doyle	Drake	Fraise	Fuhrman
Gettings	Hall	Horn	Husak
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Soorholtz	Sturgeon
Tieden	Varn	Wells	Welsh

Absent or not voting, 2:

Holt	Murphy
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Amendment S—4038 lost.

Senator Lind withdrew amendment S—5107 filed by him on February 19, 1988, to page 14 of the bill.

Senator Lind offered amendment S—5746 filed by him from the floor to page 16 and the title page of the bill.

Senator Horn raised the point of order that amendment S—5746 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5746 out of order.

Senator Horn offered amendment S—5571 filed by him on March 25, 1988, to page 17 of the bill and moved its adoption.

Amendment S—5571 was adopted by a voice vote.

Senator Taylor offered amendment S—5098 filed by him on February 18, 1988, to page 19 of the bill.

Senator Sturgeon took the chair at 5:52 p.m.

Senator Taylor moved the adoption of amendment S—5098 and requested a record roll call.

On the question “Shall amendment S—5098 be adopted?” (H.F. 468) the vote was:

Ayes, 14:

Bruner	Corning	Dieleman	Goodwin
Gronstal	Hannon	Hester	Holden
Holt	Jensen	Lloyd-Jones	Miller, C.P.
Scott	Taylor		

Nays, 32:

Boswell	Carr	Coleman	Deluhery
Doyle	Fraise	Fuhrman	Gentleman
Gettings	Hall	Horn	Husak
Hutchins	Kinley	Lind	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Schwengels	Soorholtz	Sturgeon
Tieden	Varn	Wells	Welsh

Absent or not voting, 4:

Drake

Hultman

Rensink

Vande Hoef

Amendment S—5098 lost.

President Zimmerman took the chair at 6:00 p.m.

The Senate resumed consideration of amendment S—5109 by Senator Lind to page 5 of the bill, deferred on February 26, 1988.

Senator Lind moved the adoption of amendment S—5109, which motion prevailed by a voice vote.

The Chair ruled amendment S—4027 by Senator Dieleman to page 6 of the bill, previously deferred, out of order.

Senator Dieleman called up the motion to reconsider the vote by which amendment S—4046 to House File 468 was adopted by the Senate on February 18, 1988, filed by him on February 18, 1988, found on page 414 of the Senate Journal and moved its adoption.

The motion prevailed by a voice vote and amendment S—4046 by the committee on Ways and Means to pages 5 and 6 of the bill was taken up for reconsideration.

Senator Dieleman called for a division of amendment S—4046: lines 3 and 4 as division S—4046A and line 5 as division S—4046B.

Senator Mann moved the adoption of division S—4046A, which motion prevailed by a voice vote.

Senator Mann moved the adoption of division S—4046B.

A non record roll call was requested.

The ayes were 25, nays 25.

The Chair voted “aye” to break the tie and division S—4046B was adopted.

Senator Dieleman called up the motion to reconsider the vote by which amendment S—5053 to House File 468 by the committee on State Government was adopted by the Senate on February 19, 1988, filed by him on February 22, 1988, found on page 450 of the Senate Journal and moved its adoption.

The motion lost by a voice vote.

Senator Murphy called up the motion to reconsider the vote by which amendment S—5083 by Senator Rife to page 6 of House File 468 was adopted by the Senate on February 26, 1988, filed by him on February 26, 1988, found on page 527 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 468) the vote was:

Ayes, 23:

Boswell	Carr	Deluhery	Doyle
Drake	Fraise	Gettings	Hall
Horn	Husak	Hutchins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Readeringer	Rife	Riordan	Scott
Sturgeon	Varn	Wells	

Nays, 27:

Bruner	Coleman	Corning	Dieleman
Fuhrman	Gentleman	Goodwin	Gronstal
Hannon	Hester	Holden	Holt
Hultman	Jensen	Kinley	Lind
Lloyd-Jones	Palmer	Peterson	Priebe
Rensink	Schwengels	Soorholtz	Taylor
Tieden	Vande Hoef	Welsh	

The motion lost.

With the defeat of the motion to reconsider amendment S—5083, the Chair ruled amendment S—5748 filed by Senator Rife from the floor to page 6 of the bill, out of order.

Senator Readeringer filed the following motion to reconsider from the floor, moved its adoption and requested a record roll call:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—4075 by Senator Vande Hoef to page 7 of House File 468 was adopted by the Senate on April 4, 1988.

On the question "Shall the motion to reconsider be adopted?" (H.F. 468) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Carr	Coleman	Deluhery	Doyle
Drake	Fraise	Gettings	Hall
Horn	Husak	Hutchins	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Priebe	Readinger	Rife	Schwengels
Sturgeon	Varn	Wells	Welsh

Nays, 25:

Boswell	Bruner	Corning	Dieleman
Fuhrman	Gentleman	Goodwin	Gronstal
Hannon	Hester	Holden	Holt
Hultman	Jensen	Kinley	Lind
Lloyd-Jones	Palmer	Peterson	Rensink
Riordan	Scott	Soorholtz	Tieden
Vande Hoef			

Absent or not voting, 1:

Taylor

The motion lost.

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—5104 to House File 468 was adopted by the Senate on April 4, 1988.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 25, nays 23.

The motion prevailed and amendment S—5104 by Senator Holt to page 8 of the bill, was taken up for reconsideration.

Senator Holt asked and received unanimous consent that further action on amendment S—5104 be deferred.

Senator Lind 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—4058 to House File 468 was adopted by the Senate on April 4, 1988.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 468) the vote was:

Ayes, 28:

Boswell	Carr	Coleman	Deluhery
Doyle	Fraise	Fuhrman	Gettings
Hall	Horn	Husak	Hutchins
Kinley	Lind	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Readinger	Rife	Riordan	Soorholtz
Sturgeon	Varn	Wells	Welsh

Nays, 19:

Bruner	Corning	Dieleman	Drake
Gentleman	Goodwin	Gronstal	Hannon
Hester	Holden	Hultman	Jensen
Lloyd-Jones	Peterson	Priebe	Rensink
Scott	Tieden	Vande Hoef	

Absent or not voting, 3:

Holt	Schwengels	Taylor
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The motion prevailed and amendment S—4058 by Senator Taylor to pages 9 and 13 of the bill, was taken up for reconsideration.

Senator Hultman moved the adoption of amendment S—4058 and requested a record roll call.

On the question "Shall amendment S—4058 be adopted?" (H.F. 468) the vote was:

Ayes, 21:

Boswell	Bruner	Corning	Dieleman
Drake	Fraise	Gentleman	Goodwin
Gronstal	Hannon	Hester	Holden
Hultman	Jensen	Lloyd-Jones	Nystrom
Peterson	Priebe	Rensink	Scott
Vande Hoef			

Nays, 27:

Carr	Coleman	Deluhery	Doyle
Fuhrman	Gettings	Hall	Horn
Husak	Hutchins	Kinley	Lind
Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Readinger	Rife	Riordan
Schwengels	Soorholtz	Sturgeon	Tieden
Varn	Wells	Welsh	

Absent or not voting, 2:

Holt                      Taylor

Amendment S—4058 lost.

Senator Doyle offered amendment S—5757 filed by him from the floor to page 10 of the bill and moved its adoption.

Amendment S—5757 was adopted by a voice vote.

Senator Murphy offered amendment S—5756 filed by him from the floor to pages 17 and 19 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 12, nays 36.

Amendment S—5756 lost.

The Senate resumed consideration of amendment S—5104 by Senator Holt to page 8 of the bill, previously deferred.

Senator Holt offered amendment S—5760 filed by him from the floor to amendment S—5104 and moved its adoption.

Amendment S—5760 was adopted by a voice vote.

Senator Holt moved the adoption of amendment S—5104 as amended.

A non record roll call was requested.

The ayes were 24, nays 25.

Amendment S—5104 as amended lost.

Senator Sturgeon took the chair at 7:27 p.m.

President Zimmerman took the chair at 7:56 p.m.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 468) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 20:

Coleman	Deluhery	Fraise	Gettings
Hall	Horn	Hutchins	Kinley
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Readinger	Rife	Schwengels
Soorholtz	Tieden	Varn	Wells

Nays, 29:

Boswell	Bruner	Carr	Corning
Dieleman	Doyle	Drake	Fuhrman
Gentleman	Goodwin	Gronstal	Hannon
Hester	Holden	Holt	Hultman
Husak	Jensen	Lind	Mann
Nystrom	Peterson	Priebe	Rensink
Riordan	Scott	Sturgeon	Vande Hoef
Welsh			

Absent or not voting, 1:

Taylor

The bill not having received a constitutional majority was declared to have **failed to pass the Senate**.

Senator Hutchins asked unanimous consent to refer House File 468 to the committee on State Government.

Senator Hutchins withdrew his request.

## 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 28, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2070**, a bill for an act relating to the application of certain transportation safety regulations (S—5739).

ALSO: That the House has on March 30, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:

**Senate File 2075**, a bill for an act relating to child abuse by providing for examination of a child, by providing for filing complaints of alleged child sexual abuse, by requiring departmental coordination in cases of child abuse, and by expanding the definition of indecent contact with a child (S—5740).

**Senate File 2135**, a bill for an act relating to limiting the assets of the grain depositors and sellers indemnity fund, and providing for an early effective date (S—5750).

**Senate File 2170**, a bill for an act relating to the membership of the commission on the status of women (S—5742).

**Senate File 2232**, a bill for an act relating to elections and election procedures and providing an effective date (S—5741).

**Senate File 2233**, a bill for an act relating to the registration of voters in state offices (S—5743).

**Senate File 2306**, a bill for an act repealing a right to review by a juvenile court judge of a juvenile court referee's decision (S—5744).

**Senate File 2309**, a bill for an act relating to and making appropriations to the department of economic development (S—5753).

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### EDUCATION

**Convened:** March 31, 1988, 12:05 p.m.

**Members Present:** Murphy, Chair; Horn, Vice Chair; Taylor, Ranking Member; Bruner, Corning, Holden, Riordan, Tieden, Varn and Wells.

**Members Absent:** Dieleman, Hannon, Lloyd-Jones, Lind and Rensink.

**Committee Business:** Recommended confirmation of Governor's appointees; approved SSB 2270 as a committee bill.

**Adjourned:** 12:19 p.m.

#### EDUCATION

**Convened:** March 31, 1988, 2:20 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 (excused).

**Committee Business:** Recommended passage of House File 2433.

**Adjourned:** 2:25 p.m.

#### ENVIRONMENT AND ENERGY UTILITIES

**Convened:** March 31, 1988, 1:10 p.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; Hall, A. Miller, Murphy and Rife.

**Members Absent:** Schwengels, Sturgeon and Varn.

**Committee Business:** Dennis Nagel, Chairperson of the Utilities Board, appeared before the committee.

**Adjourned:** 1:30 p.m.

## **HUMAN RESOURCES**

**Convened:** March 31, 1988, 9:15 a.m.

**Members Present:** Hannon, Chair; Carr, Vice Chair; Gentleman, Ranking Member; Corning, Coleman, Sturgeon and Bruner.

**Members Absent:** Lind, C. Miller, Murphy, Readinger and Taylor.

**Committee Business:** Recommended confirmation of Governor's appointments.

**Adjourned:** 9:18 a.m.

## **SMALL BUSINESS AND ECONOMIC DEVELOPMENT**

**Convened:** March 31, 1988, 8:55 a.m.

**Members Present:** Boswell, Chair; Peterson, Vice Chair; Rife, Ranking Member; Hannon, Riordan, Fuhrman and Holt.

**Members Absent:** Deluhery, A. Miller, Scott, Rensink and Vande Hoef (all excused).

**Committee Business:** Recommended confirmation of Governor's appointees.

**Adjourned:** 8:58 a.m.

## **STATE GOVERNMENT**

**Convened:** March 31, 1988, 10:35 a.m.

**Members Present:** Carr, Chair; Dieleman, Vice Chair; Bruner, Coleman, Drake, Horn, Lloyd-Jones, C. Miller, Schwengels, Rife, Soorholtz, Gronstal, Welsh and Gentleman.

**Members Absent:** Nystrom, Ranking Member.

**Committee Business:** Recommended confirmation of Governor's appointees.

**Adjourned:** 11:00 a.m.

## **WAYS AND MEANS**

**Convened:** March 31, 1988, 10:31 a.m.

**Members Present:** Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Mann, Palmer, Riordan, Holt, Readinger, Soorholtz and Hester.

**Members Absent:** Drake and Murphy.

**Committee Business:** Assigned SSB 2269 to a subcommittee and recommended passage of House File 2428.

**Adjourned:** 10:34 a.m.

#### REPORT OF THE COMMITTEE ON MILEAGE

MADAM PRESIDENT: Pursuant to Section 2.10, Code 1987, the following mileage has been determined to be the mileage entitled to the Senator listed beginning March 27, 1988.

<u>NAME</u>	<u>ROUND TRIP MILES</u>
Hurley W. Hall	336

Respectfully submitted,

WILLIAM W. DIELEMAN, Chair  
DON E. GETTINGS  
JOHN JENSEN  
JACK RIFE

#### STUDY BILLS RECEIVED

##### SSB 2272 Ways and Means

Relating to the collection of fees for and the rights and duties of the sheriff regarding service of legal process and levy of execution.

##### SSB 2273 Ways and Means

Establishing excise taxes on aircraft fuels, eliminating the sales tax exemption for casual sales of aircraft, adding a sales tax exemption for the sale of certain aircraft, requiring a person first registering an aircraft to show evidence that the sales tax or use tax has been paid, providing an appropriation, and providing for the Act's applicability.

**SUBCOMMITTEE ASSIGNMENTS****House File 2076**

WAYS AND MEANS: Murphy, Chair; Mann and Readinger

**SSB 2272**

WAYS AND MEANS: Palmer, Chair; Holt and Husak

**SSB 2273**

WAYS AND MEANS: Murphy, Chair; Drake and Bruner

**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 reappointment of Delman L. Bowers as a member of the City Development Board, completed its investigation on March 28, 1988, and recommended the appointee be confirmed.

**BILLS SIGNED BY THE GOVERNOR**

Communications were received announcing that on April 4, 1988, the Governor approved and transmitted to the Secretary of State the following bills:

**SENATE FILE 2020** — Relating to the return of cash or other qualified security deposited with the clerk of the district court as bail.

**SENATE FILE 2064** — Relating to the residency of an agent for an authorized company engaged in the business of becoming surety upon bonds in criminal cases.

**SENATE FILE 2074** — Relating to the extension of the applicability of House File 689, enacted during the second extraordinary session of the seventy-second general assembly during 1987, updating references to the internal revenue code, providing for retroactive applicability, taxing unrelated business income of certain nonprofit organizations, striking obsolete provisions, and providing an effective date.

**SENATE FILE 2183** — Relating to the publication of notice of a drainage district hearing.



SENATE FILE 2256 — Relating to the admission of a report or findings of the criminalistics laboratory as evidence in a civil proceeding.

SENATE FILE 2258 — Relating to the destruction and retention of court reporters' notes and certified transcripts in civil and criminal proceedings.

SENATE FILE 2270 — Relating to the suspension of the collection of taxes, special assessments, and other assessments by the county board of supervisors.

SENATE FILE 2271 — Relating to claims against corporations for nonpayment of moneys due on public improvements.

### BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F.        2457        Ways and Means

### PETITIONS

The following petitions opposing any increase in beer, wine or liquor taxes were presented and placed on file by:

Senator Kinley from one hundred four residents of Polk County.

Senator Miller of Des Moines from one hundred one residents of Des Moines County.

The following petitions were presented and placed on file by:

Senator Holden from fifty-six residents of Scott County opposing riverboat gambling.

Senator Murphy from three hundred seven residents of Black Hawk County opposing legislation for the centralization of the child-support and alimony collections.

### CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued certificates of recognition as follows:

Palmer High School Boys' basketball team — For winning the 1988 Class A Boys' State high school basketball tournament. Senator Fuhrman (March 21, 1988).

Driver Education in Iowa — For celebrating their fiftieth anniversary. Senator Murphy (March 21, 1988).

Maurice-Orange City High School — For winning the 1988 Class 1-A Boys' State high school basketball tournament. Senator Rensink (March 21, 1988).

Maurice-Orange City High School Student Body — For winning the 1988 Class 1-A Boys' State high school basketball tournament Sportsmanship Award. Senator Rensink (March 21, 1988).

### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 468 failed to pass the Senate on April 4, 1988.

WILLIAM W. DIELEMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 468 failed to pass the Senate on April 4, 1988.

BERL E. PRIEBE

### AMENDMENTS FILED

S—5730	S. F.	2307	House amendment
S—5731	S. F.	2303	House amendment
S—5732	S. F.	2295	House amendment
S—5733	S. F.	2291	House amendment
S—5734	S. F.	2257	House amendment
S—5735	S. F.	2239	House amendment
S—5736	S. F.	2203	House amendment
S—5737	S. F.	2192	House amendment
S—5738	S. F.	149	House amendment
S—5739	S. F.	2070	House amendment
S—5740	S. F.	2075	House amendment
S—5741	S. F.	2232	House amendment
S—5742	S. F.	2170	House amendment
S—5743	S. F.	2233	House amendment
S—5744	S. F.	2306	House amendment
S—5745	H. F.	2386	Al Sturgeon
S—5746	H. F.	468	Jim Lind
S—5747	H. F.	2257	Hurley Hall
S—5748	H. F.	468	Jack Rife
S—5749	S. F.	2164	Charles Bruner

S—5750	S.F.	2135	House amendment
S—5751	H.F.	468	David M. Readinger
			Bill Hutchins
S—5752	H.F.	2294	Berl E. Priebe
			Don E. Gettings
			John E. Soorholtz
			Emil J. Husak
			Dale L. Tieden
			Eugene Fraise
S—5753	S.F.	2309	House amendment
S—5754	H.F.	2155	James R. Riordan
			Edgar H. Holden
S—5755	H.F.	2400	Emil J. Husak
S—5756	H.F.	468	Larry Murphy
S—5757	H.F.	468	Donald V. Doyle
S—5758	H.F.	2285	Joe Welsh
			Edgar H. Holden
			William Palmer
			Richard F. Drake
S—5759	H.F.	2269	Richard F. Drake
			Jean Lloyd-Jones
			Calvin O. Hultman
S—5760	H.F.	468	Lee Holt
S—5761	S.F.	2327	Emil J. Husak
			William W. Dieleman
			David M. Readinger

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 8:10 p.m., until 9:00 a.m., Tuesday, April 5, 1988.

# JOURNAL OF THE SENATE

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EIGHTY-SIXTH CALENDAR DAY  
FIFTY-SEVENTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 5, 1988

The Senate met in regular session at 9:05 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend James Hanson, pastor of St. Peters United Church of Christ of Massena, Massena and Griswold, Iowa.

The Journal of Monday, April 4, 1988, 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 March 31, 1988, passed the following bills in which the concurrence of the House was asked:

**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.

**Senate File 456**, a bill for an act relating to support or service dogs for disabled or handicapped persons.

**Senate File 2062**, a bill for an act relating to the appointment and compensation of acting county attorneys.

**Senate File 2088**, a bill for an act relating to the eligibility date of certain military veterans for membership on a county commission of veterans affairs and certain military veteran benefits.

**Senate File 2171**, a bill for an act making nonsubstantive, noncontroversial statutory corrections to comply with reorganization changes, improve clarity, remove conflicts and inconsistencies, correct references, and correct grammar and syntax.

**Senate File 2180**, a bill for an act relating to the eligibility policies established by the commission of elder affairs.

**Senate File 2190**, a bill for an act to create an advancement and recruitment program to encourage administrative advancement of women and minorities and recruitment of minorities by school corporations.

**Senate File 2201**, a bill for an act to remove the bond required for class "A", "B", "C", and "D" liquor control licenses and retail wine and beer permits.

**Senate File 2273**, a bill for an act relating to the establishment and construction of rest areas and rest area buildings.

**Senate File 2302**, a bill for an act relating to the investment powers of state banks.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Schwengels for the remainder of the week on request of Senator Hultman.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

## CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

Senator Hutchins requested that John B. Walters be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar."

In accordance with Senate Rule 59, Senator Hutchins called up the following eligible appointees on the En Bloc Confirmation Calendar:

Daryl K. Henze as a member of the Accountancy Examining Board.

James W. Wilkins as a member of the Architectural Examining Board.

Sister Marilyn S. Whitty as a member of the Chiropractic Examining Board.

James G. Snyder as a member of the Commission on the Deaf.

Ann W. Wickman and George Wilson as members of the State Board of Education.

Vennetta M. Fiedler and Marguerite E. Stockstad as members of the Commission of Elder Affairs.

Richard Marr as a member of the Engineering and Land Surveying Examining Board.

Richard L. Lowery as a member of the State Foster Care Review Board.

James H. Weinman as a member of the Iowa Higher Education Loan Authority.

Darrell E. Devick as a member of the State Board of Examiners for Nursing Home Administrators.

Brenda M. Salocker and Sandi A. Yates as members of the Podiatry Examining Board.

Dr. Carl S. Davis as a member of the Psychology Examining Board.

James R. Berry and Marlys Nielsen as members of the Real Estate Examining Board.

Benita L. Strait and Steven R. Wanzek as members of the Respiratory Care Advisory Committee.

Michael G. Genz as a member of the Speech Pathology and Audiology Examining Board.

Roger A. Chapman as a member of the Cosmetology Examining Board.

Peter R. Teahen as a member of the Mortuary Science Examining Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 44:

Boswell	Bruner	Coleman	Corning
Deluhery	Dieleman	Doyle	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Gronstal	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	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, 6:

Carr	Drake	Hannon	Kinley
Miller, C.P.	Schwengels		

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

## HOUSE AMENDMENT CONSIDERED

### Senate File 323

Senator Murphy called up for consideration 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, amended by the House in House amendment S—5668 filed March 30, 1988.

Senator Murphy offered amendment S—5674 filed by him on March 30, 1988, to House amendment S—5668 and moved its adoption.

Amendment S—5674 was adopted by a voice vote.

Senator Murphy moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Murphy 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. 323) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hall	Hester
Holden	Holt	Horn	Husak
Hutchins	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Scott	Soorholtz
Sturgeon	Vande Hoef	Varn	Wells
Welsh			

Nays, 7:

Goodwin	Hannon	Hultman	Jensen
Rife	Taylor	Tieden	

Absent or not voting, 2:

Kinley	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.



**HOUSE AMENDMENT CONSIDERED**  
(Deferred April 4, 1988)

**Senate File 2164**

The Senate resumed consideration of Senate File 2164, a bill for an act relating to the composition of the Iowa economic development board, House amendment S—5652 and amendment S—5716 by Senators Hultman and Boswell to House amendment S—5652, deferred on April 4, 1988.

Senator Bruner offered amendment S—5749 filed by him on April 4, 1988, to amendment S—5716 to House amendment S—5652 and moved its adoption.

Amendment S—5749 was adopted by a voice vote.

Senator Welsh raised the point of order that amendment S—5716 as amended to House amendment S—5652 was not germane.

Senator Welsh withdrew his point of order.

Senator Hultman moved the adoption of amendment S—5716 as amended to House amendment S—5652, which motion prevailed by a voice vote.

Senator Boswell moved that the Senate concur in House amendment S—5652 as amended, which motion prevailed by a voice vote.

Senator Boswell 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. 2164) 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	Lind	Lloyd-Jones	Mann

Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Kinley	Schwengels	Wells
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

## HOUSE AMENDENTS CONSIDERED

### Senate File 2253

Senator Tieden called up for consideration Senate File 2253, a bill for an act to require that students in grades nine through twelve take history and government classes, amended by the House, and moved that the Senate concur in House amendment S—5707 filed March 31, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Tieden moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2253) 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
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer

Peterson  
Rife  
Sturgeon  
Varn

Priebe  
Riordan  
Taylor  
Wells

Readinger  
Scott  
Tieden  
Welsh

Rensink  
Soorholtz  
Vande Hoef

Nays, 1:

Gentleman

Absent or not voting, 2:

Kinley

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2157

Senator Sturgeon called up for consideration Senate File 2157, a bill for an act relating to a comprehensive acquired immune deficiency syndrome (AIDS) prevention and intervention plan, amended by the House, and moved that the Senate concur in House amendment S—5708 filed March 31, 1988.

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. 2157) the vote was:

Ayes, 43:

Boswell  
Corning  
Drake  
Goodwin  
Hester  
Jensen  
Miller, C.P.  
Peterson  
Rife  
Sturgeon  
Varn

Bruner  
Deluhery  
Fraise  
Gronstal  
Holt  
Lloyd-Jones  
Murphy  
Priebe  
Riordan  
Taylor  
Wells

Carr  
Dieleman  
Fuhrman  
Hall  
Horn  
Mann  
Nystrom  
Readinger  
Scott  
Tieden  
Welsh

Coleman  
Doyle  
Gettings  
Hannon  
Husak  
Miller, A.V.  
Palmer  
Rensink  
Soorholtz  
Vande Hoef

Nays, 1:

Gentleman

Absent or not voting, 6:

Holden  
Lind

Hultman  
Schwengels

Hutchins

Kinley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### UNFINISHED BUSINESS (Deferred March 24, 1988)

#### House File 2113

On motion of Senator Murphy, House File 2113, a bill for an act relating to the dispensing of prescription drugs, was taken up for further consideration (substituted for Senate File 2255 as amended and deferred March 24, 1988).

Senator Murphy offered amendment S—5519 filed by him on March 23, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5519 was adopted by a voice vote.

Senator Murphy moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2113) the vote was:

Ayes, 44:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Husak  
Mann  
Palmer  
Rensink  
Soorholtz  
Vande Hoef

Bruner  
Deluhery  
Fraise  
Goodwin  
Holden  
Jensen  
Miller, A.V.  
Peterson  
Rife  
Sturgeon  
Varn

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holt  
Lind  
Murphy  
Priebe  
Riordan  
Taylor  
Wells

Coleman  
Doyle  
Gentleman  
Hall  
Horn  
Lloyd-Jones  
Nystrom  
Readinger  
Scott  
Tieden  
Welsh

Nays, none.

Absent or not voting, 6:

Hester  
Miller, C.P.

Hultman  
Schwengels

Hutchins

Kinley

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Murphy asked and received unanimous consent that **Senate File 2255** be **withdrawn** from further consideration of the Senate.

### UNFINISHED BUSINESS (Deferred March 3, 1988)

#### House File 2155

The Senate resumed consideration of House File 2155, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts, deferred March 3, 1988.

Senator Riordan offered amendment S—5754 filed by Senators Riordan and Holden on April 4, 1988, to pages 1 and 2 of the bill.

Senator Riordan asked and received unanimous consent that further action on amendment S—5754 be deferred for consideration of amendment S—5150.

Senator Holden offered amendment S—5150 filed by him on February 26, 1988, to pages 1 and 2 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 20, nays 25.

Amendment S—5150 lost.

The Senate resumed consideration of amendment S—5754 by Senators Riordan and Holden to pages 1 and 2 of the bill, previously deferred.

Senator Priebe asked and received unanimous consent that further action on amendment S—5754 and **House File 2155** be **deferred** for preparation of an amendment.

### UNFINISHED BUSINESS (Deferred March 24, 1988)

#### House File 2323

On motion of Senator Lind, House File 2323, a bill for an act relating to the pledge of United States government obligations or their functional equivalents as security for the deposit of public funds, was taken up for further consideration (substituted for Senate File 2290 and deferred March 24, 1988).

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. 2323) 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	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells			

Nays, none.

Absent or not voting, 5:

Hultman  
Welsh

Hutchins

Rife

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Lind asked and received unanimous consent that **Senate File 2290** be **withdrawn** from further consideration of the Senate.

### UNFINISHED BUSINESS (Deferred March 24, 1988)

#### House File 2348

On motion of Miller of Cerro Gordo, House File 2348, a bill for an act relating to certain ambiguities and inconsistencies of the Code as they relate to city government, was taken up for further consideration (substituted for Senate File 2268 and deferred March 24, 1988).

Senator Hall offered amendment S—5777 filed by him from the floor to page 1 of the bill.

Senator Mann raised the point of order that amendment S—5777 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5777 out of order.

Senator Miller of Cerro Gordo offered amendment S—5645 filed by him on March 29, 1988, to pages 3 and 5 of the bill and called for a division: lines 3 and 4 as division S—5645A; line 5 as division S—5645B and line 6 as division S—5645C.

On motions by Senator Miller of Cerro Gordo, divisions S—5645A, S—5645B and S—5645C were adopted by a voice vote.

Senator Holden offered amendment S—5636 filed by him on March 29, 1988, to pages 3 and 4 of the bill and moved its adoption.

Amendment S—5636 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. 2348) 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
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Readinger	Rensink	Rife	Riordan
Scott	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Dieleman	Hultman	Hutchins	Priebe
Schwengels	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Miller of Cerro Gordo asked and received unanimous consent that **Senate File 2268** be **withdrawn** from further consideration of the Senate.

## BUSINESS PENDING

### House File 2155

The Senate resumed consideration of House File 2155, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts, and amendment S—5754 by Senators Riordan and Holden to pages 1 and 2 of the bill, previously deferred.

President pro tempore Kinley took the chair at 11:30 a.m.

Senator Riordan moved the adoption of amendment S—5754.



A record roll call was requested.

On the question "Shall amendment S—5754 be adopted?" (H.F. 2155) the vote was:

Ayes, 32:

Boswell	Coleman	Corning	Deluhery
Dieleman	Drake	Gentleman	Gettings
Goodwin	Hall	Hester	Holden
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Miller, A.V.
Miller, C.P.	Nystrom	Readinger	Rensink
Rife	Riordan	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Wells

Nays, 16:

Bruner	Carr	Doyle	Fraise
Fuhrman	Gronstal	Hannon	Kinley
Lloyd-Jones	Mann	Murphy	Palmer
Peterson	Priebe	Varn	Welsh

Absent or not voting, 2:

Schwengels                      Soorholtz

Amendment S—5754 was adopted.

With the adoption of amendment S—5754, the Chair ruled amendment S—5198 filed by Senator Husak on March 1, 1988 to pages 1 and 2 of the bill, out of order.

Senator Taylor offered amendment S—5775 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—5775 was adopted by a voice vote.

Senator Coleman withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5754 to House File 2155 was adopted by the Senate on April 5, 1988.

Senator Coleman withdrew amendment S—5783 filed by him from the floor to amendment S—5754.

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. 2155) 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
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Fuhrman

Absent or not voting, 2:

Schwengels                      Soorholtz

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 2098** be **withdrawn** from further consideration of the Senate.

## INTRODUCTION OF RESOLUTIONS

**Senate Concurrent Resolution 127**, by Horn, Bruner, Readinger and Lloyd-Jones, a concurrent resolution relating to vocational-technical programs for the 1990's.

Read first time and **passed on file**.

**Senate Concurrent Resolution 128**, by Fuhrman, a concurrent resolution requesting a study on Black Hawk Lake and Hallett's Pits.

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 March 31, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:

**Senate Joint Resolution 2006**, a joint resolution to nullify an administrative rule of the department of human services relating to the correction or expungement of information in the possession of the department concerning a case of alleged child abuse (S—5770).

**Senate File 173**, a bill for an act establishing priorities for deductions from the earnings of residents of community-based correctional facilities (S—5764).

**Senate File 302**, a bill for an act relating to the disability of brain injury (S—5774).

**Senate File 2018**, a bill for an act creating a family support subsidy program (S—5766).

**Senate File 2091**, a bill for an act relating to the offense of disorderly conduct and making a penalty applicable (S—5767).

**Senate File 2106**, a bill for an act relating to the prohibition of the sale, offering for sale, purchase, application, or use of chlordane in this state, and making a penalty applicable (S—5768).

**Senate File 2238**, 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—5769).

**Senate File 2259**, a bill for an act relating to the disposal of abandoned mobile homes and abandoned personal property of the abandoned mobile home owner (S—5771).

**Senate File 2296**, a bill for an act requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education (S—5773).

**Senate File 2318**, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters (S—5772).

ALSO: That the House has on April 4, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2451**, a bill for an act relating to the treatment of interest and dividends from state and other political subdivisions and from regulated investment companies in determining the alternative minimum tax for corporations and providing for retroactive applicability and effective dates.

This bill was read first time and **passed on file**.

**House File 2458**, a bill for an act relating to the exemption from the state sales, services, and use taxes of the gross receipts from the sales of modular homes which are not attributable to the cost of the tangible personal property used in the processing of the modular homes.

This bill was read first time and **passed on file**.

**House File 2461**, a bill for an act relating to tax refunds paid by the county treasurer.

This bill was read first time and **passed on file**.

## RECESS

On motion of Senator Hutchins, the Senate recessed at 11:54 a.m., until 1:30 p.m.

## APPENDIX

### REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following appointment to a state board to a standing committee as indicated for investigation on April 4, 1988:

#### STATE GOVERNMENT

Ronald G. Richer — Board of Examiners for Licensing and Regulation of Hearing Aid Dealers.

BILL HUTCHINS, Chair

#### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Twenty-eight fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Mary Huggins. Senator Gentleman.

Fifty fifth grade students from Edmands Elementary School, Des Moines, Iowa, accompanied by Diane Kebede. Senator Gentleman.

Twenty-nine sixth grade students from Dexfield Elementary School, Dexter, Iowa, accompanied by Mrs. Marts. President Zimmerman and Senator Riordan.

#### 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 Ronald J. McGauvran for appointment as a member of the State Board of Education, completed its investigation on March 31, 1988, 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 March 31, 1988, and recommended the appointees be confirmed:

Joanne Pettit for appointment as a member of the Iowa Economic Development Board.

Joanne Grueskin for appointment as a member of the Iowa High Technology Council.

## REPORTS OF STANDING COMMITTEE

(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 investigations on April 4, 1988, and recommended the appointees be confirmed:

L.C. Pike and Sally Prickett for reappointment as members of the State Racing Commission.

## AMENDMENTS FILED

S—5762	H.F.	2448	William W. Dieleman
S—5763	S.F.	2310	C. Joseph Coleman
S—5764	S.F.	173	House amendment
S—5765	H.F.	2432	Tom Mann, Jr.
S—5766	S.F.	2018	House amendment
S—5767	S.F.	2091	House amendment
S—5768	S.F.	2106	House amendment
S—5769	S.F.	2238	House amendment
S—5770	S. J. R.	2006	House amendment
S—5771	S.F.	2259	House amendment
S—5772	S.F.	2318	House amendment
S—5773	S.F.	2296	House amendment
S—5774	S.F.	302	House amendment
S—5775	H.F.	2155	Ray Taylor
S—5776	H.F.	2278	Jack W. Hester
S—5777	H.F.	2348	Hurley W. Hall
S—5778	H.F.	2354	Richard Varn

S—5779	H.F.	2419	Dale L. Tieden Larry Murphy
S—5780	S.F.	2309	Edgar H. Holden
S—5781	S.F.	2070	Richard F. Drake
S—5782	S.F.	2310	Al Sturgeon
S—5783	H.F.	2155	C. Joseph Coleman
S—5784	H.F.	2269	Hurley W. Hall

## AFTERNOON SESSION

The Senate reconvened at 3:42 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 49 present, 1 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.

## 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, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2314**, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates (S—5786).

## IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **House Files 665, 2113, 2155, 2323 and 2348** be **immediately messaged** to the House.



## 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 5th day of April, 1988:

Senate Files 2011, 2159 and 2236.

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 enrolling Senate File 2159, the following correction was made:

1. Page 1, line 9, the words "federal medicare program" were changed to the words "federal Medicare program".

JOHN F. DWYER  
Secretary of the Senate

### STUDY BILL RECEIVED

#### SSB 2274 Ways & Means

Relating to individual income tax credits by granting credits for contributing to individual education savings accounts, increasing the personal exemption credits, providing for refunds for child and dependent care credits and providing an effective date.

### SUBCOMMITTEE ASSIGNMENTS

House File 2457

WAYS AND MEANS: Husak, Chair; Riordan and Drake

SSB 2274

WAYS AND MEANS: Bruner, Chair; Murphy and Drake

**BILLS ASSIGNED TO COMMITTEE**

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	127	Education
S. C. R.	128	Rules and Administration
H. F.	2451	Ways and Means
H. F.	2458	Ways and Means
H. F.	2461	Ways and Means

**AMENDMENTS FILED**

S—5785	H. F.	2285	Joe Welsh
S—5786	S. F.	2314	House amendment
S—5787	H. F.	2285	Joe J. Welsh
S—5788	H. F.	2269	John Peterson Jack Hester
S—5789	S. F.	2239	Tom Mann, Jr.
S—5790	S. F.	2135	Emil J. Husak John E. Soorholtz Alvin Miller Eugene Fraise

**ADJOURNMENT**

On motion of Senator Husak, the Senate adjourned at 4:49 p.m., until 9:00 a.m., Wednesday, April 6, 1988.

# JOURNAL OF THE SENATE

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EIGHTY-SEVENTH CALENDAR DAY  
FIFTY-EIGHTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 6, 1988

The Senate met in regular session at 9:10 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Peter Pintus, pastor of the Episcopal Church and Chaplain of Powell III Chemical Dependency Center, Iowa Methodist Medical Center, Des Moines, Iowa.

The Journal of Tuesday, April 5, 1988, was approved.

## LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Murphy for the day on request of Senator Hutchins and Senator Hultman for the morning and a portion of the afternoon on request of Senator Jensen.

## 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 4, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2453**, a bill for an act relating to the sale and use of packaging products, providing sales and use tax incentives for the use of degradable packaging products, subjecting violators to a penalty, and providing an effective date.

This bill was read first time and **passed on file**.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 43 present, 7 absent and a quorum present.

## HOUSE AMENDMENTS CONSIDERED

### Senate File 2135

Senator Husak called up for consideration Senate File 2135, a bill for an act relating to limiting the assets of the grain depositors and sellers indemnity fund, and providing for an early effective date, amended by the House in House amendment S—5750 filed April 4, 1988.

Senator Husak offered amendment S—5790 filed by Senators Husak, et al., on April 5, 1988, to House amendment S—5750 and moved its adoption.

Amendment S—5790 was adopted by a voice vote.

Senator Husak moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Husak moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2135) 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	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Nystrom	Palmer

Priebe	Readerger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Murphy	Peterson	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 443

Senator Gronstal called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—5651 filed March 30, 1988.

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. 443) 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.	Miller, C.P.	Nystrom	Palmer
Peterson	Priebe	Readerger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hultman

Murphy

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2070

Senator Scott called up for consideration Senate File 2070, a bill for an act relating to the application of certain transportation safety regulations, amended by the House in House amendment S—5739 filed April 4, 1988.

Senator Drake offered amendment S—5781 filed by him on April 5, 1988, to House amendment S—5739 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5781 to House amendment S—5739 be adopted?” (S.F. 2070) the vote was:

Ayes, 15:

Bruner  
Gentleman  
Lloyd-Jones  
Riordan

Carr  
Gronstal  
Nystrom  
Sturgeon

Corning  
Kinley  
Palmer  
Varn

Drake  
Lind  
Readinger

Nays, 31:

Boswell  
Doyle  
Goodwin  
Holden  
Hutchins  
Miller, C.P.  
Rife  
Tieden

Coleman  
Fraise  
Hall  
Holt  
Jensen  
Peterson  
Scott  
Vande Hoef

Deluhery  
Fuhrman  
Hannon  
Horn  
Mann  
Priebe  
Soorholtz  
Wells

Dieleman  
Gettings  
Hester  
Husak  
Miller, A.V.  
Rensink  
Taylor

Absent or not voting, 4:

Hultman

Murphy

Schwengels

Welsh

Amendment S—5781 lost.

Senator Scott moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator 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. 2070) 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
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

Hultman	Murphy	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## Senate File 2075

Senator Bruner called up for consideration Senate File 2075, a bill for an act relating to child abuse by providing for examination of a child, by providing for filing complaints of alleged child sexual abuse, by requiring departmental coordination in cases of child abuse, and by expanding the definition of indecent contact with

a child, amended by the House, and moved that the Senate concur in House amendment S—5740 filed April 4, 1988.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 22.

The motion lost and the Senate **refused to concur** in the House amendment.

### Senate File 2170

Senator Gronstal called up for consideration Senate File 2170, a bill for an act relating to the membership of the commission on the status of women, amended by the House, and moved that the Senate concur in House amendment S—5742 filed April 4, 1988.

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 36, nays 8.

The motion prevailed 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. 2170) 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
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.



Miller, C.P.	Nystrom	Palmer	Peterson
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 1:

Rife

Absent or not voting, 5:

Holden	Hultman	Murphy	Priebe
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### Senate File 2192

Senator Bruner called up for consideration Senate File 2192, a bill for an act to establish a child development coordinating council for the promotion of child development services to certain at-risk children and to prescribe it duties, amended by the House, and moved that the Senate concur in House amendment S—5737 filed April 4, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Bruner moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2192) 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	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, C.P.	Nystrom	Palmer	Peterson
Readinger	Rensink	Rife	Riordan

Scott  
Varn

Taylor  
Wells

Tieden  
Welsh

Vande Hoef

Nays, none.

Absent or not voting, 7:

Hultman  
Schwengels

Miller, A.V.  
Soorholtz

Murphy  
Sturgeon

Priebe

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### **Senate File 2203**

Senator Welsh called up for consideration Senate File 2203, a bill for an act relating to the composition of the engineering and land surveying examining board and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5736 filed April 4, 1988.

Senator Welsh asked and received unanimous consent that further action on **Senate File 2203** be deferred.

### **Senate File 2232**

Senator Gronstal called up for consideration Senate File 2232, a bill for an act relating to elections and election procedures and providing an effective date, amended by the House in House amendment S—5741 filed April 4, 1988.

President pro tempore Kinley took the chair at 10:34 a.m.

Senator Gronstal moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator 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. 2232) 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	Lind	Lloyd-Jones	Mann
Miller, C.P.	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:

Hultman	Miller, A.V.	Murphy	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2233

Senator Gronstal called up for consideration Senate File 2233, a bill for an act relating to the registration of voters in state offices, amended by the House, and moved that the Senate concur in House amendment S—5743 filed April 4, 1988.

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. 2233) 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	Doyle	Fraise

Gronstal	Hannon	Horn	Hutchins
Kinley	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Palmer	Peterson	Priebe	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 18:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Jensen	Lind	Nystrom
Readinger	Rensink	Rife	Taylor
Tieden	Vande Hoef		

Absent or not voting, 6:

Gettings	Hultman	Husak	Mann
Murphy	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 Husak for the remainder of the morning on request of Senator Gronstal.

## HOUSE AMENDMENTS CONSIDERED

### Senate File 2291

Senator Drake called up for consideration Senate File 2291, a bill for an act to provide that certain appropriations for retirement allowances be paid from the Iowa public employees' retirement fund rather than from the general fund of the state retroactive to July 1, 1987, amended by the House, and moved that the Senate concur in House amendment S—5733 filed April 4, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Drake moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2291) 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	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Miller, C.P.

Absent or not voting, 4:

Hultman	Husak	Murphy	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 2295

Senator Hannon called up for consideration Senate File 2295, a bill for an act relating to the development of programs for the identification, educational methods, and staff qualifications for at-risk children, amended by the House, and moved that the Senate concur in House amendment S—5732 filed April 4, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Hannon moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2295) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holden	Holt	Horn
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Hannon	Hultman	Husak	Miller, A.V.
Murphy	Schwengels		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2303

Senator Riordan called up for consideration Senate File 2303, a bill for an act relating to the Iowa small business new jobs training Act by providing for repayment to the permanent school fund, establishing a revolving loan account, and providing for departmental approval of certain projects by rule, amended by the House in House amendment S—5731 filed April 4, 1988.

President Zimmerman took the chair at 11:11 a.m.

Senator Riordan moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Riordan moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2303) 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	Hutchins	Jensen	Kinley
Lind	Mann	Miller, A. V.	Miller, C.P.
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	Husak	Lloyd-Jones	Murphy
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### **Senate File 2284**

Senator Hannon called up for consideration Senate File 2284, a bill for an act relating to the disclosure of mental health information, amended by the House, in House amendment S—5709 filed March 31, 1988.

Senator Hannon offered amendment S—5795 filed by her to House amendment S—5709 and moved its adoption.

Amendment S—5795 was adopted by a voice vote.

Senator Hannon moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Hannon 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. 2284) 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	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	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:

Hultman	Husak	Murphy	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.

### UNFINISHED BUSINESS (Deferred March 31, 1988)

#### House File 2433

The Senate resumed consideration of House File 2433, a bill for an act relating to public school vocational education in agriculture technology and creating a council for agricultural education, deferred on March 31, 1988.



Senator Priebe offered amendment S—5549 filed by the committee on Agriculture on March 24, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5549 was adopted by a voice vote.

Senator Riordan offered amendment S—5727 filed by the committee on Education on March 31, 1988, to pages 1 through 3 of the bill.

Senator Fuhrman offered amendment S—5804 filed by him from the floor to amendment S—5727 and moved its adoption.

Amendment S—5804 was adopted by a voice vote.

Senator Riordan moved the adoption of amendment S—5727 as amended, 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. 2433) 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
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
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:

Holden	Hultman	Husak	Murphy
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**UNFINISHED BUSINESS**  
(Deferred March 24, 1988)

**House File 2396**

On motion of Senator Boswell, House File 2396, a bill for an act relating to the establishment of the economic development finance corporation to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and creating a state assistance fund, was taken up for further consideration (substituted for Senate File 2071 and deferred March 24, 1988).

Senator Hannon offered amendment S—5793 filed by Senators Hannon, et al., from the floor to page 9 of the bill.

Senator Peterson called for a division of amendment S—5793: lines 3 through 22 as division S—5793A and lines 23 through 27 as division S—5793B.

Senator Hannon moved the adoption of division S—5793A.

A non record roll call was requested.

The ayes were 28, nays 15.

Division S—5793A was adopted.

Senator Hannon moved the adoption of division S—5793B.

A non record roll call was requested.

The ayes were 27, nays 13.

Division S—5793B was adopted.

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. 2396) 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	Gettings	Gronstal	Hall
Hannon	Horn	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Priebe	Riordan
Scott	Sturgeon	Varn	Wells
Welsh			

Nays, 19:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hester	Holt
Hutchins	Jensen	Lind	Peterson
Readinger	Rensink	Rife	Soorholtz
Taylor	Tieden	Vande Hoef	

Absent or not voting, 10:

Carr	Coleman	Holden	Hultman
Husak	Kinley	Murphy	Nystrom
Palmer	Schwengels		

The bill not having received a constitutional majority was declared to have **failed to pass** the Senate.

### MOTION TO RECONSIDER WITHDRAWN

#### Senate File 2188

Senator Hutchins withdrew the motion to reconsider Senate File 2188, a bill for an act relating to the property tax credit and rent reimbursement for elderly and disabled individuals by changing the formula used for determining the amount of credit and reimbursement and providing effective dates, filed by him on March 25, 1988, and found on page 1045 of the Senate Journal.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 2188, 323, 2284, 443, 2070, 2135, 2170, 2192, 2232, 2233, 2291, 2295, 2303 and House File 2433 be immediately messaged to the House.**

## INTRODUCTION OF BILL

**Senate File 2328**, 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**.

## 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 4, 1988, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

**House File 2016**, a bill for an act relating to county conservation boards by providing for the creation of a county conservation board in certain counties and by specifying the law enforcement authority of the director and other designated employees of a county conservation board, and by providing effective dates.

ALSO: That the House has on April 4, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2459**, a bill for an act relating to the imposition and collection of the state sales, services, and use taxes by out-of-state retailers.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 4, 1988, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

**House File 529**, a bill for an act relating to governmental competition with and purchase of goods and services from private enterprise.

**House File 578**, a bill for an act providing for the use of vintage Iowa registration plates.

**House File 2102**, a bill for an act to prohibit the taking of a white deer and protected game, and providing penalties.

**House File 2106**, a bill for an act prohibiting the advertisement, or sale in this state of home testing kits for human immunodeficiency virus antibody or antigen testing, and providing penalties.

**House File 2262**, a bill for an act relating to the deduction and disbursement of certain moneys from an allowance paid to an inmate.

**House File 2277**, a bill for an act relating to the payment of moneys to teachers under the educational excellence program, including the frequency and manner of payments, eligibility for payments, deadlines for submission of plans and reports, and the issuance of supplemental contracts.

**House File 2327**, a bill for an act relating to the use of certain revenues obtained from the transfer of property or taxes imposed in urban renewal areas for economic development purposes and providing an effective date.

**House File 2338**, a bill for an act relating to environmental quality by creating an emergency response fund and by establishing and increasing fines and penalties.

**House File 2387**, a bill for an act relating to the construction of cable systems and telegraph and telephone lines in the state.

**House File 2415**, a bill for an act relating to incentives to encourage certain state government employees to retire from employment by providing for monetary or insurance payment incentives, and providing an effective date.

ALSO: That the House has on April 4, 1988, amended the Senate amendment, concurred in the Senate amendment as amended, as passed the following bills in which the concurrence of the Senate is asked:

**House File 105**, a bill for an act relating to the appointment of assessors (S—5797 to H—6093).

**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 (S—5796 to H—5214).

**House File 2367**, a bill for an act relating to training for mandatory reporters of dependent adult abuse and child abuse (S—5798 to H—6077).

ALSO: That the House has on April 4, 1988, 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 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.

ALSO: That the House has on March 30, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2193**, a bill for an act relating to requirements for approved teacher education program (S—5799).

ALSO: That the House has on March 31, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2017**, a bill for an act relating to handicapped parking and the use, issuance, and display of handicapped identification devices, stickers, signs, and plates, providing a penalty and making penalties applicable; and providing an effective date (S—5800).

ALSO: That the House has on April 4, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2068**, a bill for an act to require a public hearing before the issuance of a permit to construct and operate a sanitary landfill (S—5801).

## RECESS

On motion of Senator Hutchins, the Senate recessed at 12:38 p.m., until 1:30 p.m.

## APPENDIX

### PLACEMENT ON INDIVIDUAL CONFIRMATION CALENDAR

MADAM PRESIDENT: Pursuant to Senate Rule 59, I hereby request that the name of Dr. Charlotte A. Cleavenger be removed from the "En Bloc Confirmation Calendar" and placed on the "Individual Confirmation Calendar".

JIM R. RIORDAN

### REPORT OF STANDING COMMITTEE

(Place nominee on Individual Confirmation Calendar)

### STATE GOVERNMENT

Pursuant to Senate Rule 59, the committee on State Government assigned to investigate the Governor's appointment of Joanne L. Stockdale as a member of the Investment Board (IPERS), completed its investigation on April 6, 1988, and recommended the appointment be confirmed.

### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which the Senate refused to concur in House amendment S—5740 to Senate File 2075 on April 6, 1988.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5648 to House File 2447 was adopted by the Senate on March 31, 1988.

CHARLES BRUNER

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Senior students from North Kossuth High School, Swea City, Iowa, accompanied by Mike Hanna. Senator Priebe.

Thirty high school students from Notre Dame High School, Cresco, Iowa, accompanied by Jim Zajicek. Senator Scott.

Thirty-two senior students from Green Mountain and Garwin High Schools, Green Mountain and Garwin, Iowa, accompanied by Fred Wick and Gary Sinclair. Senator Husak.

Twenty eighth grade students from Holy Family School, Des Moines, Iowa, accompanied by Dennis Elings. Senator Mann.

Eighth grade students from Peet Junior High School, Cedar Falls, Iowa, accompanied by Carolyn Haurum, Linda Brooks and Tom Haurum. Senator Corning.

Thirty-five ninth grade students from Oelwein Junior High School, Oelwein, Iowa, accompanied by Bruce Willemsen, Mitch Murphy and Carl Murphy. Senator Murphy.

Six National Honor Society Students from Olin High School, Olin, Iowa, accompanied by Mr. and Mrs. Huebner. Senator Hannon.

## **SUBCOMMITTEE ASSIGNMENTS FOR APPOINTMENTS TO STATE BOARDS**

In accordance with Senate Rule 59, the following senators were appointed to subcommittees of a standing committee on April 4 and 5, 1988:

### **STATE GOVERNMENT**

As a member of the Accountancy Examining Board:

KENNETH A. PUTZIER: Carr, Chair; C. Miller and Schwengels

As a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers:

RONALD G. RICHER: Drake, Chair; Carr and Nystrom.

### **COMMITTEE REPORT**

#### **APPROPRIATIONS**

**Final Bill Action:** SENATE FILE 2328, a bill for an act relating to the allocation and appropriations of lottery revenues and the programs for which the revenues may be used.

**Recommendation:** APPROVED COMMITTEE BILL.



**Final Vote:** Ayes, 11: Welsh, Husak, Boswell, Corning, Dieleman, Fraise, Holt, Lloyd-Jones, Peterson, Riordan and Varn. Nays, 5: Tieden, Jensen, Lind, Readinger and Sturgeon. Absent or not voting, 2: Schwengels and Gettings.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### AMENDMENTS FILED

S—5791	H.F.	2283	Larry Murphy Jim Riordan Richard Varn
S—5792	S.F.	2314	John W. Jensen C. Joseph Coleman Jack W. Hester Wilmer Rensink Richard Vande Hoef Linn Fuhrman Edgar H. Holden Hurley W. Hall Kenneth Scott Norman J. Goodwin Joy Corning Berl E. Priebe Jim Riordan Dale Tieden Jim Lind Leonard L. Boswell Richard F. Drake Jack Nystrom Jack Rife John E. Soorholtz Lee W. Holt David Readinger Emil Husak Ray Taylor Eugene Fraise
S—5793	H.F.	2396	Beverly A. Hannon Tom Mann, Jr. Jim Riordan Jim Lind David Readinger Joy Corning

S—5794	H.F.	2285	Michael E. Gronstal
S—5795	S.F.	2284	Beverly A. Hannon
S—5796	H.F.	278	House amendment
S—5797	H.F.	105	House amendment
S—5798	H.F.	2367	House amendment
S—5799	S.F.	2193	House amendment
S—5800	S.F.	2017	House amendment
S—5801	S.F.	2068	House amendment
S—5802	H.F.	2447	Al Sturgeon
S—5803	S.F.	2314	John W. Jensen
S—5804	H.F.	2433	Linn Fuhrman
S—5805	H.F.	2400	Michael E. Gronstal
			Emil J. Husak
S—5806	H.F.	2400	Charles Bruner
S—5807	H.F.	2278	Jack Hester
S—5808	S.F.	2310	C. Joseph Coleman
			Al Sturgeon

## AFTERNOON SESSION

The Senate reconvened at 1:36 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.

The Senate stood at ease until the fall of the gavel for the purpose of a party caucus.

The Senate resumed session, Senator Riordan presiding.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 2:30 p.m.

The vote revealed 36 present, 14 absent and a quorum present.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 35 present, 15 absent and a quorum present.

## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2164** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to send an immediate message to the House on **Senate Files 2157** and **2253**.

**EXCUSED FROM INTRODUCTION**  
**(Governor's Appointee)**

Senator Hutchins asked and received unanimous consent that Ingwer Hansen, Governor's appointee to the Alcoholic Beverages Commission, be excused from introduction before the Senate.

**UNFINISHED BUSINESS**  
**(Deferred March 29, 1988)**

**House File 2303**

The Senate resumed consideration of House File 2303, a bill for an act relating to nontraditional insurance arrangements by prohibiting the incorporation or reincorporation of a benevolent association, providing for the regulation of risk retention groups and purchasing groups, increasing surplus requirements for reciprocal insurers and repealing an exemption to the applicability of state law to certain reciprocal insurance contracts, and providing penalties, deferred March 29, 1988.

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. 2303) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Fraise  
Schwengels

Kinley  
Soorholtz

Lind

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### UNFINISHED BUSINESS (Deferred March 30, 1988)

#### House File 2386

The Senate resumed consideration of House File 2386, a bill for an act relating to additional factors, requirements, and guidelines for providing assistance under the community economic betterment account of the Iowa plan fund and RISE program, deferred March 30, 1988.

Senator Taylor offered amendment S—5720 filed by him on March 31, 1988, to pages 1 and 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 24.

Amendment S—5720 lost.

Senator Sturgeon offered amendment S—5689 filed by him on March 30, 1988, to pages 2 and 4 of the bill.

Senator Sturgeon offered amendment S—5745 filed by him on April 4, 1988, to amendment S—5689 and moved its adoption.

Amendment S—5745 was adopted by a voice vote.

Senator Sturgeon moved the adoption of amendment S—5689 as amended.

A record roll call was requested.

On the question "Shall amendment S—5689 as amended be adopted?" (H.F. 2386) the vote was:

Ayes, 26:

Boswell

Bruner

Carr

Coleman

Deluhery	Doyle	Fraise	Gettings
Gronstal	Hannon	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Palmer	Peterson	Priebe
Riordan	Scott	Sturgeon	Varn
Wells	Welsh		

Nays, 21:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hester
Holt	Horn	Hultman	Jensen
Lind	Nystrom	Readinger	Rensink
Rife	Soorholtz	Taylor	Tieden
Vande Hoef			

Absent or not voting, 3:

Holden	Murphy	Schwengels
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Amendment S—5689 as amended was adopted.

Senator Taylor offered amendment S—5721 filed by him on March 31, 1988, to page 4 and the title page of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5721 be adopted?” (H.F. 2386) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 14:

Dieleman	Fuhrman	Goodwin	Holden
Holt	Hultman	Jensen	Nystrom
Peterson	Rensink	Soorholtz	Taylor
Tieden	Vande Hoef		

Nays, 32:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gentleman	Gettings	Gronstal
Hall	Hannon	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, C.P.	Palmer	Priebe
Readinger	Rife	Riordan	Scott
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 4:

Hester

Miller, A.V.

Murphy

Schwengels

Amendment S—5721 lost.

Senator Welsh asked and received unanimous consent that further action on **House File 2386** be **deferred**.

### UNFINISHED BUSINESS (Deferred March 30, 1988)

#### **House File 2377**

The Senate resumed consideration of House File 2377, a bill for an act relating to the establishment of programs for paying for college costs, including the provision for the state board of regents to issue revenue bonds that are payable at times determined by the board and the preparation of an educational program and marketing strategies by the college aid commission in cooperation with the state board of regents, deferred on March 30, 1988.

Senator Varn asked and received unanimous consent that further action on **House File 2377** be **deferred**.

### UNFINISHED BUSINESS (Deferred March 31, 1988)

#### **House File 2319**

The Senate resumed consideration of House File 2319, a bill for an act to exclude Saturday as a banking day, deferred March 31, 1988.

Senator Palmer offered amendment S—5508 filed by the committee on Commerce on March 22, 1988, to page 1 and the title page of the bill.

Senator Holden raised the point of order that amendment S—5508 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5508 out of order.

Senator Palmer moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2319) 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.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Murphy                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### MOTION TO RECONSIDER ADOPTED

Senator Hutchins 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 2396 failed to pass the Senate on April 6, 1988.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2396) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 31:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise



Gettings	Gronstal	Hall	Hannon
Holt	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Palmer	Peterson	Priebe
Riordan	Scott	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hester	Holden	Hultman
Jensen	Lind	Nystrom	Readeringer
Rensink	Rife	Taylor	Tieden
Vande Hoef			

Absent or not voting, 2:

Murphy                      Schwengels

The motion prevailed.

Senator Hutchins moved to reconsider the vote by which House File 2396 went to its last reading, which motion prevailed by a voice vote.

### House File 2396

On motion of Senator Hutchins, House File 2396, a bill for an act relating to the establishment of the economic development finance corporation to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and creating a state assistance fund, was taken up for reconsideration.

Senator Readeringer asked unanimous consent that further action on House File 2396 be deferred for preparation of an amendment.

Objection was raised by Senator Boswell.

Senator Boswell withdrew his objection and **House File 2396** was **deferred**.

**MOTION TO RECONSIDER WITHDRAWN****House File 2192**

Senator Welsh withdrew the motion to reconsider House File 2192, a bill for an act exempting certain vessels from registration, filed by him on March 29, 1988, and found on page 1108 of the Senate Journal.

**UNFINISHED BUSINESS**

(Deferred March 31, 1988)

**House File 2374**

The Senate resumed consideration of House File 2374, a bill for an act relating to the nomination of candidates for the office of lieutenant governor for the general election in the year 1990, deferred on March 31, 1988.

Senator Carr moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2374) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Goodwin
Gronstal	Hall	Hannon	Hester
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, 6:

Fuhrman	Gettings	Holden	Holt
Rensink	Vande Hoef		

Absent or not voting, 2:

Murphy

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## BUSINESS PENDING

### Senate File 2203

The Senate resumed consideration of Senate File 2203, a bill for an act relating to the composition of the engineering and land surveying examining board and providing an effective date, and House amendment S—5736, previously deferred.

Senator Welsh moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Welsh moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2203) 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.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Murphy

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2310

Senator Sturgeon called up for consideration Senate File 2310, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks, amended by the House in House amendment S—5710 filed March 31, 1988.

Senator Sturgeon withdrew amendment S—5782 filed by him on April 5, 1988, to pages 1 through 6 of House amendment S—5710.

Senator Sturgeon offered amendment S—5815 filed by him from the floor to pages 1 through 6 of House amendment S—5710.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the day on request of Senator Hutchins.

## BUSINESS PENDING

### Senate File 2310

The Senate resumed consideration of Senate File 2310 and amendment S—5815 to House amendment S—5710.

Senator Sturgeon moved the adoption of amendment S—5815 to House amendment S—5710, which motion prevailed by a voice vote.

Senator Sturgeon offered amendment S—5819 filed by Senators Sturgeon and Welsh from the floor to page 1 of House amendment S—5710 and moved its adoption.

Amendment S—5819 was adopted by a voice vote.

Senator Sturgeon offered amendment S—5808 filed by Senators Coleman and Sturgeon from the floor to pages 1 and 2 of House amendment S—5710 and moved its adoption.

Amendment S—5808 was adopted by a voice vote.

With the adoption of amendment S—5808 to House amendment S—5710, the Chair ruled amendment S—5763 filed by Senator Coleman on April 5, 1988, to House amendment S—5710, out of order.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Lloyd-Jones for the remainder of the day on request of Senator Welsh.

### BUSINESS PENDING

#### **Senate File 2310**

The Senate resumed consideration of Senate File 2310.

Senator Vande Hoef asked and received unanimous consent that further action on House amendment S—5710 as amended and **Senate File 2310 be deferred.**

### MOTIONS TO RECONSIDER WITHDRAWN

#### **House File 468**

Senator Dieleman withdrew the motion to reconsider House File 468, a bill for an act authorizing limited gambling on excursion gambling boats, by specifying additional powers and duties of the state racing and gaming commission, by imposing a tax on adjusted gross receipts from gambling, by authorizing and imposing taxes on admissions, by requiring licenses and imposing fees, by allocating revenue received, by making corresponding amendments to the Code, and by providing penalties for violations, filed by him on April 4, 1988, and found on page 1247 of the Senate Journal.

Senator Priebe asked and received unanimous consent to withdraw the motion to reconsider House File 468, filed by him on April 4, 1988, and found on page 1247 of the Senate Journal.

Senator Hutchins asked unanimous consent that House File 468 be re-referred to the committee on State Government.

Senator Hutchins asked unanimous consent that House File 468 not appear on the Senate Calendar until after final adjournment.

Senator Dieleman rose on a point of order to question what rule governs a dead bill.

The Chair stated she would take the point under advisement and render a ruling on April 7, 1988.

### INTRODUCTION OF BILLS

**Senate File 2329**, by the committee on Appropriations, a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

**Read first time and placed on the Appropriations Calendar.**

**Senate File 2330**, by the committee on Appropriations, a bill for an act relating to the provision of certain services to persons with mental retardation, a developmental disability, or mental illness.

**Read first time and placed on the Appropriations Calendar.**

## APPENDIX

### STUDY BILL RECEIVED

#### SSB 2275 Ways and Means

Relating to the deduction of premiums received in connection with annuity contracts in computing the gross amount of premiums for purpose of the state gross premiums tax.

#### COMMITTEE REPORTS

##### APPROPRIATIONS

**Final Bill Action:** SENATE FILE 2329, a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, 1: Readinger. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2330, a bill for an act relating to the provision of certain services to persons with mental retardation, a developmental disability, or mental illness.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Welsh, Husak, Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Riordan, Sturgeon and Varn. Nays, 1: Readinger. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

##### ENVIRONMENT AND ENERGY UTILITIES

**Final Bill Action:** HOUSE FILE 2441, a bill for an act relating to underground storage tanks, establishing certain fees, providing penalties, and providing an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5810.

**Final Vote:** Ayes, 6: Deluhery, Gronstal, Soorholtz, A. Miller, Sturgeon and Varn. Nays, 1: Rife. Absent or not voting, 3: Hall, Murphy and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing Senate File 2188, the following corrections were made:

1. Page 6, line 29, the numbers "1 and 30" were changed to the numbers "1 and 4".
2. Page 6, line 32, the numbers "2 and 40" were changed to the numbers "2 and 5".
3. Page 6, line 35, the number "50" was changed to the number "3".
4. Page 7, line 2, the number "50" was changed to the number "6".

JOHN F. DWYER  
Secretary of the Senate

## SUBCOMMITTEE ASSIGNMENTS

### House File 2451

WAYS AND MEANS: Dieleman, Chair; Riordan and Hester.

### House File 2458

WAYS AND MEANS: Gronstal, Chair; Bruner and Holden

### House File 2461

WAYS AND MEANS: Dieleman, Chair; Riordan and Hester.

## PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty 4-H students from Worth and Cerro Gordo Counties. Senators Miller of Cerro Gordo and Scott.



## BILL ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bill to committee:

H.F.        2453        Ways and Means

## MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5575 to House File 2386 was adopted by the Senate on March 30, 1988.

JOE J. WELSH

## AMENDMENTS FILED

S—5809	S.F.	2296	Richard Varn
S—5810	H.F.	2441	Environment & Energy Utilities
S—5811	H.F.	2294	Al Sturgeon
S—5812	H.F.	2407	Calvin O. Hultman
S—5813	H.F.	2278	Julia B. Gentleman
S—5814	H.F.	2339	Joe J. Welsh
			Lee W. Holt
S—5815	S.F.	2310	Al Sturgeon
S—5816	H.F.	2432	Richard Varn
S—5817	S.F.	2300	Linn Fuhrman
			Jim R. Riordan
S—5818	S.F.	2314	Joe J. Welsh
			Donald E. Gettings
S—5819	S.F.	2310	Al Sturgeon
			Joe J. Welsh
S—5820	S.F.	2328	Berl E. Priebe
			John E. Soorholtz
			Emil J. Husak
			Dale L. Tieden
			John A. Peterson
			Kenneth Scott
			Leonard L. Boswell
			Joe J. Welsh
			Bill Hutchins
			Alvin V. Miller

S—5821	H.F.	2447	Lee W. Holt
S—5822	S.F.	2314	Charles Bruner
			Joe J. Welsh
			Donald E. Gettings
S—5823	H.F.	2278	Donald V. Doyle
			Tom Mann, Jr.
S—5824	S.F.	2309	Joe J. Welsh
			Leonard Boswell
S—5825	H.F.	2377	Richard Varn
			Bill Hutchins
			Joe Welsh
			Wally E. Horn
			James Wells
			Michael E. Gronstal
			Emil J. Husak
			George R. Kinley
			Bill Palmer
			Berl E. Priebe
			C. Joseph Coleman
			Tom Mann, Jr.
			Charles Bruner
			Leonard L. Boswell
			Beverly A. Hannon
			Jack Nystrom
			Larry Murphy
			Linn Fuhrman
			Bob Carr
			Jean Lloyd-Jones
			Eugene Fraise
			Al Sturgeon
			Kenneth Scott
			John A. Peterson
			Jim R. Riordan
			Donald V. Doyle
			William W. Dieleman
			Don E. Gettings
			Alvin V. Miller
			Charles P. Miller
			Pat Deluhery
			Wilmer Rensink
			Jim Lind
S—5826	H.F.	566	Richard Vande Hoef

S—5827	H.F.	2447	Charles Bruner Joe J. Welsh
S—5828	S.F.	2310	Richard Vande Hoef
S—5829	S.F.	2017	Edgar H. Holden

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 6:20 p.m., until 9:00 a.m., Thursday, April 7, 1988.

# JOURNAL OF THE SENATE

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EIGHTY-EIGHTH CALENDAR DAY  
FIFTY-NINTH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Thursday, April 7, 1988

The Senate met in regular session at 9:06 a.m., Senator Coleman presiding.

Prayer was offered by the Reverend Robert Adams, pastor of the Congregational Church, Algona, Iowa.

The Journal of Wednesday, April 6, 1988, was approved.

## 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.

## CONFIRMATION OF GOVERNOR'S APPOINTMENTS (En Bloc Confirmation Calendar)

In accordance with Senate Rule 59, Senator Horn called up the following eligible appointees on the En Bloc Confirmation Calendar:

E.E. Engstrom as a member of the Agricultural Development Authority.

William F. Kautzky as a member of the Commission on the Deaf.

Cyndi Fisher as a member of the Commission on Judicial Qualifications.

Sheldon Rittmer as a member of the Mental Health and Mental Retardation Commission.

Steven C. Dowd as a member of the State Board of Examiners for Nursing Home Administrators.

Barbara Binnie as a full-time member and Wanda E. Everage as a part-time member of the Board of Parole.

Edward T. Shonsey as a member of the Personnel Commission.

Charles R. Gipp as a member of the Speech Pathology and Audiology Examining Board.

Ronald J. McGauvran as a member of the State Board of Education.

Judy L. Kappmeyer as a member of the Accountancy Examining Board.

Dr. Ramona Kathleen Kennedy as a member of the Chiropractic Examining Board.

Delman L. Bowers as a member of the City Development Board.

Vicki Reschly as a member of the Dental Examining Board.

Mark Wolraich as a member of the State Foster Care Review Board.

Marian L. Roberts as a member of the Pharmacy Examining Board.

Virginia J. Poffenberger as a member of the Social Work Examining Board.

Philip Smith as Director of the Office for State-Federal Relations.

Senator Horn moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" 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	Jensen	Lind
Miller, A.V.	Miller, C.P.	Murphy	Nystrom

Palmer	Peterson	Priebe	Readeringer
Rensink	Rife	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hultman	Hutchins	Kinley	Lloyd-Jones
Mann	Riordan	Schwengels	

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

## HOUSE AMENDMENTS CONSIDERED

### Senate File 2257

Senator Carr called up for consideration Senate File 2257, a bill for an act relating to expenses and compensation for the state judicial nominating commission, amended by the House, and moved that the Senate concur in House amendment S—5734 filed April 4, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Carr moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2257) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hester	Holden	Holt	Horn
Husak	Jensen	Kinley	Lloyd-Jones
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Priebe	Readeringer	Rensink
Rife	Scott	Soorholtz	Sturgeon

Taylor  
Wells

Tieden  
Welsh

Vande Hoef

Varn

Nays, 3:

Lind

Mann

Peterson

Absent or not voting, 5:

Hannon  
Schwengels

Hultman

Hutchins

Riordan

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### **Senate File 2307**

Senator Varn called up for consideration Senate File 2307, a bill for an act relating to evidence for identification of certain criminals, providing for a study by the department of public safety, and providing an effective date, amended by the House in House amendment S—5730 filed April 4, 1988.

Senator Varn moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Varn 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. 2307) the vote was:

Ayes, 46:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Jensen  
Miller, A.V.  
Palmer

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Hultman  
Kinley  
Miller, C.P.  
Peterson

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Husak  
Lind  
Murphy  
Priebe

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Hutchins  
Mann  
Nystrom  
Readerger

Rensink  
Taylor  
Wells

Scott  
Tieden  
Welsh

Soorholtz  
Vande Hoef

Sturgeon  
Varn

Nays, none.

Absent or not voting, 4:

Lloyd-Jones

Rife

Riordan

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### Senate File 2306

Senator Gentleman called up for consideration Senate File 2306, a bill for an act repealing a right to review by a juvenile court judge of a juvenile court referee's decision, amended by the House in House amendment S—5744 filed April 4, 1988.

Senator Gentleman moved that the Senate concur in the House amendment.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Gentleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2306) the vote was:

Ayes, 47:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Hultman  
Kinley  
Miller, C.P.  
Peterson  
Rife  
Sturgeon  
Varn

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Husak  
Lind  
Murphy  
Priebe  
Riordan  
Taylor  
Wells

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Hutchins  
Mann  
Nystrom  
Readinger  
Scott  
Tieden  
Welsh

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Jensen  
Miller, A.V.  
Palmer  
Rensink  
Soorholtz  
Vande Hoef



Nays, none.

Absent or not voting, 3:

Horn

Lloyd-Jones

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### Senate File 2018

Senator Holden called up for consideration Senate File 2018, a bill for an act creating a family support subsidy program, amended by the House, and moved that the Senate concur in House amendment S—5766 filed April 5, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Holden moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2018) 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	Lind	Mann	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, 1:

Gentleman

Absent or not voting, 2:

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 9:48 a.m.

### CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Horn asked and received unanimous consent to take up out of order House File 678.

#### House File 678

On motion of Senator Mann, House File 678, a bill for an act authorizing the establishment of a benefited recreational lake district and its dissolution, the election of trustees, the levy of a tax, and the contract of indebtedness, 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. 678) the vote was:

Ayes, 47:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	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	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hannon

Murphy

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 Senate File 2320.

### Senate File 2320

On motion of Senator Riordan, Senate File 2320, a bill for an act relating to the exclusion of a certain portion of United States central intelligence agency retirement and disability benefits for state income tax purposes and providing retroactive applicability and effective dates, 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. 2320) the vote was:

Ayes, 41:

Boswell  
Deluhery  
Fraise  
Goodwin  
Hester  
Husak  
Miller, C.P.  
Priebe  
Riordan  
Taylor  
Wells

Bruner  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Kinley  
Murphy  
Readinger  
Scott  
Tieden

Carr  
Doyle  
Gentleman  
Hall  
Holt  
Lind  
Nystrom  
Rensink  
Soorholtz  
Vande Hoef

Corning  
Drake  
Gettings  
Hannon  
Horn  
Miller, A.V.  
Palmer  
Rife  
Sturgeon  
Varn

Nays, 3:

Coleman

Mann

Welsh

Absent or not voting, 6:

Hultman  
Peterson

Hutchins  
Schwengels

Jensen

Lloyd-Jones

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2325

On motion of Senator Husak, House File 2325, a bill for an act prohibiting the assessment of penalty for the late filing of a farmer's state individual income tax return if the farmer was entitled to an extension for filing the farmer's federal individual income tax return under certain circumstances and providing an effective date, was taken up for consideration.

Senator Bruner offered amendment S—5683 filed by him on March 30, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5683 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2325) 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
Husak	Jensen	Kinley	Lind
Mann	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hannon	Hultman	Hutchins	Lloyd-Jones
Miller, A.V.	Schwengels	Varn	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## Senate File 2327

On motion of Senator Husak, Senate File 2327, a bill for an act to provide for a state individual income tax checkoff for the United States olympic committee and the Iowa games committee, and providing a retroactive effective date, was taken up for consideration.

Senator Husak offered amendment S—5761 filed by Senators Husak, Dieleman and Readinger on April 4, 1988, to page 1 and the title page of the bill and moved its adoption.

Amendment S—5761 was adopted by a voice vote.

Senator Husak moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2327) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Corning
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hall
Hannon	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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 6:

Coleman	Deluhery	Fuhrman	Gentleman
Hester	Holden		

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### SPECIAL GUESTS

Senator Lloyd-Jones presented the following members of the Hebei People's Congress from China, Iowa's sister state, who were present in the Senate chamber:

Mr. Sun Guozhi, Chairman, Standing Committee of the Hebei People's Congress; Mr. Li Tie, Member of the Standing Committee and Secretary General of the Hebei People's Congress; Mr. Xu Ping, member of the Standing Committee and Director of the committee of Nationalities, Overseas Chinese and Foreign Affairs of Hebei People's Congress; Mr. Liu Haiquan, Member of the Standing Committee and Deputy Director of Financial and Economic Committee of Hebei People's Congress; Mr. Li Wenye, Deputy Director of Committee of Education, Science, Culture and Public Health of Hebei People's Congress.

The delegation was accompanied by Mr. Cui Shunyi, Interpreter of the Friendship Association and Deng Chaocong, Consul General of the People's Republic of China in Chicago.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2319, 2374 and 678 and Senate Files 2320, 2325 and 2327** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to send an **immediate message** to the House on **Senate File 2203**.

### MOTION TO RECONSIDER WITHDRAWN

#### **House File 2344**

Senator Mann withdrew the motion to reconsider House File 2344, a bill for an act relating to the civil rights of persons with a condition relating to acquired immune deficiency syndrome, by prohibiting the testing, with respect to the employment of persons, for a condition related to acquired immune deficiency syndrome, and by making remedial provisions of the civil rights law applicable, filed by him on March 30, 1988, and found on page 1180 of the Senate Journal.

## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2344** be **immediately messaged** to the House.

## BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Files 2329** and **2330** be referred from the Appropriations Calendar to the committee on **Human Resources** and returned to the Senate Calendar by 10:00 a.m., Friday, April 8, 1988.

## MOTION TO RECONSIDER WITHDRAWN

**House File 2416**

Senator Vande Hoef withdrew the motion to reconsider House File 2416, a bill for an act relating to establishing a case management assistance program to assist low-income persons in starting up or expanding small businesses, filed by him on March 31, 1988, and found on page 1196 of the Senate Journal.

## IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2416** be **immediately messaged** to the House.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the morning on request of Senator Doyle.

## HOUSE AMENDMENT CONSIDERED

**Senate File 2314**

Senator Gettings called up for consideration Senate File 2314, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund

and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates, amended by the House in House amendment S—5786 filed April 5, 1988.

Senator Welsh withdrew amendment S—5818 filed by Senators Welsh and Gettings on April 6, 1988, to pages 1, 2 and 4 of House amendment S—5786.

Senator Welsh offered amendment S—5822 filed by Senators Welsh and Gettings on April 6, 1988, to pages 1, 2 and 4 of House amendment S—5786.

Senator Hultman called for a division of amendment S—5822 to House amendment S—5786: lines 4 through 9 and 11 through 32 as division S—5822A; line 10 as division S—5822B.

Senator Welsh moved the adoption of division S—5822A to House amendment S—5786, which motion prevailed by a voice vote.

Senator Welsh moved the adoption of division S—5822B to House amendment S—5786.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 21, nays 26.

Division S—5822B lost.

Senator Jensen asked and received unanimous consent to withdraw amendment S—5792 filed by Senators Jensen, et al., on April 6, 1988, to page 2 of House amendment S—5786.

The Chair ruled amendment S—5803 filed by Senator Jensen on April 6, 1988, to amendment S—5792 to House amendment S—5786, out of order.

Senator Welsh asked and received unanimous consent that further action on House amendment S—5786 as amended and **Senate File 2314 be deferred.**



**RULING ON POINT OF ORDER**  
(Raised April 6, 1988)

Pertaining to the point of order raised by Senator Dieleman during discussion of House File 468 on April 6, 1988, questioning what rule governs a dead bill, the Chair stated that according to Section 761.6 of Mason's Manual of Legislative Procedure, House File 468 will automatically be messaged back to the House.

The Chair further stated that there is no rule regarding re-referring a dead bill to committee.

**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 5, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 356**, a bill for an act relating to the exemptions from regulation of a home used to prepare food for a cafe (S—5834).

**ALSO:** That the House has on April 6, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2092**, a bill for an act establishing a community and rural development loan program and a sewage treatment works financing program to assist communities in financing sewage treatment projects and in financing traditional and new infrastructure and housing for needy and elderly, authorizing the Iowa finance authority to issue bonds and notes for the program, and providing an appropriation from a revolving fund to be used for each program (S—5837).

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 11:50 a.m., until 2:00 p.m.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### ENVIRONMENT AND ENERGY UTILITIES

**Convened:** April 6, 1988, 12:30 p.m.

**Members Present:** Deluhery, Chair; Gronstal, Vice Chair; Soorholtz, Ranking Member; A. Miller, Rife, Sturgeon and Varn.

**Members Absent:** Hall, Murphy (excused) and Schwengels (excused).

**Committee Business:** Recommended passage of House File 2441 as amended.

**Adjourned:** 12:35 p.m.

#### STATE GOVERNMENT

**Convened:** April 6, 1988, 4:00 p.m.

**Members Present:** Carr, Chair; Nystrom, Ranking Member; Bruner, Drake, Gronstal, Lloyd-Jones, Rife, Soorholtz, Horn, Gentleman, Welsh, Coleman and C. Miller.

**Members Absent:** Dieleman, Vice Chair and Schwengels (both excused).

**Committee Business:** Recommended confirmation of Governor's appointees.

**Adjourned:** 4:08 p.m.

### 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 April 6, 1988, and recommended the appointees be confirmed:

Kenneth A. Putzier for reappointment as a member of the Accountancy Examining Board.

Ingwer Hansen for reappointment as a member of the Alcoholic Beverages Commission.

Ronald G. Richer for appointment as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

M. Susan Erickson for appointment and Craig D. Ritland for reappointment as members of the Landscape Architectural Examining Board.

James W. Hartzell for reappointment, Ruth A. McAndrews for appointment and Colleen M. Reilly for appointment as members of the Optometry Examining Board.

John F. Rode for reappointment as a member of the Pharmacy Examining Board.

Robert E. Anderson for appointment as a member of the Physical and Occupational Therapy Examining Board.

John B. Wadsworth for appointment as a member of the Physical and Occupational Therapy Examining Board.

#### MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2303 passed the Senate on April 6, 1988.

ALVIN V. MILLER

#### REPORT OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in engrossing the Senate amendment to House File 2433, the following correction was made:

1. Page 1, line 20, the word "representative" was changed to the word "representation".

JOHN F. DWYER  
Secretary of the Senate

#### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty-five twelfth grade students from Nora Springs-Rock Falls High School, Nora Springs, Iowa, accompanied by Frank Altman. Senator Scott.

Forty-five twelfth grade students from Colo-Nesco High School, Colo, Iowa, accompanied by Jack Roberts and Steve Johns. Senator Nystrom.

Nineteen sixth grade students from Klemme Elementary School, Klemme, Iowa, accompanied by Gladys Wessels. Senator Taylor.

FHA students from Algona Community School, Algona, Iowa, accompanied by Brenda Bormann and Marilyn Bjstrom. Senator Priebe.

Thirty-one eighth grade students from Alden Community High School, Alden, Iowa, accompanied by Janet Ziesman. Senator Taylor.

Forty-five seventh and eighth grade students from West Central Junior High School, Maynard, Iowa, accompanied by Ron Rushe. Senator Murphy.

#### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 7, 1988, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2011 — Relating to meat and poultry regulation and inspection, providing penalties, and providing for injunctive relief.

SENATE FILE 2159 — Relating to the provision of hospice care within health care facilities by medicare certified hospice programs.

SENATE FILE 2236 — Relating to the qualification for office by elected school board members and school officers.

#### AMENDMENTS FILED

S—5830	S.F.	2328	John W. Jensen Jim Lind Joy Corning Dale Tieden James Wells Hurley W. Hall
S—5831	H.F.	2269	Richard Drake Joe Welsh

S—5832	S.F.	2328	Joy Corning
S—5833	S.F.	2328	Joy Corning
S—5834	S.F.	356	House amendment
S—5835	H.F.	2396	David M. Readinger
			Jack Rife
			Jim Lind
S—5836	H.F.	2447	Charles Bruner
S—5837	S.F.	2092	House amendment
S—5838	H.F.	2447	Charles Bruner
			Jean Lloyd-Jones
			Joe J. Welsh

### AFTERNOON SESSION

The Senate reconvened at 2:18 p.m., Senator Varn presiding.

### QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 2:22 p.m.

The vote revealed 38 present, 12 absent and a quorum present.

### HOUSE AMENDMENT CONSIDERED (Deferred April 6, 1988)

#### Senate File 2310

The Senate resumed consideration of Senate File 2310, a bill for an act relating to and making appropriations to the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, and establishing a division on the status of blacks, and House amendment S—5710 as amended, deferred April 6, 1988.

Senator Vande Hoef offered amendment S—5828 filed by him on April 6, 1988, to House amendment S—5710, moved its adoption and requested a non record roll call.

The ayes were 30, nays 16.

Amendment S—5828 was adopted.

Senator Sturgeon moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Sturgeon 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. 2310) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	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	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Holden	Mann	Murphy	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.

President pro tempore Kinley took the chair at 2:55 p.m.

### MOTION TO RECONSIDER ADOPTED

Senator Hutchins called up the motion to reconsider House File 2447 filed by him on March 31, 1988, found on page 1208 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2447) 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	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom

Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Tieden

Absent or not voting, 2:

Holden                      Schwengels

The motion prevailed.

Senator Hutchins moved to reconsider the vote by which House File 2447 went to its last reading, which motion prevailed by a voice vote.

### House File 2447

On motion of Senator Lloyd-Jones, House File 2447, a bill for an act relating to and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989, was taken up for reconsideration.

Senator Bruner called up the motion to reconsider the vote by which amendment S—5648 to House File 2447 was adopted by the Senate on March 31, 1988, filed by him on April 6, 1988, found on page 1292 of the Senate Journal and moved its adoption.

The motion prevailed by voice vote and amendment S—5648 by the committee on Appropriations to pages 2 through 25, 28 through 32, 34 and 36 through 40 of the bill, was taken up for reconsideration.

Senator Bruner asked and received unanimous consent to withdraw amendment S—5827 filed by Senators Bruner and Welsh on April 6, 1988, to pages 1, 4, 9, 12 and 14 of amendment S—5648.

Senator Bruner offered amendment S—5838 filed by Senators Bruner, Lloyd-Jones and Welsh from the floor to pages 1, 4, 9, 12 and 14 of amendment S—5648 and moved its adoption.

Amendment S—5838 was adopted by a voice vote.



Senator Bruner withdrew amendment S—5821 filed by him on April 6, 1988, to page 4 of amendment S—5648.

With the adoption of amendment S—5719 to amendment S—5648 on March 31, 1988, the Chair ruled amendment S—5802 filed by Senator Sturgeon on April 6, 1988, to pages 4 and 5 of amendment S—5648, out of order.

Senator Bruner offered amendment S—5836 filed by him from the floor to page 5 of amendment S—5648 and moved its adoption.

Amendment S—5836 was adopted by a voice vote.

(Action on amendment S—5648 as amended and **House File 2447** was **deferred** for preparation of an amendment.)

## HOUSE AMENDMENT CONSIDERED

### Senate File 2309

Senator Welsh called up for consideration Senate File 2309, a bill for an act relating to and making appropriations to the department of economic development, amended by the House in House amendment S—5753 filed April 4, 1988.

Senator Boswell offered amendment S—5846 filed by him from the floor to page 1 of House amendment S—5753.

Senator Carr called for a division of amendment S—5846 to House amendment S—5753: lines 4 through 7 as division S—5846A and lines 8 through 11 as division S—5846B.

Senator Carr asked and received unanimous consent that action on division S—5846A to House amendment S—5753 be deferred.

Senator Carr asked and received unanimous consent that action on division S—5846B to House amendment S—5753 be deferred.

Senator Boswell moved the adoption of division S—5846A to House amendment S—5753, previously deferred, which motion prevailed by a voice vote.

Senator Boswell offered amendment S—5824 filed by Senators Welsh and Boswell on April 6, 1988, to pages 1 and 2 of House amendment S—5753 and moved its adoption.

Amendment S—5824 was adopted by a voice vote.

Senator Boswell offered amendment S—5849 filed by Senators Boswell and Welsh from the floor to pages 1 and 2 of House amendment S—5753 and moved its adoption.

Amendment S—5849 was adopted by a voice vote.

Senator Hultman offered amendment S—5780 filed by Senator Holden on April 5, 1988, to page 2 of House amendment S—5753 and moved its adoption.

Amendment S—5780 was adopted by a voice vote.

(Action on House amendment S—5753 as amended and **Senate File 2309** was temporarily **deferred** for preparation of an amendment.)

## BUSINESS PENDING

### House File 2447

The Senate resumed consideration of House File 2447, a bill for an act relating to and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989, and amendment S—5648 as amended by the committee on Appropriations, previously deferred.

Senator Dieleman offered amendment S—5850 filed by him from the floor to page 6 of amendment S—5648 and moved its adoption.

Amendment S—5850 was adopted by a voice vote.

Senator Bruner moved the adoption of amendment S—5648 as amended, which motion prevailed by a voice vote.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2447) the vote was:

Ayes, 47:

Boswell  
Corning

Bruner  
Deluhery

Carr  
Dieleman

Coleman  
Doyle

Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Hannon	Holden	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.

The motion to reconsider House File 2447 filed by Senator Horn on March 31, 1988, and found on page 1208 of the Senate Journal, was out of order.

## UNFINISHED BUSINESS

(Deferred March 31, 1988)

### House File 2400

The Senate resumed consideration of House File 2400, a bill for an act relating to enhanced 911 emergency telephone communication systems, by requiring each county to prepare an enhanced 911 service plan to be implemented on or before July 1, 1992, by requiring conversion of pay telephones to accept 911 calls without charge, and by providing a limited privacy waiver to permit nonlisted or unpublished numbers to be included in E911 service, deferred March 31, 1988.

Senator Coleman took the chair at 4:17 p.m.

Senator Gronstal offered amendment S—5805 filed by Senators Gronstal and Husak on April 6, 1988, to pages 1 through 3, 5 through 8 and to the title page of the bill and moved its adoption.

Amendment S—5805 was adopted by a voice vote.

Senator Husak withdrew amendments S—5590 and S—5592 filed by him on March 28, 1988, to page 6 of the bill.

Senator Husak asked and received unanimous consent that action on amendment S—5680 filed by him on March 30, 1988, to pages 6 and 8 of the bill be deferred.

Senator Welsh asked and received unanimous consent that action on amendment S—5852 filed by him from the floor to pages 6 and 8 of the bill be deferred.

Senator Husak asked and received unanimous consent that action on amendment S—5839 filed by Senators Husak and Gronstal from the floor to pages 6 and 8 of the bill be deferred.

Senator Welsh moved the adoption of amendment S—5852 to pages 6 and 8 of the bill, previously deferred and requested a non record roll call.

The ayes were 4, nays 38.

Amendment S—5852 lost.

Senator Husak moved the adoption of amendment S—5839 to pages 6 and 8 of the bill, previously deferred.

A non record roll call was requested.

The ayes were 37, nays 2.

Amendment S—5839 was adopted.

With the adoption of amendment S—5839, the Chair ruled the following amendments out of order:

S—5680 by Senator Husak to pages 6 and 8 of the bill, previously deferred.

S—5681 filed by Senator Husak on March 30, 1988, to pages 6 and 8 of the bill.

S—5679 filed by Senator Husak on March 30, 1988, to pages 6 and 8 of the bill.

Senator Husak withdrew amendment S—5672 filed by him on March 30, 1988, to page 8 of the bill.

The Chair ruled amendment S—5755 filed by Senator Husak on April 4, 1988, to amendment S—5672, out of order.

Senator Bruner withdrew amendment S—5806 filed by him on April 6, 1988, to page 8 of the bill.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Peterson for the remainder of the day on request of Senator Horn.

### BUSINESS PENDING

#### House File 2400

The Senate resumed consideration of House File 2400.

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. 2400) 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	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Lind	Miller, C.P.
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Absent or not voting, 4:

Holden	Lloyd-Jones	Peterson	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Husak asked and received unanimous consent that **House File 2400** be **immediately messaged** to the House.

### HOUSE AMENDMENT CONSIDERED

#### Senate File 2318

Senator Riordan called up for consideration Senate File 2318, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters, amended by the House, and moved that the Senate concur in House amendment S—5772 filed April 5, 1988.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

### UNFINISHED BUSINESS (Deferred April 6, 1988)

#### House File 2377

The Senate resumed consideration of House File 2377, a bill for an act relating to the establishment of programs for paying for college costs, including the provision for the state board of regents to issue revenue bonds that are payable at times determined by the board and the preparation of an educational program and marketing strategies by the college aid commission in cooperation with the state board of regents, deferred on April 6, 1988.

Senator Varn asked and received unanimous consent that action on amendment S—5535 filed by the committee on Education on March 24, 1988, to pages 1 and 3 of the bill be deferred for consideration of amendment S—5825.

Senator Varn offered amendment S—5825 filed by Senators Varn, et al., on April 6, 1988, to pages 1 through 4 of the bill and moved its adoption.

Amendment S—5825 was adopted by a voice vote.

With the adoption of amendment S—5825, the Chair ruled amendment S—5535 by the committee on Education to pages 1 and 3 of the bill, previously deferred, out of order.

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. 2377) the vote was:

Ayes, 37:

Boswell	Bruner	Corning	Deluhery
Dieleman	Drake	Fraise	Fuhrman
Gettings	Goodwin	Gronstal	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Varn	Wells
Welsh			

Nays, 10:

Carr	Coleman	Doyle	Gentleman
Hall	Hannon	Hester	Miller, C.P.
Rife	Vande Hoef		

Absent or not voting, 3:

Holden	Peterson	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2377** and **Senate File 2318** be **immediately messaged** to the House.

## INTRODUCTION OF BILL

**Senate File 2331**, by committee on Ways and Means, a bill for an act relating to the collection of fees for and the rights and duties of the sheriff regarding service of legal process and levy of execution.

Read first time and **placed on Ways and Means 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 April 6, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**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 (S—5840).

## EXCUSED FROM INTRODUCTION

(Governor's Appointee)

Senator Hutchins asked and received unanimous consent that Mark A. Stansberry, Governor's Appointee to the Barber Examining Board, be excused from introduction before the Senate.



## 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 7th day of April, 1988:

Senate Files 2050, 2167, 2174, 2129 and 2142.

JOHN F. DWYER  
Secretary of the Senate

### COMMITTEE REPORTS

#### WAYS AND MEANS

**Final Bill Action:** SENATE FILE 2331 (SSB 2272), a bill for an act relating to the collection of fees for and the rights and duties of the sheriff regarding service of legal process and levy of execution.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 15: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE-17.

ALSO:

**Final Bill Action:** HOUSE FILE 683, a bill for an act relating to the energy assistance to low income households by requiring budget billing for certain utility bills for individuals receiving assistance under the low income home energy assistance program, by requiring each gas and electric utility to create a utility shutoff fund with certain exceptions, by providing for the implementation of pilot projects of an affordable utility payment plan and affordable heating payment plan, and providing for a sales tax refund for certain participating gas and electric public utilities and heating fuel suppliers.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5857.

**Final Vote:** Ayes, 15: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2451, a bill for an act relating to the treatment of interest and dividends from state and other political subdivisions and from regulated investment companies in determining the alternative minimum tax for corporations and providing for retroactive applicability and effective dates.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 15: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2457, 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.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5858.

**Final Vote:** Ayes, 15: Bruner, Husak, Boswell, Dieleman, Gronstal, Mann, Murphy, Palmer, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

#### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2310 passed the Senate on April 7, 1988.

AL STURGEON

MADAM PRESIDENT: I move to reconsider the vote by which House File 2447 passed the Senate on April 7, 1988.

BILL HUTCHINS

## PRESENTATION OF VISITOR

The Chair welcomed the Honorable Merlin D. Hulse, former member of the Senate from Cedar County, who was present in the Senate chamber.

## AMENDMENTS FILED

S—5839	H.F.	2400	Emil J. Husak Michael E. Gronstal
S—5840	S.F.	484	House amendment
S—5841	S.F.	2314	John W. Jensen
S—5842	H.F.	566	Wally E. Horn
S—5843	H.F.	566	Wilmer Rensink Jim Lind Larry Murphy Jim Riordan
S—5844	H.F.	2283	Larry Murphy Richard Varn Jim Riordan
S—5845	S.F.	2328	Leonard L. Boswell
S—5846	S.F.	2309	Leonard L. Boswell
S—5847	S.F.	2314	Don Gettings Joe Welsh
S—5848	H.F.	2441	Joe Welsh Jack Rife
S—5849	S.F.	2309	Leonard Boswell Joe J. Welsh
S—5850	H.F.	2447	William W. Dieleman
S—5851	S.F.	2068	John A. Peterson
S—5852	H.F.	2400	Joe J. Welsh
S—5853	S.F.	2328	Berl E. Priebe Jim Riordan Leonard L. Boswell Joe Welsh Dale Tieden Ray Taylor John Soorholtz Kenneth Scott

S—5854	S. F.	2314	Lee W. Holt
S—5855	H. F.	566	Jim Riordan
S—5856	S. F.	2328	Jim Riordan
			Joe Welsh
			Leonard Boswell
			Beverly Hannon
			Jack Nystrom
			Larry Murphy
			Charles Bruner
			Tom Mann, Jr.
S—5857	H. F.	683	Ways and Means
S—5858	H. F.	2457	Ways and Means
S—5859	S. F.	2309	Bob Carr

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 5:38 p.m., until 9:00 a.m., Friday, April 8, 1988.

# JOURNAL OF THE SENATE

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EIGHTY-NINTH CALENDAR DAY  
SIXTIETH SESSION DAY

Senate Chamber  
Des Moines, Iowa, Friday, April 8, 1988

The Senate met in regular session at 9:12 a.m., President Zimmerman presiding.

Prayer was offered by the Honorable Donald E. Gettings, member of the Senate from Wapello County, Ottumwa, Iowa.

The Journal of Thursday, April 7, 1988, 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 6, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2234**, a bill for an act relating to the starting date and the calendar for schools (S—5861).

ALSO: That the House has on April 7, 1988, amended and adopted the following joint resolution in which the concurrence of the Senate is asked:

**Senate Joint Resolution 1**, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor (S—5860).

ALSO: That the House has on April 6, 1988, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

**House File 2316**, a bill for an act requiring gas and electric public utilities to provide annual gas or electric energy costs for certain properties to certain persons when requested in writing and making civil penalties applicable.

ALSO: That the House has on April 6, 1988, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was 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.

**House File 498**, a bill for an act to restrict the possession of ballistic knives and providing for the application of a penalty.

**House File 2117**, a bill for an act allowing certain name changes in divorce and annulment decrees.

**House File 2233**, a bill for an act relating to work programs for inmates of state correctional institutions.

**House File 2336**, a bill for an act relating to the confidentiality of certain records of a library.

**House File 2395**, a bill for an act permitting certain water utilities to become cooperatives and expanding allowable purposes under Chapter 499.

**House File 2406**, a bill for an act relating to access by the citizens' aide to confidential records and proceedings.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Nystrom for the morning 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 42 present, 8 absent and a quorum present.

### HOUSE AMENDMENTS CONSIDERED

#### Senate File 2091

Senator Doyle called up for consideration Senate File 2091, a bill for an act relating to the offense of disorderly conduct and making a penalty applicable, amended by the House, and moved

that the Senate concur in House amendment S—5767 filed April 5, 1988.

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. 2091) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Deluhery	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.	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Corning	Hutchins	Mann	Miller, C.P.
Murphy	Nystrom	Schwengels	

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2106

Senator Varn called up for consideration Senate File 2106, a bill for an act relating to the prohibition of the sale, offering for sale, purchase, application, or use of chlordane in this state, and making a penalty applicable, amended by the House, and moved that the Senate concur in House amendment S—5768 filed April 5, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Varn 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. 2106) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Gronstal	Hall
Hannon	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Palmer
Peterson	Rensink	Rife	Riordan
Scott	Soorholtz	Taylor	Tieden
Varn	Wells	Welsh	

Nays, 6:

Coleman	Gentleman	Goodwin	Priebe
Readinger	Vande Hoef		

Absent or not voting, 5:

Corning	Miller, C.P.	Nystrom	Schwengels
Sturgeon			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2238

Senator Doyle called up for consideration Senate File 2238, a bill for an act 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, and moved that the Senate concur in House amendment S—5769 filed April 5, 1988.



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. 2238) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
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	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Corning	Jensen	Miller, C.P.	Nystrom
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### Senate File 2259

Senator Coleman called up for consideration Senate File 2259, a bill for an act relating to the disposal of abandoned mobile homes and abandoned personal property of the abandoned mobile home owner, amended by the House, and moved that the Senate concur in House amendment S—5771 filed April 5, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Coleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2259) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Corning	Holt	Miller, C.P.	Nystrom
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2296

Senator Taylor called up for consideration Senate File 2296, a bill for an act requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education, amended by the House in House amendment S—5773 filed April 5, 1988.

Senator Varn offered amendment S—5809 filed by him on April 6, 1988, to House amendment S—5773 and moved its adoption.

A non record roll call was requested.

The ayes were 13, nays 26.

Amendment S—5809 lost.

Senator Murphy asked and received unanimous consent that further action on House amendment S—5773 and **Senate File 2296** be deferred.

### **Senate Joint Resolution 2006**

Senator Horn called up for consideration Senate Joint Resolution 2006, a joint resolution to nullify an administrative rule of the department of human services relating to the correction or expungement of information in the possession of the department concerning a case of alleged child abuse, amended by the House, and moved that the Senate concur in House amendment S—5770 filed April 5, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Horn moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.J.R. 2006) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Murphy	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Dieleman	Hultman	Hutchins	Mann
Miller, C.P.	Nystrom	Palmer	Peterson
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### **Senate Joint Resolution 1**

Senator Carr called up for consideration Senate Joint Resolution 1, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor, amended by the House in House amendment S—5860 filed April 8, 1988.

Senator Carr asked and received consent that further action on House amendment S—5860 and **Senate Joint Resolution 1** be **deferred**.

### **Senate File 2063**

Senator Doyle called up for consideration Senate File 2063, a bill for an act relating to the jurisdiction of magistrates, amended by the House, and moved that the Senate concur in House amendment S—5619 filed March 29, 1988.

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. 2063) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 9:

Gronstal  
Miller, C.P.  
Vande Hoef

Hultman  
Palmer

Hutchins  
Schwengels

Mann  
Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### Senate File 2017

Senator Holden called up for consideration Senate File 2017, a bill for an act relating to handicapped parking and the use, issuance, and display of handicapped identification devices, stickers, signs, and plates, providing a penalty and making penalties applicable; and providing an effective date, amended by the House in House amendment S—5800 filed April 6, 1988.

Senator Holden offered amendment S—5829 filed by him on April 6, 1988, to House amendment S—5800 and moved its adoption.

Amendment S—5829 was adopted by a voice vote.

Senator Holden moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Holden moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2017) the vote was:

Ayes, 46:

Boswell  
Corning  
Drake  
Gettings  
Hannon

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden

Coleman  
Doyle  
Gentleman  
Hall  
Holt

Horn	Hultman	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, 4:

Hutchins	Mann	Miller, C.P.	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### **Senate File 2068**

Senator Peterson called up for consideration Senate File 2068, a bill for an act to require a public hearing before the issuance of a permit to construct and operate a sanitary landfill, amended by the House in House amendment S—5801 filed April 6, 1988.

Senator Peterson offered amendment S—5851 filed by him on April 7, 1988, to House amendment S—5801.

Senator Deluhery asked and received unanimous consent that further action on amendment S—5851 to House amendment S—5801, House amendment S—5801 and **Senate File 2068** be deferred.

### **UNFINISHED BUSINESS** (Deferred March 30, 1988)

### **House File 2294**

The Senate resumed consideration of House File 2294, a bill for an act relating to testing for and confidentiality of human immunodeficiency virus-related matters and providing penalties, deferred March 30, 1988.

Senator Mann offered amendment S—5698 filed by him on March 30, 1988, to page 6 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 11, nays 30.

Amendment S—5698 lost.

Senator Priebe offered amendment S—5752 filed by Senators Priebe, et al., on April 4, 1988, to page 7 of the bill and moved its adoption.

Amendment S—5752 was adopted by a voice vote.

Senator Sturgeon offered amendment S—5811 filed by him on April 6, 1988, to page 9 of the bill and moved its adoption.

Amendment S—5811 was adopted 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. 2294 the vote was:

Ayes, 43:

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	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Drake	Hultman	Mann	Miller, C.P.
Riordan	Schwengels	Tieden	

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 File 2017** and **House File 2294** be immediately messaged to the House.

Senator Horn asked and received unanimous consent to send an **immediate message** to the House on **Senate Joint Resolution 2006**.

## 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, 1988, 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 2440**, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship and the department of natural resources (S—5871 to H—6014).

**House File 2443**, a bill for an act relating to and making appropriations to the justice system and providing an effective date (S—5874 to H—5992).

**House File 2444**, a bill for an act relating to regulatory bodies of state government by making appropriations to agencies, boards, commissions, departments, and programs of state government including the auditor of state, campaign finance, employment services, labor services, industrial services, job services, inspections and appeals, commerce, professional licensing and regulation, insurance, alcoholic beverages, banking, credit union, savings and loan, and utilities, by mandating certain studies, policies, and other actions by certain regulatory bodies, by increasing certain fees, by allocating certain expenses between state agencies, and by exempting certain regulatory personnel from the merit pay system and providing an effective date (S—5875 to H—6013).



UNFINISHED BUSINESS  
(Deferred April 6, 1988)

**House File 2396**

The Senate resumed consideration of House File 2396, a bill for an act relating to the establishment of the economic development finance corporation to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and creating a state assistance fund, deferred April 6, 1988.

Senator Readinger offered amendment S—5835 filed by Senators Readinger, Rife and Lind on April 7, 1988, to page 10 of the bill.

Senator Boswell raised the point of order that amendment S—5835 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5835 out of order.

Senator Readinger asked unanimous consent that House File 2396 be deferred for preparation of an amendment.

Senator Hutchins asked and received unanimous consent that **House File 2396** be temporarily deferred and be made a **special order of business** at 3:00 p.m., Friday, April 8, 1988.

UNFINISHED BUSINESS  
(Deferred April 6, 1988)

**House File 2386**

The Senate resumed consideration of House File 2386, a bill for an act relating to additional factors, requirements, and guidelines for providing assistance under the community economic betterment account of the Iowa plan fund and RISE program, deferred on April 6, 1988.

Senator Welsh called up the motion to reconsider the vote by which amendment S—5575 by the committee on Small Business and Economic Development was adopted by the Senate on March

30, 1988, filed by him on April 6, 1988, and found on page 1310 of the Senate Journal.

President pro tempore Kinley took the chair at 11:14 a.m.

Senator Welsh moved the adoption of the motion to reconsider.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2386) the vote was:

Ayes, 17:

Bruner	Carr	Coleman	Doyle
Gettings	Goodwin	Gronstal	Kinley
Lloyd-Jones	Mann	Murphy	Peterson
Priebe	Rife	Sturgeon	Varn
Welsh			

Nays, 29:

Boswell	Corning	Deluhery	Dieleman
Drake	Fraise	Fuhrman	Gentleman
Hall	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Lind	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Rensink	Riordan	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Wells			

Absent or not voting, 4:

Hannon	Holt	Readeringer	Schwengels
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The motion lost.

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. 2386) 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
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 3:

Gentleman	Lind	Rife
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Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2386** be **immediately messaged** to the House.

### HOUSE AMENDMENT CONSIDERED

#### **Senate File 2117**

Senator Coleman called up for consideration Senate File 2117, a bill for an act relating to certain speeding violations of ten miles per hour or less over the legal speed limit and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5706 filed March 31, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Coleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2117) the vote was:

Ayes, 48:

Boswell	Bruner	Carr	Coleman
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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	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 1:

Gentleman

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 2440

Senator Riordan called up for consideration House File 2440, a bill for an act relating to and making appropriations to the department of agriculture and land stewardship and the department of natural resources, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5871 to Senate amendment H—6014 filed April 8, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Riordan 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. 2440) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hall
Hannon	Hester	Holt	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Riordan	Scott	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 14:

Corning	Fuhrman	Gentleman	Goodwin
Holden	Hultman	Jensen	Lind
Readinger	Rensink	Rife	Taylor
Tieden	Vande Hoef		

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

President Zimmerman took the chair at 11:45 a.m.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 2444

Senator Peterson called up for consideration House File 2444, a bill for an act relating to regulatory bodies of state government by making appropriations to agencies, boards, commissions, departments, and programs of state government including the auditor of state, campaign finance, employment services, labor services, industrial services, job services, inspections and appeals, commerce, professional licensing and regulation, insurance, alcoholic beverages, banking, credit union, savings and loan, and utilities, by mandating certain studies, policies, and other actions by certain regulatory bodies, by increasing certain fees, by allocating certain expenses between state agencies, and by

exempting certain regulatory personnel from the merit pay system and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5875 to Senate amendment H—6013 filed April 8, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Peterson 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. 2444) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 30:

Boswell	Bruner	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Kinley	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Nystrom	Peterson	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Wells		

Nays, 18:

Carr	Corning	Fuhrman	Gentleman
Hall	Hester	Holden	Jensen
Lind	Mann	Murphy	Palmer
Readinger	Rensink	Rife	Vande Hoef
Varn	Welsh		

Absent or not voting, 2:

Priebe	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

**RECESS**

On motion of Senator Hutchins, the Senate recessed at 11:55 a.m., until 1:00 p.m.

## **APPENDIX**

### **REPORT OF COMMITTEE MEETING**

#### **WAYS AND MEANS**

**Convened:** April 7, 1988, 1:32 p.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:** Recommended passage of House Files 683, 2451 and 2457; approved SSB 2272 as a committee bill.

**Adjourned:** 2:15 p.m.

### **SUBCOMMITTEE ASSIGNMENTS**

#### **Senate File 2329**

**HUMAN RESOURCES:** Carr, Chair; Readinger and Corning

#### **Senate File 2330**

**HUMAN RESOURCES:** Bruner, Chair; Hannon and Gentleman

#### **SSB 2275**

**WAYS AND MEANS:** Bruner, Chair; Palmer and Holt

### **PRESENTATION OF VISITORS**

The Chair welcomed the following visitors who were present in the Senate gallery:

Eighteen twelfth grade students from Twin Rivers High School, Bode, Iowa, accompanied by Garvin Larson. Senator Priebe.

Thirty eighth grade students from Mar-Mac Middle School, McGregor, Iowa, accompanied by Mr. Vick, Mr. Elliott, Mr. Davies, Mrs. Larson, Mrs. Kelly and Mrs. Kautman. Senator Tieden.



Twenty sixth grade students from Orient-Macksburg Elementary School, Orient, Iowa, accompanied by John Dunlevy. Senators Riordan and Boswell.

## 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 8th day of April, 1988:

Senate Files 2090, 2172, 2182, 2202, 2216 and 2269.

JOHN F. DWYER  
Secretary of the Senate

## COMMITTEE REPORTS

### HUMAN RESOURCES

**Final Bill Action:** SENATE FILE 2329, a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions.

**Recommendation:** WITHOUT RECOMMENDATION.

**Final Vote:** Ayes, 9: Hannon, Bruner, Coleman, Corning, Lind, Murphy, Readinger, Sturgeon and Taylor. Absent or not voting, 3: Gentleman, Carr and C. Miller.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2330, a bill for an act relating to the provision of certain services to persons with mental retardation, a developmental disability, or mental illness.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5867.

**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:** NOT REQUIRED UNDER JOINT RULE 17.

## MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2310 passed the Senate on April 7, 1988.

BILL HUTCHINS

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5815 to House amendment S—5710 to Senate File 2310 was adopted by the Senate on April 6, 1988.

BILL HUTCHINS

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—5815 to House amendment S—5710 to Senate File 2310 was adopted by the Senate on April 6, 1988.

JOE J. WELSH

MADAM PRESIDENT: I move to reconsider the vote by which the Senate concurred in House amendment 5710 to Senate File 2310 on April 7, 1988.

BILL HUTCHINS

## AMENDMENTS FILED

S—5860	S. J. R.	1	House amendment
S—5861	S. F.	2234	House amendment
S—5862	S. F.	2328	Michael E. Gronstal
S—5863	H. F.	566	Larry Murphy
S—5864	S. F.	302	Beverly Hannon
S—5865	S. F.	2314	Joe Welsh
			Donald Gettings
			Jim Riordan
S—5866	S. F.	2314	James D. Wells
			Hurley W. Hall
S—5867	S. F.	2330	Human Resources
S—5868	S. F.	2296	Larry Murphy
			David Readinger
			Jim Lind
S—5869	S. F.	2314	Don Gettings
			Joe Welsh
			Lee W. Holt
			Richard F. Drake

S—5870	S.F.	484	Bill Hutchins
S—5871	H.F.	2440	Charles Bruner
S—5872	H.F.	683	House amendment
S—5873	S.F.	2068	Edgar H. Holden
S—5874	H.F.	2443	Patrick J. Deluhery
S—5875	H.F.	2444	House amendment
S—5876	S.F.	484	House amendment
S—5877	S.F.	2068	Al Sturgeon
S—5878	S.F.	2314	Calvin O. Hultman
			Joe Welsh
			Lee W. Holt

## AFTERNOON SESSION

The Senate reconvened at 1:03 p.m., Senator Holden presiding.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 1:14 p.m.

The vote revealed 39 present, 11 absent and a quorum present.

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 129**, by Holden, a concurrent resolution directing the state commissioner of elections to place an advisory statewide public measure relating to excursion boat gambling on the 1988 general election ballot.

Read first time and **passed on file**.

## COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

April 8, 1988

Mr. John F. Dwyer  
Secretary of the Senate  
State Capitol Building  
L O C A L

Dear Mr. Dwyer:

Pursuant to Section 2.32(4), 1987 Code of Iowa, I submit the deferral of the appointment to the Public Employment Relations Board for the position that is currently vacant due to the resignation of James McClimon. This appointment has been deferred because no individual has been selected.

Sincerely,  
TERRY E. BRANSTAD  
Governor

## MOTION TO RECONSIDER WITHDRAWN

### House File 2447

Senator Hutchins withdrew the motion to reconsider House File 2447, a bill for an act relating to human services, and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989 and providing effective dates, filed by him on April 7, 1988, and found on page 1343 of the Senate Journal.

## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2444, 2440 and 2447 be immediately messaged** to the House.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Coleman for the remainder of the day on request of Senator Hutchins.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 2443

Senator Fraise called up for consideration House File 2443, a bill for an act relating to and making appropriations to the justice system and providing an effective date, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5874 to Senate amendment H—5992 filed April 8, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Fraise 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. 2443) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hester	Holden	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Scott	Sturgeon	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 3:

Gentleman	Rensink	Taylor
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Absent or not voting, 8:

Coleman	Hall	Hannon	Kinley
Miller, C.P.	Rife	Schwengels	Soorholtz

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### HOUSE AMENDMENT CONSIDERED (Deferred April 7, 1988)

#### Senate File 2314

The Senate resumed consideration of Senate File 2314, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates, and House amendment S—5786 as amended, deferred April 7, 1988.

Senator Gettings offered amendment S—5869 filed by Senators Gettings, et al., from the floor to page 2 of House amendment S—5786 and moved its adoption.

Amendment S—5869 was adopted by a voice vote.

Senator Holt offered amendment S—5854 filed by him on April 7, 1988, to page 2 of House amendment S—5786 and moved its adoption.

Amendment S—5854 was adopted by a voice vote.

Senator Jensen offered amendment S—5841 filed by him on April 7, 1988, to page 2 of House amendment S—5786 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5841 to House amendment S—5786 be adopted?” the vote was:

Ayes, 36:

Boswell	Carr	Corning	Deluhery
Doyle	Drake	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Hester
Holden	Holt	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Taylor
Tieden	Vande Hoef	Wells	Welsh

Nays, 9:

Bruner	Dieleman	Gronstal	Hannon
Mann	Murphy	Palmer	Sturgeon
Varn			

Absent or not voting, 5:

Coleman	Hall	Kinley	Schwengels
Soorholtz			

Amendment S—5841 was adopted.

Senator Welsh asked and received unanimous consent to withdraw amendment S—5865 filed by Senators Welsh, Gettings and Riordan from the floor to page 3 of House amendment S—5786.

Senator Welsh offered amendment S—5879 filed by Senators Welsh and Gettings from the floor to page 3 of House amendment S—5786 and moved its adoption.

Amendment S—5879 was adopted by a voice vote.

Senator Wells asked and received unanimous consent to withdraw amendment S—5866 filed by Senators Wells and Hall from the floor to page 4 of House amendment S—5786.

Senator Welsh offered amendment S—5878 filed by Senators Welsh and Holt from the floor to page 4 of House amendment S—5786 and moved its adoption.

Amendment S—5878 was adopted by a voice vote.

Senator Gettings offered amendment S—5847 filed by Senators Gettings and Welsh on April 7, 1988, to page 5 of House amendment S—5786 and moved its adoption.

Amendment S—5847 was adopted by a voice vote.

Senator Gettings moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator 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. 2314) the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Husak	Hutchins	Jensen	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan



Scott	Soorholtz	Sturgeon	Vande Hoef
Varn	Wells	Welsh	

Nays, 3:

Hultman	Taylor	Tieden
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Absent or not voting, 4:

Coleman	Kinley	Lind	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2314** and **House File 2443** be **immediately messaged** to the House.

### MOTION TO RECONSIDER ADOPTED

Senator Sturgeon called up the motion to reconsider Senate File 2310 filed by him on April 7, 1988, found on page 1343 of the Senate Journal and moved its adoption.

On the question "Shall the motion to reconsider be adopted?" (S.F. 2310) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Fraise	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Jensen	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Soorholtz	Taylor	Varn	Wells
Welsh			

Nays, 8:

Dieleman	Fuhrman	Goodwin	Hester
Mann	Scott	Sturgeon	Tieden

Absent or not voting, 9:

Coleman  
Kinley  
Vande Hoef

Drake  
Lind

Holden  
Rensink

Holt  
Schwengels

The motion prevailed.

Senator Sturgeon moved to reconsider the vote by which Senate File 2310 went to its last reading, which motion prevailed by a voice vote.

### **Senate File 2310**

On motion of Senator Sturgeon, Senate File 2310, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks, was taken up for reconsideration.

Senator Hutchins called up the motion to reconsider the vote by which the Senate concurred in House amendment S—5710 as amended, to Senate File 2310 on April 7, 1988, filed by him on April 8, 1988, and found on page 1367 of the Senate Journal.

Senator Kinley asked and received unanimous consent that action on the motion to reconsider and **Senate File 2310** be **deferred**.

The Senate stood at ease until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session, President Zimmerman presiding.

### **LEAVE OF ABSENCE**

Leave of absence was granted as follows:

Senator Holt 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 37 present, 13 absent and a quorum present.

## BUSINESS PENDING (Special Order of Business)

### House File 2396

The Senate resumed consideration of House File 2396, a bill for an act relating to the establishment of the economic development finance corporation to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and creating a state assistance fund, previously deferred.

Senator Rife offered amendment S—5882 filed by Senators Readinger and Rife from the floor to page 10 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5882 be adopted?” (H.F. 2396) 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
Hultman	Jensen	Kinley	Lind
Nystrom	Palmer	Readinger	Rensink
Rife	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef		

Nays, 24:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Husak
Hutchins	Lloyd-Jones	Mann	Miller, A.V.

Miller, C.P.  
Scott

Murphy  
Varn

Peterson  
Wells

Riordan  
Welsh

Absent or not voting, 4:

Coleman

Holt

Priebe

Schwengels

Amendment S—5882 lost.

Senator Hutchins asked and received unanimous consent that further action on **House File 2396** be **deferred**.

### BUSINESS PENDING

#### Senate File 2310

The Senate resumed consideration of Senate File 2310, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks, and the motion to reconsider by Senator Hutchins the vote by which the Senate concurred in House amendment S—5710, previously deferred.

Senator Hutchins withdrew the motion to reconsider House amendment S—5710.

The Chair ruled amendment S—5880 filed by Senator Sturgeon from the floor to House amendment S—5710, out of order.

The Chair ruled the following motions to reconsider out of order:

The motion to reconsider the vote by which amendment S—5815 to House amendment S—5710 was adopted by the Senate on April 6, 1988, filed by Senator Hutchins on April 8, 1988, and found on page 1367 of the Senate Journal.

The motion to reconsider the vote by which amendment S—5815 to House amendment S—5710 was adopted by the Senate on April 6, 1988, filed by Senator Welsh on April 8, 1988, and found on page 1367 of the Senate Journal.

The motion to reconsider the vote by which Senate File 2310 passed the Senate on April 7, 1988, filed by Senator Hutchins on April 8, 1988, and found on page 1367 of the Senate Journal, was out of order.

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. 2310) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Fraise
Gettings	Goodwin	Gronstal	Hall
Hannon	Holden	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 6:

Drake	Fuhrman	Gentleman	Hester
Hultman	Jensen		

Absent or not voting, 4:

Coleman	Holt	Schwengels	Taylor
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2310** be **immediately messaged** to the House.

## HOUSE AMENDMENT CONSIDERED (Deferred April 7, 1988)

### Senate File 2309

The Senate resumed consideration of Senate File 2309, a bill for an act relating to and making appropriations to the department

of economic development, House amendment S—5753 as amended and division S—5846B by Senator Boswell to page 1 of House amendment S—5753, deferred on April 7, 1988.

Senator Carr offered amendment S—5884 filed by him from the floor to division S—5846B to House amendment S—5753 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5884 to division S—5846B to House amendment S—5753 be adopted?” (S.F. 2309) the vote was:

Ayes, 18:

Bruner	Carr	Doyle	Drake
Gronstal	Hannon	Kinley	Lloyd-Jones
Mann	Murphy	Palmer	Peterson
Priebe	Riordan	Soorholtz	Tieden
Varn	Welsh		

Nays, 26:

Boswell	Corning	Deluhery	Dieleman
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Hall	Horn	Hultman
Husak	Hutchins	Jensen	Lind
Miller, A.V.	Miller, C.P.	Nystrom	Readinger
Rensink	Rife	Scott	Taylor
Vande Hoef	Wells		

Absent or not voting, 6:

Coleman	Hester	Holden	Holt
Schwengels	Sturgeon		

Amendment S—5884 lost.

Senator Boswell moved adoption of division S—5846B to House amendment S—5753, which motion prevailed by a voice vote.

Senator Carr withdrew amendment S—5859 filed by him on April 7, 1988, to page 1 of House amendment S—5753.

Senator Boswell moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Boswell 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. 2309) the vote was:

Ayes, 39:

Boswell	Bruner	Corning	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hall	Hester	Holden	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Miller, A. V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Taylor
Tieden	Vande Hoef	Wells	

Nays, 7:

Carr	Gronstal	Hannon	Mann
Murphy	Varn	Welsh	

Absent or not voting, 4:

Coleman	Holt	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.

Senator Hutchins asked and received unanimous consent that **Senate File 2309** be **immediately messaged** to the House.

## HOUSE AMENDMENT CONSIDERED

### Senate File 484

Senator Mann called up for consideration 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, amended by the House in House amendment S—5840 filed April 7, 1988.

Senator Doyle offered amendment S—5883 filed by Senators Doyle and Hutchins from the floor to pages 3, 7, 8, 11 through 13, 17 through 20 and 23 and 24 of House amendment S—5840.

Senator Palmer called for a division of amendment S—5883 to House amendment S—5840:

Division S—5883A: Page 1, lines 4 through 12 and lines 19 through 50; page 2 and page 3, lines 1 through 5.

Division S—5883B: Page 1, lines 13 through 18.

Senator Doyle moved the adoption of division S—5883A to House amendment S—5840, which motion prevailed by a voice vote.

President pro tempore Kinley took the chair at 5:59 p.m.

President Zimmerman took the chair at 6:05 p.m.

Senator Doyle moved the adoption of division S—5883B to House amendment S—5840.

A record roll call was requested.

On the question “Shall division S—5883B to House amendment S—5840 be adopted?” (S.F. 484) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Corning
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Goodwin	Gronstal
Hall	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Lloyd-Jones
Miller, A.V.	Murphy	Nystrom	Priebe
Readinger	Rensink	Riordan	Scott
Taylor	Varn	Wells	Welsh



Nays, 13:

Fuhrman	Gentleman	Hannon	Hester
Kinley	Lind	Mann	Miller, C.P.
Palmer	Peterson	Rife	Soorholtz
Vande Hoef			

Absent or not voting, 5:

Coleman	Holt	Schwengels	Sturgeon
Tieden			

Division S—5883B was adopted.

Senator Bruner offered amendment S—5870 filed by him from the floor to pages 7 and 17 of House amendment S—5840.

Senator Hultman raised the point of order that amendment S—5870 to House amendment S—5840 was not germane.

The Chair ruled the point well taken and amendment S—5870 out of order.

Senator Gentleman offered amendment S—5881 filed by her from the floor to page 7 of House amendment S—5840.

Senator Riordan raised the point of order that amendment S—5881 to House amendment S—5840 was not germane.

The Chair ruled the point well taken and amendment S—5881 out of order.

Senator Gentleman offered amendment S—5889 filed by her from the floor to page 10 of House amendment S—5840.

Senator Doyle raised the point of order that amendment S—5889 to House amendment S—5840 was not germane.

The Chair ruled the point well taken and amendment S—5889 out of order.

Senator Bruner offered amendment S—5876 filed by Senator Sturgeon from the floor to pages 17 and 24 of House amendment S—5840.

Senator Peterson raised the point of order that amendment S—5876 to House amendment S—5840 was not germane.

Senator Bruner asked and received unanimous consent to withdraw amendment S—5876 to House amendment S—5840.

Senator Doyle moved that the Senate concur in the House amendment as amended.

On the question "Shall the motion to concur be adopted?" (S.F. 484) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hall
Hester	Horn	Hultman	Husak
Hutchins	Jensen	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Priebe	Readinger	Rensink	Riordan
Scott	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, 11:

Corning	Fuhrman	Gentleman	Hannon
Holden	Kinley	Lind	Palmer
Peterson	Rife	Soorholtz	

Absent or not voting, 5:

Coleman	Holt	Schwengels	Sturgeon
Tieden			

The motion prevailed and the Senate concurred in the House amendment as amended.

Senator Doyle moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 484) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
Gettings	Goodwin	Gronstal	Hall
Hester	Holden	Horn	Hultman

Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Priebe	Readinger	Rensink
Riordan	Scott	Taylor	Vande Hoef
Varn	Wells	Welsh	

Nays, 10:

Corning	Fuhrman	Gentleman	Hannon
Lind	Mann	Palmer	Peterson
Rife	Soorholtz		

Absent or not voting, 5:

Coleman	Holt	Schwengels	Sturgeon
Tieden			

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 484** be **immediately messaged** to the House.

### INTRODUCTION OF BILLS

**Senate File 2332**, by Hutchins and Hultman, a bill for an act relating to respiratory and emergency medical care.

Read first time and **passed on file**.

**Senate File 2333**, by Hutchins, a bill for an act relating to a conflict between civil service laws and the terms and conditions of a collective bargaining agreement pertaining to the mandatory bargaining subject of seniority as it affects promotions and transfers.

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 March 30, 1988, passed the following bill in which the concurrence of the House was asked:

**Senate File 2051**, a bill for an act relating to the development of soil and water resource conservation plans by soil and water conservation districts and the division of soil conservation of the department of agriculture and land stewardship.

ALSO: That the House has on April 5, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2312**, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date (S—5890).

ALSO: That the House has on April 8, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2465**, a bill for an act relating to taxation establishing an excise tax on motor fuel used in aircraft, establishing an excise tax on special fuel used in aircraft, eliminating the sales tax exemption for casual sales of aircraft, adding a sales and use tax exemption for the sale of certain aircraft, requiring a person first registering an aircraft to show evidence that the sales tax or use tax has been paid, prohibiting a motor fuel excise tax refund for motor fuel or special fuel taken out of the state in fuel supply tanks of aircraft or watercraft, prohibiting an income tax credit on fuel tax paid on motor fuel used in watercraft or aircraft, and providing an appropriation.

This bill was read first time and **passed on file**.

ALSO: That the House has, on April 8, 1988, **insisted on** its amendment to **Senate File 394**, a bill for an act relating to care of animals in commercial establishments, and the members of the **conference committee**, on the part of the House, are: The Representative from Des Moines, Mr. Norrgard, Chair; the Representative from Dickinson, Mrs. Gruhn, the Representative from Worth, Mr. May, the Representative from Winnebago, Mr. Branstad, and the Representative from Buchanan, Mr. Kremer.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 394** on the part of the Senate: Senators Riordan, Chair; Dieleman, Boswell, Goodwin and Vande Hoef.

## APPENDIX

### EXPLANATION OF VOTE

MADAM PRESIDENT: I arrived at my desk just as the voting machine was locked and therefore my vote was not counted on House File 2443. I would have voted "aye" on the bill.

BEVERLY HANNON

### SUBCOMMITTEE ASSIGNMENT

#### House File 2453

WAYS AND MEANS: Riordan, Chair; Murphy and Soorholtz

### REPORT OF COMMITTEE MEETING

#### APPROPRIATIONS

**Convened:** April 5, 1988, 12:04 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, Ranking Member (excused).

**Committee Business:** Explanation of LSB 8309.

**Recessed:** 12:25 p.m.

**Reconvened:** April 5, 1988, 1:25 p.m.

**Members Present:** Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

**Members Absent:** Schwengels, Ranking Member (excused).

**Committee Business:** Approved LSB 8309 as a committee bill.

**Recessed:** 2:50 p.m.

**Reconvened:** April 6, 1988, 2:41 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, Ranking Member (excused).

**Committee Business:** Approved LSBs 8469 and 8470 as committee bills.

**Adjourned:** 3:12 p.m.

### BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S. C. R.	129	State Government
S. F.	2332	State Government
S. F.	2333	Business and Labor Relations

### AMENDMENTS FILED

S—5879	S. F.	2314	Joe Welsh Donald Gettings
S—5880	S. F.	2310	Al Sturgeon
S—5881	S. F.	484	Julia Gentleman
S—5882	H. F.	2396	David Readinger Jack Rife
S—5883	S. F.	484	Donald Doyle Bill Hutchins
S—5884	S. F.	2309	Bob Carr
S—5885	S. F.	2193	Richard J. Varn Larry Murphy
S—5886	S. F.	2328	Leonard L. Boswell Joe Welsh
S—5887	S. F.	2328	Leonard L. Boswell Joe Welsh
S—5888	S. F.	2193	Larry Murphy
S—5889	S. F.	484	Julia Gentleman
S—5890	S. F.	2312	House amendment

ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 8:03 p.m., until 10:00 a.m., Monday, April 11, 1988.



## JOURNAL OF THE SENATE

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NINETY-SECOND CALENDAR DAY  
SIXTY-FIRST SESSION DAY

Senate Chamber  
Des Moines, Iowa, Monday, April 11, 1988

The Senate met in regular session at 10:08 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend J. Elmer Brunk, pastor of the United Methodist Church, Nora Springs, Iowa.

The Journal of Friday, April 8, 1988, 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 7, 1988, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

**House File 2155**, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts.

ALSO: That the House has on April 7, 1988, adopted the **conference committee report** and passed **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.

ALSO: That the House has on April 7, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2462**, a bill for an act relating to the licensing of dogs, subjecting violators to a penalty, and providing an effective date.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 7, 1988, passed the following bill in which the concurrence of the House was asked:

**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.

ALSO: That the House has on April 7, 1988, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

**House File 102**, a bill for an act relating to the prohibition of polygraph examinations as a condition of employment, and providing a penalty.

**House File 2433**, a bill for an act relating to public school vocational education in agriculture technology and creating a council for agricultural education.

**House File 2348**, a bill for an act relating to certain ambiguities and inconsistencies of the Code as they relate to city government.

ALSO: That the House has on April 7, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2262**, a bill for an act relating to organically produced food by providing for the establishment of standards, enforcement measures, penalties and an effective date (S—5891).

### QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 41 present, 9 absent and a quorum present.

### LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senator Schwengels for the remainder of the session on request of Senator Hultman and Senator Mann for the day on request of Senator Hutchins.

### 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:

Donna J. Weiss and Mark A. Stansberry as members of the Barber Examining Board.

Kenneth L. Mueller as a member of the Chiropractic Examining Board.

Jill M. Gift as a member of the Dietetic Examining Board.

Cheryl J. Richardson as a member of the Engineering and Land Surveying Examining Board.

Kennith Culp as a member of the Board of Nursing Examiners.

Molly Scott as a member of the Iowa Railway Finance Authority.

Phyllis S. Hanzell as a member of the Psychology Examining Board.

William G. Sizer as a member of the Credit Union Review Board.

Ingwer Hansen as a member of the Alcoholic Beverages Commission.

Ronald G. Richer as a member of the Board of Examiners for the Licensing and Regulation of Hearing Aid Dealers.

M. Susan Erickson as a member of the Landscape Architectural Examining Board.

James W. Hartzell, Ruth A. McAndrews and Colleen M. Reilly as members of the Optometry Examining Board.

John F. Rode as a member of the Pharmacy Examining Board.

Robert E. Anderson and John B. Wadsworth as members of the Physical and Occupational Therapy Examining Board.

Kenneth A. Putzier as a member of the Accountancy Examining Board.

Gordon E. Swenson as a member of the Agricultural Development Authority.

Joanne Grueskin 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, 46:

Boswell	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	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Bruner	Mann	Riordan	Schwengels
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The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

## CONFERENCE COMMITTEE REPORT CONSIDERED (House File 666)

### House File 666

Senator Dieleman called up the conference committee report on 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, filed March 15, 1988, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein were adopted.

Senator Dieleman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 666) 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, 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, 3:

Mann	Miller, A.V.	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2092

Senator Riordan called up for consideration Senate File 2092, a bill for an act establishing a community and rural development loan program and a sewage treatment works financing program to assist communities in financing sewage treatment projects and in financing traditional and new infrastructure and housing for needy and elderly, authorizing the Iowa finance authority to issue bonds and notes for the program, and providing an appropriation from a revolving fund to be used for each program, amended by the House, and moved that the Senate concur in House amendment S—5837 filed April 7, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Riordan moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2092) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Deluhery
Dieleman	Doyle	Drake	Fraise
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	Soorholtz	Sturgeon	Vande Hoef
Varn	Wells	Welsh	

Nays, 8:

Coleman	Corning	Fuhrman	Gentleman
Hultman	Jensen	Taylor	Tieden

Absent or not voting, 3:

Mann	Schwengels	Scott
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### CONSIDERATION OF BILLS (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2313.

#### Senate File 2313

On motion of Senator Gronstal, Senate File 2313, a bill for an act imposing additional hazardous waste fees with civil penalties applicable, 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. 2313) the vote was:

Ayes, 40:

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
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Nays, 7:

Holden	Holt	Hultman	Rife
Taylor	Tieden	Vande Hoef	

Absent or not voting, 3:

Jensen	Mann	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent to take up out of order House File 2451.

### House File 2451

On motion of Senator Dieleman, House File 2451, a bill for an act relating to the treatment of interest and dividends from state and other political subdivisions and from regulated investment companies in determining the alternative minimum tax for corporations and providing for retroactive applicability and effective dates, 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. 2451) 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.	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, 2:

Mann                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### House File 2457

On motion of Senator Husak, House File 2457, 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, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Husak offered amendment S—5858 filed by the committee on Ways and Means on April 7, 1988, to page 8 of the bill and moved its adoption.

Amendment S—5858 was adopted by a voice vote.

Senator Husak asked and received unanimous consent that further action on **House File 2457** be **deferred**.



## HOUSE AMENDMENTS TO SENATE AMENDMENTS CONSIDERED

### House File 105

Senator Wells called for consideration House File 105, a bill for an act relating to the appointment of assessors, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5797 to Senate amendment H—6093 filed April 6, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Wells moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 105) 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.	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, 2:

Mann	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## House File 278

Senator Kinley called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5796 to Senate amendment H—5214 filed April 6, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Kinley 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. 278) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Goodwin	Gronstal	Hall
Hannon	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	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Hester

Absent or not voting, 3:

Holden	Mann	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**House File 2367**

Senator Sturgeon called up for consideration House File 2367, a bill for an act relating to training for mandatory reporters of dependent adult abuse and child abuse, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5798 to Senate amendment H—6077 filed April 6, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Sturgeon 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. 2367) 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
Kinley	Lind	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, 1:

Gentleman

Absent or not voting, 3:

Lloyd-Jones	Mann	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENT CONSIDERED

## Senate File 149

Senator Tieden called up for consideration 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, amended by the House, and moved that the Senate concur in House amendment S—5738 filed April 4, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Tieden moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 149) 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.	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, 2:

Mann	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### UNFINISHED BUSINESS (Deferred April 8, 1988)

#### **Senate File 2068**

The Senate resumed consideration of Senate File 2068, a bill for an act to require a public hearing before the issuance of a permit to construct and operate a sanitary disposal project, House amendment S—5801, and amendment S—5851 by Senator Peterson to House amendment S—5801, deferred on April 8, 1988.

Senator Hultman offered amendment S—5877 filed by him on April 8, 1988, to House amendment S—5801 and moved its adoption.

Amendment S—5877 was adopted by a voice vote.

Senator Peterson asked and received unanimous consent that action on amendment S—5851 to House amendment S—5801 continue to be deferred.

Senator Deluhery withdrew amendment S—5873 filed by him on April 8, 1988, to House amendment S—5801.

The Senate resumed consideration of amendment S—5851 by Senator Peterson to House amendment S—5801, previously deferred.

Senator Hultman asked and received unanimous consent that further action on amendment S—5851 to House amendment S—5801, House amendment S—5801 as amended and **Senate File 2068** be deferred.

### UNFINISHED BUSINESS (Deferred April 8, 1988)

#### **House File 2396**

The Senate resumed consideration of House File 2396, a bill for an act relating to the establishment of the economic

development finance corporation to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and creating a state assistance fund, deferred on April 8, 1988.

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. 2396) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 16:

Corning	Fuhrman	Gentleman	Goodwin
Hester	Holden	Hultman	Jensen
Lind	Nystrom	Readinger	Rensink
Rife	Taylor	Tieden	Vande Hoef

Absent or not voting, 4:

Drake	Holt	Mann	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### WITHDRAWN

Senator Boswell asked and received unanimous consent that **Senate File 2071** be **withdrawn** from further consideration of the Senate.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that

**Senate Files 2092 and 2313 and House Files 278, 666, 2451, 105, 2367 and 2396 be immediately messaged to the House.**

**CONSIDERATION OF BILL  
(Ways and Means Calendar)**

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2331.

**Senate File 2331**

On motion of Senator Palmer, Senate File 2331, a bill for an act relating to the collection of fees for and the rights and duties of the sheriff regarding service of legal process and levy of execution, 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. 2331) 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.	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, 2:

Mann                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### SPECIAL GUEST

Senator Holden presented Robert F. Shaw, 1988 Iowa Small Business Person of the Year

Mr. Shaw, who was accompanied by his wife Donna, is owner of Shaw Electric Company in Davenport.

### UNFINISHED BUSINESS (Deferred March 25, 1988)

#### **House File 2278**

On motion of Senator Hester, House File 2278, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detention of juveniles in adult facilities, and providing penalties, was taken up for further consideration (substituted for Senate File 2222 and deferred March 25, 1988).

Senator Doyle offered amendment S—5823 filed by Senators Doyle and Mann on April 6, 1988, to pages 1 through 3 of the bill.

Senator Doyle asked and received unanimous consent that further action on amendment S—5823 be deferred.

Senator Gentleman offered amendment S—5813 filed by her on April 6, 1988, to page 3 of the bill.

Senator Hutchins asked and received unanimous consent that further action on amendments S—5823 and S—5813 and **House File 2278 be deferred.**

### RECESS

On motion of Senator Hutchins, the Senate recessed at 12:10 p.m., until 1:30 p.m.



## APPENDIX

### PETITIONS

The following petitions opposing any increase in beer, wine or liquor taxes were presented and placed on file by:

Senator Corning from two hundred eighty residents of northeast Iowa.

Senator Hester from fifty residents of Pottawattamie County.

Senator Hutchins from one hundred ten residents of Crawford County.

Senator Palmer from fifty-five residents of Polk County.

The following petitions were presented and placed on file by:

Senator Gettings from one hundred eleven residents of Wapello County opposing legislation providing for the creation of county review commissions, specifying their powers and duties, authorizing a tax levy and providing for the implementation of their recommendations.

Senator Hutchins from twenty-two residents of Osceola and O'Brien County favoring legislation appropriating funds for the development of the Brushy Creek state recreation area as a wilderness area resort.

Senator Wells from thirty-eight residents of Lind County favoring appropriations to purchase FAMIS terminals for human services direct data entry as a means to provide better service to meet the needs of clients.

### REPORT OF COMMITTEE MEETING

#### HUMAN RESOURCES

**Convened:** April 8, 1988, 8:25 a.m.

**Members Present:** Hannon, Chair; Bruner, Coleman (arrived 8:43 a.m.), Corning, Lind, Murphy, Readinger (arrived 8:48 a.m.), Sturgeon and Taylor.

**Members Absent:** Carr, Vice Chair and C. Miller.

**Committee Business:** Assigned bills to subcommittees; recommended passage of Senate File 2330 as amended; placed Senate File 2329 on the calendar without recommendation.

**Adjourned:** 8:50 a.m.

## COMMITTEE REPORT

### BUSINESS AND LABOR RELATIONS

**Final Bill Action:** SENATE FILE 2333, a bill for an act relating to a conflict between civil service laws and the terms and conditions of a collective bargaining agreement pertaining to the mandatory bargaining subject of seniority as it affects promotions and transfers.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 6: Wells, Horn, Gettings, Hultman, Welsh and Palmer. Nays, 3: Fuhrman, Holden and Vande Hoef. Absent or not voting, 1: Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty fifth grade students from Rex Mathis Elementary School, West Des Moines, Iowa, accompanied by Thalya Hanson. Senator 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 11th day of April, 1988:

Senate Files 156, 456, 2062, 2088, 2180, 2205 and 2273.

JOHN F. DWYER  
Secretary of the Senate

## AMENDMENTS FILED

S—5891	S. F.	2262	House amendment
S—5892	S. F.	2328	William W. Dieleman
S—5893	H. F.	2459	Michael Gronstal
S—5894	S. F.	2319	Michael Gronstal
S—5895	H. F.	2285	Michael Gronstal
S—5896	H. F.	2391	Edgar H. Holden
S—5897	H. F.	2419	Dale L. Tieden
S—5898	S. F.	2328	Leonard L. Boswell
			Joe Welsh
S—5899	S. F.	2328	Joe Welsh
S—5900	S. F.	2068	William W. Dieleman

## AFTERNOON SESSION

The Senate reconvened at 1:30 p.m., President Zimmerman presiding.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

Senator Jensen took the chair at 1:37 p.m.

The vote revealed 40 present, 10 absent and a quorum present.

## UNFINISHED BUSINESS

(Deferred March 30, 1988)

### House File 2419

The Senate resumed consideration of House File 2419, a bill for an act relating to initiating and effecting whole-grade sharing agreements, and amendment S—5536 by the committee on Education to the title page of the bill, deferred on March 30, 1988.

Senator Murphy moved the adoption of amendment S—5536, which motion prevailed by a voice vote.

Senator Murphy asked and received unanimous consent that action on amendment S—5537 filed by the committee on Education on March 24, 1988, to page 1 of the bill be deferred.

Senator Tieden asked and received unanimous consent that action on amendment S—5779 filed by Senators Tieden and Murphy on April 5, 1988, to amendment S—5537 be deferred.

Senator Tieden offered amendment S—5897 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5897 was adopted by a voice vote.

Senator Tieden asked and received unanimous consent to withdraw amendment S—5779 by Senators Tieden and Murphy to amendment S—5537, previously deferred.

Senator Murphy moved the adoption of amendment S—5537 by the committee on Education to page 1 of the bill, previously deferred.

Amendment S—5537 was adopted by a voice vote.

Senator Murphy offered amendment S—5576 filed by Senators Murphy, et al., on March 25, 1988, to pages 1, 4 and the title page of the bill.

Senator Corning offered amendment S—5701 filed by her on March 30, 1988, to amendment S—5576 and moved its adoption.

Amendment S—5701 was adopted by a voice vote.

Senator Murphy offered amendment S—5690 filed by him on March 30, 1988, to amendment S—5576.

President Zimmerman took the chair at 2:05 p.m.

Senator Murphy called for a division of amendment S—5690 to amendment S—5576: lines 4 through 15 and lines 19 through 25 as division S—5690A and lines 16 through 18 as division S—5690B.

Senator Murphy withdrew division S—5690B to amendment S—5576.

Senator Murphy moved the adoption of division S—5690A to amendment S—5576, which motion prevailed by a voice vote.

Senator Murphy moved the adoption of amendment S—5576 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. 2419) the vote was:

Ayes, 45:

Boswell  
Corning  
Drake  
Gettings  
Hannon

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden

Coleman  
Doyle  
Gentleman  
Hall  
Holt

Horn	Hultman	Husak	Hutchins
Jensen	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Kinley	Miller, C.P.	Peterson	Rife
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2331** and **House File 2419** be **immediately messaged** to the House.

### BUSINESS PENDING

#### House File 2278

The Senate resumed consideration of House File 2278, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detention of juveniles in adult facilities, and providing penalties, and amendments S—5813 by Senator Gentleman and S—5823 by Senators Doyle and Mann, previously deferred.

Senator Gentleman moved the adoption of amendment S—5813 to page 3 of the bill, which motion prevailed by a voice vote.

Senator Hester offered amendment S—5807 filed by him on April 6, 1988, to page 4 of the bill and moved its adoption.

Amendment S—5807 was adopted by a voice vote.

Senator Hester offered amendment S—5776 filed by him on April 5, 1988, to page 6 of the bill and moved its adoption.

Amendment S—5776 was adopted by a voice vote.

Senator Doyle offered amendment S—5903 filed by Senators Doyle and Gentleman from the floor to page 1 of the bill and moved its adoption.

Amendment S—5903 was adopted by a voice vote.

With the adoption of amendment S—5903, the Chair ruled amendment S—5823 by Senators Doyle and Mann to pages 1 through 3 of the bill, previously deferred, out of order.

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. 2278) 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	Mann
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, none.

Absent or not voting, 3:

Holden	Peterson	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2278** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to send an **immediate message** to the House on **Senate File 149**.

## BUSINESS PENDING

### House File 2457

The Senate resumed consideration of House File 2457, 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, previously deferred.

Senator Husak offered amendment S—5902 filed by Senators Husak and Miller of Cerro Gordo, from the floor to page 6 of the bill and moved its adoption.

Amendment S—5902 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. 2457) the vote was:

Ayes, 45:

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.
Miller, C.P.	Murphy	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Gentleman

Absent or not voting, 4:

Hester	Peterson	Riordan	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.

### UNFINIHD BUSINESS (Deferred March 31, 1988)

#### House File 2428

The Senate resumed consideration of House File 2428, a bill for an act increasing and establishing certain court filing fees, deferred March 31, 1988.

Senator Doyle offered amendment S—5635 filed by Senators Doyle and Mann on March 29, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5635 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. 2428) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
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	Scott	Soorholtz
Sturgeon	Taylor	Varn	Wells

Nays, 7:

Corning	Fuhrman	Hultman	Lind
Tieden	Vande Hoef	Welsh	

Absent or not voting, 3:

Peterson	Riordan	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILLS (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up for consideration Senate File 2329.

#### **Senate File 2329**

On motion of Senator Welsh, Senate File 2329, a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions, with report of committee on Human Resources without recommendation, was taken up for consideration.

Senator Gentleman asked and received unanimous consent that further action on **Senate File 2329** be **deferred** for preparation of an amendment.

#### **Senate File 2330**

On motion of Senator Bruner, Senate File 2330, a bill for an act relating to the provision of certain services to persons with mental retardation, a developmental disability, or mental illness, with report of committee on Human Resources recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5867 filed by the committee on Human Resources on April 8, 1988, to page 4 of the bill and moved its adoption.

Amendment S—5867 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. 2330) 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
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### 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 11, 1988, **insisted on** its amendment to **Senate File 2318**, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters, and the members of the **conference committee**, on the part of the House, are: The Representative from Polk, Mr. Sherzan, Chair; the Representative from Linn, Mr. Running, the Representative from Linn, Mr. Brammer, the Representative from Louisa, Mr. Corey, and the Representative from Sioux, Mr. Plasier.

ALSO: That the House has on April 8, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2311**, a bill for an act relating to and making appropriations to various state agencies including the elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management appropriating certain membership fees,

increasing fees collected by the office of the secretary of state, and appropriating moneys to the county assistance fund, the municipal assistance fund, and the moneys and credits replacement fund (S—5908).

## COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

April 11, 1988

Mr. John 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 name of M. Sue Warner, Johnston, Polk County, Iowa, for appointment to the Public Employment Relations Board pursuant to Section 20.5, 1987 Code of Iowa, for a term beginning May 1, 1988, and ending April 30, 1992.

Sincerely,  
TERRY E. BRANSTAD  
Governor

Communication was read and referred to the committee on **Rules and Administration**.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2318** on the part of the Senate: Senators Riordan, Chair; Wells, Mann, Holden and Fuhrman.

## WITHDRAWN

Senator Hester asked and received unanimous consent that **Senate File 2222** be **withdrawn** from further consideration of the Senate.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House Files 2457 and 2428 and Senate File 2330 be immediately messaged** to the House.

### HOUSE AMENDMENT CONSIDERED

(Deferred April 8, 1988)

#### **Senate Joint Resolution 1**

The Senate resumed consideration of 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, and House amendment S—5860, deferred on April 8, 1988.

Senator Carr moved that the Senate concur in the House amendment.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

### HOUSE AMENDMENT CONSIDERED

#### **Senate File 2311**

Senator Dieleman called up for consideration Senate File 2311, a bill for an act relating to and making appropriations to various state agencies including the elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management appropriating certain membership fees, increasing fees collected by the office of the secretary of state, and appropriating moneys to the county assistance fund, the municipal assistance fund, and the moneys and credits replacement fund, amended by the House, and moved that the Senate concur in House amendment S—5908 filed April 11, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Dieleman moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2311) 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
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Joint Resolution 1** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to send an **immediate message** to the House on **Senate File 2311**.

### BUSINESS PENDING

### Senate File 2068

The Senate resumed consideration of Senate File 2068, a bill

for an act to require public hearing before the issuance of a permit to construct and operate a sanitary landfill, House amendment S—5801 as amended and amendment S—5851 by Senator Peterson to House amendment S—5801, previously deferred.

Senator Dieleman offered amendment S—5900 filed by him from the floor to House amendment S—5801.

Senator Coleman took the chair at 3:36 p.m.

Senator Dieleman moved the adoption of amendment S—5900 to House amendment S—5801.

A non record roll call was requested.

The ayes were 5, nays 34.

Amendment S—5900 lost.

The Senate resumed consideration of amendment S—5851 by Senator Peterson to House amendment S—5801.

Senator Dieleman raised the point of order that amendment S—5851 to House amendment S—5801 was not germane.

The Chair ruled the point not well taken and amendment S—5851 in order.

President Zimmerman took the chair at 3:43 p.m.

Senator Dieleman asked and received unanimous consent that further action on House amendment S—5801, amendment S—5851 to House amendment S—5801 and **Senate File 2068** be **deferred**.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2328.

#### **Senate File 2328**

On motion of Senator Boswell, Senate File 2328, 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 Boswell offered amendment S—5887 filed by Senators Boswell and Welsh on April 8, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5887 was adopted by a voice vote.

Senator Dieleman offered amendment S—5892 filed by him from the floor to page 1 of the bill.

Senator Welsh raised the point of order that amendment S—5892 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5892 out of order.

Senator Boswell offered amendment S—5845 filed by him on April 7, 1988, to pages 1, 2, 9, 16 and 17 of the bill and moved its adoption.

Amendment S—5845 was adopted by a voice vote.

Senator Carr offered amendment S—5910 filed by Senators Carr, et al., from the floor to pages 2 and 3 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5910 be adopted?" (S.F. 2328) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hall	Hannon	Holden
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, C.P.	Riordan
Sturgeon	Varn	Wells	Welsh

Nays, 24:

Boswell	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hester	Holt
Hultman	Jensen	Lind	Miller, A.V.
Nyström	Palmer	Peterson	Priebe



Readinger	Rensink	Rife	Scott
Soorholtz	Taylor	Tieden	Vande Hoef

Absent or not voting, 2:

Murphy	Schwengels
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The Chair voted "aye" to break the tie and amendment S—5910 was adopted.

Senator Corning offered amendment S—5832 filed by her on April 7, 1988, to page 5 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5832 be adopted? (S.F. 2328) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hannon
Hester	Holden	Holt	Hultman
Jensen	Miller, C.P.	Nystrom	Palmer
Readinger	Rensink	Rife	Soorholtz
Taylor	Tieden	Varn	

Nays, 25:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gettings
Gronstal	Horn	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Peterson	Priebe	Riordan
Scott	Sturgeon	Vande Hoef	Wells
Welsh			

Absent or not voting, 2:

Murphy	Schwengels
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Amendment S—5832 lost.

Senator Hannon offered amendment S—5912 filed by her from the floor to pages 7 and 17 of the bill and called for a division: lines 2 through 8 as division S—5912A and lines 9 and 10 as division S—5912B.

With the adoption of amendment S—5845, the Chair ruled division S—5912B out of order.

Senator Hannon moved the adoption of division S—5912A.

A non record roll call was requested.

The ayes were 9, nays 34.

Division S—5912A lost.

Senator Jensen offered amendment S—5830 filed by Senators Jensen, et al., on April 7, 1988, to page 8 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 26.

Amendment S—5830 lost.

Senator Hall asked and received unanimous consent that action on amendment S—5913 filed by him from the floor to page 8 of the bill be deferred.

Senator Hall asked and received unanimous consent that action on amendment S—5918 filed by Senators Hall and Lind from the floor to page 8 of the bill be deferred.

Senator Welsh withdrew amendment S—5899 filed by him from the floor to page 9 of the bill.

Senator Welsh offered amendment S—5917 filed by Senators Welsh, Varn and Boswell from the floor to page 9 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 27, nays 16.

Amendment S—5917 was adopted.

Senator Corning offered amendment S—5833 filed by her on April 7, 1988, to page 9 of the bill and moved its adoption.

Amendment S—5833 was adopted by a voice vote.

Senator Priebe offered amendment S—5820 filed by Senators Priebe, et al., on April 6, 1988, to page 13 of the bill and moved its adoption.

Amendment S—5820 was adopted by a voice vote.

Senator Priebe offered amendment S—5853 filed by Senators Priebe, et al., on April 7, 1988, to page 13 of the bill and moved its adoption.

Amendment S—5853 was adopted by a voice vote.

Senator Riordan offered amendment S—5856 filed by Senators Riordan, et al., on April 7, 1988, to pages 13 and 19 of the bill.

Senator Lind asked and received unanimous consent that further action on amendment S—5856 be deferred.

Senator Hutchins asked and received unanimous consent that further action on **Senate File 2328** 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 5, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2304**, a bill for an act relating to the administration of legal representation of indigent persons in criminal cases by local public defenders, and the state public defender's office, and providing an effective date (S—5928).

ALSO: That the House has on April 11, 1988, **refused to concur** in the Senate amendment to the House amendment to the following bills in which the concurrence of the House was asked:

**Senate File 2164**, a bill for an act relating to the composition of the Iowa economic development board.

**Senate File 2314**, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates.

ALSO: That the House has on April 11, 1988, 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 2309**, a bill for an act relating to and making appropriations to the department of economic development.

### SENATE INSISTS

#### **Senate File 2314**

Senator Gettings called up for consideration Senate File 2314, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates, amended by the House, further amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2314** on the part of the Senate: Senators Gettings, Chair; Welsh, Coleman, Drake and Jensen.

## SENATE RECEDES

## Senate File 2164

Senator Boswell called up for consideration Senate File 2164, a bill for an act relating to the composition of the Iowa economic development board, amended by the House, further amended by the Senate and moved that the Senate recedes from its amendment.

The motion prevailed by a voice vote and the Senate **receded** from its amendment.

Senator 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. 2164) 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, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 3:

Miller, C.P.	Schwengels	Vande Hoef
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## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to send and **immediate message** to the House on **Senate Files 2164 and 2314**.

**BUSINESS PENDING****Senate File 2328**

The Senate resumed consideration of Senate File 2328, a bill for an act relating to the allocations and appropriations of lottery revenues and the programs for which the revenues may be used, and amendments S—5913, S—5918 and S—5856, previously deferred.

Senator Riordan moved the adoption of amendment S—5856 by Senators Riordan, et al., to pages 13 and 19 of the bill, which motion prevailed by a voice vote.

Senator Boswell offered amendment S—5898 filed by Senators Boswell and Welsh from the floor to page 13 of the bill and moved its adoption.

Amendment S—5898 was adopted by a voice vote.

Senator Hannon offered amendment S—5926 filed by her from the floor to pages 13 and 14 of the bill and moved its adoption.

Amendment S—5926 was adopted by a voice vote.

Senator Riordan offered amendment S—5921 filed by Senators Riordan and Hannon from the floor to page 13 of the bill and moved its adoption.

Amendment S—5921 lost by a voice vote.

Senator Kinley offered amendment S—5914 filed by Senators Kinley and Welsh from the floor to page 14 of the bill and moved its adoption.

Amendment S—5914 was adopted by a voice vote.

Senator Boswell offered amendment S—5886 filed by Senators Boswell and Welsh on April 8, 1988, to page 15 of the bill and moved its adoption.

Amendment S—5886 was adopted by a voice vote.

Senator Gentleman offered amendment S—5927 filed by her from the floor to page 15 of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5927 be adopted?" (S.F. 2328) the vote was:

Ayes, 16:

Corning	Gentleman	Goodwin	Hannon
Hester	Holt	Hultman	Jensen
Lind	Miller, C.P.	Nystrom	Readinger
Rensink	Taylor	Tieden	Vande Hoef

Nays, 29:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hall
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Rife
Scott	Soorholtz	Sturgeon	Varn
Welsh			

Absent or not voting, 5:

Fuhrman	Holden	Riordan	Schwengels
Wells			

Amendment S—5927 lost.

Senator Hannon offered amendment S—5916 filed by Senators Hannon, et al., from the floor to pages 15 and 19 of the bill.

President pro tempore Kinley took the chair at 6:12 p.m.

Senator Gronstal called for a division of amendment S—5916: lines 2 through 7 as division S—5916A and lines 8 through 38 as division S—5916B.

Senator Hannon moved the adoption of division S—5916A.

A record roll call was requested.

On the question "Shall division S—5916A be adopted?" (S.F. 2328) the vote was:

Ayes, 11:

Bruner	Corning	Gentleman	Gronstal
Hannon	Lind	Lloyd-Jones	Mann
Murphy	Riordan	Sturgeon	

Nays, 36:

Boswell	Carr	Coleman	Deluhery
Dieleman	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Miller, A.V.	Nystrom	Palmer
Priebe	Readinger	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Absent or not voting, 3:

Miller, C.P.	Peterson	Schwengels
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Division S—5916A lost.

Senator Hultman raised the point of order that division S—5916B was not germane to the bill.

The Chair ruled the point not well taken and division S—5916B in order.

Senator Priebe rose on a point of parliamentary inquiry to question whether lines 29 and 30 in division S—5916B were in order.

The Chair stated division S—5916B was in order.

Senator Hannon moved the adoption of division S—5916B.

A non record roll call was requested.

The ayes were 10, nays 35.

Division S—5916B lost.

Senator Gronstal offered amendment S—5862 filed by him on April 8, 1988, to page 16 of the bill and moved its adoption.

Amendment S—5862 was adopted by a voice vote.



Senator Sturgeon offered amendment S—5907 filed by Senators Sturgeon, et al., from the floor to page 17 of the bill and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5907 be adopted? (S.F. 2328) the vote was:

Ayes, 17:

Bruner	Carr	Corning	Deluhery
Dieleman	Gettings	Gronstal	Hannon
Holt	Lind	Lloyd-Jones	Mann
Miller, C.P.	Murphy	Riordan	Sturgeon
Varn			

Nays, 31:

Boswell	Coleman	Drake	Fraise
Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Horn	Hultman
Husak	Hutchins	Jensen	Kinley
Miller, A.V.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Wells	Welsh	

Voting present, 1:

Doyle

Absent or not voting, 1:

Schwengels

Amendment S—5907 lost.

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—5845 to Senate File 2328 was adopted by the Senate on April 11, 1988.

The motion prevailed by a voice vote and amendment S—5845 by Senator Boswell to pages 1, 2, 9, 16 and 17 of the bill, was taken up for reconsideration.

Senator Welsh offered amendment S—5915 filed by him from the floor to amendment S—5845 and moved its adoption.

Amendment S—5915 was adopted by a voice vote.

Senator Boswell asked and received unanimous consent that action on amendment S—5845 as amended be deferred.

Senator Lind 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—5832 to Senate File 2328 failed to be adopted by the Senate on April 11, 1988.

A record roll call was requested.

On the question “Shall the motion to reconsider be adopted?” (S.F. 2328) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 25:

Corning	Dieleman	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hannon
Hester	Holden	Holt	Hultman
Jensen	Lind	Mann	Miller, C.P.
Nystrom	Readinger	Rensink	Rife
Soorholtz	Sturgeon	Taylor	Vande Hoef
Varn			

Nays, 24:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gettings
Gronstal	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Tieden	Wells	Welsh

Absent or not voting, 1:

Schwengels

The motion prevailed and amendment S—5832 by Senator Corning to page 5 of the bill, was taken up for reconsideration.

Senator Corning moved the adoption of amendment S—5832.

A record roll call was requested.

On the question "Shall amendment S—5832 be adopted?" (S.F. 2328) the vote was:

Ayes, 27:

Corning	Dieleman	Drake	Fraise
Fuhrman	Gentleman	Gettings	Goodwin
Hall	Hannon	Hester	Holden
Holt	Hultman	Jensen	Lind
Murphy	Nystrom	Priebe	Readinger
Rensink	Rife	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	

Nays, 22:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Gronstal	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Palmer
Peterson	Riordan	Scott	Varn
Wells	Welsh		

Absent or not voting, 1:

Schwengels

Amendment S—5832 was adopted.

Senator Hall asked and received unanimous consent that action on amendment S—5925 filed by Senators Hall, Lind and Vande Hoef from the floor to page 8 of the bill be deferred.

Senator Vande Hoef offered amendment S—5930 filed by Senators Vande Hoef, Lind and Hall from the floor to page 8 of the bill.

President Zimmerman took the chair at 7:30 p.m.

Senator Vande Hoef moved the adoption of amendment S—5930 and requested a record roll call.

On the question "Shall amendment S—5930 be adopted?" (S.F. 2328) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 24:

Corning	Dieleman	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hester
Holden	Holt	Hultman	Jensen
Kinley	Lind	Miller, C.P.	Nystrom
Readinger	Rensink	Rife	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef

Nays, 24:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gronstal
Hannon	Horn	Husak	Hutchins
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Varn	Wells	Welsh

Absent or not voting, 2:

Drake	Schwengels
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Amendment S—5930 lost.

Senator Hall moved the adoption of amendment S—5918 by Senators Hall and Lind to page 8 of the bill, previously deferred.

A record roll call was requested.

On the question "Shall amendment S—5918 be adopted?" (S.F. 2328) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 23:

Corning	Dieleman	Fuhrman	Gentleman
Gettings	Goodwin	Hall	Hester
Holden	Holt	Horn	Hultman
Jensen	Kinley	Lind	Nystrom
Readinger	Rensink	Rife	Soorholtz
Taylor	Tieden	Vande Hoef	

Nays, 25:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Fraise	Gronstal
Hannon	Husak	Hutchins	Lloyd-Jones

Mann	Miller, A.V.	Miller, C.P.	Murphy
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Varn	Wells
Welsh			

Absent or not voting, 2:

Drake	Schwengels
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Amendment S—5918 lost.

Senator Hall withdrew amendment S—5913 by him to page 8 of the bill, previously deferred.

Senator Hall asked and received unanimous consent that amendment S—5925 by Senators Hall, Lind and Vande Hoef to page 8 of the bill, previously deferred, be withdrawn.

The Senate resumed consideration of amendment S—5845 as amended, by Senator Boswell to pages 1, 2, 9 16 and 17 of the bill, previously deferred.

Senator Boswell offered amendment S—5931 filed by Senators Boswell and Welsh from the floor to amendment S—5845 and moved it adoption.

Amendment S—5931 was adopted by a voice vote.

Senator Boswell moved the adoption of amendment S—5845 as amended, which motion prevailed by a voice vote.

Senator Boswell moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2328) the vote was:

Ayes, 29:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Fraise	Gettings
Holden	Holt	Horn	Husak
Hutchins	Kinley	Lloyd-Jones	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Scott	Soorholtz	Varn	Wells
Welsh			

Nays, 19:

Dieleman	Doyle	Fuhrman	Gentleman
Goodwin	Gronstal	Hall	Hannon
Hester	Hultman	Jensen	Lind
Mann	Miller, C.P.	Rife	Sturgeon
Taylor	Tieden	Vande Hoef	

Absent or not voting, 2:

Drake                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2328** be **immediately messaged** to the House.

## APPENDIX

### BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on April 11, 1988, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 2050 — Appropriating funds to the office of the attorney general to fund the legal assistance for farmers program and providing an effective date.

SENATE FILE 2129 — Relating to the issuance of warrants for drainage improvements.

SENATE FILE 2142 — Relating to recording, without fee, an acknowledgement of a mortgage foreclosure decree.

SENATE FILE 2167 — Relating to definition and regulation of tip-up fishing devices, and providing a penalty.

SENATE FILE 2174 — Making changes in the state's labor laws relating to occupational safety and health, safety inspection of amusement rides, and elevator safety, and providing injunctive relief under certain of those laws.

### PETITION

The following petition was presented and placed on file:

By Senator Scott from forty-seven residents of Chickasaw, Floyd, Howard, Mitchell and Cerro Gordo Counties opposing any increase in beer, wine and liquor taxes.

### STUDY BILLS RECEIVED

#### **SSB 2276 Ethics**

A resolution to amend the Senate Code of Ethics and the Rules of the Senate adopted by the Seventy-second General Assembly.

#### **SSB 2277 Ethics**

A resolution to amend the senate rules governing lobbyists.

## PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty fifth grade students from Lakeview Elementary School, Centerville, Iowa, accompanied by Linda Stephens. Senator Gettings.

## BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

H.F.	2462	Ways and Means
H.F.	2465	Ways and Means

## 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 11th day of April, 1988:

Senate File 2311.

JOHN F. DWYER  
Secretary of the Senate

## REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointment to a state board to a standing committee as indicated for investigation on April 11, 1988:

## BUSINESS AND LABOR RELATIONS

M. Sue Warner — Public Employment Relations Board.

BILL HUTCHINS, Chair



## EXPLANATION OF VOTES

MADAM PRESIDENT: I was necessarily absent from the Senate chamber on April 8, 1988.

Had I been present, I would have voted "aye" on Senate Files 2259, 2238, 2106 and 2091.

JOY CORNING

## AMENDMENTS FILED

S—5901	S.F.	302	Beverly A. Hannon
S—5902	H.F.	2457	Emil J. Husak
			Alvin V. Miller
S—5903	H.F.	2278	Donald V. Doyle
			Julia Gentleman
S—5904	H.F.	2441	Berl E. Priebe
			Emil J. Husak
			John E. Soorholtz
			Bill Hutchins
			Alvin V. Miller
			Kenneth Scott
			Dale Tieden
			Joe Welsh
			Linn Fuhrman
			Lee W. Holt
			Tom Mann
			Donald Doyle
			Hurley W. Hall
			Leonard L. Boswell
			Eugene Fraise
			Donald Gettings
			John A. Peterson
S—5905	H.F.	2441	Emil J. Husak
			Berl E. Priebe
			Jim Lind
			Joe Welsh
			William Palmer
			Richard F. Drake
			John Jensen
			Dale Tieden

S—5906	S. F.	2333	John Soorholtz
S—5907	S. F.	2328	Tom Mann, Jr.
			Al Sturgeon
			Beverly A. Hannon
			Larry Murphy
			Jim Riordan
			C. Joseph Coleman
			Richard Varn
			Jim Lind
			Bob Carr
			Michael E. Gronstal
			Charles Bruner
S—5908	S. F.	2311	House amendment
S—5909	S. F.	2296	Larry Murphy
			Richard Varn
S—5910	S. F.	2328	Bob Carr
			Larry Murphy
			Al Sturgeon
			Richard Varn
			Tom Mann, Jr.
			Joe Welsh
			Donald V. Doyle
			Charles Bruner
			Wally Horn
			Eugene Fraise
			C. Joseph Coleman
S—5911	S. F.	2329	Julia Gentleman
			David Readinger
			Beverly A. Hannon
S—5912	S. F.	2328	Beverly A. Hannon
S—5913	S. F.	2328	Hurley W. Hall
S—5914	S. F.	2328	George Kinley
			Joe Welsh
S—5915	S. F.	2328	Joe Welsh
S—5916	S. F.	2328	Beverly A. Hannon
			Charles Bruner
			Al Sturgeon
			Jean Lloyd-Jones
S—5917	S. F.	2328	Joe Welsh
			Richard Varn
			Leonard Boswell
S—5918	S. F.	2328	Hurley W. Hall

S—5919	S.F.	2312	Jim Lind
S—5920	S.F.	2333	Linn Fuhrman
S—5921	S.F.	2328	Charles Bruner
			Jim Riordan
			Beverly A. Hannon
S—5922	H.F.	2441	Michael E. Gronstal
S—5923	S.F.	2312	Leonard Boswell
S—5924	S.F.	2333	Charles Bruner
S—5925	S.F.	2328	Hurley W. Hall
			Jim Lind
			Richard Vande Hoef
S—5926	S.F.	2328	Beverly A. Hannon
S—5927	S.F.	2328	Julia Gentleman
S—5928	S.F.	2304	House amendment
S—5929	S.F.	2312	Richard Vande Hoef
S—5930	S.F.	2328	Richard Vande Hoef
			Jim Lind
			Hurley Hall
S—5931	S.F.	2328	Leonard Boswell
			Joe Welsh
S—5932	S.F.	2312	Larry Murphy
S—5933	S.F.	2068	William W. Dieleman

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:52 p.m., until 9:00 a.m., Tuesday, April 12, 1988.

# JOURNAL OF THE SENATE

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NINETY-THIRD CALENDAR DAY  
SIXTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, April 12, 1988

The Senate met in regular session at 9:08 a.m., President Zimmerman presiding.

Prayer was offered by the Reverend Tony Mendoza, pastor of the Grandview Park Baptist Church, Des Moines, Iowa. Pastor Mendoza, who is deaf, was accompanied by Joy Tish, his interpreter, who voiced his prayer.

The Journal of Monday, April 11, 1988, 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 8, 1988, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

**House File 2113**, a bill for an act relating to the dispensing of prescription drugs.

**House File 2192**, a bill for an act exempting certain vessels from displaying registration and passenger capacity numbers.

**House File 2437**, a bill for an act relating to utilization of energy resources in the state including the implementation of energy conservation measures.

ALSO: That the House has on April 8, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2058**, a bill for an act exempting the withholding agent from the requirement to withhold state income taxes from payments made to a nonresident, if the payments are from the sale of federal commodity certificates or agricultural commodities

or products and the withholding agent submits needed information (S—5937).

ALSO: That the House has on April 8, 1988, concurred in the Senate amendment to the House amendment and passed the following bills in which the concurrence of the House was asked:

**Senate File 2135**, a bill for an act relating to limiting the assets of the grain depositors and sellers indemnity fund, and providing for an early effective date.

**Senate File 2284**, a bill for an act relating to the disclosure of mental health information.

ALSO: That the House has on April 8, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2449**, a bill for an act to legalize the proceedings of the board of directors of the M-F-L Community School District relating to the sale of certain real estate.

This bill was read first time and **passed on file**.

ALSO: That the House has on April 11, 1988, 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 2377**, a bill for an act relating to the establishment of programs for paying for college costs, including the provision for the state board of regents to issue revenue bonds that are payable at times determined by the board and the preparation of an educational program and marketing strategies by the college aid commission in cooperation with the state board of regents (S—5935 to H—6328).

ALSO: That the House has on April 11, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2323**, 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 (S—5936).

## 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.

## HOUSE AMENDMENT CONSIDERED

### Senate File 464

Senator Sturgeon called up for consideration Senate File 464, a bill for an act relating to the regulation of health clubs and providing penalties, amended by the House, and moved that the Senate concur in House amendment S—5654 filed March 30, 1988.

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. 464) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Gronstal	Hall	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lloyd-Jones	Mann
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, 2:

Gentleman	Holden
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Absent or not voting, 4:

Hannon	Kinley	Lind	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

**HOUSE AMENDMENT CONSIDERED**  
(Deferred April 11, 1988)

**Senate File 2068**

The Senate resumed consideration of Senate File 2068, a bill for an act to require a public hearing before the issuance of a permit to construct and operate a sanitary landfill, House amendment S—5801 as amended, and amendment S—5851 by Senator Peterson to House amendment S—5801, deferred on April 11, 1988.

Senator Dieleman withdrew amendment S—5933 filed by him on April 11, 1988, to amendment S—5851 to House amendment S—5801.

Senator Peterson moved the adoption of amendment S—5851 to House amendment S—5801, which motion prevailed by a voice vote.

Senator Peterson moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Peterson 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. 2068) the vote was:

Ayes, 39:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Gentleman	Gettings	Goodwin
Hall	Hannon	Holt	Horn
Husak	Hutchins	Kinley	Lind
Lloyd-Jones	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe

Readeringer  
Scott  
Tieden

Rensink  
Soorholtz  
Varn

Rife  
Sturgeon  
Welsh

Riordan  
Taylor

Nays, 6:

Dieleman  
Mann

Fuhrman  
Vande Hoef

Holden

Hultman

Absent or not voting, 5:

Gronstal  
Wells

Hester

Jensen

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

## HOUSE AMENDMENTS CONSIDERED

### Senate File 2234

Senator Tieden called up for consideration Senate File 2234, a bill for an act relating to the starting date and the calendar for schools, amended by the House, and moved that the Senate concur in House amendment S—5861 filed April 8, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Tieden moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2234) the vote was:

Ayes, 43:

Boswell  
Deluhery  
Fraise  
Goodwin  
Holt  
Hutchins  
Lloyd-Jones  
Palmer

Bruner  
Dieleman  
Fuhrman  
Hall  
Horn  
Jensen  
Miller, C.P.  
Peterson

Coleman  
Doyle  
Gentleman  
Hannon  
Hultman  
Kinley  
Murphy  
Priebe

Corning  
Drake  
Gettings  
Holden  
Husak  
Lind  
Nystrom  
Readeringer



Rensink  
Soorholtz  
Varn

Rife  
Taylor  
Wells

Riordan  
Tieden  
Welsh

Scott  
Vande Hoef

Nays, 3:

Carr

Gronstal

Mann

Absent or not voting, 4:

Hester

Miller, A.V.

Schwengels

Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### HOUSE AMENDMENT CONSIDERED (Deferred April 8, 1988)

#### **Senate File 2296**

The Senate resumed consideration of Senate File 2296, a bill for an act requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education, and House amendment S—5773, deferred on April 8, 1988.

Senator Murphy offered amendment S—5868 filed by Senators Murphy, Readinger and Lind on April 8, 1988, to House amendment S—5773 and moved its adoption.

Amendment S—5868 lost by a voice vote.

Senator Murphy offered amendment S—5909 filed by Senators Murphy and Varn on April 11, 1988, to House amendment S—5773 and moved its adoption.

Amendment S—5909 was adopted by a voice vote.

Senator Taylor moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Taylor 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. 2296) the vote was:

Ayes, 42:

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	Lloyd-Jones	Miller, A.V.
Nystrom	Priebe	Readinger	Rensink
Rife	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 5:

Lind	Mann	Miller, C.P.	Murphy
Riordan			

Absent or not voting, 3:

Palmer	Peterson	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.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to send an **immediate message** to the House on **Senate Files 464 and 2234**.

Senator Hutchins asked and received unanimous consent that **Senate Files 2068 and 2296** be **immediately messaged** to the House.

## BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate File 2141** be referred from the Appropriations Calendar to the committee on **Appropriations** and that **Senate File 2154** be referred from the Unfinished Business Calendar to the committee on **Appropriations**.

## UNFINISHED BUSINESS

(Deferred April 11, 1988)

**Senate File 2329**

The Senate resumed consideration of Senate File 2329, a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions, deferred April 11, 1988.

Senator Gentleman offered amendment S—5911 filed by Senators Gentleman, Readinger and Hannon on April 11, 1988, to pages 1 through 5 of the bill.

President pro tempore Kinley took the chair at 10:56 a.m.

Senator Gentleman moved the adoption of amendment S—5911 and requested a record roll call.

On the question "Shall amendment S—5911 be adopted?" (S.F. 2329) the vote was:

Ayes, 11:

Drake	Fuhrman	Gentleman	Goodwin
Hannon	Hester	Jensen	Readinger
Rife	Taylor	Vande Hoef	

Nays, 36:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Gettings	Gronstal	Hall
Holden	Holt	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Rensink

Riordan  
Tieden

Scott  
Varn

Soorholtz  
Wells

Sturgeon  
Welsh

Absent or not voting, 3:

Hultman

Miller, C.P.

Schwengels

Amendment S—5911 lost.

Senator Welsh asked and received unanimous consent that further action on **Senate File 2329** be **deferred**.

### MOTION TO RECONSIDER WITHDRAWN

#### House File 2303

Senator Miller of Cerro Gordo withdrew the motion to reconsider House File 2303, a bill for an act relating to nontraditional insurance arrangements by prohibiting the incorporation or reincorporation of a benevolent association, providing for the regulation of risk retention groups and purchasing groups, increasing surplus requirements for reciprocal insurers and repealing an exemption to the applicability of state law to certain reciprocal insurance contracts, and providing penalties, filed by him on April 7, 1988, and found on page 1328 of the Senate Journal.

### INTRODUCTION OF BILL

**Senate File 2334**, by Hutchins and Hultman, a bill for an act deleting the requirement that court rule changes made by the supreme court be published in the Acts of the general assembly.

Read first time and **passed on file**.

### 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 8, 1988, 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 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 (S—5940 to H—6137).

ALSO: That the House has on April 8, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2039**, a bill for an act allowing certain personalized vehicle registration plates to contain up to seven characters and providing an effective date (S—5941).

ALSO: That the House has on April 11, 1988, 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 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 (S—5942 to H—4383).

ALSO: That the House has on April 11, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2250**, a bill for an act relating to environmental protection by correcting the reference to the membership of the advisory committee for the center for health effects of environmental contamination; by establishing requirements regarding sanitary disposal project inspections, the disposal of solid waste, and the solid waste tonnage fee; by making corrections relating to the collection and allocation of moneys within the solid waste account and the agriculture management account; by correcting a reference to the duties of the department of natural resources regarding household hazardous materials; and by specifying the content and liability for the content of statements submitted with a declaration of value regarding the existence and

location of wells, disposal sites, underground storage tanks, and hazardous waste (S—5946).

### RECESS

On motion of Senator Hutchins, the Senate recessed at 11:20 a.m., until 2:30 p.m.

## 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 12th day of April, 1988:

Senate Files 450, 2164, 2190, 2201, 2246, 2280, 2281, 2302 and 2309.

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 enrolling Senate File 2246, the following correction was made:

1. Page 2, line 7, the words "both;. As" were changed to the words "both. As".

JOHN F. DWYER  
Secretary of the Senate

### REPORT OF COMMITTEE MEETING

#### BUSINESS AND LABOR RELATIONS

**Convened:** April 11, 1988, 10:05 a.m.

**Members Present:** Wells, Chair; Fuhrman, Ranking Member; Gettings, Holden, Horn, Hultman, Palmer, Vande Hoef and Welsh.

**Members Absent:** Mann, Vice Chair.

**Committee Business:** Assigned Senate File 2333 to a subcommittee and recommended passage of Senate File 2333.

**Adjourned:** 10:15 a.m.

### SUBCOMMITTEE ASSIGNMENTS

**House File 2462**

**WAYS AND MEANS:** Dieleman, Chair; Mann and Holt

**House File 2465**

WAYS AND MEANS: Murphy, Chair; Drake and Bruner

**PRESENTATION OF VISITORS**

The Chair welcomed the following visitors who were present in the Senate gallery:

Thirty fifth grade students from Western Hills Elementary School, West Des Moines, Iowa, accompanied by Paul Linn. Senator Gentleman.

Six fifth grade students from Fort Madison Public School, Fort Madison, Iowa, accompanied by Mrs. Amelia Reno and Mrs. Carolyn Wiggins. Senator Fraise.

Seventeen eighth grade students from St. John's School, Bancroft, Iowa, accompanied by Madeline Summitt and Gene Meister. Senator Priebe.

**AMENDMENTS FILED**

S—5934	H.F.	2459	Calvin O. Hultman
S—5935	H.F.	2377	House amendment
S—5936	S.F.	2323	House amendment
S—5937	S.F.	2058	House amendment
S—5938	H.F.	566	Jim Riordan
S—5939	H.F.	566	Jim Riordan
S—5940	H.F.	393	House amendment
S—5941	S.F.	2039	House amendment
S—5942	H.F.	649	House amendment
S—5943	S.F.	2333	Jim Riordan
S—5944	S.F.	2312	Richard Varn
			Larry Murphy
			Wally E. Horn
S—5945	S.F.	2312	Leonard Boswell
S—5946	S.F.	2250	House amendment



## AFTERNOON SESSION

The Senate reconvened at 2:42 p.m., Senator Nystrom presiding.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 2:43 p.m.

The vote revealed 39 present, 11 absent and a quorum present.

## 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 11, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2464**, a bill for an act relating to the lease or lease-purchase and disposal of real or personal property by the department of general services and providing a standing appropriation of proceeds previously deposited.

This bill was read first time and **assigned to the committee on Appropriations**.

ALSO: That the House has on April 12, 1988, 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 2447**, a bill for an act relating to human services, and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989 and providing effective dates (S—5949 to H—6347).

ALSO: That the members of the **conference committee**, appointed April 12, 1988, on **Senate File 2314**, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective

dates, on the part of the House, are: The Representative from Pottawattamie, Mr. Pavich, chair; the Representative from Dubuque, Mr. Jochum, the Representative from Des Moines, Mr. Cohoon, the Representative from Muscatine, Mr. Platt, and the Representative from Clarke, Mr. Beaman.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2262

Senator Riordan called up for consideration Senate File 2262, a bill for an act relating to organically produced food by providing for the establishment of standards, enforcement measures, penalties and an effective date, amended by the House, and moved that the Senate concur in House amendment S—5891 filed April 11, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Riordan moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2262) the vote was:

Ayes, 37:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gentleman	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Jensen	Kinley
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Varn	Wells
Welsh			

Nays, 10:

Fuhrman	Goodwin	Hester	Holden
Holt	Hultman	Rensink	Rife
Tieden	Vande Hoef		

Absent or not voting, 3:

Lind

Miller, C.P.

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to send an **immediate message** on **Senate File 2262**.

### HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

#### House File 2447

Senator Lloyd-Jones called up for consideration House File 2447, a bill for an act relating to and making appropriations to the department of human services for the fiscal year beginning July 1, 1988, and ending June 30, 1989, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5949 to Senate amendment H—6347 filed April 12, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Lloyd-Jones 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. 2447) the vote was:

Ayes, 46:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Kinley

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Hultman  
Lloyd-Jones

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Hutchins  
Mann

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Jensen  
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:

Husak	Lind	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 that **House File 2447** be **immediately messaged** to the House.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2312

Senator Varn called up for consideration Senate File 2312, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date, amended by the House in House amendment S—5890 filed April 8, 1988.

Senator Varn offered amendment S—5944 filed by Senators Varn, Murphy and Horn from the floor to pages 1 through 6 and 8 through 23 of House amendment S—5890.

Senator Varn offered amendment S—5948 filed by him from the floor to amendment S—5944 to House amendment S—5890 and moved its adoption.

Amendment S—5948 was adopted by a voice vote.

Senator Boswell withdrew amendment S—5945 filed by him from the floor to amendment S—5944 to House amendment S—5890.

### SPECIAL GUESTS

President Zimmerman presented Iowa's four top seventh and eighth grade math students who participated with 1,600 students from 200 schools in Iowa in the math contest called MATHCOUNTS, sponsored by the National Society of Professional Engineers and by the Iowa Engineering Society:

4th Place: Jason Schleeter, an 8th grader at Prairie Middle School in Cedar Rapids;

3rd Place: Kwan Chin Woo, an 8th grader at Ames Middle School in Ames;

2nd Place: Dean Jens, a 7th grader at Parkview Middle School in Ankeny;

1st Place: Mike Ford, an 8th grader at Miller Middle School in Marshalltown.

The students were accompanied by teacher/coach, Judith Slazak of Prairie Middle School of Cedar Rapids.

The teacher/coach and students will compete not as individuals but as a team in the final stage of MATHCOUNTS on May 13, 1988, in Washington, D.C., against teams from every state, Guam and Puerto Rico.

### BUSINESS PENDING

#### **Senate File 2312**

The Senate resumed consideration of Senate File 2312.

Senator Hultman offered amendment S—5951 filed by him from the floor to amendment S—5944 to House amendment S—5890 and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5951 to amendment S—5944 to House amendment S—5890 be adopted?" (S.F. 2312) the vote was:

Ayes, 20:

Boswell	Drake	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Holt	Hultman	Husak	Jensen
Lind	Rensink	Rife	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef

Nays, 28:

Bruner	Carr	Coleman	Deluhery
Dieleman	Doyle	Fraise	Gettings
Gronstal	Hannon	Horn	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Riordan
Scott	Varn	Wells	Welsh

Absent or not voting, 2:

Corning                      Schwengels

Amendment S—5951 lost.

Senator Readinger offered amendment S—5952 filed by him from the floor to amendment S—5944 to House amendment S—5890 and moved its adoption.

Amendment S—5952 was adopted by a voice vote.

Senator Varn moved the adoption of amendment S—5944 as amended to House amendment S—5890, which motion prevailed by a voice vote.

With the adoption of amendment S—5944 as amended to House amendment S—5890, the Chair ruled the following amendments to House amendment S—5890, out of order:

S—5919 filed by Senator Fuhrman on April 11, 1988, to page 10.

S—5923 filed by Senator Boswell on April 11, 1988, to page 9.

S—5929 filed by Senator Vande Hoef on April 11, 1988, to page 10.

Senator Murphy offered amendment S—5932 filed by him on April 11, 1988, to page 12 of House amendment S—5890 and moved its adoption.

Amendment S—5932 was adopted by a voice vote.

Senator Varn moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Varn 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. 2312) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	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, 1:

Gentleman

Absent or not voting, 3:

Gettings	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.

## 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 12, 1988, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

**Senate File 2310**, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks.

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 130**, by Lloyd-Jones, Mann, Carr, Riordan, Gronstal, Hannon, Readinger, Lind, Welsh and Murphy, a concurrent resolution relating to the establishment of an interim committee to review and report on the investment of state funds in companies doing business with South Africa.

Read first time and assigned to the committee on **Rules and Administration**.

## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2312** be **immediately messaged** to the House.

## SENATE INSISTS

### **Senate File 2310**

Senator Sturgeon called up for consideration Senate File 2310, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the



criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks, amended by the House, further amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2310** on the part of the Senate: Senators Sturgeon, Chair; Miller of Cerro Gordo, Gronstal, Readinger and Tieden.

### BUSINESS PENDING

#### Senate File 2329

The Senate resumed consideration of Senate File 2329, a bill for an act relating to the bill of rights of persons with mental retardation, a developmental disability, or chronic mental illness and providing applicability provisions, previously deferred.

Senator Welsh moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2329) the vote was:

Ayes, 36:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Gettings	Goodwin
Gronstal	Hall	Holt	Horn
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rensink	Riordan	Scott	Soorholtz
Vande Hoef	Varn	Wells	Welsh

Nays, 9:

Fuhrman	Gentleman	Hannon	Hester
Holden	Hultman	Readinger	Taylor
Tieden			

Absent or not voting, 5:

Kinley  
Sturgeon

Miller, C.P.

Rife

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate File 2329** be **immediately messaged** to the House.

Senator Hutchins asked and received unanimous consent to send an **immediate message** to the House on **Senate File 2310**.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kinley for the remainder of the afternoon on request of Senator Horn.

### CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 2318)

A conference committee report signed by the following Senate and House members was filed April 12, 1988, on Senate File 2318, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters:

On the Part of the Senate:

JAMES R. RIORDAN, Chair  
LINN FUHRMAN  
EDGAR H. HOLDEN  
THOMAS MANN, JR.  
JAMES D. WELLS

On the Part of the House:

GARY SHERZAN, Chair  
PHIL BRAMMER  
RICHARD V. RUNNING

## CONFERENCE COMMITTEE REPORT ADOPTED

**Senate File 2318**

Senator Riordan called up the conference committee report on Senate File 2318, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters, filed April 12, 1988, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator 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. 2318) the vote was:

Ayes, 29:

Bruner	Carr	Corning	Deluhery
Dieleman	Doyle	Fraise	Fuhrman
Gettings	Gronstal	Hannon	Hester
Horn	Husak	Hutchins	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Riordan	Scott	Varn	Wells
Welsh			

Nays, 14:

Boswell	Coleman	Gentleman	Goodwin
Hall	Holden	Holt	Hultman
Jensen	Lind	Rensink	Soorholtz
Taylor	Tieden		

Absent or not voting, 7:

Drake	Kinley	Miller, C.P.	Rife
Schwengels	Sturgeon	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 2318** be **immediately messaged** to the House.

## SENATE RECEDES

### House File 2155

Senator Riordan called up for consideration House File 2155, a bill for an act relating to payment of costs of asbestos identification and removal by boards of directors of school districts, amended by the Senate and moved that the Senate insists on its amendment.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 24.

The motion lost and the Senate **receded** from its amendment.

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. 2155) 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	Deluhery
Dieleman	Doyle	Fraise	Gettings
Goodwin	Gronstal	Hall	Hannon
Horn	Hutchins	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Riordan
Scott	Sturgeon	Varn	Wells

Nays, 17:

Boswell	Corning	Drake	Fuhrman
Gentleman	Hester	Holden	Holt
Hultman	Husak	Jensen	Lind
Readerger	Rensink	Taylor	Tieden
Vande Hoef			

Absent or not voting, 5:

Kinley	Rife	Schwengels	Soorholtz
Welsh			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2155** 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.

### 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 12, 1988, receded from its amendment and adopted the following joint resolution in which the concurrence of the House was asked:

**Senate Joint Resolution 1**, a joint resolution proposing amendments to the Constitution of the State of Iowa relating to the offices of the governor and lieutenant governor.

ALSO: I am directed to inform your honorable body that the members of the **conference committee**, appointed April 12, 1988, on **Senate File 2310**, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks, on the part of the House, are: The Representative from Story, Mrs. Hammond, chair; the Representative from Polk, Mrs. Buhr, the Representative from Black Hawk, Ms. Harper, the Representative from Scott, Mr. Hermann, and the Representative from Page, Mr. Royer.

## INTRODUCTION OF BILL

**Senate File 2335**, by committee on Ways and Means, a bill for an act relating to the formula used in valuing agricultural property.

Read first time and **placed on Ways and Means Calendar**.

## COMMUNICATION FROM THE GOVERNOR

The following communication from the Governor was presented:

April 12, 1988

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 Paul Grossheim, Waukee, Dallas County, Iowa, for appointment as Director of the Department of Corrections, pursuant to Iowa Code Section 246.107 (1987), for a term beginning immediately, serving at the pleasure of the Governor, to be reconfirmed every four years.

Sincerely,  
TERRY E. BRANSTAD  
Governor

Communication was read and referred to the committee on **Rules and Administration**.

## 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.

## HOUSE AMENDMENT CONSIDERED

### **Senate File 2193**

Senator Varn called up for consideration Senate File 2193, a

bill for an act relating to requirements for approved teacher education programs, amended by the House in House amendment S—5799 filed April 6, 1988.

Senator Murphy offered amendment S—5888 filed by him on April 8, 1988, to House amendment S—5799 and moved its adoption.

Amendment S—5888 was adopted by a voice vote.

Senator Varn offered amendment S—5885 filed by Senators Varn and Murphy on April 8, 1988, to House amendment S—5799 and moved its adoption.

Amendment S—5885 was adopted by a voice vote.

Senator Varn moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Varn 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. 2193) 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
Lloyd-Jones	Mann	Miller, A. V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Scott	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, 2:

Gentleman	Lind
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Absent or not voting, 4:

Kinley

Rife

Schwengels

Soorholtz

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 that **Senate File 2193** be **immediately messaged** to the House.

### UNFINISHED BUSINESS (Deferred March 24, 1988)

#### House File 2354

On motion of Senator Varn, House File 2354, a bill for an act relating to radon testing and providing a penalty, was taken up for further consideration (substituted for Senate File 2226 and deferred on March 24, 1988).

Senator Varn offered amendment S—5778 filed by him on April 5, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5778 was adopted by a voice vote.

Senator Gronstal offered amendment S—5676 filed by Senators Gronstal and Varn on March 30, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5676 was adopted by a voice vote.

With the adoption of amendment S—5676, the Chair ruled amendment S—5675 filed by Senator Gronstal on March 30, 1988, to page 1 of the bill, out of order.

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. 2354) the vote was:

Ayes, 36:

Boswell  
Corning

Bruner  
Deluhery

Carr  
Dieleman

Coleman  
Doyle



Drake	Fraise	Gentleman	Gettings
Gronstal	Hall	Hannon	Horn
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A. V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Scott	Sturgeon
Tieden	Varn	Wells	Welsh

Nays, 9:

Fuhrman	Goodwin	Hester	Holden
Holt	Hultman	Rensink	Taylor
Vande Hoef			

Absent or not voting, 5:

Kinley	Miller, C.P.	Rife	Schwengels
Soorholtz			

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 2226** be **withdrawn** from further consideration of the Senate.

### IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2354** be **immediately messaged** to the House.

### UNFINISHED BUSINESS (Deferred March 31, 1988)

#### House File 382

The Senate resumed consideration of 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 the city, deferred March 31, 1988.

Senator Miller of Cerro Gordo offered amendment S—5287 filed by the committee on Local Government on March 9, 1988, to strike everything after the enacting clause of the bill.

Senator Miller of Cerro Gordo offered amendment S—5333 filed by him on March 11, 1988, to amendment S—5287 and moved its adoption.

Amendment S—5333 was adopted by a voice vote.

Senator Miller of Cerro Gordo moved the adoption of amendment S—5287 as amended, which motion prevailed 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. 382) 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	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Scott
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, none.

Absent or not voting, 7:

Hultman	Hutchins	Kinley	Murphy
Rife	Schwengels	Soorholtz	

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 April 12, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2321**, 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 making coordinating amendments to the Code, and by providing applicability dates (S—5956).

ALSO: That the House has on April 12, 1988, concurred in the Senate amendment and passed the following bill in which the concurrence of the House was asked:

**House File 2457**, 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.

## INTRODUCTION OF RESOLUTIONS

**Senate Resolution 104**, by committee on Ethics, a resolution to amend the senate rules governing lobbyists.

Read first time and **passed on file**.

**Senate Resolution 105**, by committee on Ethics, a resolution to amend the Senate Code of Ethics and the Rules of the Senate adopted by the Seventy-second General Assembly.

Read first time and **passed on file**.

## UNFINISHED BUSINESS (Deferred March 30, 1988)

### House File 2439

The Senate resumed consideration of House File 2439, a bill for an act relating to the regulation of securities by amending the Iowa uniform securities Act to provide certain new and modified securities exemptions and transaction exemptions and to remove the broker-dealer bonding requirement for members of the securities investor protection corporation, deferred on March 30, 1988.

Senator Mann asked and received unanimous consent that action on amendment S—5682 filed by him on March 30, 1988, to page 1 of the bill be temporarily deferred.

Senator Carr withdrew amendment S—5687 filed by him on March 30, 1988, to page 1 of the bill.

Senator Mann offered amendment S—5644 filed by him on March 29, 1988, to page 5 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 17, nays 23.

Amendment S—5644 lost.

Senator Mann withdrew amendment S—5696 filed by him on March 30, 1988, to page 6 of the bill.

Senator Mann moved the adoption of amendment S—5682, previously deferred, which motion prevailed by a voice vote.

Senator Sturgeon asked and received unanimous consent that further action on **House File 2439** be deferred.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### **House File 393**

Senator Carr called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5940 to Senate amendment H—6137 filed April 12, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Carr moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 393) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 31:

Bruner	Carr	Coleman	Corning
Doyle	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hall	Hannon
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Lloyd-Jones	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Priebe
Readinger	Scott	Sturgeon	Tieden
Varn	Wells	Welsh	

Nays, 13:

Boswell	Deluhery	Dieleman	Drake
Goodwin	Holden	Holt	Mann
Peterson	Rensink	Riordan	Taylor
Vande Hoef			

Absent or not voting, 6:

Hester	Kinley	Murphy	Rife
Schwengels	Soorholtz		

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 393** be **immediately messaged** to the House.

## HOUSE AMENDMENTS CONSIDERED

**Senate File 2323**

Senator Sturgeon called up for consideration Senate File 2323, a bill for an act appropriating federal funds made available from federal block grants, allocating portions of federal block grants, and providing procedures if federal funds are more or less than anticipated or if federal block grants are more or less than anticipated or if categorical grants are consolidated into new or existing block grants, amended by the House in House amendment S—5936 filed April 12, 1988.

Senator Sturgeon offered amendment S—5953 filed by him from the floor to House amendment S—5936 and moved its adoption.

Amendment S—5953 was adopted by a voice vote.

Senator Sturgeon moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Sturgeon 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. 2323) 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.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Scott	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Kinley

Rife

Schwengels

Soorholtz

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 2323** be **immediately messaged** to the House.

### **Senate File 2058**

Senator Scott called up for consideration Senate File 2058, a bill for an act exempting the withholding agent from the requirement to withhold state income taxes from payments made to a nonresident owner of a agricultural land in the state, if the payments are from the sale of agricultural commodities and the withholding agent submits needed information, amended by the House, and moved that the Senate concur in House amendment S—5937 filed April 12, 1988.

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. 2058) the vote was:

Ayes, 45:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Lind  
Miller, C.P.  
Peterson  
Riordan  
Tieden  
Welsh

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Hultman  
Lloyd-Jones  
Murphy  
Priebe  
Scott  
Vande Hoef

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Husak  
Mann  
Nystrom  
Readinger  
Sturgeon  
Varn

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Jensen  
Miller, A.V.  
Palmer  
Rensink  
Taylor  
Wells

Nays, none.

Absent or not voting, 5:

Hutchins  
Soorholtz

Kinley

Rife

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### UNFINISHED BUSINESS (Deferred March 24, 1988)

#### House File 2432

On motion of Senator Varn, House File 2432, a bill for an act relating to the registration and regulation of persons seeking to represent a student athlete for compensation in negotiations intended to result in employment with a professional sports team, prohibiting certain actions relating to student athletes and their families, and providing penalties, was taken up for further consideration (substituted for Senate File 2191 and deferred March 24, 1988).

Senator Varn offered amendment S—5816 filed by him on April 6, 1988, to page 8 and to the title page of the bill.

Senator Mann offered amendment S—5957 filed by him from the floor to amendment S—5816.

Senator Jensen raised the point of order that amendment S—5957 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5957 in order.

Senator Mann moved the adoption of amendment S—5957 to amendment S—5816, which motion lost by a voice vote.

Senator Jensen raised the point of order that amendment S—5816 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5816 in order.



Senator Hutchins asked and received unanimous consent that further action on amendment S—5816 and **House File 2432** be **deferred**.

### INTRODUCTION OF BILLS

**Senate File 2336**, by committee on Ways and Means, a bill for an act relating to regulation of milk production and marketing by creating a fund for administration and appropriating the moneys in the fund, providing for inspection, raising fees relating to the milk industry, providing for the establishment of milk production and processing standards.

Read first time and **placed on Ways and Means Calendar**.

**Senate File 2337**, by committee on Ways and Means, a bill for an act relating to physicians' charges for services to beneficiaries of health insurance under Title XVIII of the federal Social Security Act, providing for the collection and analysis of information, imposing fees, establishing a special indigent patient health care trust fund, providing other properly related matters, and providing an effective date.

Read first time and **placed on Ways and Means Calendar**.

## **APPENDIX**

### **SUBCOMMITTEE ASSIGNMENT FOR APPOINTMENT TO A STATE BOARD**

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on April 11, 1988, to investigate the appointment of the following Governor's appointee:

#### **BUSINESS AND LABOR RELATIONS**

As a member of the Public Employment Relations Board:

M. SUE WARNER: Wells, Chair; Palmer and Holden.

### **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 12th day of April, 1988:

Senate File 2285.

JOHN F. DWYER  
Secretary of the Senate

### **STUDY BILLS RECEIVED**

#### **SSB 2275A Ways and Means**

Relating to the deduction of premiums received in connection with annuity contracts in computing the gross amount of premiums for purpose of the state gross premiums tax, requiring related reports by the commissioner of insurance, and providing applicable and effective dates.

#### **SSB 2278 Ways and Means**

Relating to regulation of milk production and marketing by creating a fund for administration and appropriating the moneys in the fund, providing for inspection, raising fees relating to the

milk industry, and providing for the establishment of milk production and processing standards.

#### SUBCOMMITTEE ASSIGNMENTS

##### **Senate File 2333**

**BUSINESS AND LABOR RELATIONS:** Wells, Chair; Gettings and Fuhrman

##### **SSB 2275A**

**WAYS AND MEANS:** Bruner, Chair; Palmer and Holt

##### **SSB 2278**

**WAYS AND MEANS:** Riordan, Chair; Husak and Hester

#### COMMITTEE REPORTS

##### **ETHICS**

**Final Bill Action:** SENATE RESOLUTION 104 (SSB 2277), a resolution to amend the senate rules governing lobbyists.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 7: Mann, Gettings, Taylor, Drake, Husak and nonlegislative members DeKoster and Schantz. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

**ALSO:**

**Final Bill Action:** SENATE RESOLUTION 105 (SSB 2276), a resolution to amend the Senate Code of Ethics and the Rules of the Senate.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 7: Mann, Gettings, Taylor, Drake, Husak and nonlegislative members DeKoster and Schantz. Nays, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

##### **WAYS AND MEANS**

**Final Bill Action:** HOUSE FILE 2448, a bill for an act relating to the funding for amending the basis for rates paid to intermediate care facilities and the schedule

of basic needs under the aid to families with dependent children program by imposing a nonrefundable filing fee for corporations subject to state income tax and corporations or partnerships whose income is taxed to its shareholders or partners and imposing or repealing the state sales, services and use taxes on certain services, making appropriations, and providing a retroactive effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5955.

**Final Vote:** Ayes, 12: Bruner, Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Holden, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 3: Husak, Drake and Mann.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2453, a bill for an act relating to the sale and use of packaging products, providing sales and use tax incentives for the use of degradable packaging products, subjecting violators to a penalty, and providing an effective date.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 11: Bruner, Husak, Boswell, Dieleman, Mann, Murphy, Palmer, Riordan, Drake, Hester and Soorholtz. Nays, 4: Gronstal, Holden, Holt and Readinger.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2461, a bill for an act relating to tax refunds paid by the county treasurer.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Holden, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 2: Mann and Drake.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2335 (SSB 2260), a bill for an act relating to the formula used in valuing agricultural property.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 10: Bruner, Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Hester, Holt and Readinger. Nays, 1: Holden. Absent or not voting, 4: Husak, Drake, Mann and Soorholtz.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2336 (SSB 2278), a bill for an act relating to regulation of milk production and marketing by creating a fund for administration and appropriating the moneys in the fund, providing for inspection, raising fees relating to the milk industry, providing for the establishment of milk production and processing standards.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 12: Bruner, Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Holden, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 3: Husak, Drake and Mann.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2337 (SSB 2269), a bill for an act relating to physicians' charges for services to beneficiaries of health insurance under Title XVIII of the federal Social Security Act, providing for the collection and analysis of information, imposing fees, establishing a special indigent patient health care trust fund, providing other properly related matters, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 9: Bruner, Boswell, Gronstal, Mann, Murphy, Palmer, Riordan, Drake and Soorholtz. Nays, 6: Husak, Dieleman, Holden, Hester, Holt and Readinger.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2338 (SSB 2275A), a bill for an act relating to the deduction of premiums received in connection with annuity contracts in computing the gross amount of premiums for purpose of the state gross premiums tax.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 11: Bruner, Boswell, Dieleman, Gronstal, Murphy, Palmer, Riordan, Hester, Holden, Holt and Readinger. Nays, none. Absent or not voting, 4: Soorholtz, Husak, Drake and Mann.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

## BILLS SIGNED BY THE GOVERNOR

Communications were received announcing that on April 11 and 12, 1988, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 156 — 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 (4-12-88).

SENATE FILE 456 — Relating to support or service dogs for disabled or handicapped persons (4-12-88).

SENATE FILE 2062 — Relating to the appointment and compensation of acting county attorneys (4-12-88).

SENATE FILE 2090 — Authorizing the provision of law enforcement administrative services by agreement between a county and a city and providing an effective date (4-11-88).

SENATE FILE 2172 — Relating to an appeal regarding the purchase of Iowa state industry products (4-12-88).

SENATE FILE 2180 — Relating to the eligibility policies established by the commission of elder affairs (4-12-88).

SENATE FILE 2182 — To provide for the payment of costs of improvements in drainage districts by special assessment (4-12-88).

SENATE FILE 2202 — Relating to the licensing of private investigators and private security officers, providing for the issuance of temporary permits to certain persons pursuant to reciprocal agreement, making penalties applicable, and providing other properly related matters (4-11-88).

SENATE FILE 2205 — Relating to interstate natural gas pipelines by establishing a new chapter to define jurisdiction over interstate natural gas pipelines, removing references to interstate natural gas pipelines from the current chapter relating to pipelines and natural gas storage, and adjusting fees (4-12-88).

SENATE FILE 2216 — Providing that the state fair board may make an agreement with the department of public safety to provide security during the annual fair and exposition and interim events (4-11-88).

SENATE FILE 2269 — Relating to the establishment of a drainage subdistrict (4-12-88).

SENATE FILE 2273 — Relating to the establishment and construction of rest areas and rest area buildings (4-12-88).

### CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued a certificate of recognition as follows:

C. Vivian Stringer — For leading the Hawkeye women's basketball team to four 20-win seasons; three consecutive NCAA Tournament appearances; and for being named Converse Coach of the Year by the Women's Basketball Coaches Association. Senator Lloyd-Jones (April 12, 1988).

### BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced the assignment of the following bills to committee:

S.F.	2334	Judiciary
H.F.	2449	Judiciary

### INTRODUCTION OF BILL

**Senate File 2338**, by the committee on Ways and Means, a bill for an act relating to the deduction of premiums received in connection with annuity contracts in computing the gross amount of premiums for purpose of the state gross premiums tax.

Read first time under Rule 28 and **placed on the Ways and Means Calendar**.

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Sixty-five fifth grade students from Interstate 35 Community School, Truro, Iowa. Senator Riordan.

## MOTION TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 382 passed the Senate on April 12, 1988.

EMIL J. HUSAK

CONFERENCE COMMITTEE REPORT RECEIVED  
(Senate File 394)

A conference committee report signed by the following Senate and House members was filed April 12, 1988, on Senate File 394, a bill for an act relating to the care of animals in commercial establishments:

## On the Part of the Senate:

JAMES RIORDAN, Chair  
LEONARD BOSWELL  
WILLIAM W. DIELEMAN  
NORMAN GOODWIN  
RICHARD VANDE HOEF

## On the Part of the House:

CLYDE NORRGARD, Chair  
CLIFFORD BRANSTAD  
JOSEPHINE GRUHN  
JOSEPH KREMER  
DENNIS MAY

## AMENDMENTS FILED

S—5947	H.F.	2452	Richard Varn Berl E. Priebe Wally E. Horn Linn Fuhrman Lee W. Holt Jean Lloyd-Jones Charles Bruner
S—5948	S.F.	2312	Richard Varn
S—5949	H.F.	2447	House amendment
S—5950	H.F.	683	Michael E. Gronstal
S—5951	S.F.	2312	Calvin O. Hultman
S—5952	S.F.	2312	David M. Readinger
S—5953	S.F.	2323	Al Sturgeon
S—5954	H.F.	2452	Charles Bruner
S—5955	H.F.	2448	Ways and Means
S—5956	S.F.	2321	House amendment
S—5957	H.F.	2432	Tom Mann, Jr.



S—5958	H.F.	2452	Richard J. Varn
S—5959	S.F.	2321	Julia Gentleman
			Jim Lind
			Richard Vande Hoef
			Dale L. Tieden
			Ray Taylor
			Joy Corning
			Edgar H. Holden
			Norman Goodwin
			John Jensen
			Jack W. Hester
			Lee W. Holt
S—5960	H.F.	2452	Charles Bruner

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 7:26 p.m., until 9:00 a.m., Wednesday, April 13, 1988.

# JOURNAL OF THE SENATE

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NINETY-FOURTH CALENDAR DAY  
SIXTY-THIRD SESSION DAY

Senate Chamber  
Des Moines, Iowa, Wednesday, April 13, 1988

The Senate met in regular session at 9:06 a.m., President Zimmerman presiding.

Prayer was offered by Father Phillip Schmitt, pastor of the Immaculate Conception Catholic Church, Cedar Rapids, Iowa.

The Journal of Tuesday, April 12, 1988, 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 11, 1988, amended and adopted the following concurrent resolution in which the concurrence of the Senate is asked:

**Senate Concurrent Resolution 105**, a concurrent resolution relating to the assessment of nursing personnel needs in the state (S—5965).

ALSO: That the House has on April 11, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 69**, a bill for an act relating to the investment of idle public funds by authorizing investment in drainage district warrants or improvement certificates and by correcting an error (S—5963).

ALSO: That the House has on April 12, 1988, amended and passed the following bill in which the concurrence of the House was asked:

**Senate File 2322**, a bill for an act relating to and making appropriations for the compensation and benefits for public officials and employees (S—5964).

ALSO: That the House has on April 11, 1988, 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 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 (S—5962 to H—6088).

ALSO: That the House has on April 11, 1988, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

**House File 2294**, a bill for an act relating to testing for and confidentiality of human immunodeficiency virus-related matters and providing penalties.

ALSO: That the House has on April 11, 1988, 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 2017**, a bill for an act relating to handicapped parking and the use, issuance, and display of handicapped identification devices, stickers, signs, and plates, providing a penalty and making penalties applicable; and providing an effective date.

ALSO: That the House has on April 11, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 2245**, a bill for an act relating to the certification of laboratories which perform analyses of specimens for the department of natural resources.

**Senate File 2301**, a bill for an act relating to the maintenance of local financial support by governmental subdivisions for operating expenses of local libraries.

**Senate File 2315**, a bill for an act making an appropriation from the road use tax fund of the state to a certain person in settlement of claims made against the state of Iowa.

ALSO: That the House has on April 11, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2460**, a bill for an act relating to the treatment of rebates given on the sales of motor vehicles subject to registration for purposes of the state sales, services, and use taxes.

Read first time and assigned to the committee on **Ways and Means**.

### QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

The vote revealed 39 present, 11 absent and a quorum present.

### BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Resolution 105** be referred from the Regular Calendar to the committee on **Rules and Administration**.

### CONFERENCE COMMITTEE REPORT ADOPTED

#### Senate File 394

Senator Riordan called up the conference committee report on Senate File 394, a bill for an act relating to care of animals in commercial establishments, filed on April 12, 1988, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator 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. 394) the vote was:

Ayes, 45:

Boswell  
Corning  
Drake  
Gettings

Bruner  
Deluhery  
Fraise  
Goodwin

Carr  
Dieleman  
Fuhrman  
Gronstal

Coleman  
Doyle  
Gentleman  
Hall

Hannon	Hester	Holden	Holt
Horn	Husak	Hutchins	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A. V.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Hultman	Miller, C.P.	Murphy	Schwengels
Varn			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### UNFINISHED BUSINESS (Deferred March 31, 1988)

#### House File 566

The Senate resumed consideration of House File 566, a bill for an act to require completion of an approved course of driver education to qualify for a minor's school license, deferred on March 31, 1988.

Senator Rensink offered amendment S—5843 filed by Senators Rensink, et al., on April 7, 1988 to pages 1 through 3 and the title page of the bill.

Senator Drake raised the point of order that amendment S—5843 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5843 in order.

Senator Hutchins asked and received unanimous consent that further action on amendment S—5843 and **House File 566** be **deferred**.

**CONFERENCE COMMITTEE REPORT RECEIVED  
(Senate File 2314)**

A conference committee report signed by the following Senate and House members was filed April 13, 1988, on Senate File 2314, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates:

**On the Part of the Senate:**

DON GETTINGS, Chair  
C. JOSEPH COLEMAN  
RICHARD DRAKE  
JOHN W. JENSEN  
JOE WELSH

**On the Part of the House:**

EMIL PAVICH, Chair  
JACK BEAMAN  
DENNIS COHOON  
THOMAS JOCHUM  
DONALD PLATT

**CONFERENCE COMMITTEE REPORT ADOPTED**

**Senate File 2314**

Senator Coleman called up the conference committee report on Senate File 2314, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates filed April 13, 1988.

Senator Bruner raised the point of order that the conference committee report on Senate File 2314 was in violation of Joint Rule 13, paragraph 3.

The Chair ruled the point not well taken.

Senator Gettings moved the adoption of the conference committee report.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator Gettings moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2314) the vote was:

Ayes, 31:

Boswell	Coleman	Corning	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Goodwin	Hester	Holden
Holt	Horn	Husak	Hutchins
Jensen	Kinley	Lind	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Scott	Soorholtz	Taylor
Tieden	Wells	Welsh	

Nays, 16:

Bruner	Carr	Deluhery	Gentleman
Gronstal	Hall	Hannon	Lloyd-Jones
Mann	Murphy	Rensink	Rife
Riordan	Sturgeon	Vande Hoef	Varn

Absent or not voting, 3:

Hultman	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.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **Senate Files 394 and 2314** be **immediately messaged** to the House.

## HOUSE AMENDMENT CONSIDERED

**Senate File 2039**

Senator Dieleman called up for consideration Senate File 2039, a bill for an act allowing certain personalized vehicle registration plates to contain up to seven characters and providing an effective date, amended by the House in House amendment S—5941 filed April 12, 1988.

Senator Dieleman offered amendment S—5961 filed by Senators Dieleman and Wells from the floor to pages 1, 2 and 4 of House amendment S—5941 and moved its adoption.

Amendment S—5961 was adopted by a voice vote.

Senator Dieleman moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Dieleman moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2039) 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, A.V.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, none.



Absent or not voting, 3:

Miller, C.P.

Schwengels

Welsh

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

Senator Hutchins asked and received unanimous consent that **Senate File 2039** be immediately messaged to the House.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 2377

Senator Varn called up for consideration House File 2377, a bill for an act relating to the establishment of programs for paying for college costs, including the provision for the state board of regents to issue revenue bonds that are payable at times determined by the board and the preparation of an educational program and marketing strategies by the college aid commission in cooperation with the state board of regents, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5935 to Senate amendment H—6328 filed April 12, 1988.

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 and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2377) the vote was:

Ayes, 29:

Boswell  
Dieleman  
Gronstal  
Kinley  
Murphy  
Priebe  
Soorholtz  
Welsh

Bruner  
Doyle  
Horn  
Lind  
Nystrom  
Readerger  
Tieden

Carr  
Fraise  
Husak  
Mann  
Palmer  
Riordan  
Varn

Deluhery  
Gettings  
Hutchins  
Miller, A.V.  
Peterson  
Scott  
Wells

Nays, 19:

Coleman	Corning	Drake	Fuhrman
Gentleman	Goodwin	Hall	Hannon
Hester	Holden	Holt	Hultman
Jensen	Lloyd-Jones	Rensink	Rife
Sturgeon	Taylor	Vande Hoef	

Absent or not voting, 2:

Miller, C.P.              Schwengels

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 2407

Senator Hultman withdrew the motion to reconsider House File 2407, a bill for an act relating to the Iowa housing finance authority, by modifying the title guaranty program requirements that participation fees be charged, that lenders be participants, that persons or lenders not receive a portion of the charge for title guaranty, and that financial institutions disclose the availability of the program, and by expanding the purposes of and renaming the commitment cost fund, filed by him on March 29, 1988, and found on page 1149 of the Senate Journal.

Senator Gronstal withdrew the motion to reconsider House File 2407, filed by him on March 30, 1988, and found on page 1180 of the Senate Journal.

Amendment S—5812 filed by Senator Hultman on April 6, 1988, to page 3 of House File 2407 was out of order.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that House Files 2377 and 2407 be immediately messaged to the House.

## PRESENTATION OF PELLA TULIP QUEEN

Senator Dieleman presented Tonya Van Wyk, Queen of the Fifty-third Annual Pella Tulip Time Festival, who in turn introduced the members of her court: Jennifer Sue Brandl, Jaci Ryken, Elizabeth Smiley and Kim Van Dalen.

Queen Tonya invited the members of the Senate to attend the Tulip Time Festival in Pella May 12, 13 and 14, 1988.

The Queen, her attendants and their parents distributed the famous Dutch cookies to the senators and staff.

Senator Coleman took the chair at 10:47 a.m.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2321

Senator Welsh called up for consideration Senate File 2321, 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 making coordinating amendments to the Code, and by providing applicability dates, amended by the House in House amendment S—5956 filed April 12, 1988.

Senator Welsh withdrew amendment S—5967 filed by him from the floor to House amendment S—5956.

Senator Lind withdrew amendment S—5970 filed by him from the floor to House amendment S—5956.

President Zimmerman took the chair at 10:54 a.m.

Senator Gentleman offered amendment S—5959 filed by Senators Gentleman, et al., on April 12, 1988, to House amendment S—5956 and moved its adoption.

A record roll call was requested.

On the question “Shall amendment S—5959 to House amendment S—5956 be adopted?” (S.F. 2321) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hester	Holden	Holt
Hultman	Jensen	Lind	Nystrom
Readinger	Scott	Soorholtz	Taylor
Tieden			

Nays, 28:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Horn
Husak	Hutchins	Kinley	Lloyd-Jones
Mann	Miller, A.V.	Murphy	Palmer
Peterson	Priebe	Rensink	Riordan
Sturgeon	Varn	Wells	Welsh

Absent or not voting, 5:

Hall	Miller, C.P.	Rife	Schwengels
Vande Hoef			

Amendment S—5959 lost.

Senator Welsh moved that the Senate concur in the House amendment.

A record roll call was requested.

On the question "Shall the motion to concur be adopted?" (S.F. 2321) the vote was:

Ayes, 1:

Gentleman

Nays, 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
Kinley	Lind	Lloyd-Jones	Mann

Miller, A.V.  
Peterson  
Rife  
Sturgeon  
Wells

Murphy  
Priebe  
Riordan  
Taylor  
Welsh

Nystrom  
Readinger  
Scott  
Tieden

Palmer  
Rensink  
Soorholtz  
Varn

Absent or not voting, 3:

Miller, C.P.

Schwengels

Vande Hoef

The motion lost and the Senate **refused to concur** in the House amendment.

Senator Hutchins asked and received unanimous consent that **Senate File 2321** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order House File 2441.

#### House File 2441

On motion of Senator Gronstal, House File 2441, a bill for an act relating to underground storage tanks, establishing certain fees, providing penalties, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5810 filed by the committee on Environment and Energy Utilities on April 6, 1988, to pages 2, 3, 7 and 8 of the bill.

Senator Husak called for a division of amendment S—5810:

Division S—5810A: Page 1, lines 8 through 10.

Division S—5810B: Page 1, lines 3 through 7 and lines 11 through 50; pages 2 and 3.

Senator Gronstal asked and received unanimous consent that action on division S—5810A be deferred.

Senator Gronstal moved the adoption of division S—5810B, which motion prevailed by a voice vote.

Senator Priebe offered amendment S—5904 filed by Senators Priebe, et al., on April 11, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5904 was adopted by a voice vote.

Senator Hutchins asked and received unanimous consent that further action on division S—5810A and **House File 2441** 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 April 11, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2248**, a bill for an act relating to indemnification and limitation of liability of directors and officers and to liability of persons who serve rural water districts, volunteer as guardians or conservators, or who provide child foster care (S—5966).

ALSO: That the House has on April 12, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2469**, a bill for an act relating to energy development and conservation, making appropriations of the petroleum overcharge funds, and providing an effective date.

This bill was read first time and assigned to the committee on **Appropriations**.

### RECESS

On motion of Senator Hutchins, the Senate recessed at 11:17 a.m., until 2:00 p.m.

## APPENDIX

### REPORT OF THE COMMITTEE ON RULES AND ADMINISTRATION

The committee on Rules and Administration referred the following Governor's appointee to a standing committee as indicated for investigation on April 12, 1988:

#### JUDICIARY

Paul Grossheim — Director of the Department of Corrections.

BILL HUTCHINS, Chair

### SUBCOMMITTEE ASSIGNMENT FOR GOVERNOR'S APPOINTMENT

In accordance with Senate Rule 59, the following senators were appointed to a subcommittee of a standing committee on April 13, 1988 to investigate the appointment of the following Governor's appointee:

#### JUDICIARY

As Director of the Department of Corrections:

PAUL GROSSHEIM: Carr, Chair; Mann and Gentleman.

### 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 12th day of April, 1988:

Senate File 2070.

JOHN F. DWYER  
Secretary of the Senate

### PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate chamber:

Forty government students from Earlham Community School, Earlham, Iowa, accompanied by Ron Myers. Senator Riordan and President Zimmerman.

Seventy fifth grade students from Waukee Elementary School, Waukee, Iowa, accompanied by Marilyn Anfinson. Senator Riordan and President Zimmerman.

Thirty-three sixth grade students from Manson Elementary School, Manson, Iowa. Senator Fuhrman.

### AMENDMENTS FILED

S—5961	S.F.	2039	William W. Dieleman James D. Wells
S—5962	H.F.	185	House amendment
S—5963	S.F.	69	House amendment
S—5964	S.F.	2322	House amendment
S—5965	S.C.R.	105	House amendment
S—5966	S.F.	2248	House amendment
S—5967	S.F.	2321	Joe J. Welsh
S—5968	H.F.	2452	Richard J. Varn
S—5969	H.F.	2189	Thomas Mann, Jr.
S—5970	S.F.	2321	Jim Lind
S—5971	H.F.	2452	Charles Bruner
S—5972	H.F.	2441	Joe Welsh Jack Rife



## AFTERNOON SESSION

The Senate reconvened at 2:00 p.m., Senator Mann presiding.

## QUORUM CALL

Senator Hutchins requested a non record roll call to determine that a quorum was present.

President Zimmerman took the chair at 2:02 p.m.

The vote revealed 41 present, 9 absent and a quorum present.

## BUSINESS PENDING

### House File 2441

The Senate resumed consideration of House File 2441, a bill for an act relating to underground storage tanks, establishing certain fees, providing penalties, and providing an effective date, and division S—5810A by the committee on Environment and Energy Utilities, previously deferred.

Senator Husak offered amendment S—5905 filed by Senators Husak, et al., on April 11, 1988, to pages 2, 9 through 13, 17, 18 and 22 of the bill and called for a division:

Division S—5905A: Page 1, lines 3 through 50 and page 2, lines 1 through 13.

Division S—5905B: Page 2, lines 14 through 26.

Senator Husak moved the adoption of division S—5905A and requested a record roll call.

On the question "Shall division S—5905A be adopted?" (H.F. 2441) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 29:

Carr  
Fraise

Corning  
Fuhrman

Doyle  
Hall

Drake  
Hester

Holden	Holt	Hultman	Husak
Jensen	Kinley	Lind	Miller, A.V.
Murphy	Nystrom	Palmer	Priebe
Rensink	Rife	Scott	Soorholtz
Sturgeon	Tieden	Vande Hoef	Wells
Welsh			

Nays, 18:

Boswell	Bruner	Deluhery	Dieleman
Gentleman	Gettings	Goodwin	Gronstal
Hannon	Horn	Lloyd-Jones	Mann
Miller, C.P.	Peterson	Readinger	Riordan
Taylor	Varn		

Absent or not voting, 3:

Coleman	Hutchins	Schwengels
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Division S—5905A was adopted.

Senator Husak asked and received unanimous consent that further action on division S—5905B be deferred.

Senator Jensen asked and received unanimous consent to withdraw amendment S—5978 filed by Senators Jensen and Tieden from the floor to pages 4, 5 and 10 of the bill.

Senator Gronstal offered amendment S—5922 filed by him on April 11, 1988, to page 14 of the bill and moved its adoption.

Amendment S—5922 was adopted by a voice vote.

Senator Welsh asked and received unanimous consent to withdraw amendment S—5848 filed by Senators Welsh and Rife on April 7, 1988, to pages 14 and 18 through 21 of the bill.

Senator Welsh offered amendment S—5972 filed by Senators Welsh and Rife from the floor to pages 1, 17, 18 and 22 of the bill and called for a division: page 1, lines 17 through 24 as division S—5972A; page 1, lines 3 through 16 and lines 35 through 48 as division S—5972B.

Senator Welsh asked and received unanimous consent to withdraw division S—5972A.

Senator Welsh moved the adoption of division S—5972B.

A record roll call was requested.

On the question "Shall division S—5972B be adopted?" (H.F. 2441) the vote was:

Ayes, 27:

Boswell	Carr	Coleman	Dieleman
Doyle	Drake	Fraise	Fuhrman
Gettings	Hall	Holden	Holt
Horn	Hultman	Husak	Jensen
Kinley	Miller, A.V.	Miller, C.P.	Priebe
Rensink	Rife	Scott	Soorholtz
Tieden	Vande Hoef	Welsh	

Nays, 20:

Bruner	Corning	Deluhery	Gentleman
Goodwin	Gronstal	Hannon	Hester
Hutchins	Lind	Lloyd-Jones	Mann
Murphy	Palmer	Readinger	Riordan
Sturgeon	Taylor	Varn	Wells

Absent or not voting, 3:

Nystrom	Peterson	Schwengels
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Division S—5972B was adopted.

With the adoption of division S—5972B, the Chair ruled division S—5905B by Senators Husak, et al., previously deferred, out of order.

With the adoption of division S—5905A, the Chair ruled division S—5810A by the committee on Environment and Energy Utilities, 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?" (H.F. 2441) the vote was:

Ayes, 42:

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	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn	Welsh		

Nays, 6:

Gettings	Lloyd-Jones	Mann	Riordan
Sturgeon	Wells		

Absent or not voting, 2:

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 that **House File 2441** be **immediately messaged** to the House.

### CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 2310)

A conference committee report signed by the following Senate and House members was filed April 13, 1988, on Senate File 2310, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks:

On the Part of the Senate:

AL STURGEON, Chair  
ALVIN V. MILLER  
MICHAEL E. GRONSTAL  
DAVID M. READINGER

On the Part of the House:

JOHNIE HAMMOND, Chair  
FLORENCE D. BUHR  
PATRICIA HARPER  
BILL ROYER

## CONFERENCE COMMITTEE REPORT ADOPTED

### Senate File 2310

Senator Sturgeon called up the conference committee report on Senate File 2310, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks, filed on April 13, 1988, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator 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. 2310) 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	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, 1:

Gentleman

Absent or not voting, 2:

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.

Senator Hutchins asked and received unanimous consent that **Senate File 2310** be **immediately messaged** to the House.

UNFINISHED BUSINESS  
(Deferred on March 30, 1988)

**House File 2452**

The Senate resumed consideration of House File 2452, a bill for an act relating to the receipt and disbursement of support payments by transferring the collection and distribution of child support payment from the department of human services collection services center to the district court clerks, by making an exception, for federal social security payments, to the statutory requirements regarding allowable payees, and by providing effective dates, deferred on March 30, 1988.

Senator Hannon asked and received unanimous consent that action on amendment S—5558 filed by the committee on Human Resources on March 24, 1988, to strike everything after the enacting clause and to the title page of the bill be deferred.

Senator Varn offered amendment S—5947 filed by Senators Varn, et al., on April 12, 1988, to strike everything after the enacting clause of the bill.

Senator Varn offered amendment S—5968 filed by him from the floor to pages 1 through 3 and five through 8 of amendment S—5947 and moved its adoption.

Amendment S—5968 was adopted by a voice vote.

With the adoption of amendment S—5968 to amendment S—5947, the Chair ruled amendment S—5958 filed by Senator Varn on April 12, 1988, to pages 1 through 3 and 5 through 8 of amendment S—5947, out of order.

Senator Bruner withdrew amendment S—5960 filed by him on April 12, 1988, to page 7 of amendment S—5947.

Senator Bruner withdrew amendment S—5954 filed by him on April 12, 1988, to page 8 of amendment S—5947.

Senator Bruner offered amendment S—5971 filed by him from the floor to pages 7 and 8 of amendment S—5947 and called for a division: lines 3 and 4 as division S—5971A and lines 5 through 25 as division S—5971B.

With the adoption of amendment S—5968, the Chair ruled division S—5971A to amendment S—5947, out of order.

Senator Fuhrman called for a further division of division S—5971B: lines 5 through 19 as division S—5971B and lines 20 through 25 as division S—5971C.

Senator Bruner moved the adoption of division S—5971B to amendment S—5947, which motion prevailed by a voice vote.

Senator Bruner moved the adoption of division S—5971C to amendment S—5947, which motion prevailed by a voice vote.

Senator Gentleman asked and received unanimous consent that action on amendments S—5558 and S—5947 as amended and **House File 2452** be deferred.

## UNFINISHED BUSINESS

(Deferred April 12, 1988)

### **House File 2439**

The Senate resumed consideration of House File 2439, a bill for an act relating to the regulation of securities by amending the Iowa uniform securities Act to provide certain new and modified securities exemptions and transaction exemptions and to remove the broker-dealer bonding requirement for members of the securities investor protection corporation, deferred on April 12, 1988.

Senator Sturgeon called up the motion to reconsider the vote by which amendment S—5547 as amended to House File 2439 failed to be adopted by the Senate on March 30, 1988, filed by him on March 31, 1988, found on page 1208 of the Senate Journal and moved its adoption.

A record roll call was requested.

On the question "Shall the motion to reconsider be adopted?" (H.F. 2439) the vote was:

Ayes, 29:

Boswell	Bruner	Corning	Drake
Fuhrman	Gentleman	Gettings	Goodwin
Hall	Hester	Holden	Hultman
Husak	Jensen	Kinley	Lind
Lloyd-Jones	Nystrom	Palmer	Priebe
Readinger	Rife	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Welsh			

Nays, 19:

Carr	Coleman	Deluhery	Dieleman
Doyle	Fraise	Gronstal	Hannon
Holt	Horn	Hutchins	Mann
Miller, A.V.	Murphy	Peterson	Rensink
Riordan	Tieden	Wells	

Absent or not voting, 2:

Miller, C.P.                      Schwengels

The motion prevailed and amendment S—5547 as amended by the committee on Commerce to pages 1 and 3 of the bill, was taken up for reconsideration.

Senator Sturgeon moved the adoption of amendment S—5547 as amended.

A non record roll call was requested.

The ayes were 28, nays 20.

Amendment S—5547 as amended was adopted.

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. 2439) the vote was:

Ayes, 32:

Boswell	Bruner	Corning	Drake
Fuhrman	Gentleman	Gettings	Goodwin



Hall	Hester	Holden	Holt
Hultman	Husak	Hutchins	Jensen
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Priebe	Readinger
Rife	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn

Nays, 16:

Carr	Coleman	Deluhery	Dieleman
Doyle	Fraise	Gronstal	Hannon
Horn	Mann	Murphy	Peterson
Rensink	Riordan	Wells	Welsh

Absent or not voting, 2:

Kinley	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

Senator Hutchins asked and received unanimous consent that **House File 2439** 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 12, 1988, 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 2278**, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detention of juveniles in adult facilities, and providing penalties (S—5981 to H—6375).

ALSO: That the House has on April 13, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2130**, a bill for an act repealing the prohibition against selling or offering for sale decorative gas lamps (S—5974).

ALSO: That the House has on April 13, 1988, **refused to concur** in the Senate amendment to the House amendment to the following bill in which the concurrence of the House was asked:

**Senate File 2312**, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date.

### INTRODUCTION OF BILLS

**Senate File 2339**, by committee on Appropriations, a bill for an act relating to the establishment of a special lottery pull-tab fund and the appropriation of moneys from the fund.

Read first time and **placed on Appropriations Calendar.**

**Senate File 2340**, by committee on Ways and Means, a bill for an act relating to individual income tax credits by granting credits for contributing to individual education savings accounts, increasing the personal exemption credits, providing for refunds for child and dependent care credits and providing an effective date.

Read first time and **placed on the Ways and Means Calendar.**

### INTRODUCTION OF RESOLUTIONS

**Senate Concurrent Resolution 131**, by committee on Agriculture, a concurrent resolution to establish a study to develop a long-range plan for funding agricultural research at Iowa State University.

Read first time and **placed on calendar.**

**Senate Concurrent Resolution 132**, 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.**

**Senate Concurrent Resolution 133**, by committee on Agriculture, a concurrent resolution relating to a legislative study regarding the preservation of family farms as viable economic units in the State of Iowa.

Read first time and **placed on calendar.**

**Senate Concurrent Resolution 134**, by committee on Agriculture, a concurrent resolution relating to the assessment of new federal proposals regulating swine coming into the State of Iowa.

Read first time and **placed on calendar**.

**Senate Concurrent Resolution 135**, by committee on Agriculture, a concurrent resolution relating to the establishment of a committee to study issues relating to the quality of grain in Iowa.

Read first time and **placed on calendar**.

**Senate Concurrent Resolution 136**, by committee on Agriculture, a concurrent resolution relating to the establishment of a committee to study issues relating to this state's sheep industry.

Read first time and **placed on calendar**.

**Senate Concurrent Resolution 137**, by committee on Appropriations, a concurrent resolution relating to the board of regents' ten-year building program.

Read first time and **placed on Appropriations Calendar**.

## SENATE INSISTS

### **Senate File 2312**

Senator Varn called up for consideration Senate File 2312, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date, amended by the House, further amended by the Senate and moved that the Senate insists on its amendment.

The motion prevailed by a voice vote and the Senate **insisted** on its amendment.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2312** on the part of the Senate: Senators Varn, Chair; Murphy, Horn, Tieden and Rensink.

## IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent to send an **immediate message** to the House on **Senate File 2312**.

## BUSINESS PENDING

### House File 2452

The Senate resumed consideration of House File 2452, a bill for an act relating to the receipt and disbursement of support payments by transferring the collection and distribution of child support payment from the department of human services collection services center to the district court clerks, by making an exception, for federal social security payments, to the statutory requirements regarding allowable payees, and by providing effective dates, and amendments S—5947 as amended by Senators Varn, et al., and S—5558 by the committee on Human Resources, previously deferred.

Senator Gentleman offered amendment S—5980 filed by her from the floor to page 8 of amendment S—5947 and moved its adoption.

A non record roll call was requested.

The ayes were 15, nays 27.

Amendment S—5980 lost.

Senator Coleman took the chair at 5:34 p.m.

Senator Varn moved the adoption of amendment S—5947 as amended.

A non record roll call was requested.

The ayes were 27, nays 6.

Amendment S—5947 as amended was adopted.

With the adoption of amendment S—5947 as amended, the Chair ruled the following amendments out of order:

S—5558 by the committee on Human Resources to strike everything after the enacting clause and to the title page of the bill, previously deferred.

S—5665 filed by Senator Carr on March 30, 1988, to amendment S—5558.

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. 2452) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Corning
Deluhery	Doyle	Drake	Fraise
Fuhrman	Gettings	Goodwin	Gronstal
Hall	Hester	Holden	Holt
Horn	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Nystrom	Palmer	Peterson
Priebe	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells

Nays, 8:

Coleman	Dieleman	Gentleman	Hannon
Hultman	Jensen	Mann	Readering

Absent or not voting, 2:

Schwengels	Welsh
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## COMMITTEE REPORTS

## AGRICULTURE

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 131, a resolution to establish a study to develop a long-range plan for funding agricultural research at Iowa State University.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Husak, Peterson, Hall, Scott, Soorholtz, Riordan, Rensink, Fraise and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Furhman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 133, a resolution relating to a legislative study regarding the preservation of family farms as viable economic units in the State of Iowa.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Husak, Peterson, Hall, Scott, Soorholtz, Riordan, Rensink, Fraise and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Furhman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 134, a resolution relating to the assessment of new federal proposals regulating swine coming into the State of Iowa.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Husak, Peterson, Hall, Scott, Soorholtz, Riordan, Rensink, Fraise and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Furhman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 135, a resolution relating to the establishment of a committee to study issues relating to the quality of grain in Iowa.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Husak, Peterson, Hall, Scott, Soorholtz, Riordan, Rensink, Fraise and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Furhman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 136, a resolution relating to the establishment of a committee to study issues relating to this state's sheep industry.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 12: Priebe, A. Miller, Hester, Husak, Peterson, Hall, Scott, Soorholtz, Riordan, Rensink, Fraise and Vande Hoef. Nays, none. Absent or not voting, 2: Boswell and Furhman.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## APPROPRIATIONS

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 137, a resolution relating to the board of regents' ten-year building program.

**Recommendation:** APPROVED COMMITTEE 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.

ALSO:

**Final Bill Action:** SENATE FILE 2339, a bill for an act relating to the establishment of a special lottery pulltab fund and the appropriation of moneys from the fund.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 16: Welsh, Husak, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, 1: Tieden. Absent or not voting, 1: Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2456, a bill for an act relating to programs for which appropriations to the department of human services are required and providing penalties.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5977.

**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.

ALSO:

**Final Bill Action:** HOUSE FILE 2464, a bill for an act relating to the lease or lease-purchase and disposal of real or personal property by the department of general services and providing a standing appropriation of proceeds previously deposited.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5979.

**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.

## JUDICIARY

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 132, a concurrent resolution relating to the establishment of an interim committee on the rights of privacy.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Drake, Fraise, Fuhrman, Gentleman, Horn, Hester, Taylor and Varn. Nays, none. Absent or not voting, 2: Coleman and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2449, a bill for an act to legalize the proceedings of the board of directors of the M-F-L Community School District relating to the sale of certain real estate.

**Recommendation:** DO PASS.



**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Drake, Fraise, Fuhrman, Gentleman, Horn, Hester, Taylor and Varn. Nays, none. Absent or not voting, 2: Coleman and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

## BILLS REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolutions 131, 132, 133, 134, 135 and 136** be referred from the Regular Calendar to the committee on **Rules and Administration**.

## LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Mann for the remainder of the day on request of Senator Horn.

## UNFINISHED BUSINESS (Deferred March 31, 1988)

### House File 2383

The Senate resumed consideration of House File 2383, a bill for an act relating to the movement of vehicles of excess size and weight, subject to penalties provided by law, deferred March 31, 1988.

Senator Peterson offered amendment S—5715 filed by him on March 31, 1988, to page 1 and the title page of the bill.

Senator Vande Hoef raised the point of order that amendment S—5715 was not germane to the bill.

The Chair ruled the point well taken and amendment S—5715 out of order.

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. 2383) the vote was:

Ayes, 45:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Fraise	Fuhrman	Gettings	Goodwin
Gronstal	Hall	Hannon	Hester
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
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Gentleman                      Holden

Absent or not voting, 3:

Drake                              Nystrom                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENT CONSIDERED

### Senate File 302

Senator Hannon called up for consideration House File 302, a bill for an act relating to the disability of brain injury, amended by the House in House amendment S—5774 filed April 5, 1988.

Senator Hannon withdrew amendment S—5864 filed by her on April 8, 1988, to House amendment S—5774.

Senator Hannon offered amendment S—5901 filed by her on April 11, 1988, to House amendment S—5774 and moved its adoption.

Amendment S—5901 was adopted by a voice vote.

Senator Hannon moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Hannon 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. 302) 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	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Miller, C.P.
Murphy	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Drake	Hultman	Mann	Nystrom
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Hutchins asked and received unanimous consent that **House File 2383** and **Senate File 302** be **immediately messaged** to the House.

President Zimmerman took the chair at 6:00 p.m.

### UNFINISHED BUSINESS (Deferred March 31, 1988)

#### House File 2283

The Senate resumed consideration of House File 2283, a bill for an act relating to agricultural property holdings by providing

certain definitions; restricting processors; establishing family farm limited partnerships; restricting the number of acres of agricultural land that other limited partnerships may acquire or otherwise obtain or lease; restricting persons from becoming limited partners, stockholders, or beneficiaries in more than a number of certain limited partnerships, authorized farm corporations, or authorized trusts; providing certain restrictions of family trusts; and requiring reporting of certain agricultural related property and the confidentiality of certain information; and providing penalties, deferred March 31, 1988.

Senator Scott offered amendment S—5372 filed by the committee on Agriculture on March 15, 1988, to pages 1, 2, 7, 8 and the title page of the bill and called for a division: lines 3 through 15 and lines 23 through 33 as division S—5372A; lines 16 through 22 as division S—5372B.

Senator Scott asked and received unanimous consent to withdraw division S—5372A.

Senator Scott moved the adoption of division S—5372B, which motion prevailed by a voice vote.

With the adoption of division S—5372B, the Chair ruled the following amendments to amendment S—5372 out of order:

S—5791 filed by Senators Murphy, Riordan and Varn on April 6, 1988.

S—5560 filed by Senator Riordan on March 25, 1988.

Senator Murphy asked and received unanimous consent to withdraw amendment S—5472 filed by Senators Murphy, et al., on March 21, 1988, to pages 1, 8 and the title page of the bill.

The Chair ruled amendment S—5844 filed by Senator Murphy, Varn and Riordan on April 7, 1988, to amendment S—5472, out of order.

Senator Riordan offered amendment S—5559 filed by him on March 25, 1988, to pages 1, 8 and the title page of the bill and moved its adoption.

A record roll call was requested.

On the question "Shall amendment S—5559 be adopted?" (H.F. 2283) the vote was:

Ayes, 15:

Boswell	Bruner	Carr	Deluhery
Fraise	Gentleman	Gettings	Gronstal
Hannon	Lloyd-Jones	Murphy	Riordan
Sturgeon	Varn	Wells	

Nays, 30:

Coleman	Corning	Dieleman	Doyle
Drake	Fuhrman	Goodwin	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Scott	Soorholtz	Tieden
Vande Hoef	Welsh		

Absent or not voting, 5:

Mann	Miller, C.P.	Nystrom	Schwengels
Taylor			

Amendment S—5559 lost.

Senator Scott offered amendment S—5552 filed by Senators Boswell, Scott and Soorholtz on March 24, 1988 to page 2 of the bill.

Senator Scott offered amendment S—5700 filed by Senators Boswell, Soorholtz and Scott on March 30, 1988, to amendment S—5552 and moved its adoption.

Amendment S—5700 was adopted by a voice vote.

Senator Scott moved the adoption of amendment S—5552 as amended, which motion prevailed by a voice vote.

Senator Sturgeon offered amendment S—5484 filed by him on March 21, 1988, to page 3 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 9, nays 32.

Amendment S—5484 lost.

Senator Murphy offered amendment S—5440 filed by him on March 17, 1988, to pages 1, 8 and the title page of the bill.

Senator Priebe raised the point of order that amendment S—5440 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—5440 in order.

Senator Hutchins asked and received unanimous consent that further action on amendment S—5440 and **House File 2283** 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 13, 1988, adopted the **conference committee report** and passed **Senate File 2310**, a bill for an act relating to and making appropriations to the Iowa state civil rights commission, the department of human rights, the department for the blind, the department of elder affairs, and the department of public health, transferring the criminal and juvenile justice planning agency to the department of human rights, and establishing a division on the status of blacks.

ALSO: That the House has, on April 13, 1988, adopted the **conference committee report** and passed **Senate File 2314**, a bill for an act relating to and making appropriations to state agencies whose responsibilities relate to general services, public defense, public safety, transportation, and enforcement, and including allocation and use of moneys from the road use tax fund and abstract fee fund, providing an increase in the abstract fee, mandating reports of certain agency purchases, renaming the chief executive officer of the department of public safety, and providing effective dates.

ALSO: That the House has on April 13, 1988, **insisted on** its amendment to **Senate File 2321**, 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 making coordinating amendments to the Code, and by providing applicability dates, and the members of the **conference committee**, on the part of the House are: The Representative from Dubuque, Mr. Jochum, chair; the Representative from Polk, Mr. Bisignano, the Representative from Marshall, Mr. Swartz, the Representative from Clayton, Mr. Halvorson, and the Representative from Mills, Mr. Harbor.

## INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 138**, by the committee on Judiciary, a concurrent resolution relating to the establishment of an interim study committee to study Iowa's corporation law in comparison with the Model Business Corporation Act.

Read first time and **placed on calendar**.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2321** on the part of the Senate: Senators Gronstal, Chair; Hutchins, Carr, Hultman and Jensen.

## APPENDIX

### COMMITTEE REPORTS

#### JUDICIARY

**Final Bill Action:** SENATE CONCURRENT RESOLUTION 138, a resolution relating to the establishment of an interim study committee to study Iowa's corporation law in comparison with the Model Business Corporation Act.

**Recommendation:** APPROVED COMMITTEE RESOLUTION.

**Final Vote:** Ayes, 12: Doyle, Mann, Holt, Carr, Drake, Fraise, Fuhrman, Gentleman, Horn, Hester, Taylor and Varn. Nays, none. Absent or not voting, 2: Coleman and Deluhery.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### RULES AND ADMINISTRATION

**Final Bill Action:** HOUSE CONCURRENT RESOLUTION 108, a resolution relating to the designation of the vocational rehabilitation building as the Jessie M. Parker State Office Building in honor of Jessie M. Parker.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 5: Hutchins, Gronstal, Hultman, Gettings and Jensen. Nays, none. Absent or not voting, 1: Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE RESOLUTION 105, a resolution to amend the Senate Code of Ethics and the Rules of the Senate adopted by the Seventy-second General Assembly.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—5985.

**Final Vote:** Ayes, 5: Hutchins, Gronstal, Hultman, Gettings and Jensen. Nays, none. Absent or not voting, 1: Kinley.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.



## WAYS AND MEANS

**Final Bill Action:** HOUSE FILE 2458, a bill for an act relating to the exemption from the state sales, services, and use taxes of the gross receipts from the sales of modular homes which are not attributable to the cost of the tangible personal property used in the processing of the modular homes.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 2: Mann and Palmer.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2460, a bill for an act relating to the treatment of rebates given on the sales of motor vehicles subject to registration for purposes of the state sales, services, and use tax.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 2: Mann and Palmer.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2465, a bill for an act relating to taxation establishing an excise tax on motor fuel used in aircraft, establishing an excise tax on special fuel used in aircraft, eliminating the sales tax exemption for casual sales of aircraft, adding a sales and use tax exemption for the sale of certain aircraft, requiring a person first registering an aircraft to show evidence that the sales tax or use tax has been paid, prohibiting a motor fuel excise tax refund for motor fuel or special fuel taken out of the state in fuel supply tanks of aircraft or watercraft, prohibiting an income tax credit on fuel tax paid on motor fuel used in watercraft or aircraft, and providing an appropriation.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 13: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 2: Mann and Palmer.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** SENATE FILE 2340 (SSB 2274), a bill for an act relating to individual income tax credits by granting credits for contributing to individual education savings accounts, increasing the personal exemption credits, providing for refunds for child and dependent care credits, and providing an effective date.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Ayes, 13: Bruner, Husak, Boswell, Dieleman, Gronstal, Murphy, Riordan, Holden, Drake, Hester, Holt, Readinger and Soorholtz. Nays, none. Absent or not voting, 2: Mann and Palmer.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

### PROOF OF PUBLICATION

Verified proof of publication of House File 2449 in the Monona Billboard, a weekly newspaper published in Monona, Iowa, on March 9, 1988, was filed with the Secretary of the Senate prior to the time the bill was placed on its passage.

### REPORTS OF COMMITTEE MEETINGS

#### ETHICS

**Convened:** April 12, 1988, 1:30 p.m.

**Members Present:** Mann, Chair; Gettings, Vice Chair; Taylor, Ranking Member; Drake, Husak and nonlegislative members Lucas DeKoster and Mark Schantz.

**Members Absent:** none.

**Committee Business:** Approved SSBs 2276 and 2277 as committee resolutions.

**Adjourned:** 2:30 p.m.

#### LOCAL GOVERNMENT

**Convened:** April 12, 1988, 8:35 a.m.

**Members Present:** A. Miller, Chair; Fraise, Vice Chair; Vande Hoef, Ranking Member; Hall, Horn, Goodwin, Taylor and Wells.

**Members Absent:** C. Miller and Kinley.

**Committee Business:** Don Goss, Mason City Chamber Executive Vice President and Tom Lincoln, Clear Lake City Administrator, spoke on annexation of territories between two cities.

**Adjourned:** 9:15 a.m.

## **WAYS AND MEANS**

**Convened:** April 12, 1988, 1:50 p.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:** Recommended passage of House Files 2448, 2461 and 2453 and approved SSBs 2260, 2275, 2278 and 2269 as committee bills.

**Adjourned:** 2:43 p.m.

## **PRESENTATION OF VISITORS**

The Chair welcomed the following visitors who were present in the Senate gallery:

Fifty-five twelfth grade students from Central Lyon High School, Rock Rapids, Iowa, accompanied by Eldon Maxwell. Senator Vande Hoef.

## **SUBCOMMITTEE ASSIGNMENTS**

### **Senate File 2334**

**JUDICIARY:** Doyle, Chair; Mann and Holt

### **House File 2449**

**JUDICIARY:** Drake, Chair; Taylor and Varn

### **House File 2460**

**WAYS AND MEANS:** Bruner, Chair; Holden and Murphy

### **LSB 8503**

**JUDICIARY:** Mann, Chair; Doyle and Holt

REPORT OF STANDING COMMITTEE  
(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 Governor's appointment of M. Sue Warner as a member of the Public Employment Relations Board, completed its investigation on April 13, 1988, and recommended the appointee be confirmed.

**AMENDMENTS FILED**

S-5973	H.F.	2269	Jean Lloyd-Jones
S-5974	S.F.	2130	House amendment
S-5975	S.R.	105	Jim Lind
S-5976	H.F.	683	Jack Rife
S-5977	H.F.	2456	Appropriations
S-5978	H.F.	2441	John W. Jensen
			Dale L. Tieden
S-5979	H.F.	2464	Appropriations
S-5980	H.F.	2452	Julia Gentleman
S-5981	H.F.	2278	House amendment
S-5982	S.R.	104	Charles Bruner
S-5983	S.F.	2248	Donald V. Doyle
S-5984	S.R.	104	Edgar H. Holden
S-5985	S.R.	105	Rules & Administration

**ADJOURNMENT**

On motion of Senator Hutchins, the Senate adjourned at 6:30 p.m., until 9:00 a.m., Thursday, April 14, 1988.

# JOURNAL OF THE SENATE

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NINETY-FIFTH CALENDAR DAY  
SIXTY-FOURTH SESSION

Senate Chamber  
Des Moines, Iowa, Thursday, April 14, 1988

The Senate met in regular session at 9:02 a.m., President Zimmerman presiding.

Prayer was offered by Father James Langman, pastor of the St. John's Catholic Church, Ogden, Iowa.

The Journal of Wednesday, April 13, 1988, 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 12, 1988, adopted the conference committee report and passed **Senate File 2318**, a bill for an act relating to the registration of construction contractors; providing for administration and enforcement of a system of registration by the labor commissioner; providing for administrative penalties; providing an effective date; and providing other properly related matters.

**ALSO:** That the House has on April 12, 1988, amended the Senate amendments, concurred in the Senate amendments as amended, and passed the following bills in which the concurrence of the Senate is asked:

**House File 2386**, a bill for an act relating to additional factors, requirements, and guidelines for providing assistance under the community economic betterment account of the Iowa plan fund and RISE program (S—5988 to H—6348).

**House File 2396**, a bill for an act relating to the establishment of the economic development finance corporation to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and creating a state assistance fund (S—5987 to H—6359).

ALSO: That the House has on April 12, 1988, 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 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 and providing for the implementation of administrative rules and an effective date.

ALSO: That the House has on on April 12, 1988, concurred in the Senate amendments and passed the following bills in which the concurrence of the House was asked:

**House File 2400**, a bill for an act relating to enhanced 911 emergency telephone communication systems, by requiring each county to prepare an enhanced 911 service plan for submittal to the office of disaster services on or before March 1, 1989, by requiring conversion of pay telephones to accept 911 calls without charge, by allowing a local E911 service surcharge, by providing certain liability exemptions in conjunction with the delivery of E911 services, and by providing a limited privacy waiver to permit nonlisted or unpublished numbers to be included in E911 service.

**House File 2412**, a bill for an act relating to judicial sentencing options.

**House File 2428**, a bill for an act increasing and establishing certain court filing fees.

ALSO: That the House has on April 12, 1988, passed the following bill in which the concurrence of the Senate is asked:

**House File 2470**, a bill for an act to legalize and validate the proceedings for the organization and operation of the Resale Power Group of Iowa and declaring it to be legally established and declaring each and all of its acts to have been legally taken and declaring each and all of the actions taken by the Resale Power Group of Iowa and by the City of Burt, City of Dike, City of Dysart, City of Long Grove, City of Maquoketa, City of Marathon, City of Panora, City of Preston, City of Sibley, City of Stanhope, City of State Center, City of Tipton, City of West Liberty, City of Whittemore, City of Anita, City of Hopkinton, City of Grand Junction, City of Ogden, City of Story City, City of Traer, City of Vinton, the Amana Society Service Company, Amana, and the Board of Directors of the Farmers Electric Cooperative, Kalona,

all in Iowa, in entering into, ratifying and confirming an agreement between the Resale Power Group of Iowa and its members dated November 3, 1987, and a certain joint transmission agreement dated November 3, 1987, to have been legally taken.

This bill was read first time and assigned to the committee on **Judiciary**.

ALSO: That the members of the **conference committee**, appointed on April 13, 1988, on **Senate File 2312**, a bill for an act relating to the funding of, operation of, and appropriation of moneys to agencies, institutions, commissions, departments, and boards responsible for educational and cultural programs of this state and providing an effective date, on the part of the House, are: The Representative from Wapello, Mr. Poncy, Chair; the Representative from Johnson, Mrs. Neuhauser, the Representative from Dubuque, Mr. Jochum, the Representative from Calhoun, Mr. Maulsby, and the Representative from Adams, Mr. Daggett.

ALSO: That the House has on April 13, 1988, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

**House File 2441**, a bill for an act relating to underground storage tanks, establishing certain fees, providing penalties, and providing an effective date.

### 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.

### BILL REFERRED TO COMMITTEE

Senator Hutchins asked and received unanimous consent that **Senate Concurrent Resolution 138** be referred from the Regular Calendar to the committee on **Rules and Administration**.

### 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:

Joanne Pettit as a member of the Iowa Economic Development Board.

Richard W. Pattschull as a member of the Architectural Examining Board.

Jan S. Miller as a member of the Mortuary Science Examining Board.

Senator Hutchins moved that the foregoing appointments be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" the vote was:

Ayes, 44:

Boswell	Bruner	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	Peterson
Priebe	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Miller, C.P.	Murphy	Palmer	Readinger
Rife	Schwengels		

The appointees having received a two-thirds vote were declared to have been confirmed by the Senate.

## SENATE INSISTS

### House File 2441

Senator Gronstal called up for consideration House File 2441, a bill for an act relating to underground storage tanks, establishing certain fees, providing penalties, 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.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2319.

#### **Senate File 2319**

On motion of Senator Gronstal, Senate File 2319, a bill for an act relating to the collection of the state sales, services and use tax with respect to the sales of tangible personal property by nonresidents who solicit such sales and providing an effective date, was taken up for consideration.

Senator Gronstal offered amendment S—5894 filed by him on April 11, 1988, to strike everthing after the enacting clause and to the title page of the bill.

Amendment S—5894 was adopted by a voice vote.

Senator Gronstal asked and received unanimous consent that **House File 2459** be substituted for **Senate File 2319** as amended.

#### **House File 2459**

On motion of Senator Gronstal, House File 2459, a bill for an act relating to the imposition and collection of the state sales, services, and use taxes by out-of-state retailers, was taken up for consideration.

Senator Hultman offered amendment S—5934 filed by him on April 12, 1988, to strike everything after the enacting clause and to the title page of the bill.

A non record roll call was requested.

The ayes were 31, nays 16.

Amendment S—5934 was adopted.

With the adoption of amendment S—5934, the Chair ruled amendment S—5893 filed by Senator Gronstal on April 11, 1988, to pages 1 and 3 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?" (H.F. 2459) 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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P.                      Schwengels

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 that **House File 2459** be **immediately messaged** to the House.

### UNFINISHED BUSINESS (Deferred March 31, 1988)

#### House File 613

The Senate resumed consideration of 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, deferred on March 31, 1988.

Senator Kinley offered amendment S—5546 filed by the committee on Commerce on March 24, 1988, to pages 2 and 7 of the bill.

Senator Kinley offered amendment S—5688 filed by him on March 30, 1988, to amendment S—5546 and moved its adoption.

Amendment S—5688 was adopted by a voice vote.

Senator Kinley moved the adoption of amendment S—5546 as amended, which motion prevailed by a voice vote.

Senator Kinley offered amendment S—5989 filed by him from the floor to page 5 of the bill and moved its adoption.

Amendment S—5989 was adopted by a voice vote.

Senator Kinley moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 613) 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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Miller, C.P.                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**CONSIDERATION OF BILL**  
**(Ways and Means Calendar)**

Senator Hutchins asked and received unanimous consent to take up out of order Senate File 2335.

**Senate File 2335**

On motion of Senator Boswell, Senate File 2335, a bill for an act relating to the formula used in valuing agricultural property, 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. 2335) the vote was:

Ayes, 33:

Boswell	Bruner	Carr	Corning
Dieleman	Doyle	Fraise	Fuhrman
Gronstal	Hester	Holt	Hultman
Husak	Hutchins	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Taylor	Tieden	Vande Hoef
Varn			

Nays, 15:

Coleman	Deluhery	Drake	Gentleman
Gettings	Goodwin	Hall	Hannon
Holden	Horn	Murphy	Rife
Sturgeon	Wells	Welsh	

Absent or not voting, 2:

Miller, C.P.                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2441** on the part of the Senate: Senators Gronstal, Chair; Husak, Deluhery, Rife and Lind.

## IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 613** and **2441** and **Senate File 2335** be immediately messaged to the House.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 2278

Senator Hester called up for consideration House File 2278, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detention of juveniles in adult facilities, and providing penalties, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5981 to Senate amendment H—6375 filed April 13, 1988.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

## SENATE RECEDES

### House File 2316

Senator Deluhery called up for consideration House File 2316, a bill for an act requiring gas and electric public utilities to provide annual gas or electric energy costs for certain properites to certain persons when requested in writing and making civil penalties applicable, amended by the Senate, and moved that the Senate recedes from its amendment.

A non record roll call was requested.

The ayes were 25, nays 19.

The motion prevailed and the Senate **receded from** its amendment.

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. 2316) the vote was:

Ayes, 46:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	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, 1:

Gentleman

Absent or not voting, 3:

Fuhrman	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.

### IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2278 and 2316** be **immediately messaged** to the House.

UNFINISHED BUSINESS  
(Deferred March 31, 1988)

**House File 2339**

The Senate resumed consideration of House File 2339, a bill for an act relating to grievances and discipline resolution in the state personnel system, deferred March 31, 1988.

Senator Horn offered amendment S—5578 filed by the committee on State Government on March 25, 1988, to page 2 and the title page of the bill.

Senator Fuhrman offered amendment S—5617 filed by him on March 29, 1988, to amendment S—5578.

Senator Horn raised the point of order that amendment S—5617 to amendment S—5578 was not germane.

The Chair ruled the point well taken and amendment S—5617 out of order.

Senator Hultman raised the point of order that amendment S—5578 was not germane.

The Chair ruled the point well taken and amendment S—5578 out of order.

Senator Mann offered amendment S—5653 filed by him on March 30, 1988, to page 2 of the bill.

Senator Dieleman called for a division of amendment S—5653: lines 3 through 5 as division S—5653A and lines 6 through 8 as division S—5653B.

Senator Mann moved the adoption of division S—5653A.

A non record roll call was requested.

The ayes were 23, nays 22.

Division S—5653A was adopted.

Senator Horn asked and received unanimous consent that further action on division S—5653B and **House File 2339** be deferred.

Senator Coleman took the chair at 10:48 a.m.

**CONSIDERATION OF BILL  
(Ways and Means Calendar)**

Senator Horn asked and received unanimous consent to take up out of order Senate File 2338.

**Senate File 2338**

On motion of Senator Bruner, Senate File 2338, a bill for an act relating to the deduction of premiums received in connection with annuity contracts in computing the gross amount of premiums for purpose of the state gross premiums tax, requiring related reports by the commissioner of insurance, and providing applicable and effective dates, was taken up for consideration.


Senator Bruner offered amendment S—5994 filed by him from the floor to page 1 of the bill and moved its adoption.

Amendment S—5994 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. 2338) the vote was:

Ayes, 47:

Boswell	Bruner	Ca. 	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
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, none.



Absent or not voting, 3:

Hutchins

Schwengels

Welsh

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 2338** be **immediately messaged** to the House.

## UNFINISHED BUSINESS

(Deferred April 13, 1988)

### House File 2283

The Senate resumed consideration of House File 2283, a bill for an act relating to agricultural property holdings by providing certain definitions; restricting processors; establishing family farm limited partnerships; restricting the number of acres of agricultural land that other limited partnerships may acquire or otherwise obtain or lease; restricting persons from becoming limited partners, stockholders, or beneficiaries in more than a number of certain limited partnerships, authorized farm corporations, or authorized trusts; providing certain restrictions of family trusts; and requiring reporting of certain agricultural related property and the confidentiality of certain information; and providing penalties, and amendment S—5440 by Senator Murphy, deferred on April 13, 1988.

Senator Murphy moved the adoption of amendment S—5440.

A record roll call was requested.

On the question "Shall amendment S—5440 be adopted?" (H.F. 2283) the vote was:

Ayes, 20:

Boswell  
Dieleman  
Hannon  
Murphy  
Scott

Bruner  
Fraise  
Hutchins  
Nystrom  
Varn

Carr  
Gettings  
Lloyd-Jones  
Palmer  
Wells

Deluhery  
Gronstal  
Mann  
Riordan  
Welsh

Nays, 29:

Coleman	Corning	Doyle	Drake
Fuhrman	Gentleman	Goodwin	Hall
Hester	Holden	Holt	Horn
Hultman	Husak	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Peterson
Priebe	Readinger	Rensink	Rife
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef			

Absent or not voting, 1:

Schwengels

Amendment S—5440 lost.

Senator Hultman offered amendment S—5986 filed by him from the floor to pages 2, 3 and the title page of the bill, moved its adoption and requested a record roll call.

On the question “Shall amendment S—5986 be adopted?” (H.F. 2283) the vote was:

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

Ayes, 17:

Corning	Drake	Fuhrman	Gentleman
Goodwin	Hester	Holden	Holt
Hultman	Jensen	Nystrom	Readinger
Rensink	Rife	Sturgeon	Taylor
Vande Hoef			

Nays, 32:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hall	Hannon
Horn	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Palmer	Peterson
Priebe	Riordan	Scott	Soorholtz
Tieden	Varn	Wells	Welsh

Absent or not voting, 1:

Schwengels

Amendment S—5986 lost.

Senator Scott offered amendment S—6002 filed by him from the floor to page 3 of the bill and moved its adoption.

Amendment S—6002 was adopted 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?" (H.F. 2283) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gentleman
Gettings	Gronstal	Hall	Hannon
Hester	Horn	Husak	Hutchins
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 7:

Goodwin	Holden	Holt	Hultman
Jensen	Sturgeon	Taylor	

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## 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 12, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:

**Senate File 2055**, a bill for an act relating to the registration and use of certain pesticides (S—5996).

**Senate File 2169**, a bill for an act relating to physician assistants, establishing a joint board of physician assistant examiners, providing for the registration and licensure of physician assistants, making penalties applicable, providing properly related matters, and providing an effective date (S—5995).

ALSO: That the House has on April 12, 1988, 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 2419**, a bill for an act relating to initiating and effecting whole-grade sharing agreements, setting maximum incentives and providing for collective bargaining agreements (S—5998 to H—6380).

ALSO: That the House has on April 13, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2328**, a bill for an act relating to the allocations and appropriations of lottery revenues and the programs for which the revenues may be used (S—5997).

ALSO: That the House has on April 14, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2466**, a bill for an act relating to the extension of the exclusion of a residential care facility from certificate of need requirements.

This bill was read first time and **passed on file**.

**House File 2471**, a bill for an act relating to regulation of milk production and marketing by creating a fund for administration and appropriating the moneys in the fund, providing for inspection, raising fees relating to the milk industry, and providing for the establishment of milk production and processing standards.

This bill was read first time and **passed on file**.

**House File 2473**, a bill for an act relating to and making appropriations directly from the state general fund for purposes of the military service tax credit and payment of the franchise tax to local governments, and providing an effective date.

This bill was read first time and **passed on file**.

**House File 2474**, a bill for an act relating to the imposition of the franchise tax on financial institutions doing business within the state and providing an effective date.

This bill was read first time and **passed on file**.

### INTRODUCTION OF RESOLUTION

**Senate Concurrent Resolution 139**, by Boswell, Priebe, Husak, Scott and Soorholtz, a concurrent resolution requesting an interim committee to study the economic role that agriculture and the agricultural community can play in preparing for and developing this state's full potential.

Read first time and assigned to the committee on **Rules and Administration**.

### IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House File 2283** be **immediately messaged** to the House.

### HOUSE AMENDMENT CONSIDERED

#### **Senate File 69**

Senator Priebe called up for consideration Senate File 69, a bill for an act relating to the investment of idle public funds by authorizing investment in drainage district warrants or improvement certificates and by correcting an error, amended by the House, and moved that the Senate concur in House amendment S—5963 filed April 13, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Priebe moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 69) 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.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Murphy                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### ADOPTION OF RESOLUTION (Regular Calendar)

#### House Concurrent Resolution 108

On motion of Senator Gettings, House Concurrent Resolution 108, a resolution relating to the designation of the vocational rehabilitation building as the Jessie M. Parker State Office Building in honor of Jessie M. Parker, with report of committee recommending passage, was taken up for consideration.

President Zimmerman took the chair at 11:45 a.m.

Senator Gettings moved the adoption of House Concurrent Resolution 108, which motion prevailed by a voice vote and the resolution was adopted.

### CONSIDERATION OF BILL (Regular Calendar)

Senator Horn asked and received unanimous consent to take up out of order House File 2449.

#### House File 2449

On motion of Senator Drake, House File 2449, a bill for an act to legalize the proceedings of the board of directors of the M-F-L Community School District relating to the sale of certain real estate, 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. 2449) 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	Jensen	Kinley
Lind	Lloyd-Jones	Mann	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, 3:

Hultman	Hutchins	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2248

Senator Doyle called up for consideration Senate File 2248, a bill for an act relating to indemnification and the limitation of liability of directors and officers and to liability of persons who serve rural water districts, volunteer as guardians or conservators, or who provide child foster care, amended by the House, in House amendment S—5966 filed April 13, 1988.

Senator Doyle offered amendment S—5983 filed by him on April 13, 1988, to House amendment S—5966.

Senator Bruner offered amendment S—5992 filed by him from the floor to amendment S—5983 to House amendment S—5966.

Amendment S—5992 was adopted by a voice vote.

Senator Doyle moved the adoption of amendment S—5983 as amended to House amendment S—5966, which motion prevailed by a voice vote.

Senator Doyle moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Doyle moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question “Shall the bill pass?” (S.F. 2248) 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	Jensen	Kinley
Lind	Lloyd-Jones	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe



Readinger  
Soorholtz  
Vande Hoef

Rensink  
Sturgeon  
Varn

Rife  
Taylor  
Wells

Scott  
Tieden  
Welsh

Nays, 2:

Mann

Riordan

Absent or not voting, 4:

Gronstal

Hutchins

Miller, C.P.

Schwengels

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 185

Senator Doyle called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5962 to Senate amendment H—6088 filed April 13, 1988.

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 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. 185) the vote was:

Ayes, 47:

Boswell  
Corning  
Drake  
Gettings

Bruner  
Deluhery  
Fraise  
Goodwin

Carr  
Dieleman  
Fuhrman  
Hall

Coleman  
Doyle  
Gentleman  
Hannon

Hester	Holden	Holt	Horn
Hultman	Husak	Jensen	Kinley
Lind	Lloyd-Jones	Mann	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, 3:

Gronstal	Hutchins	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2304

Senator Doyle called up for consideration Senate File 2304, a bill for an act relating to the administration of legal representation of indigent persons in criminal cases by local public defenders, and the state public defender's office, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5928 filed April 11, 1988.

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. 2304) 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	Jensen	Kinley

Lind	Lloyd-Jones	Mann	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, 3:

Holden	Hutchins	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.

### IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 185, 2449, House Concurrent Resolution 108** and **Senate File 2248** be immediately messaged to the House.

Senator Horn asked and received unanimous consent to send an **immediate message** to the House on **Senate Files 69** and **2304**.

### 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 14, 1988, 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 2323**, 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.

RECESS

On motion of Seantor Horn, the Senate recessed at 12:08 p.m., until 1:30 p.m.

## APPENDIX

## GOVERNOR'S ITEM VETO MESSAGE

April 13, 1988

The Honorable Jo Ann Zimmerman  
President of the Senate  
State Capitol Building  
L O C A L

Dear Madam President:

I hereby transmit Senate File 2309, an act relating to and making appropriations to the department of economic development, providing for the creation and repeal of programs, and transferring administration of a program.

Senator File 2309 is approved with the following exception which I hereby disapprove.

I am unable to approve the item designated as that portion of Section 15, which reads as follows:

Notwithstanding section 8.33, moneys appropriated pursuant to 1986 Iowa Acts, chapter 1246, section 1, subsection 6, not in excess of five hundred thousand (500,000) dollars to the department of economic development for the establishment and maintenance of an export finance program for the fiscal year beginning July 1, 1986, and ending June 30, 1987, which remain unexpended or unencumbered shall carry forward to the fiscal year beginning July 1, 1987, and ending June 30, 1988, to be used for the same purpose as originally appropriated.

It is clear that the intent of Section 15 in Senate File 2309 is to allow \$480,000 of carryover funds from the Export Finance Program to be used for the general administration of the Department of Economic Development. I approve of this utilization of these funds since they are needed to maintain the necessary operations of this important department. A portion of Section 15 authorizes the use of those carryover Export Finance Funds for that purpose.

However, a separate item in Section 15 inadvertently prevents that carryover from being fully utilized. In fact, a drafting error in this section would, if allowed to stand, reduce the operating budget for the Department of Economic Development by \$220,000.

The vetoed language limits the amount of funds from the Export Finance Program that are allowed to be carried over by the department from fiscal year 1987 to fiscal year 1988 to \$500,000. In fact, \$720,000 was carried over during that time.

Thus, retroactively capping the allowable carryover to \$500,000 would effectively reduce the available funds for the department's general administration budget by \$220,000.

It is my understanding that the Economic Development Appropriation Subcommittee Chairpersons have been notified of this drafting error and approve of my action to item veto this restrictive carryover language.

For the above reasons, I here respectfully disapprove this item in accordance with Amendment IV of the Amendments of the 1968 Constitution of the State of Iowa. All other items in Senate File 2309 are hereby approved as of this date.

Sincerely,  
TERRY E. BRANSTAD  
Governor

#### PROOF OF PUBLICATION

Verified proof of publication of House File 2470 in accordance with Section 585.1 of the Code was filed with the Secretary of the Senate.

#### BILLS ENROLLED, SIGNED AND SENT TO GOVERNOR

The Secretary of the Senate submitted the following report:

MADAM PRESIDENT: The Secretary to the Senate respectfully reports that the following bills have been enrolled, signed by the President of the Senate and the Speaker of the House, and presented to the Governor for his approval on this 14th day of April, 1988:

Senate Files 2234, 2310 and 2314.

#### BILL SIGNED BY THE GOVERNOR

A communication was received announcing that on April 13, 1988, the Governor approved and transmitted to the Secretary of State the following bill:

SENATE FILE 2311 — Relating to and making appropriations to various state agencies including the elected officials, the executive council, the department of general services, the department of personnel, the department of revenue and finance, the office of state-federal relations, and the department of management appropriating certain membership fees, increasing fees collected by the office of the secretary of state, and appropriating moneys to the county assistance fund, the municipal assistance fund, and the moneys and credits replacement fund.

## REPORTS OF THE SECRETARY OF THE SENATE

MADAM PRESIDENT: Pursuant to Senate Rule 21, I report that in enrolling Senate File 2314, the following corrections were made:

1. Page 21, line 25, the word "SEC" was changed to the word "SEC."
2. Page 27, line 18, the number "32" was changed to the number "31".
3. Page 27, line 19, the numbers "777, 707, and 48" were changed to the numbers "48, 49, and 60".

ALSO: That in enrolling Senate File 2310, the following corrections were made:

1. Page 4, line 5, the word "care-givers" was changed to the word "caregivers".
2. Page 6, line 10, the words "one hundredths" were changed to the words "one-hundredths".
3. Page 8, line 6, the words "one hundredths" were changed to the words "one-hundredths".
4. Page 17, line 35, the number "6" was changed to the number "5".
5. Page 18, line 5, the number "6" was changed to the number "5".
6. Page 21, line 30, the word "follows" was changed to the word "follows:".
7. Page 24, line 3, the word "Meetings." was changed to the word "MEETINGS.".
8. Page 25, line 12, the number "15" was changed to the number "13".

JOHN F. DWYER  
Secretary of the Senate

## PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

One hundred senior students from Johnston High School, Johnston, Iowa, accompanied by Pat Kinsey, Larry Strickler, Jan Ahern and Dave Pitz. Senator Palmer.

Twenty-three senior students from South Clay Community School, Gillett Grove, Iowa, accompanied by Larry Stegge. Senator Holt.

Fifty-three senior students from Belle Plaine High School, Belle Plaine, Iowa, accompanied by Larry Lawler and Jeff Henderson. Senator Husak.

Thirty fifth grade students from Coon Rapids Elementary School, Coon Rapids, Iowa, accompanied by Connie Gymer. Senator Nystrom.

Eighty second grade students from Cornell Elementary School, Saydel, Iowa. Senator Mann.

Fifteen government class students from Central Dallas High School, Minburn, Iowa, accompanied by Ruth Thompson. Senator Riordan.

American government class senior students from Carlisle High School, Carlisle, Iowa, accompanied by Ron Sears. Senator Dieleman.

#### AMENDMENTS FILED

S-5986	H.F.	2283	Calvin O. Hultman
S-5987	H.F.	2396	House amendment
S-5988	H.F.	2386	House amendment
S-5989	H.F.	613	George R. Kinley
S-5990	S.F.	2339	Al Sturgeon
S-5991	H.F.	683	Jack Rife
S-5992	S.F.	2248	Charles Bruner
S-5993	H.F.	2469	Richard Drake
			Calvin Hultman
			Jim Riordan
			Charles Bruner
S-5994	S.F.	2338	Charles Bruner
S-5995	S.F.	2169	House amendment
S-5996	S.F.	2055	House amendment
S-5997	S.F.	2328	House amendment
S-5998	H.F.	2419	House amendment
S-5999	H.F.	2285	Michael Gronstal
S-6000	H.F.	2448	Calvin O. Hultman
			Richard F. Drake
			Berl E. Priebe
			Emil J. Husak
S-6001	H.F.	2464	Eugene Fraise
S-6002	H.F.	2283	Kenneth Scott



## AFTERNOON SESSION

The Senate reconvened at 1:44 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 42 present, 8 absent and a quorum present.

## BILLS ASSIGNED TO COMMITTEE

President Zimmerman announced that **House File 2473** was assigned to the committee on **Appropriations** and **House File 2474** to the committee on **Ways and Means**.

## UNFINISHED BUSINESS (Deferred March 31, 1988)

### House File 2269

The Senate resumed consideration of House File 2269, a bill for an act relating to funds in the special railroad facility fund and the rail assistance fund and providing an effective date, deferred March 31, 1988.

Senator Drake offered amendment S—5759 filed by Senators Drake, Lloyd-Jones and Hultman on April 4, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Lloyd-Jones offered amendment S—5973 filed by her on April 13, 1988, to pages 2, 3 and 5 of amendment S—5759 and called for a division: lines 3 through 6 as division S—5973A and lines 7 through 11 as division S—5973B.

Senator Lloyd-Jones moved the adoption of division S—5973A, which motion prevailed by a voice vote.

Senator Lloyd-Jones asked and received unanimous consent that action on division S—5973B be deferred.

Senator Drake offered amendment S—5831 filed by Senators Drake and Welsh on April 7, 1988, to page 3 of amendment S—5759 and moved its adoption.

Amendment S—5831 was adopted by a voice vote.

Senator Hall offered amendment S—5784 filed by him on April 5, 1988, to page 5 of amendment S—5759 and moved its adoption.

Amendment S—5784 was adopted by a voice vote.

Senator Peterson offered amendment S—5788 filed by Senators Peterson and Hester on April 5, 1988, to page 5 of amendment S—5759 and moved its adoption.

Amendment S—5788 was adopted by a voice vote.

The Senate resumed consideration of division S—5973B to amendment S—5759 by Senator Lloyd-Jones, previously deferred.

Senator Lloyd-Jones called for a further division of division S—5973B: line 7 as division S—5973B and lines 8 through 11 as division S—5973C.

With the adoption of amendment S—5784 to amendment S—5759, the Chair ruled division S—5973B by Senator Lloyd-Jones to amendment S—5759, out of order.

Senator Lloyd-Jones moved the adoption of division S—5973C to amendment S—5759, which motion prevailed by a voice vote.

Senator Coleman offered amendment S—6009 filed by him from the floor to page 5 of amendment S—5759 and moved its adoption.

Amendment S—6009 was adopted by a voice vote.

Senator Drake moved the adoption of amendment S—5759 as amended and requested a record roll call.

On the question “Shall amendment S—5759 as amended be adopted?” (H.F. 2269) the vote was:

Ayes, 42:

Boswell  
Corning  
Fuhrman

Bruner  
Deluhery  
Gentleman

Carr  
Dieleman  
Gettings

Coleman  
Drake  
Gronstal

Hall	Hannon	Hester	Holt
Horn	Hultman	Husak	Hutchins
Jensen	Lind	Lloyd-Jones	Mann
Miller, A.V.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 6:

Fraise	Goodwin	Holden	Kinley
Miller, C.P.	Rife		

Absent or not voting, 2:

Doyle	Schwengels
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Amendment S—5759 as amended was adopted.

With the adoption of amendment S—5759 as amended, the Chair ruled amendment S—5647 filed by Senator Lloyd-Jones on March 29, 1988, to pages 1, 2 and the title page of the bill, out of order.

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. 2269 the vote was:

Ayes, 43:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fuhrman	Gentleman	Gettings
Gronstal	Hall	Hannon	Hester
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	

Nays, 6:

Fraise	Goodwin	Holden	Kinley
Rife	Welsh		

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### BILL INDEFINITELY POSTPONED

Senator Husak asked and received unanimous consent that **Senate File 2309** be indefinitely postponed and that the bill be removed from the Veto Messages from the Governor Calendar.

### IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **House File 2452** 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 14, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:

**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 (S—6010).

**Senate File 2107**, a bill for an act relating to the creation of a foster home insurance fund (S—6014).

ALSO: That the House has on April 14, 1988, 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 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 (S—6011 to H—6092).

**House File 2344**, a bill for an act relating to the civil rights of persons with a condition relating to acquired immune deficiency syndrome, by prohibiting the testing, with respect to the employment of persons, for a condition related to acquired immune deficiency syndrome, and by making remedial provisions of the civil rights law applicable (S—6013 to H—6304).

ALSO: That the House has on April 14, 1988, concurred in the Senate amendment to the House amendment, and passed the following bills in which the concurrence of the House was asked:

**Senate File 302**, a bill for an act relating to the disability of brain injury.

**Senate File 2039**, a bill for an act allowing certain personalized vehicle registration plates to contain up to seven characters and providing an effective date.

ALSO: That the House has on April 14, 1988, **insisted on** its amendment to **House File 2278**, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detention of juveniles in adult facilities, and providing penalties, and the members of the **conference committee** on the part of the House, are: The Representative from Scott, Mr. Fey, chair; the Representative from Polk, Mr. Bisignano, the Representative from Appanoose, Mr. Jay, the Representative from Cerro Gordo, Mrs. Clark, and the Representative from Sioux, Mr. Plasier.

ALSO: That the House has on April 14, 1988, passed the following bills in which the concurrence of the Senate is asked:

**House File 2455**, a bill for an act relating to research, review, and evaluation with respect to certain health-related legislative proposals, providing for contracting arrangements and a structure for organization and coordination, imposing fees, providing for the appropriation of funds, and providing other properly related matters.

This bill was read first time and assigned to the committee on **Appropriations**.

**House File 2463**, a bill for an act relating to local option taxes by authorizing a city or county to receive tax return information relating to the taxes; changing the number of days notice must be given before a local hotel or motel tax is imposed, repealed, or its rate changed; legalizing the premature collection of a local hotel or motel tax; and providing an effective date.

This bill was read first time and assigned to the committee on **Ways and Means**.

President pro tempore Kinley took the chair at 3:16 p.m.

### HOUSE AMENDMENT CONSIDERED

#### Senate File 2328

Senator Boswell called up for consideration Senate File 2328, a bill for an act relating to the allocations and appropriations of lottery revenues and the programs for which the revenues may be used, amended by the House in House amendment S—5997 filed April 14, 1988.

Senator Taylor offered amendment S—6004 filed by him from the floor to House amendment S—5997.

Senator Taylor withdrew amendment S—6004 to House amendment S—5997.

Senator Boswell moved that the Senate concur in the House amendment.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **House File 2278** on the part of the Senate: Senators Mann, Chair; Doyle, Fraise, Hester and Gentleman.

## UNFINISHED BUSINESS (Deferred March 31, 1988)

### House File 2170

The Senate resumed consideration of House File 2170, a bill for an act relating to foster care review, providing for the continued existence of the state and local foster care review boards, providing for the establishment of local foster care review boards throughout the state, providing for review in cases of children involuntarily hospitalized for mental illness, revising provisions relating to confidentiality and access to certain information, providing additional requirements for case permanency plans, providing other procedural revisions, and providing properly related matters, deferred on March 31, 1988.

Senator Lloyd-Jones offered amendment S—5527 filed by the committee on State Government on March 23, 1988, to page 3 of the bill and moved its adoption

Amendment S—5527 was adopted by a voice vote.

Senator Welsh offered amendment S—6005 filed by him from the floor to page 1 and the title page of the bill.

Senator Vande Hoef raised the point of order that amendment S—6005 was not germane to the bill.

The Chair ruled the point well taken and amendment S—6005 out of order.

President Zimmerman took the chair at 3:30 p.m.

Senator Bruner offered amendment S—5613 filed by Senators Bruner, et al., on March 28, 1988, to pages 2 and 3 of the bill and moved its adoption.

Amendment S—5613 was adopted by a voice vote.

Senator Mann withdrew amendment S—5625 filed by him on March 29, 1988, to page 3 of the bill.

Senator Mann offered amendment S—5626 filed by him on March 29, 1988, to page 3 of the bill and moved its adoption.

Amendment S—5626 was adopted by a voice vote.

Senator Mann offered amendment S—5627 filed by him on March 29, 1988, to page 3 of the bill.

Senator Vande Hoef offered amendment S—5678 filed by him on March 30, 1988, to amendment S—5627 and moved its adoption.

Amendment S—5678 was adopted by a voice vote.

Senator Mann moved the adoption of amendment S—5627 as amended, 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?” (H.F. 2170) 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	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:

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.



## CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Husak asked and received unanimous consent to take up out of order House File 683.

### House File 683

On motion of Senator Gronstal, House File 683, a bill for an act relating to energy assistance to low income households by requiring budget billing for certain utility bills for individuals receiving assistance under the low income home energy assistance program, by requiring each gas and electric public utility to create a utility shutoff fund with certain exceptions, by providing for the implementation of pilot projects of an affordable utility payment plan and affordable heating payment plan, making civil penalties applicable, providing a penalty, and providing for a sales tax refund for certain participating gas and electric public utilities and heating fuel supplier, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Gronstal offered amendment S—5857 filed by committee on Ways and Means on April 7, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Gronstal offered amendment S—5950 filed by him on April 12, 1988, to page 2, 3 and 5 of amendment S—5857 and moved its adoption.

Amendment S—5950 was adopted by a voice vote.

Senator Holden offered amendment S—5872 filed by him on April 8, 1988, to page 3 of amendment S—5857 and moved its adoption.

Amendment S—5872 lost by a voice vote.

Senator Rife withdrew amendment S—5976 filed by him on April 13, 1988, to page 5 of amendment S—5857.

Senator Rife offered amendment S—5991 filed by him from the floor to page 5 of amendment S—5857 and called for a division: lines 3 through 6 as division S—5991A and lines 7 through 12 as division S—5991B.

Senator Gronstal raised the point of order that division S—5991A to amendment S—5857 was not germane.

The Chair ruled the point well taken and division S—5991A out of order.

With the adoption of amendment S—5950 to amendment S—5857, the Chair ruled division S—5991B by Senator Rife to page 5 of amendment S—5857, out of order.

Senator Gronstal moved the adoption of amendment S—5857 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5857 as amended, the Chair ruled the following amendments out of order:

S—4042 filed by the committee on Ways and Means on May 7, 1987, to page 2 of the bill.

S—4067 filed by Senator Murphy on May 7, 1987, to pages 1 through 3 of the bill.

S—4065 filed by Senator Holden on May 7, 1987, to page 2 of the bill.

S—4059 filed by Senator Holden on May 7, 1987, to page 5 of the bill.

Senator Gronstal moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 683) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Gronstal	Hall	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Kinley	Lind	Lloyd-Jones

Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 5:

Gentleman	Goodwin	Hultman	Jensen
Rife			

Absent or not voting, 3:

Miller, C.P.	Murphy	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.

### UNFINISHED BUSINESS (Deferred March 31, 1988)

#### House File 2158

The Senate resumed consideration of House File 2158, a bill for an act to limit operation of motor vehicles in streambeds and providing a penalty, deferred March 31, 1988.

Senator Fraise asked and received unanimous consent that further action on **House File 2158** be **deferred**.

### HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

#### House File 2396

Senator Boswell called up for consideration House File 2396, a bill for an act relating to the establishment of the economic development finance corporation to assist in providing financing for small business development by providing loan guarantees, letters of credit, equity financing, underwriting for public offerings, and creating a state assistance fund, amended by the Senate, further amended by the House and moved that the Senate

concur in House amendment S—5987 to Senate amendment H—6359 filed April 14, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Boswell 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. 2396) the vote was:

Ayes, 32:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Gettings	Gronstal	Hall
Hannon	Horn	Husak	Hutchins
Kinley	Lloyd-Jones	Mann	Miller, A.V.
Murphy	Nystrom	Palmer	Peterson
Priebe	Riordan	Scott	Soorholtz
Sturgeon	Varn	Wells	Welsh

Nays, 15:

Corning	Fuhrman	Gentleman	Goodwin
Holden	Holt	Hultman	Jensen
Lind	Readinger	Rensink	Rife
Taylor	Tieden	Vande Hoef	

Absent or not voting, 3:

Hester	Miller, A.V.	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## COMMITTEE REPORTS

### APPROPRIATIONS

**Final Bill Action:** SENATE FILE 2040, a bill for an act to appropriate moneys to the state board of regents to be used by Iowa State University for the development of the technology necessary to develop competitive plastics manufactured from corn-based products.

**Recommendation:** DO PASS.

**Final Vote:** Ayes, 14: Welsh, Husak, Boswell, Corning, Dieleman, Fraise, Holt, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 4: Tieden, Jensen, Gettings and Schwengels.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

**Final Bill Action:** HOUSE FILE 2469, a bill for an act relating to energy development and conservation, making appropriations of the petroleum overcharge funds, and providing an effective date.

**Recommendation:** AMEND AND DO PASS AS PROVIDED IN AMENDMENT S—6006.

**Final Vote:** Ayes, 14: Welsh, Husak, Boswell, Corning, Dieleman, Fraise, Holt, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn. Nays, none. Absent or not voting, 4: Tieden, Jensen, Gettings and Schwengels.

**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 House File 2469.

#### House File 2469

On motion of Senator Riordan, House File 2469, a bill for an act relating to energy development and conservation, making appropriations of the petroleum overcharge funds, and providing an effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Riordan offered amendment S—6006 filed by the committee on Appropriations from the floor to pages 1 and 6 of the bill.

Senator Corning called for a division of amendment S—6006: lines 3 through 9 as division S—6006A and lines 10 through 26 as division S—6006B.

Senator Corning raised the point of order that division S—6006B was not germane to the bill.

The Chair ruled the point not well taken and division S—6006B in order.

Senator Riordan moved the adoption of division S—6006A, which motion prevailed by a voice vote.

Senator Riordan moved the adoption of division S—6006B, which motion prevailed by a voice vote.

Senator Gronstal offered amendment S—6012 filed by him from the floor to page 2 of the bill and moved its adoption.

Amendment S—6012 was adopted by a voice vote.

With the adoption of amendment S—6012, the Chair ruled amendment S—5993 filed by Senators Drake, et al., to page 2 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?" (H.F. 2469) 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.	Murphy	Nystrom
Peterson	Priebe	Readinger	Rensink
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Miller, C.P.	Palmer	Schwengels	Tieden
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

**CONSIDERATION OF BILL**  
**(Ways and Means Calendar)**

Senator Husak asked and received unanimous consent to take up out of order House File 2448.

**House File 2448**

On motion of Senator Bruner, House File 2448, a bill for an act relating to the funding for amending the basis for rates paid to intermediate care facilities and the schedule of basic needs under the aid to families with dependent children program by imposing a nonrefundable filing fee for corporations subject to state income tax and corporations or partnerships whose income is taxed to its shareholders or partners and imposing or repealing the state sales, services and use taxes on certain services, making appropriations, and providing a retroactive effective date, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Bruner offered amendment S—5955 filed by the committee on Ways and Means on April 12, 1988, to strike everything after the enacting clause and to the title page of the bill.

Senator Hultman offered amendment S—6000 filed by Senators Hultman, et al., from the floor to pages 1, 2, 4 and 5 of amendment S—5955.

Senator Bruner called for a division of amendment S—6000 to amendment S—5955: lines 4 through 7 as division S—6000A and lines 8 through 13 as division S—6000B.

Senator Hultman moved the adoption of division S—6000A to amendment S—5955 and requested a record roll call.

On the question "Shall division S—6000A to amendment S—5955 be adopted?" (H.F. 2448) the vote was:

Ayes, 43:

Boswell  
Dieleman  
Fuhrman  
Hall

Coleman  
Doyle  
Gentleman  
Hannon

Corning  
Drake  
Gettings  
Hester

Deluhery  
Fraise  
Goodwin  
Holden

Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Lind
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Vande Hoef
Varn	Wells	Welsh	

Nays, 6:

Bruner	Carr	Gronstal	Lloyd-Jones
Mann	Riordan		

Absent or not voting, 1:

Schwengels

Division S—6000A was adopted.

Senator Hultman moved the adoption of division S—6000B to amendment S—5955, which motion prevailed by a voice vote.

Senator Priebe offered amendment S—6019 filed by Senators Priebe and Bruner from the floor to pages 3 and 4 of amendment S—5955 and called for a division:

Division S—6019A: lines 4 through 6.

Division S—6019B: lines 7 through 32.

Division S—6019C: lines 33 and 34.

Division S—6019D: lines 35 through 38.

Division S—6019E: lines 39 and 40.

Division S—6019F: lines 41 through 46.

Senator Priebe asked and received unanimous consent to withdraw division S—6019A to amendment S—5955.

Senator Priebe moved the adoption of division S—6019B to amendment S—5955, which motion prevailed by a voice vote.

Senator Priebe asked and received unanimous consent to withdraw divisions S—6019C and S—6019E to amendment S—5955.



Senator Priebe moved the adoption of division S—6019D to amendment S—5955, which motion prevailed by a voice vote.

Senator Priebe moved the adoption of division S—6019F to amendment S—5955, which motion prevailed by a voice vote.

Senator Bruner moved the adoption of amendment S—5955 as amended, which motion prevailed by a voice vote.

With the adoption of amendment S—5955 as amended, the Chair ruled amendment S—5762 filed by Senator Dieleman on April 5, 1988, to pages 2 and 4 of the bill, out of order.

Senator Bruner moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” (H.F. 2448) 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	Lind	Lloyd-Jones	Mann
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, 1:

Gentleman

Absent or not voting, 2:

Peterson                      Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

## IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **House Files 2170, 683, 2396 and 2448** 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 members of the **conference committee**, appointed April 14, 1988, on **House File 2441**, a bill for an act relating to underground storage tanks, establishing certain fees, providing penalties, and providing an effective date, on the part of the House, are: The Representative from Polk, Mr. Hatch, chair; the Representative from Linn, Mr. Osterberg, the Representative from Marion, Mr. Schrader, the Representative from Plymouth, Mr. Paulin, and the Representative from Scott, Mr. Van Camp.

ALSO: That the House has on April 14, 1988, 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 2193**, a bill for an act relating to requirements for approved teacher education programs.

ALSO: That the House has, on April 14, 1988, adopted the **conference committee report** and passed **Senate File 394**, a bill for an act relating to care of animals in commercial establishments.

ALSO: That the House on April 14, 1988, 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 2296**, a bill for an act requiring the area education agencies to utilize private health care benefit plans and federally funded health care programs to share in the costs of services provided to certain children requiring special education.

ALSO: That the House has on April 14, 1988, amended and passed the following bills in which the concurrence of the Senate is asked:

**Senate File 2126**, a bill for an act restricting the time period for the initiating of administrative or judicial actions to remove or eliminate certain structures, dams, obstructions, deposits, excavations, or stream straightenings to a floodway (S—6017).

**Senate File 2289**, a bill for an act relating to the sale of certificates of deposits, issued by foreign associations, within the state (S—6018).

### BILL ASSIGNED TO COMMITTEE

President Zimmerman announced that **House File 2466** was assigned to the committee on **Human Resources**.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Husak asked and received unanimous consent to take up for consideration House File 2464.

#### **House File 2464**

On motion of Senator Tieden, House File 2464, a bill for an act relating to the lease-purchase and disposal of real or personal property by the department of general services and providing a standing appropriation of proceeds previously deposited, with report of committee recommending passage, was taken up for consideration.

Senator Tieden offered amendment S—5979 filed by the committee on Appropriations on April 13, 1988, to page 4 and moved its adoption.

Amendment S—5979 was adopted by a voice vote.

Senator Fraise offered amendment S—6001 filed by him from the floor to page 2 of the bill and moved its adoption.

A non record roll call was requested.

Rule 23, requiring all Senators present to vote except those who express a conflict of interest, was invoked.

The ayes were 22, nays 24.

Amendment S—6001 lost.

Senator Mann offered amendment S—6008 filed by him from the floor to page 2 of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 29, nays 18.

Amendment S—6008 was adopted.

Senator Tieden asked and received unanimous consent that further action on **House File 2464** be **deferred**.

### IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **Senate File 2328** be **immediately messaged** to the House.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Husak asked and received unanimous consent to take up for consideration House File 2465.

#### **House File 2465**

On motion of Senator Murphy, House File 2465, a bill for an act relating to taxation establishing an excise tax on motor fuel used in aircraft, establishing an excise tax on special fuel used in aircraft, eliminating the sales tax exemption for casual sales of aircraft, adding a sales and use tax exemption for the sale of certain aircraft, requiring a person first registering an aircraft to show evidence that the sales tax or use tax has been paid, prohibiting a motor fuel excise tax refund for motor fuel or special fuel taken out of the state in fuel supply tanks of aircraft or watercraft, prohibiting an income tax credit on fuel tax paid on motor fuel used in watercraft or aircraft, and providing an appropriation, 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. 2465) the vote was:

Ayes, 34:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Dieleman	Doyle
Drake	Fraise	Fuhrman	Gettings
Goodwin	Hall	Hannon	Holt
Horn	Husak	Jensen	Kinley
Lind	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Priebe	Readinger
Riordan	Soorholtz	Sturgeon	Varn
Wells	Welsh		

Nays, 12:

Gentleman	Gronstal	Hester	Lloyd-Jones
Mann	Peterson	Rensink	Rife
Scott	Taylor	Tieden	Vande Hoef

Absent or not voting, 4:

Holden	Hultman	Hutchins	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## MOTION TO RECONSIDER WITHDRAWN

### House File 2352

Senator Welsh withdrew the motion to reconsider House File 2352, a bill for an act relating to right-of-way and relocation assistance provided to persons displaced by highway projects, filed by him on March 25, 1988, and found on page 1045 of the Senate Journal.

## IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **House File 2352** be **immediately messaged** to the House.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 2386

Senator Boswell called up for consideration House File 2386, a bill for an act relating to additional factors, requirements, and guidelines for providing assistance under the community economic betterment account of the Iowa plan fund and RISE program, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5988 to Senate amendment H—6348 filed April 14, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Boswell 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. 2386) 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	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Rife

Absent or not voting, 3:

Hultman	Hutchins	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 Husak asked and received unanimous consent that **House File 2386** be immediately messaged to the House.

### CONSIDERATION OF BILL (Regular Calendar)

#### **Senate File 2333**

On motion of Senator Wells, Senate File 2333, a bill for an act relating to a conflict between civil service laws and the terms and conditions of a collective bargaining agreement pertaining to the mandatory bargaining subject of seniority as it affects promotions and transfers, with report of committee recommending passage, was taken up for consideration.

Senator Mann raised the point of order that Senate File 2333 was in violation of Senate Rule 39 and Joint Rule 9.

The Chair ruled the point not well taken.

President pro tempore Kinley took the chair at 6:10 p.m.

Senator Mann offered amendment S—5906 filed by him on April 11, 1988, to strike everything after the enacting clause of the bill and moved its adoption.

A non record roll call was requested.

The ayes were 16, nays 29.

Amendment S—5906 lost.

Senator Riordan withdrew amendment S—5943 filed by him on April 12, 1988, to page 1 and the title page of the bill.

Senator Riordan offered amendment S—6025 filed by him from the floor to page 1 and the title page of the bill.

Senator Peterson raised the point of order that amendment S—6025 was not germane to the bill.

The Chair ruled the point well taken and amendment S—6025 out of order.

Senator Bruner withdrew amendment S—5920 filed by him on April 11, 1988, to page 1 of the bill.

Senator Bruner offered amendment S—5924 filed by him on April 11, 1988, to page 1 of the bill and moved its adoption.

Amendment S—5924 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. 2333) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Drake	Fraise
Gettings	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Husak
Hutchins	Jensen	Kinley	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Varn	Wells	Welsh	

Nays, 13:

Corning	Dieleman	Fuhrman	Gentleman
Goodwin	Hester	Holden	Lind
Lloyd-Jones	Mann	Rensink	Tieden
Vande Hoef			

Absent or not voting, 2:

Murphy	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Ways and Means Calendar)

Senator Husak asked and received unanimous consent to take up out of order House File 2461.



## House File 2461

On motion of Senator Dieleman, House File 2461, a bill for an act relating to tax refunds paid by the county treasurer, 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. 2461) 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	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, 1:

Gentleman

Absent or not voting, 3:

Holden	Murphy	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## 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 14, 1988, concurred in the Senate amendment and passed the following bills in which the concurrence of the House was asked:

**House File 2283**, a bill for an act relating to agricultural property holdings by providing certain definitions; restricting processors; establishing family farm limited partnerships; restricting the number of acres of agricultural land that other limited partnerships may acquire or otherwise obtain or lease; restricting persons from becoming limited partners, stockholders, or beneficiaries in more than a number of certain limited partnerships, authorized farm corporations, or authorized trusts; providing certain restrictions of family trusts; and requiring reporting of certain agricultural related property and the confidentiality of certain information; and providing penalties.

**House File 2354**, a bill for an act relating to radon testing and providing a penalty.

ALSO: That the House has on April 14, 1988, **refused to concur** in the Senate amendment to the following bill in which the concurrence of the House was asked:

**House File 2459**, a bill for an act relating to the imposition and collection of the state sales, services, and use taxes by out-of-state retailers.

ALSO: That the House has on April 14, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 2313**, a bill for an act imposing additional hazardous waste fees with civil penalties applicable.

**Senate File 2338**, a bill for an act relating to the deduction of premiums received in connection with annuity contracts in computing the gross amount of premiums for purpose of the state gross premiums tax, requiring related reports by the commissioner of insurance, and providing applicable and effective dates.

## INTRODUCTION OF BILL

**Senate File 2341**, by Hutchins, a bill for an act relating to the preparation of revenue estimates, relating to the submission of reports, requests, and data by the executive branch to the legislative branch, relating to changes in status of the high technology council and city development board, allowing the Code editor to delete obsolete administrative rules, providing for the provision of operating assistance to the Mississippi parkway

planning commission, providing for distribution of publications of the Code editor, specifying that a certain position is excluded from the state merit system, relating to the designation of legal holidays for alcoholic beverage operations, providing for certain rulemaking authority in certain state agencies, requiring certain meetings by the county finance committee and city finance committee, correcting an obsolete reference, relating to staff support for the board of chiropractic examiners, providing for a certain certification of state taxes, relating to reimbursement for certain empty alcoholic beverage containers, deleting certain regulatory responsibilities of the department of agriculture and land stewardship, deleting certain requirements relating to certain reports by superintendents of correctional institutions, modifying the structure and procedures relating to city historical preservation commissions, recognizing certain interlibrary loan standards, relating to the acquisition and disposition of abandoned property held by any governmental entity, correcting the title of the superintendent of savings and loan associations, relating to the making of recovery-of-property agreements, relating to the phase-in of generally accepted accounting principles, repealing the termination of the division of children, youth, and families, concerning the tax liability of liquor bailment corporations, striking the repeal of water resource districts, deleting certain authority of the department of public health relating to mental health facilities, concerning the organization of certain nonstatutory committees and groups related to the department of economic development, making conforming changes for the above-specified changes in the organization and procedures of state government being made as a follow-up to the comprehensive government reorganization of 1986, and providing an effective date.

Read first time and assigned to the committee on **State Government**.

## HOUSE AMENDMENTS CONSIDERED

### **Senate File 2250**

Senator Deluhery called up for consideration Senate File 2250, a bill for an act relating to environmental protection by correcting the reference to the membership of the advisory committee for

the center for health effects of environmental contamination; by establishing requirements regarding sanitary disposal project inspections, the disposal of solid waste, and the solid waste tonnage fee; by making corrections relating to the collection and allocation of moneys within the solid waste account and the agriculture management account; by correcting a reference to the duties of the department of natural resources regarding household hazardous materials; and by specifying the content and liability for the content of statements submitted with a declaration of value regarding the existence and location of wells, disposal sites, underground storage tanks, and hazardous waste, amended by the House in House amendment S—5946 filed April 12, 1988.

Senator Deluhery offered amendment S—6022 filed by Senators Deluhery, et al., from the floor to House amendment S—5946 and moved its adoption.

Amendment S—6022 was adopted by a voice vote.

Senator Deluhery moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator 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. 2250) the vote was:

Ayes, 44:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Holt	Horn	Hultman	Husak
Jensen	Kinley	Lind	Lloyd-Jones
Mann	Miller, A.V.	Miller, C.P.	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Corning  
Murphy

Hester  
Schwengels

Holden

Hutchins

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### Senate File 2126

Senator Scott called up for consideration Senate File 2126, a bill for an act restricting the time period for the initiating of administrative or judicial actions to remove or eliminate certain structures, dams, obstructions, deposits, excavations, or stream straightenings to a floodway, amended by the House, and moved that the Senate concur in House amendment S—6017 filed April 14, 1988.

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. 2126) the vote was:

Ayes, 45:

Boswell  
Corning  
Drake  
Gettings  
Hannon  
Horn  
Kinley  
Nystrom  
Readinger  
Scott  
Tieden  
Welsh

Bruner  
Deluhery  
Fraise  
Goodwin  
Hester  
Hultman  
Lind  
Palmer  
Rensink  
Soorholtz  
Vande Hoef

Carr  
Dieleman  
Fuhrman  
Gronstal  
Holden  
Husak  
Lloyd-Jones  
Peterson  
Rife  
Sturgeon  
Varn

Coleman  
Doyle  
Gentleman  
Hall  
Holt  
Jensen  
Miller, A.V.  
Priebe  
Riordan  
Taylor  
Wells

Nays, none.

Absent or not voting, 5:

Hutchins  
Schwengels

Mann

Miller, C.P.

Murphy

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### Senate File 2107

Senator Bruner called up for consideration Senate File 2107, a bill for an act relating to the creation of a foster home insurance fund, amended by the House in House amendment S—6014 filed April 14, 1988.

Senator Bruner offered amendment S—6021 filed by him from the floor to House amendment S—6014 and moved its adoption.

Amendment S—6021 was adopted by a voice vote.

Senator Bruner moved that the Senate concur in the House amendment as amended.

The motion prevailed by a voice vote and the Senate concurred in the House amendment as amended.

Senator Bruner moved that the bill as amended by the House, further amended and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2107) the vote was:

Ayes, 45:

Boswell	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	Lloyd-Jones	Miller, A.V.
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 2:

Mann

Murphy

Absent or not voting, 3:

Hester

Miller, C.P.

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### MOTION TO RECONSIDER WITHDRAWN

#### Senate File 2333

Senator Riordan withdrew the following motion to reconsider filed by him from the floor:

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2333 passed the Senate on April 14, 1988.

### IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **Senate File 2333** be **immediately messaged** to the House.

Senator Husak asked and received unanimous consent to send an **immediate message** to the House on **Senate File 2107**.

### 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 14, 1988, amended the Senate amendment, concurred in the Senate amendment as amended, as passed the following bills 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 (S—6027 to H—6464).

**House File 2439**, a bill for an act relating to the regulation of securities by amending the Iowa uniform securities Act to provide certain new and modified securities exemptions and transaction exemptions and to remove the broker-dealer bonding requirement for members of the securities investor protection corporation (S—6028 to H—6455).

## BUSINESS PENDING

### **House File 2339**

The Senate resumed consideration of House File 2339, a bill for an act relating to grievances and discipline resolution for certain employees of the state, and division S—5653B by Senator Mann, previously deferred.

Senator Mann moved the adoption of division S—5653B.

A non record roll call was requested.

The ayes were 10, nays 33.

Division S—5653B lost.

Senator Welsh offered amendment S—5814 filed by Senators Welsh and Holt on April 6, 1988, to page 3 and the title page of the bill and moved its adoption.

Amendment S—5814 was adopted by a voice vote.

Senator Horn offered amendment S—6007 filed by Senators Horn, Carr and Coleman from the floor to page 2 and the title page of the bill.

Senator Fuhrman raised the point of order that amendment S—6007 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—6007 in order.

Senator Hultman offered amendment S—6020 filed by him from the floor to amendment S—6007, moved its adoption and requested a record roll call.

On the question "Shall amendment S—6020 to amendment S—6007 be adopted?" (H.F. 2339) the vote was:



Ayes, 17:

Corning	Dieleman	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Hultman	Jensen	Lind	Nystrom
Priebe	Rensink	Taylor	Tieden
Vande Hoef			

Nays, 25:

Bruner	Carr	Coleman	Doyle
Fraise	Gettings	Gronstal	Hannon
Horn	Husak	Hutchins	Kinley
Lloyd-Jones	Mann	Miller, A. V.	Miller, C. P.
Murphy	Palmer	Readinger	Riordan
Scott	Soorholtz	Sturgeon	Varn
Wells			

Absent or not voting, 8:

Boswell	Deluhery	Drake	Holt
Peterson	Rife	Schwengels	Welsh

Amendment S—6020 lost.

Senator Fuhrman offered amendment S—6024 filed by him from the floor to amendment S—6007 and moved its adoption.

A non record roll call was requested.

The ayes were 20, nays 25.

Amendment S—6024 lost.

Senator Fuhrman offered amendment S—6023 filed by him from the floor to amendment S—6007 and moved its adoption.

A non record roll call was requested.

The ayes were 14, nays 24.

Amendment S—6023 lost.

Senator Horn moved the adoption of amendment S—6007, which motion prevailed 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. 2339) the vote was:

Ayes, 35:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Holt
Horn	Husak	Hutchins	Kinley
Lind	Lloyd-Jones	Mann	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rife
Riordan	Scott	Soorholtz	Sturgeon
Varn	Wells	Welsh	

Nays, 14:

Corning	Dieleman	Fuhrman	Gentleman
Goodwin	Hall	Hester	Holden
Hultman	Jensen	Rensink	Taylor
Tieden	Vande Hoef		

Absent or not voting, 1:

Schwengels

The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

### IMMEDIATELY MESSAGED

Senator Horn asked and received unanimous consent that **House Files 2461 and 2339** be **immediately messaged** to the House.

Senator Horn asked and received unanimous consent to send an **immediate message** to the House on **Senate File 2126**.

### 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 14, 1988, **insisted on** its amendment to **Senate File 2328**, a bill for an act relating to the allocations and appropriations of lottery revenues and the programs for which the revenues may be used, and the members of the **conference committee** on the part of the House, are: The Representative from

Linn, Mr. Running, chair; the Representative from Dubuque, Mr. Connolly, the Representative from Jasper, Mr. Parker, the Representative from Winnebago, Mr. Branstad, and the Representative from Ida, Mr. Bennett.

ALSO: That the House has on April 14, 1988, 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 2248**, a bill for an act relating to indemnification and the limitation of liability of directors and officers and to the indemnification of a present or former director, officer, employee, member, or volunteer of a cooperative association for certain judgments and expenses.

ALSO: That the House has on April 14, 1988, passed the following bills in which the concurrence of the House was asked:

**Senate File 2330**, a bill for an act relating to the provision of certain services to persons with mental retardation, a developmental disability, or mental illness.

**Senate File 2331**, a bill for an act relating to the collection of fees for and the rights and duties of the sheriff regarding service of legal process and levy of execution.

## APPOINTMENT OF CONFERENCE COMMITTEE

The Chair announced the following conference committee on **Senate File 2328** on the part of the Senate: Senators Boswell, Chair; Miller of Cerro Gordo, Welsh, Tieden and Readinger.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 649

Senator Priebe called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5942 to Senate amendment H—4383 filed April 12, 1988.

Senator Mann asked and received unanimous consent that further action on House amendment S—5942 to Senate amendment H—4383 and **House File 649** be **deferred**.

**CONFIRMATION OF GOVERNOR'S APPOINTMENT**  
(Individual Confirmation Calendar)

Senator Gentleman called up the appointment of Dr. John R. Anderson as a member of the Medical Examining Board, placed on the Individual Confirmation Calendar on March 29, 1988, and found on page 1147 of the Senate Journal.

Senator Gentleman 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
Mann	Miller, A.V.	Miller, C.P.	Murphy
Nystrom	Palmer	Peterson	Priebe
Readinger	Rensink	Rife	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 2:

Riordan                      Schwengels

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

## HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

### House File 613

Senator Kinley called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—6027 to Senate amendment H—6464 filed April 14, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Kinley 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. 613) 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	Jensen	Kinley
Lind	Lloyd-Jones	Mann	Miller, A. V.
Miller, C.P.	Murphy	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Rife	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Hultman	Hutchins	Riordan	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

#### House File 2439

Senator Sturgeon called up for consideration House File 2439, a bill for an act relating to the regulation of securities by amending the Iowa uniform securities Act to provide certain new and modified securities exemptions and transaction exemptions and to remove the broker-dealer bonding requirement for members of the securities investor protection corporation, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—6028 to Senate amendment H—6455 filed April 14, 1988.

The motion lost by a voice vote and the Senate **refused to concur** in the House amendment to the Senate amendment.

### HOUSE AMENDMENT CONSIDERED

#### Senate File 2169

Senator Carr called up for consideration Senate File 2169, a bill for an act relating to physician assistants, establishing a joint board of physician assistant examiners, providing for the registration and licensure of physician assistants, making penalties applicable, providing properly related matters, and providing an effective date, amended by the House, and moved that the Senate concur in House amendment S—5995 filed April 14, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Carr moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2169) the vote was:

Ayes, 38:

Bruner	Carr	Coleman	Corning
Deluhery	Doyle	Drake	Fraise
Gettings	Gronstal	Hannon	Hester
Holden	Holt	Horn	Husak
Hutchins	Jensen	Kinley	Lind
Lloyd-Jones	Mann	Miller, A. V.	Murphy
Nystrom	Palmer	Peterson	Priebe
Rife	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Tieden	Varn
Wells	Welsh		

Nays, 7:

Fuhrman	Gentleman	Goodwin	Hall
Readinger	Rensink	Vande Hoef	

Absent or not voting, 5:

Boswell	Dieleman	Hultman	Miller, C.P.
Schwengels			

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## HOUSE AMENDMENTS TO SENATE AMENDMENTS CONSIDERED

### House File 2344

Senator Sturgeon called up for consideration House File 2344, a bill for an act relating to the civil rights of persons with a condition relating to acquired immune deficiency syndrome, by prohibiting the testing, with respect to the employment of persons, for a condition related to acquired immune deficiency syndrome, and by making remedial provisions of the civil rights law applicable, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—6013 to Senate amendment H—6304 filed April 14, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Sturgeon moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2344) the vote was:

Ayes, 47:

Boswell	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	Mann	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, 3:

Dieleman	Gentleman	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title as amended was agreed to.

## House File 2419

Senator Murphy called up for consideration House File 2419, a bill for an act relating to initiating and effecting whole-grade sharing agreements, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—5998 to Senate amendment H—6380 filed April 14, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.



Senator Murphy moved that the bill as amended by the Senate, further amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (H.F. 2419) the vote was:

Ayes, 46:

Boswell	Bruner	Coleman	Corning
Deluhery	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	Peterson
Priebe	Readinger	Rensink	Rife
Riordan	Scott	Soorholtz	Sturgeon
Taylor	Tieden	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 4:

Carr	Gentleman	Holt	Schwengels
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The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### IMMEDIATELY MESSAGED

Senator Husak asked and received unanimous consent that **House Files 613, 2439, 2344 and 2419** be **immediately messaged** to the House.

Senator Husak asked and received unanimous consent to send an **immediate message** to the House on **Senate File 2169**.

## CONFIRMATION OF GOVERNOR'S APPOINTMENTS (Individual Confirmation Calendar)

Senator Lloyd-Jones called up the appointment of Gene W. Shepard as Director of Public Safety, placed on the Individual Confirmation Calendar on March 29, 1988, and found on page 1147 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:

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	Miller, A.V.
Miller, C.P.	Murphy	Nystrom	Peterson
Priebe	Readinger	Rensink	Rife
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 5:

Dieleman	Mann	Palmer	Riordan
Schwengels			

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gentleman called up the appointment of Dr. Charlotte A. Cleavenger as a member of the Medical Examining Board, placed on the Individual Confirmation Calendar on April 6, 1988, and found on page 1292 of the Senate Journal.

Senator Gentleman 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	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
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Gentleman called up the appointment of Ann O'Neill as a member of the Medical Examining Board, placed on the Individual Confirmation Calendar on March 29, 1988, and found on page 1147 of the Senate Journal.

Senator Gentleman 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	Husak	Hutchins	Jensen
Kinley	Lind	Miller, A.V.	Murphy
Nystrom	Palmer	Peterson	Priebe

Readinger	Rensink	Rife	Riordan
Scott	Soorholtz	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Dieleman	Lloyd-Jones	Mann	Miller, C.P.
Schwengels	Sturgeon		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Bruner called up the appointment of Dolores M. Gross as a member of the State Board of Examiners for Nursing Home Administrators, placed on the Individual Confirmation Calendar on March 31, 1988, and found on page 1196 of the Senate Journal.

Senator Bruner moved that the foregoing appointment be confirmed by the Senate.

On the question "Shall the appointees be confirmed?" 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.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Rife	Riordan	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Welsh	

Nays, none.

Absent or not voting, 3:

Dieleman	Schwengels	Wells
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The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

## CONFIRMATION OF GOVERNOR'S APPOINTMENT (Individual Confirmation Calendar)

Senator Carr called up the appointment of L.C. Pike as a member of the State Racing Commission, placed on the Individual Confirmation Calendar on April 5, 1988, and found on page 1267 of the Senate Journal.

Senator Carr moved that the foregoing appointment be confirmed by the Senate.

Senator Coleman took the chair at 8:25 p.m.

On the question "Shall the appointee be confirmed?" 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
Scott	Soorholtz	Sturgeon	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, none.

Absent or not voting, 1:

Schwengels

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

Senator Bruner called up the appointment of Joanne L. Stockdale as a member of the Investment Board (IPERS), placed on the Individual Confirmation Calendar on April 6, 1988, and found on page 1292 of the Senate Journal.

Senator Bruner 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	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	Scott
Soorholtz	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Dieleman	Fuhrman	Mann	Rife
Riordan	Schwengels		

The appointee having received a two-thirds vote was declared to have been confirmed by the Senate.

## WITHDRAWN

Senator Gronstal asked and received unanimous consent that **Senate File 2319** be **withdrawn** from further consideration of the Senate.

## HOUSE AMENDMENT CONSIDERED

### Senate File 2289

Senator Holden called up for consideration Senate File 2289, a bill for an act relating to the sale of certificates of deposit, issued by foreign associations, within the state, amended by the House, and moved that the Senate concur in House amendment S—6018 filed April 14, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment.

Senator Holden moved that the bill as amended by the House and concurred in by the Senate, be read the last time now and placed upon its passage, which motion prevailed by a voice vote and the bill was read the last time.

On the question "Shall the bill pass?" (S.F. 2289) the vote was:

Ayes, 42:

Boswell	Bruner	Carr	Coleman
Corning	Doyle	Fraise	Fuhrman
Gentleman	Gettings	Goodwin	Gronstal
Hall	Hannon	Hester	Holden
Horn	Hultman	Husak	Jensen
Kinley	Lind	Lloyd-Jones	Mann
Miller, A.V.	Miller, C.P.	Murphy	Nystrom
Palmer	Peterson	Priebe	Readinger
Rensink	Riordan	Scott	Soorholtz
Sturgeon	Taylor	Vande Hoef	Varn
Wells	Welsh		

Nays, none.

Absent or not voting, 8:

Deluhery	Dieleman	Drake	Holt
Hutchins	Rife	Schwengels	Tieden

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## BUSINESS PENDING

### House File 2158

The Senate resumed consideration of House File 2158, a bill for an act to limit operation of motor vehicles in streambeds and providing a penalty, previously deferred.

Senator Fraise offered amendment S—6030 filed by him from the floor to page 1 of the bill.

Senator Peterson raised the point of order that amendment S—6030 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—6030 in order.

Senator Husak asked and received unanimous consent that further action on amendment S—6030 and **House File 2158** be **deferred**.

### LEAVE OF ABSENCE

Leave of absence was granted as follows:

Senator Kinley for the remainder of the evening on request of Senator Palmer.

### HOUSE AMENDMENT TO SENATE AMENDMENT CONSIDERED

#### House File 653

Senator Lind called up for consideration 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, amended by the Senate, further amended by the House and moved that the Senate concur in House amendment S—6011 to Senate amendment H—6092 filed April 14, 1988.

The motion prevailed by a voice vote and the Senate concurred in the House amendment to the Senate amendment.

Senator Lind moved that the bill as amended by the Senate, further amended by 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. 653) 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
Husak	Hutchins	Jensen	Lind
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.



Murphy	Nystrom	Palmer	Peterson
Priebe	Readinger	Rensink	Riordan
Scott	Sturgeon	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 6:

Dieleman	Hultman	Kinley	Rife
Schwengels	Soorholtz		

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

### CONSIDERATION OF BILL (Appropriations Calendar)

Senator Husak asked and received unanimous consent to take up for consideration House File 2456.

#### House File 2456

On motion of Senator Lloyd-Jones, House File 2456, a bill for an act relating to programs for which appropriations to the department of human services are required, and providing penalties, with report of committee recommending amendment and passage, was taken up for consideration.

Senator Lloyd-Jones offered amendment S—5977 filed by the committee on Appropriations on April 13, 1988, to page 2 of the bill and moved its adoption.

Amendment S—5977 was adopted by a voice vote.

Senator Welsh offered amendment S—6031 filed by him from the floor to page 1 of the bill.

Senator Hultman raised the point of order that amendment S—6031 was not germane to the bill.

The Chair ruled the point not well taken and amendment S—6031 in order.

Senator Welsh moved the adoption of amendment S—6031, 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?" (H.F. 2456) the vote was:

Ayes, 30:

Boswell	Bruner	Carr	Coleman
Deluhery	Dieleman	Doyle	Fraise
Gettings	Gronstal	Hannon	Holden
Holt	Horn	Husak	Hutchins
Lloyd-Jones	Mann	Miller, A.V.	Miller, C.P.
Nystrom	Palmer	Peterson	Priebe
Readinger	Riordan	Scott	Varn
Wells	Welsh		

Nays, 12:

Drake	Gentleman	Goodwin	Hall
Hester	Hultman	Jensen	Lind
Rensink	Taylor	Tieden	Vande Hoef

Absent or not voting, 8:

Corning	Fuhrman	Kinley	Murphy
Rife	Schwengels	Soorholtz	Sturgeon

The bill having received a constitutional majority was declared to have passed the Senate and the title was agreed to.

## SENATE RECEDES

### House File 2459

Senator Gronstal called up for consideration House File 2459, a bill for an act relating to the imposition and collection of the state sales, services, and use taxes by out-of-state retailers, amended by the Senate and moved that the Senate insists on its amendment.

A non record roll call was requested.

The ayes were 16, nays 26.

The motion lost and the Senate **receded** from its amendment.

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. 2459) the vote was:

Ayes, 41:

Boswell	Bruner	Carr	Coleman
Deluhery	Doyle	Drake	Fraise
Fuhrman	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	Riordan	Scott	Taylor
Tieden	Vande Hoef	Varn	Wells
Welsh			

Nays, 1:

Hultman

Absent or not voting, 8:

Corning	Dieleman	Kinley	Murphy
Rife	Schwengels	Soorholtz	Sturgeon

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 April 14, 1988, adopted the **conference committee report** and passed **House File 2278**, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detention of juveniles in adult facilities, and providing penalties.

ALSO: That the House has on April 14, 1988, amended and passed the following bill in which the concurrence of the Senate is asked:

**Senate File 2327**, a bill for an act to provide for a state individual income tax checkoff for the United States olympic committee, a portion of which shall be made available for amateur sports and special olympic programs in Iowa, and providing a retroactive effective date (S—6032).

### CONFERENCE COMMITTEE REPORT RECEIVED (House File 2278)

A conference committee report signed by the following Senate and House members was filed April 14, 1988, on House File 2278, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detention of juveniles in adult facilities, and providing penalties:

On the Part of the Senate:

TOM MANN, JR., Chair  
DONALD V. DOYLE  
EUGENE FRAISE  
JULIA GENTLEMAN  
JACK HESTER

On the Part of the House:

TOM FEY, Chair  
TONY BISIGNANO  
BETTY JEAN CLARK  
DAN JAY  
LEE PLASIER

### CONFERENCE COMMITTEE REPORT CONSIDERED

#### House File 2278

Senator Mann called up the conference committee report on House File 2278, a bill for an act relating to the issuance of citations to juveniles, the detention of juveniles and restrictions on the detention of juveniles in adult facilities, and providing penalties, filed April 14, 1988, and moved its adoption.

The motion prevailed by a voice vote and the conference committee report and the recommendations and amendments contained therein was adopted.

Senator 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. 2278) the vote was:

Ayes, 40:

Boswell	Bruner	Carr	Coleman
Corning	Deluhery	Doyle	Drake
Fraise	Fuhrman	Gentleman	Gettings
Goodwin	Gronstal	Hall	Hannon
Hester	Holden	Holt	Horn
Hultman	Husak	Jensen	Lind
Mann	Miller, A.V.	Nystrom	Palmer
Peterson	Priebe	Readinger	Rensink
Riordan	Scott	Taylor	Tieden
Vande Hoef	Varn	Wells	Welsh

Nays, none.

Absent or not voting, 10:

Dieleman	Hutchins	Kinley	Lloyd-Jones
Miller, C.P.	Murphy	Rife	Schwengels
Soorholtz	Sturgeon		

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 **House Files 653, 2456, 2459 and 2278** be immediately messaged to the House.

Senator Husak asked and received unanimous consent to send an **immediate message** to the House on **Senate File 2289**.

### WITHDRAWN

Senator Tieden asked and received unanimous consent that **Senate Files 2066 and 2112** be withdrawn from further consideration of the Senate.

The Senate stood at ease until the fall of the gavel.

The Senate resumed session, President Zimmerman presiding.

### IMMEDIATELY MESSAGED

Senator Varn asked and received unanimous consent that **House File 2465** be **immediately messaged** to the House.

## APPENDIX

### REPORTS OF COMMITTEE MEETINGS

#### AGRICULTURE

**Convened:** April 13, 1988, 8:03 a.m.

**Members Present:** Priebe, Chair; A. Miller, Vice Chair; Hester, Ranking Member; Husak, Peterson, Hall, Scott, Soorholtz, Riordan, Rensink, Fraise and Vande Hoef.

**Members Absent:** Boswell and Fuhrman.

**Committee Business:** Approved LSBs 8484, 8485, 8487, 8490 and 8504 as committee bills.

**Adjourned:** 8:25 a.m.

#### APPROPRIATIONS

**Convened:** April 13, 1988, 11:25 a.m.

**Members Present:** Welsh, Chair; Husak, Vice Chair; Tieden, Ranking Member; Tieden, Boswell, Corning, Dieleman, Fraise, Gettings, Holt, Jensen, Lind, Lloyd-Jones, Peterson, Readinger, Riordan, Sturgeon and Varn.

**Members Absent:** Schwengels (excused).

**Committee Business:** Recommended passage of House Files 2464 and 2456 as amended; approved LSB 8359 as a committee concurrent resolution.

**Adjourned:** 12:23 p.m.

#### JUDICIARY

**Convened:** April 13, 1988, 1:45 p.m.

**Members Present:** Doyle, Chair; Mann, Vice Chair; Holt, Ranking Member; Carr, Drake, Fraise, Fuhrman, Gentleman, Hester, Horn, Taylor and Varn.

**Members Absent:** Coleman and Deluhery.

**Committee Business:** Recommended passage of House File 2449; approved LSBs 8475 and 8503 as committee resolutions.

**Adjourned:** 1:55 p.m.

## **RULES AND ADMINISTRATION**

**Convened:** April 13, 1988, 6:35 p.m.

**Members Present:** Hutchins, Chair; Gronstal, Vice Chair; Hultman, Ranking Member; Gettings and Jensen.

**Members Absent:** Kinley.

**Committee Business:** Recommended passage of House Concurrent Resolution 108 and recommended passage of Senate Resolution 105 as amended.

**Adjourned:** 6:40 p.m.

## **WAYS AND MEANS**

**Convened:** April 13, 1988, 1:12 p.m.

**Members Present:** Bruner, Chair; Husak, Vice Chair; Holden, Ranking Member; Boswell, Dieleman, Gronstal, Murphy, Riordan, Drake, Hester, Holt, Readinger and Soorholtz.

**Members Absent:** Mann and Palmer.

**Committee Business:** Recommended passage of House Files 2458, 2460 and 2465; approved SSB 2274 as a committee bill.

**Adjourned:** 1:37 p.m.

## **BILLS SIGNED BY THE GOVERNOR**

Communications were received announcing that on April 14, 1988, the Governor approved and transmitted to the Secretary of State the following bills:

SENATE FILE 450 — Relating to the regulation of the operation of trains and to the safety of transportation of railroad company workers and equipment and providing a penalty and effective date.

SENATE FILE 2088 — Relating to the eligibility date of certain military veterans for membership on a county commission of veterans affairs and certain military veteran benefits.

SENATE FILE 2164 — Relating to the composition of the Iowa economic development board.

SENATE FILE 2190 — To create an advancement and recruitment program to encourage administrative advancement of women and minorities and recruitment of minorities by school corporations.

SENATE FILE 2246 — Relating to the penalties for water pollution and hazardous waste disposal.

SENATE FILE 2280 — Relating to the time of filing a nonprofit corporation's annual report.

SENATE FILE 2281 — Relating to service of notice on a judgment debtor in garnishment proceedings.

SENATE FILE 2302 — Relating to the investment powers of state banks.

#### MOTIONS TO RECONSIDER

MADAM PRESIDENT: I move to reconsider the vote by which House File 2269 passed the Senate on April 14, 1988.

EMIL J. HUSAK

MADAM PRESIDENT: I move to reconsider the vote by which House File 2269 passed the Senate on April 14, 1988.

CALVIN O. HULTMAN

MADAM PRESIDENT: I move to reconsider the vote by which House File 2469 passed the Senate on April 14, 1988.

EDGAR H. HOLDEN

MADAM PRESIDENT: I move to reconsider the vote by which House File 2469 passed the Senate on April 14, 1988.

JIM RIORDAN

MADAM PRESIDENT: I move to reconsider the vote by which Senate File 2250 passed the Senate on April 14, 1988.

PATRICK J. DELUHERY

MADAM PRESIDENT: I move to reconsider the vote by which amendment S—6008 to House File 2464 was adopted by the Senate on April 14, 1988.

RAY TAYLOR



## SUBCOMMITTEE ASSIGNMENTS

**House File 2463**

WAYS AND MEANS: Bruner, Chair; Riordan and Drake

**House File 2470**

JUDICIARY: Drake, Chair; Deluhery and Hester

**House File 2474**

WAYS AND MEANS: Gronstal, Chair; Holden and Palmer

## PRESENTATION OF VISITORS

The Chair welcomed the following visitors who were present in the Senate gallery:

Forty-five eleventh and twelfth grade students from North High School, Sioux City, Iowa, accompanied by Larry Twait and Brent Belinski. Senators Sturgeon and Doyle.

Twenty sixth grade students from Gilmore City-Bradgate Elementary School, Gilmore City, Iowa, accompanied by Harold Troyer and Dennis Geitzenauer. Senator Priebe.

## AMENDMENTS FILED

S—6003	H.F.	2453	Jim Riordan John W. Jensen
S—6004	S.F.	2328	Ray Taylor
S—6005	H.F.	2170	Joe Welsh
S—6006	H.F.	2469	Appropriations
S—6007	H.F.	2339	Wally Horn Bob Carr C. Joseph Coleman
S—6008	H.F.	2464	Tom Mann, Jr.
S—6009	H.F.	2269	C. Joseph Coleman
S—6010	S.F.	376	House amendment
S—6011	H.F.	653	House amendment
S—6012	H.F.	2469	Michael E. Gronstal
S—6013	H.F.	2344	House amendment
S—6014	S.F.	2107	House amendment
S—6015	S.F.	2339	Jim Lind David Readinger

S—6016	H.F.	2469	Edgar H. Holden
S—6017	S.F.	2126	House amendment
S—6018	S.F.	2289	House amendment
S—6019	H.F.	2448	Berl E. Priebe Charles Bruner
S—6020	H.F.	2339	Calvin O. Hultman
S—6021	S.F.	2107	Charles Bruner
S—6022	S.F.	2250	Patrick J. Deluhery Emil J. Husak Alvin V. Miller Berl E. Priebe James Wells Richard F. Drake Jim Lind Calvin O. Hultman
S—6023	H.F.	2339	Linn Fuhrman
S—6024	H.F.	2339	Linn Fuhrman
S—6025	S.F.	2333	Jim Riordan
S—6026	S.F.	2333	Jim Riordan
S—6027	H.F.	613	House amendment
S—6028	H.F.	2439	House amendment
S—6029	H.F.	2455	Al Sturgeon Jim Lind Jim Riordan David M. Readinger
S—6030	H.F.	2158	Eugene Fraise
S—6031	H.F.	2456	Joe Welsh
S—6032	S.F.	2327	House amendment

### ADJOURNMENT

On motion of Senator Hutchins, the Senate adjourned at 10:04 p.m., until 9:00 a.m., Friday, April 15, 1988.